

APPLICATION FOR SUBDIVISION APPROVAL OF A SKETCH PLAN with checklist

Prior to filing any application for SUBDIVISION approval, the applicant shall request in writing that the zoning administrator schedule a pre-submission conference.

APPLICATION TO THE PLANNING BOARD
TOWN OF HYDE PARK, NEW YORK
4383 Albany Post Road
Hyde Park, N.Y. 12538
Phone (845) 229-5111 X 2
Fax (845) 229-0349

APPLICATION NO. _____

Date Stamp: _____

Project Name: _____

Received by: _____

Number of Copies (10): _____

Fee: \$ _____

Escrow: _____

Date Administratively Complete: _____

15 d. prior next reg. meeting: _____

Part I – Information

I. PROPERTY ADDRESS: _____

TAX GRID NO.: _____

ZONING DISTRICT: _____

II. PROPERTY OWNERSHIP:

NAME OF OWNER(s) _____

ADDRESS: _____

NAME OF CONTACT PERSON: _____

PHONE NUMBER: _____

EMAIL: _____

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III. APPLICANT INFORMATION:

APPLICANT NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

Email Address: _____

Part II – Request

The Applicant requests a **Subdivision** for the use of the above described property as provided under the following section of the Code of the Town of Hyde Park

- _____ Section 96.9 Average Density Subdivision, or
- _____ Section 96.9 Average Density with Clustering, or
- _____ Section 96.10 Conservation Design Subdivision, and

for the following purposes and uses:

Number of Lots Calculation:

Average Density Subdivision:

Max Lots = Ac. Parent Parcel/# Ac. Per DU in zoning District as specified in 108-5.15.

Then round down to lowest whole number

Number Acres of Parent Parcel = _____

Number DU allowed in Zoning District = _____

Resultant rounded down to nearest whole number= _____ (max. number of lots)

Identify the proposed method of legal assurances to prevent further subdivision of any lot if such subdivision would reduce the avg. density below the permitted density.

Part III – Submittal Requirements (96-18)

_____ **Sketch Plan Map** (scale not less than 200' to the inch)

_____ **Context Map** 1" = 400' (no field survey needed) See 96.18.B

_____ Major subdivision property + 2500'

_____ Minor subdivision property + 1000'

_____ Lot line alteration with no new lots – not required

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_____ **Existing Resources/Site Analysis Map** See 96.18.C

_____ **Waivers**

If the applicant wishes the Planning Board to consider waiving any of the requirements for submittal the request should include the specific code section reference and a reason for such request.

_____ **Open Space:** Thirty percent of the total acreage must be preserved as permanent open space.

_____ **Electronic submittal of documents and maps**

_____ **Completed Environmental Assessment Form**

Part IV – SIGNATURE AND VERIFICATION

Please be advised that no application can be deemed complete unless signed below.

I hereby certify that the information enclosed herewith and on the application is accurate and factual:

Signature of Applicant: _____ Date: _____

I the record owner do hereby authorize _____ to represent me before the Planning Board during the Site Plan Approval process:

Signature of Applicant: _____ Date: _____

Note: For all applications that are deemed withdrawn/closed/expired, payment of new fees are required if the applications are resubmitted.

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ATTACHMENT A

Subdivision Sketch Plan Documents to be Submitted 96-18

Sketch Plan Map (scale not less than 200' to the inch)

- Boundary of entire holding w/area of subdivision and nearest street intersection
- Topographic contours ≤ 10 ft TE approval if ≥ 10 ft
- Name property owner
- Names adjoining owners
- Tax map section, block and lot numbers
- Utilities available
- Streets as proposed mapped or built
- Pattern of lots within subdivision and w/reference to surrounding area
 - lot width and depth;
 - lot area in Ac. and sq ft;
 - street layout;
 - recreation areas;
 - system of drainage;
 - sewage system;
 - water supply
- Existing restrictions: easements; covenants
- Location map (scale not $< 1" = 2000'$) of the proposed subdivision relative to existing
 - traffic arteries;
 - shopping;
 - schools;
 - parks;
 - employment centers;
 - churches;
 - other;
 - north arrow;
 - scale;
 - date
- Existing drainage features within and within 200' there of
 - culverts;
 - marshes;
 - ponds;
 - streams;
 - wetlands and their buffer zones;
- Site conditions on property and within 200'
 - roads or lanes;
 - structures;
 - fences;
 - power lines;
 - easements;
 - other existing improvements
- Acreage of each land use
- Density proposed
- Zoning district(s)
- 30% of the land is to be reserved as open space when required

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Context Map 1" = 400' (no field survey needed)

- Major subdivision property + 2500'
- Minor subdivision property + 1000'
- Lot line alteration with no new lots – not required

Natural Features

- Watercourses
- Wetlands
- Surface water bodies
- Floodplains
- Topography
- Wooded areas
- Orchards
- Critical Environmental areas

Historic Resources

- Structures and places listed – state or national register of historic sites
- Structures and places eligible for listing

Data sources other published sources okay such as:

- Aerial photo, USGS, DC GIS, FEMA, tax maps, DEC wetlands

Significant community facilities such as:

- major streets;
- shopping areas;
- schools;
- parks;
- housing developments

Map elements:

- Symbol key
- Map North Point
- Map Scale
- Map Date

Existing Resources/Site Analysis Map

- Map 1" = 200' existing natural and cultural resources
- Within portion being subdivided
- Within 200' there of
- Rock outcrops; other geologic features
- Isolated trees over 18" in diameter
- Wooded areas
- Orchards
- Hedges and other ornamental landscaping
- Existing structures
- Existing stone walls
- Soils suitability for septic productivity class
- Soils suitability for agriculture productivity class
- Wetlands: NYS DEC, ACOE and local
- Surface water bodies
- Watercourses
- North point
- Scale of Map
- Date

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Waivers

- Requested
- Reason undesirable, unreasonable, in conflict
- Waiver resolution required

Discussion of Requirements and classification (96.12)

- Applicant must attend meeting to discuss requirements of this Chapter.
- PB classifies as minor or major
- PB may require deed restriction limiting the re-subdivision of any parcel large enough to re-subdivide Intent will be as follows:
 - No more than total of 5 from parent parcel under classification as minor.
 - In future if exceed, must provide all info for major and copy of prior plat
 - PB may waive elements. Written request to waive and PB deems inappropriate.
 - No more than 49 lots from parent w/o water and sewer.

Proposed Mechanism for preservation of Permanent Open Space See 96.9.E

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AVERAGE DENSITY AND CONSERVATION SUBDIVISIONS

Average Density Subdivision (96.9)

Average density authorized in all subdivisions in all districts.

Average density allows DU grouped on portions suitable for development, leaves open space.

Average density subdivision allows variety of lot sizes, preservation of open space...

Must satisfy following:

Average Density Calculation:

Max. Number of lots Standard Average Density Subdivision

Max Lots = Ac. Parent Parcel/# Ac. Per DU in zoning District.

Then round down to lowest whole number

Number Acres of Parent Parcel = _____

Number DU allowed in Zoning District = _____

Resultant rounded down to nearest whole number= _____ (max. number of lots)

___ Identify the proposed method of legal assurances to prevent further subdivision of any lot if such subdivision would reduce the avg. density below the permitted density.

___ 30% of parent parcel acreage = _____ Ac.

Planning Board must approve of configuration.

Development must not compromise conservation value of such open space (96.9(E)).

___ Open space maximizes conservation value

___ Recreational, ___ Historic, ___, Ecological, ___ Agricultural, ___ Water Resource,

___ Scenic, ___ Other _____.

___ Examples

___ Active Agricultural Land, ___ Contiguous Mature Forest, ___ Wetlands,

___ Water Bodies, ___ Golf Courses, ___ Stream Corridors,

___ Views from public places, ___ Critical Env. Areas, ___ Historic/Scenic Overlay

___ As identified as worthy of preservation in the comprehensive Plan.

___ Notations on Plat

___ Clearly delineate & label on plat "Permanently Reserved for Open Space Purposes",

___ Uses permitted in open space,

___ Ownership of Open Space,

___ Management mechanism for Open Space,

___ Method of Preservation,

___ Rights, if any, granted to owners of other lots in Subdivision.

___ notation Liber and page of conservation easement or restrictive covenants.

Mechanism for preservation:

___ Map note and deed restriction example

"Shall prohibit residential, industrial, or commercial use of open space land (except in connection with agriculture, forestry and recreation, and shall not be amendable to permit such use. Access roads, driveways, local utility distribution lines, trails, temporary structure for outdoor recreation, and agricultural structures shall be permitted on preserved open space land, provided that they do not impair the conservation value of the land."

___ Conservation Easement (96.9.E.3).

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- Perpetual conservation easement
Restricts development of Open Space
- Allows use only for Agriculture, Forestry, Recreation, Protection of Natural resources or conservation purposes pursuant to Section 247 of General Municipal Law and/or SS 49-0301 through 49-0311 Env. Conserv. Law and granted to
 - Town of Hyde Park with approval of Town Board
 - Qualified not-for-Profit conservation organization acceptable to PB
 - Conservation easement approved by the PB and may require enforcement by the Town if Town is not holder of the Easement.
- Map note and deed restriction alternative if held in common by a HOA
- Restrictive covenant in the deed, and
- Map note on Final Plat, Enforceable by the Town

Ownership of open space proposed

- HOA, Town, County, State., Not-for-Profit, Private, Other
- If Home Owners Association see 96.9.E.4.

Cluster Option Allows Planning Board to vary lot areas and dimensional requirements.

Option for PB to require, finding conventional layout would be adversely affected

- Visually sensitive, Historically significant

Criteria includes but not limited to:

- Slopes over 15%, Erosive Soils, Rock outcrops, DEC/ACOE Wetlands,
 FEMA Flood Hazard, Viewsheds, Other _____

Application shall accomplish one or more of the following OS purposes.

- Preserve/enhance appearance, character or natural beauty of an area.
- Preserve for Park, wildlife habitat and recreation purposes
- Conservation of natural resources
- Preserve/protect particular areas and terrain for natural beauty, historic interest,
- Protect streams, rivers, freshwater wetlands and ponds to avoid flooding, erosion and water pollution.
- Modification of design results in development most appropriate use of land, facilitates the adequate and economical provision of streets and utilities and preserves the natural and scenic qualities of open lands.\

Additional information to be submitted

Conservation design subdivisions within Greenbelt and Waterfront (96.10)

Preserves large tracts of open space and affords landowners flexibility in road layout and design (including unpaved private roads) and frontage requirements.

- Average lot size 10 Ac or more

Town road and frontage requirements may be waived providing all following met:

- Average lot size is 10 Ac.
- Perpetual conservation easement to
 - Maintain natural and scenic qualities
 - Restrict building in locations deemed by PB to be env or visually sensitive.
 - Ensure land will not be subdivided to a density higher than 1 above.
- Adequate access emergency vehicles ensured by private roads/common driveways

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- No common drive serves more than 4 lots.
- If common drive serves more than 4, drive complies w/ private road stds in A111.

Private Road Requirements.

- Max lots accessed by private unpaved road is 20.
- Written approval from Town Superintendent of Highways and TE
- HOA created for perpetual care and maintenance.
 - HOA meets requirements in 96.9.
 - HOA must have power to assess owners for share of costs.
 - HOA ensures road maintained and kept open to permit emergency vehicle access
 - In event road not maintained, HP assumes maintenance and charges HOA.
 - If not paid w/i 60 days, amount and attorney collection fees can be lein on property.
 - PB discretion if performance bond must be posted to ensure completion.
 - PB discretion amount of bond.
 - PB discretion form of bond.
- Private Road can be offered for dedication if it conforms to A111 for rural streets...
- Town Board under no obligation to accept.
- In event dedication becomes necessary.. Cost to upgrade to A111 borne by HOA.
- Conservation easement or deed restriction so never re-subdivided beyond 96.10(B).
- Subdivision plat clearly shows road labeled as 'Private Road'
- Road design shall comply with standards for private roads in this Code.
- Waiver of private road requirement possible if after consulting with TA the board agrees that the common drive agreement will provide the same protections to the lot owners and the Town as would a private road owned by a HOA.

TOWN OF HYDE PARK

ESCROW PROCEDURES FOR TOWN OF HYDE PARK
ATTACHMENT B

Upon initial application to the Planning Board, Zoning Board of Appeals or Town Board, an applicant or his/her agent is responsible to deposit with the Town an escrow or combination escrow amount as established by the Board, the Chair, the Supervisor, or his/her designee in advance of the review of the application in accordance with Article 36 of the Town Code.

Upon receipt of your escrow, an account will be set up with designation for your project. The funds will be placed in a noninterest-bearing account maintained by the Town of Hyde Park and will be used by the Board for consultation with professional review services provided by engineers, lawyers, architects, landscape designers, surveyors, appraisers, planners, and related professionals. Professional review expenses are billed at an hourly rate, and you will be responsible for these invoices as it pertains to your project. For instance, as the Town receives invoices for work performed on your project from its consultants (i.e., Attorney, Engineer, Planner, etc.), your escrow will be used to pay these invoices. The Board, the Chair, the Supervisor, Zoning Administrator, or his/her designee prior to approval verifies and audits the invoices. **At any time, you may request copies of the bills processed against your escrow account from the Secretary of the Board the escrow was requested from. The Secretary will then coordinate with the applicant to obtain the necessary bills directly from the consultant.**

Before receiving the final decision by the reviewing Board regarding your application, any invoices submitted by the consultants used by said Board will be fully paid by your escrow.

If at any time there are insufficient funds in your account to cover the invoices, there will be a delay in your application, i.e., said project being placed on an agenda, being reviewed as needed, or being delayed in consideration for final decision. In the event you fail to deposit the requested fees into an escrow account, any application review, approval, permit, or certificates of occupancy shall be withheld or suspended by the reviewing board, officer, or employee of the Town until such monies are deposited. In addition, no application shall be accepted by any of the Town's Boards, nor shall any building permit or Certificate of Occupancy be issued, if said application has any outstanding fees due to the Town from any previous applications.

The Town may invoke any and all legal remedies provided to it under applicable laws including, but not limited to, Article 36 of the Hyde Park Zoning Code, including charging such sums against the real property subject to the permit application and adding that charge to, and making it a part of, the next real property tax bill associated with the subject property.

After all invoices are paid in full, the reviewing Board will authorize the release of any escrow balances to you or your designee.

Please sign below as agreement to the terms of the escrow procedures.

Signature of Primary Applicant

Date

Kindly print the name of the person whom any refund check will be made payable to upon completion of your application. This person will receive any escrow balance remaining, if any, upon approval of the Town Board.

Name: _____

Mailing Address: _____

Telephone: _____