



LAND SUBDIVISION REGULATIONS

TOWN OF LIVINGSTON, COUNTY OF COLUMBIA, STATE OF NEW YORK

ARTICLE I

Declaration of Policy

Pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Planning Board of the Town of Livingston 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 and to conditionally approve preliminary plats, within that part of the Town of Livingston outside the limits of any incorporated city or village. It is declared to be the policy of the Planning Board to consider land Subdivision Plats as part of a plan for the orderly, efficient, and economical development of the Town. 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, if such exists, 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. 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 "Town of Livingston Land Subdivision Regulations" have been adopted by the Planning Board on October 17, 1969, and approved by the Town Board on August 13, 1971. Said subdivision regulations amended and approved by the Town Board on December 20, 1984 and September 9, 2004.

ARTICLE II

Definitions

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

<u>Subdivision</u>	Means the division of any parcel of land into two or more lots, blocks, or sites, with or without streets or highways and includes re-subdivision.
<u>Major Subdivision</u>	Means any subdivision not classified as a Minor Subdivision, including, but not limited to, subdivision of five or more lots, or any size subdivision requiring any new street or extension of municipal facilities.
<u>Minor Subdivision</u>	Means any subdivision containing not more than four lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, or Zoning Ordinance, if such exists, or these regulations.
<u>Sketch Plan</u>	Means a sketch of a proposed subdivision showing the information specified in Article V, Section 1 of these regulations to enable the subdivider to save time and expense in reaching general agreement with the Planning Board as to the form of the layout and objectives of these regulations.
<u>Preliminary Plat</u>	Means a drawing or drawings clearly marked "preliminary plat" showing the salient features of the proposed subdivision, as specified in Article V, Section 3 of these regulations, submitted to the Planning Board for purposes of consideration 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.
<u>Subdivision Plat or Final Plat</u>	Means a drawing, in final form, showing a proposed subdivision containing all information or detail required by law and by 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 County Clerk or Register.
<u>Street</u>	Means and includes streets, roads, avenues, lanes, or other traffic ways, between right-of-way lines.
<u>Major Street</u>	Means a street that serves or is designed to serve heavy flows of traffic, and which is used primarily as a route for traffic between communities and/or other heavy traffic generating areas.
<u>Collector Street</u>	Means a street that serves or is designed to serve as a traffic way for a neighborhood or as a feeder to a major street.
<u>Minor Street</u>	Means a street intended to serve primarily as an access to abutting properties.
<u>Dead-End Street or Cul-de-Sac</u>	Means a street or a portion of a street with only one means of vehicular traffic access.

<u>Street Pavement</u>	Means the wearing or exposed surface of the roadway used by vehicular traffic.
<u>Street Width</u>	Means the width of right-of-way, measured at right angles to the center line of the street.
<u>Easement</u>	Means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
<u>Planning Board or Board</u>	Means the Planning Board of the Town.
<u>Master or Comprehensive Plan</u>	Means a comprehensive plan, prepared by the Planning board pursuant to Section 272-a of the town Law which indicates the general locations recommended for various functional classes of public works, places, and structures and for general physical development of the Town and includes any unit or part of such plan separately prepared and any amendment to such plan or parts therein.
<u>Official Map</u>	Means the map established by the Town Board pursuant to Section 270 of the Town Law, showing streets, highways, and parks and drainage, both existing and proposed.
<u>Code Enforcement Officer</u>	Means the duly designed Code Enforcement officer of the Town.
<u>Engineer or Licensed Professional Engineer</u>	Means a person licensed as a professional engineer by the State of New York.
<u>Surveyor</u>	Means a person licensed as a land surveyor by the State of New York.
<u>Subdivider</u>	Means any person, firm, corporation, partnership or association, who shall lay out any subdivision or part thereof as defined herein, either for himself or others.

ARTICLE III

Procedure in Filing Subdivision Applications

Whenever any subdivision of land is proposed to be made, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or his duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures.

Section 1. Sketch Plan

A. Submission of Sketch Plan

Any owner of land shall, prior to subdividing or resubdividing land, submit to the Secretary of the Planning Board at least ten (10) days prior to the regular meeting of the Board two (2) copies of a Sketch Plan of the proposed subdivisions, which shall comply with the requirements of [Article V, Section I](#), for the purposes of classification and preliminary discussion.

B. Discussion of Requirements and Classification

The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects, as well as the availability of existing services and other pertinent information.

Classification of the Sketch Plan is to be made at this time by the Planning Board as to whether it is a Minor or Major Subdivision as defined in these regulations. The 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. If the Sketch Plan is classified as a Minor Subdivision, the subdivider shall then comply with the procedure outlined in Article III, Section 2 of these regulations. If it is classified as a Major Subdivision, the subdivider shall then comply with the procedures outlined in [Article III, Section 3](#), [Section 4](#), and [Section 5](#).

C. Study of Sketch Plan

The Planning Board shall determine whether the Sketch Plan meets the purposes of these regulations and shall, where it deems it necessary, make specific recommendations in writing to be incorporated by the applicant in the next submission to the Planning Board.

Section 2. Approval of Minor Subdivision

A. Application and Fee

Within six (6) months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the subdivider shall submit an application for approval of a Subdivision Plat. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for re-classification. The Plat shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board. Said application shall also conform to the requirements listed in [Article V, Section 2-A](#).

All applications for Plat approval for Minor Subdivisions shall be accompanied by a fee in an amount as set by the Town within the applicable fee schedule.

Number of Copies

Five (5) copies of the Subdivision Plat shall be presented to the Secretary of the Planning Board at least ten (10) days prior to a scheduled monthly meeting of the Planning Board.

B. Subdivider to Attend Planning Board Meeting

The subdivider or his duly authorized representative shall attend the meeting of the Planning Board to discuss the Subdivision Plat.

C. When Officially Submitted

The time of submission of the Subdivision Plat shall be considered to be the date of the regular meeting of the Planning Board at least ten (10) days prior to which the application for Plat approval, complete and accompanied by the required fee and all data required by [Article V, Section 2](#) of these regulations, has been filed with the Secretary of the Planning Board.

D. Public Hearing

A public hearing shall be held by the Planning Board within sixty-two (62) days from the time of submission of the final subdivision plat for approval. Said hearing shall be advertised in a newspaper of general circulation in the town at least five (5) days before such hearing.

E. Action on Subdivision Plat

The Planning Board shall, within sixty-two (62) days from the close of the public hearing, approve, modify and approve or disapprove the Subdivision Plat.

Section 3. Preliminary Plat for Major Subdivision

A. Application and Fee

Prior to the filing of an application for the approval of a Major Subdivision Plat, the subdivider shall file an application for the consideration of a Preliminary Plat of the proposed subdivision, in the form described in [Article V, Section 3](#); hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth in the provisions of the Town law, and [Article V, Section 3](#) of these regulations, except where a waiver may be specifically authorized by the Planning Board.

All applications for conditional approval of preliminary plats shall be accompanied by a fee in an amount as set by the Town within the applicable fee schedule.

B. Number of Copies

Five (5) copies of the Preliminary Plat shall be presented to the Secretary of the Planning Board at least ten (10) days prior to a regular monthly meeting of the Planning Board.

C. Subdivider to Attend Planning Board Meeting

The subdivider or his duly authorized representative shall attend the meeting of the Planning Board to discuss the Preliminary Plat.

D. Study of Preliminary Plat

The Planning Board shall study the practicability of the Preliminary Plat taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the [Master Plan](#), the [Official Map](#), and [Zoning Regulations](#), if such exists.

E. When Officially Submitted

The time of submission of the Preliminary Plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for conditional approval of the preliminary plat, complete and accompanied by the required fee and all data required by [Article V, Section 3](#) of these regulations, has been filed with the Secretary of the Planning Board.

F. Conditional Approval of the Preliminary Plat

Within sixty-two (62) days after the time of submission of a preliminary plat, the Planning Board shall take action to conditionally approve, with or without modifications, or disapprove such preliminary plat and the ground of any modification required or the ground for disapproval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act within such sixty-two (62) day period shall constitute a conditional approval of the preliminary plat.

When granting conditional approval to a preliminary plat, the Planning Board shall state the conditions of such approval, if any, with respect to (1) the specific changes which it will require in the Preliminary Plat (2) the character and extend of the required improvements 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, (3) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Subdivision Plat. The action of the Planning Board plus any conditions attached thereto shall be noted on three (3) copies of the Preliminary Plat. One (1) copy shall be returned to the subdivider, one (1) retained by the Planning Board and one (1) forwarded to the Town Board.

Conditional 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 as a guide to the preparation of the Final Plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of the regulations and conditions of the Conditional Approval, if any.

Prior to approval of the Subdivision Plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at the public hearing.

Section 4. Plat for Major Subdivision

A. Application for Approval and Fee

The subdivider shall, within six (6) months after the conditional approval of the Preliminary Plat, file with the Planning Board an application for approval of the Subdivision Plat in final form, using the approval application blank available from the Secretary of the Planning Board. All applications for Plat approval for Major Subdivision shall be accompanied by a fee as set by the Town in their fee schedule. If the final plat is not submitted within six (6) months after the approval of the Preliminary Plat, the planning board may revoke the preliminary approval and require re-submission of the preliminary plat.

B. Number of Copies

A subdivider intending to submit a proposed Subdivision Plat for the approval of the Planning Board shall provide the Secretary of the Board with a copy of the Application and at least three (3) copies of the Plat, the original and one (1) true copy of all offers of cession, covenants,

and agreements, and two (2) prints of all construction drawings, at least ten (10) days in advance of the regular monthly Planning Board meeting at which it is to be officially submitted.

C. When Officially Submitted

The time of submission of the Subdivision Plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for approval of the subdivision plat, complete and accompanied by the required fee and all data required by Article V, Section 4 of these regulations, has been filed with the Secretary of the Planning Board. In addition, if the applicant elects to construct any or all required improvements (as specified in [Article III, Section 5-A 2](#)), the Code Enforcement Officer must file a certificate with the Planning Board stating that the improvements have been satisfactorily installed before the Subdivision Plat shall be considered officially submitted.

D. Endorsement of State and County Agencies

Water and sewer facility proposals contained in the Subdivision Plat shall be properly endorsed and approved by the Columbia County Department of Health. Applications for approval of plans for sewer or water facilities will be filed by the subdivider with all necessary Town, County, and State agencies.

Endorsement and approval by the Columbia County Department of Health Shall be secured by the subdivider before official submission of the Subdivision Plat.

E. Public Hearing

A public hearing shall be held by the Planning Board within sixty-two (62) days after the time of submission of the subdivision plat for approval. This hearing shall be advertised in a newspaper of general circulation in the town at least five (5) days before such hearing.

F. Action on Proposed Subdivision Plat

The Planning Board shall, within sixty-two (62) days from the date of the Public Hearing on the Subdivision Plat, approve, modify and approve or disapprove the Subdivision Plat. However, the Subdivision Plat shall not be signed by the authorized officers of the Planning Board for recording until the subdivider has complied with the Provision of [Section 5](#) of this Article.

Section 5. Required Improvements

A. Improvements and Performance Bond

Before the Planning Board grants final approval of the Subdivision Plat, the subdivider shall follow the procedure set forth in either subparagraph (1) or subparagraph (2) below:

(1) In an amount set by the Planning Board, the subdivider shall either file with the Town Clerk a certified check to cover the full cost of the required improvements or the subdivider shall file with the Town Clerk a performance bond to cover the full cost of the required improvements. Any such bond shall comply with the requirements of Section 277 of the town Law and shall be satisfactory to the Planning Board, shall be approved by the Town Board, and approved by the Planning Board attorney as to form, sufficiency, manner and execution and surety. A period of one (1) year (or such other period as the Planning Board may determine appropriate, not to exceed three (3) years) shall be set forth in the bond within which required improvements must be completed.

(2) The subdivider shall complete all required improvements to the satisfaction of the Code Enforcement Officer, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Board. For any required improvements not so completed, the subdivider shall file with the Town Clerk a bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvement not approved by the Code Enforcement Officer. Any such bond shall be shall be approved by the Town Board and approved by the Planning Board attorney as to form, sufficiency, manner and execution and surety.

B. Modification of Design of Improvement

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Code Enforcement Officer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Code Enforcement Officer may, upon approval by a previously delegated member of the Planning Board, authorize modifications provided these modifications .are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alternation of the function of any improvements required by the Board. The Code Enforcement Officer shall issue any authorization under this Section in writing and shall transmit a copy of such authorization to the Planning Board at their next regular meeting.

C. Inspection of Improvements

At least five (5) days prior to considering construction of required improvements, the subdivider shall pay to the Town Clerk the inspection fee required by the Town Board and shall notify the Town Board in writing of the time when he proposes to commence construction of such improvements so that the Town Board may cause inspection to be made to assure that all Town specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

D. Proper Installation of Improvements

If the Code Enforcement Officer shall find, upon inspection of the improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall also report to the Planning Board. The Town Board then shall notify the subdivider, and if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the bond. No Plat shall be approved by the Planning Board as long as the subdivider is in default on a previously approved Plat.

Section 6. Filing of Approved Subdivision Plat

A. Final Approval and Filing

Upon completion of the requirements in Section 4 and 5 above and notation to that effect upon the Subdivision Plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Planning Board (Chairman or Acting Chairman) and may be filed by the applicant in the Office of the County Clerk within sixty-two (62) days of the final approval or such approval shall expire.

B. 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 endorsed in writing on the Plat, unless the said Plat is first resubmitted to the Planning Board and such Board approves any modifications. In the event that any such Subdivision Plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the Plat stricken from the records of the County Clerk.

Section 7. Public Streets, Recreation Areas

A. Public Acceptance of Streets

The approval of the Planning Board of a Subdivision Plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any street, easement, or other open space shown on such Subdivision Plat.

B. Ownership and Maintenance of Recreation Areas

When a park, playground, or other recreation area shall have been shown on a Plat, the approval of said Plat shall not constitute an acceptance by the Town 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 written agreement between the applicant and the Town Board covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

ARTICLE IV

General Requirements and Design Standards

In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth hereinafter. The said standards shall be considered to be minimum requirements and shall be waived by the Board only under circumstance's set forth in [Article VI](#) herein.

Section 1. General

A. 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.

B. Conformity to Official Map and Master Plan

Subdivisions shall conform to the Official Map of the Town and shall be in harmony with the Master Plan or Comprehensive plan, if any such exist.

C. Specifications for Required Improvements

All required improvements shall be constructed or installed to conform to the Town Specifications.

Section 2. Street Layout

A. Width, Location and Construction

Streets shall be of sufficient width, suitably located, and adequately constructed to conform with the Master Plan or Comprehensive Plan, if any such exist, and to accommodate the prospective traffic and afford access for firefighting, snow removal and other road maintenance equipment. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system.

B. Arrangement

The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions, and for the 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 Planning Board, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

C. Minor Streets

Minor streets shall be so laid out that their use by through traffic will be discouraged.

D. Special Treatment Along Major Arterial Streets

When a subdivision abuts to or contains an existing or proposed major arterial street, the Board may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

E. Provision for Future Resubdivision

Where a tract is subdivided into lots substantially larger than the minimum size required in the Zoning district in which a larger subdivision is located, the 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.

F. Dead-End Streets

The creation of dead-end with cul-de-sac, or loop residential streets will be encouraged 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 with cul-de-sac streets, where needed or desirable, the Board may require the reservation of a 20-foot wide easement to provide for the continuation of pedestrian traffic and utilities to the next street. Subdivisions containing twenty (20) lots or more shall have at least two street connections with existing public streets, or streets shown on the [Official Map](#), if such exists, or streets on an approved Subdivision Plat for which a bond has been filed.

G. Block Size

Blocks generally shall not be less than 400 feet nor more than 1200 feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 20-foot wide easement through

connections to the property line of each lot within the subdivision for such required utilities before the street is paved.

D. Utility Easements

Where topography is such as to make impractical the inclusion of utilities within the street rights-of-way, perpetual unobstructed easements at least 20 feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible. Such easements shall be cleared and graded where required.

E. Grades

Grades of all streets shall conform in general to the terrain and shall not be less than one-half (½) nor more than six percent (6%) for major or collector streets, or ten percent (10%) for minor streets in residential zones, but in no case more than three percent (3%) within 50 feet of any intersection.

F. Changes in Grade

All changes in grade shall be connected by vertical curves of such length and radius so that clear visibility shall be provided for a safe distance.

G. Curve Radii at Street Intersections

All street right-of-way lines at intersections shall be rounded by curves of at least 20 feet radius and curbs shall be adjusted accordingly.

H. Steep Grades and Curves: Visibility of Intersections

A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) shall be cleared of all growth (except isolated trees) and obstructions above the level three feet high than the center line of the street. If directed, ground shall be excavated to achieve visibility.

I. Dead-End Streets (Cul-de-Sacs)

Where dead-end streets are designed to be so permanently, they should, in general, not exceed 500 feet in length, and shall terminate in a circular turn-around having a minimum right-of-way radius of 60 feet and pavement radius of 50 feet. At the end of temporary dead-end streets, a temporary turn-around with a pavement radius of 50 feet shall be provided, unless the Planning Board approves an alternate arrangement.

J. Watercourses

Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Code Enforcement Officer.

Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way as required by the Code Enforcement Officer and in no case less than 20 feet in width.

K. Curve Radii

In general, street lines within a block, deflecting from each other at any one point by more than 10 degrees, shall be connected with a curve, the radius of which for the centerline of street shall not be less than 400 feet on major streets, 200 feet on collector streets, and 100 feet on minor streets.

L. Service Streets or Loading Space in Commercial Development

Paved rear service streets of not less than 20 feet in width, or in lieu thereof, adequate off-street loading space, suitably surfaced, shall be provided in connection with lots designed for commercial use.

M. Free Flow of Vehicular Traffic Abutting Commercial Developments

In front of areas zoned and designed for commercial use or where a change of zoning to a zone that permits commercial use is contemplated, the street width shall be increased by such amount on each side as may be deemed necessary by the Planning board to

assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district.

Section 4. Street Names

A. Type of Name

All street names shall be shown on a Preliminary Plat or Subdivision Plat and shall be approved by the Planning Board. In general, streets shall have names and not numbers or letters.

B. Names to be Substantially Different

Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name. Generally, no street should change direction by more than 90 degrees without a change in street name.

Section 5. Lots

A. Lots to be Buildable

The lot arrangement shall be such that in constructing a building in compliance with the Zoning Law, 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.

B. Side Lines

All sidelines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street or lot plan.

C. Corner Lots

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

D. Driveway Access

Driveway access and grades shall conform to specification of the Town driveway specifications, if such exists. Driveway grades between the street and the setback line shall not exceed 10 percent (10%).

E. Access from Private Streets

Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with these regulations.

F. Monuments and Lot Corner Markers

Permanent monuments meeting specifications approved by the Planning Board as to size, type and installation, shall be set at such block corners, angle points, points of curves in streets and other points as the Code Enforcement Officer may require, and their location shall be shown on the Subdivision Plat.

Section 6. Drainage Improvements

A. Removal of Spring and Surface Water

The subdivider may be required by the Planning Board to carry away by pipe or open ditch any spring or surface water that may exist either previous to, or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width.

B. Drainage Structure to Accommodate Potential Development Upstream

A culvert or other drainage facility shall, in each case, be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside the subdivision. The Planning Board shall approve the design and size of facility based on anticipated run-off from a "ten year" storm under conditions of total potential development permitted by the Zoning Law in the watershed.

