

within that subdivision divided by 100 dwelling units equals the fees per lot.

- (b) Moneys received by the village from such payments shall be placed in a parkland acquisition fund, such moneys to be expended for acquiring parkland within 1/2 mile of any point of the subdivision.
- (4) Unusable areas or areas bordering streams, lakes or other watercourses can be given special consideration by the Planning Board in excess of the minimum. The village may accept these areas as gifts or purchase them should they be desirable for public open spaces.
- (5) Where such sites and open spaces are not shown on the Master Plan and where deemed essential by the Planning Board upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale development, the Planning Board may require the dedication or reservation of areas in excess of the minimum dedication.

ARTICLE V

Required Improvements

§ 103-8. General provisions.

The following are the improvements required by this Article to all subdivisions.

§ 103-9. Monuments.

Monuments shall be placed at all block corners, angle points, points of curvature in the streets, and points of tangency or horizontal curves and at intermediate points shall be required by the engineer; however, in no case shall there be fewer than four permanent monuments per block. The monuments shall be of such material, size and length as may be approved by the engineer.

§ 103-10. Utility improvements.

Utility and street improvements shall be provided in each new subdivision in accordance with the following:

- A. Water supply and fire hydrants.
 - (1) Public or central water supply available. If public or approval central water supply is initialized, the system shall be designed with adequate main sizes and fire hydrant water supply to meet the Association of Fire Underwriters specifications for a protected area. Such system shall be approved by the public agency or authority operating the central water system.
 - (2) No public water.
 - (a) In general. A project water system with a central well, adequately planned and protected, is often less expensive to install than an individual well

serving each lot. It is also easier to protect against contamination; if contamination does occur, it is simpler and more efficient to purify the water from a central well than from numerous individual wells.

- (b) Project system. If a project system is planned, it shall be approved by the Clinton County Department of Health and the central well drilled, tested and approved prior to filing the application for the subdivision. All land within 100 feet of a project well shall be suitably protected and restricted from development. All lines shall be six inches minimum in size unless smaller sizes are permitted by the Planning Board and shall be according to the standards of the nearest central of public water supply system if one exists within two miles of the development.
 - (c) Individual wells. If the water supply is to be from individual wells, the developer shall provide at least one test well for each unit of 10 or fewer lots in the subdivision, the location of such well to be approved by the Planning Board. Test wells shall be drilled, cased and group sealed into bedrock, shall be not less than 25 feet deep and shall have a production capacity of not less than five gallons per minute of safe drinking water as certified by the Clinton County Department of Health on the basis of bailer test.
- B. Sanitary sewer facilities. Public sewer available. No stormwater shall be allowed to enter sanitary sewers. Proof shall be submitted showing that all plans of sewer extensions have been approved by the Clinton County Department of Health. Where required by village policy, all documents affecting dedicated sewers shall be prepared in form suitable to the Village Attorney.
- (1) On-the-lot sewage disposal systems are generally unsatisfactory even when carefully designed and constructed and given the best of maintenance. Poor design, inadequate construction or poor maintenance can result in conditions dangerous to health and generally obnoxious to the senses. When public sewers are not available, developers are urged to consider project sewer systems which can be far more satisfactory and are often less expensive.
 - (2) Project systems. Project systems shall be designed by a licensed engineer, shall provide a six-inch minimum size connection to each lot and shall have an adequate sewage disposal plant with suitable arrangements for the operation thereof. Plans shall be approved by the Clinton County Department of Health except for systems of capacities in excess of 30,000 gallons a day, which shall be approved by the New York State Department of Health.
 - (3) Storm drainage.
 - (a) Capacity.
 - [1] Storm drainage facilities shall provide a clear and protected channel fully adequate to handle runoff from a five-year storm. The developer should keep in mind that more severe storms occur at less frequent intervals and, where feasible, so design subdivisions that especially heavy runoff, exceeding the capacity of the required channels, can be

handled with the least possible damage to improvements and structures.

- [2] The rational method shall ordinarily be used in computing runoff, using the formula $Q = CIA$ wherein:

Q = Water reaching channel, culverts, bridge or storm sewer in cubic feet per second.

I = Rainfall in inches per hour.

C = Coefficient runoff suggested is as follows:

Areas primarily paved or in a building (such as shopping centers): .85.

Primarily residential area with lots smaller than 7,500 square feet or apartment areas: .55.

Primarily residential areas with lots 7,500 square feet to 1/2 acre: .40.

Primarily residential areas with lots 20,000 square feet or over: .35.

Cemeteries, parkland and other permanent open areas: .30.

A = Area in acres.

- [3] Minimum pipe size shall be 12 inches.
- [4] Bridges or culverts serving a drainage area of more than one square mile shall be approved by the New York State Department of Public Works.
- [5] In small drainage areas intended for residential development, the following rule of thumb may, if desired, be substituted where applicable:
- [a] For drainage areas less than one acre in area, twelve-inch pipe.
- [b] For drainage areas one or two acres in area, fifteen-inch pipe.
- [c] For drainage area two to four acres in area, eighteen-inch pipe.

(b) General design.

- [1] Preferred runoff pattern. Preferred design of streets and grading in relation to storm drainage shall be such that runoff from roofs, driveways and other impervious surfaces will be collected in the ditches and/or gutters along the street in short runs [300 or 400 feet] and will then be diverted from the street surface into storm sewers or natural watercourses. Streets should be located away from watercourses unless storm sewers are to be installed.
- [2] Downstream disposal. Subdivision and development of an area increases and concentrates the runoff of stormwater from the area. Subdividers are warned that such increase may cause flood or erosion damage to undeveloped properties lying downstream. Storm drainage channels opening on improved land shall empty into natural

watercourses unless suitable agreement is reached with the owner of the downstream property for other method of handling. In any instance, the disposal of storm drainage downstream shall be satisfactory to the Planning Board as advised by the engineer.

- (c) Open watercourses. The use of open watercourses for drainage may involve problems relating to safety, erosion control, stagnant water, protection of capacity and appearance, all of which shall be given adequate attention by the developers as follows:

- [1] Safety. Broad, shallow courses shall be created wherever necessary to increase capacity or eliminate steep banks. Ditches shall wherever feasible be in the shape of a wide-top V with rounded or squared invert.
- [2] Erosion control. Adequate measures shall be taken to prevent erosion. The Planning Board shall require seeding, sodding, planting, riprap or such other measures as may be necessary to prevent scouring.
- [3] Drainage. The developer shall guard against the creation or continuation of swampy areas or stagnant pools. The Planning Board shall require fill and/or channel improvements in order to forestall such problems.
- [4] Protection of capacity. The developer shall provide adequate measures for the protection of open drainage channels by establishing drainage easements sufficiently wide [generally 20 feet] to enable the working of the channel by motorized equipment or alternately, where authorized by the Planning Board, a center block park of a minimum width of 50 feet. All easements shall prohibit the erection of structures, the dumping of fill or the alteration or obstruction of the watercourses without the written permission of the Village Board. Property lines shall be so designed as to allow drainage easements, except that drainage easements may be allowed to cross lots larger than one acre.
- [5] Appearance. The developer should keep in mind that natural watercourses can be an attractive asset to the subdivision as well as the community and, where possible, should improve and beautify the watercourses to this end.

- (d) Design of storm sewers.

- [1] Size and grade. Storm sewers shall have a minimum diameter of 15 inches and a minimum grade of 0.5%.
- [2] Manholes. Manholes shall not be more than 300 feet apart where pipe sizes of 24 inches or less are used, and not more than 540 feet apart where larger sizes are installed.
- [3] Changes in direction. Special sections of 10 to 15 feet radii shall be installed where abrupt changes are made in alignment.

- (e) Design of ditches and gutters.
- [1] Length of flow. Subdivisions should be so designed that length of flow of water in gutter or roadside ditch does not exceed 400 feet, except that, in exceptional cases, runs up to 800 feet in length may be permitted by the Planning Board. Runs exceeding the maximum shall be put in storm sewers or diverted to natural drainage ways.
 - [2] Minimum grade. All enclosed drainage courses shall be designed with sufficient grade to create a cleansing velocity of three feet per second. A lesser grade may be permitted by the Planning Board where a greater grade cannot be achieved.
 - [3] Street crossing. Water in gutters and ditches shall not be allowed to flow over intersecting streets but shall be placed in adequate culverts.
 - [4] Depth and shape of ditches.
 - [a] Where roadside ditches are permitted for runs of more than 300 feet or where subgrade drainage is necessary, the bottom of such ditch should be below the subgrade and, at a minimum, should be approximately 18 inches below the crown of the road.
 - [b] Ditches shall be V-shaped or parabolic with sides sloping at approximately one inch vertical to three inches horizontal except where other cross section plan is authorized.
 - [c] Erosion control. Suitable headwalls, ditch seeding or sodding and other procedures or devices to prevent erosion shall be used.

§ 103-11. Street improvement and other improvements.

Street and other improvements shall be provided in each new subdivision in accordance with the following:

- A. Arterial street: cross sections in accordance with the Official Map and Master Plan or as determined by the engineers and Planning Board or by state or county road authorities.
- B. Collector streets: two five-foot sidewalks each one foot from property line.
- C. Minor streets and culs-de-sac: two five-foot sidewalks, each one foot from property line.
- D. Marginal access streets: approximately 10 feet to be used as part of the separation strip between marginal road and adjacent arterial or collector.
- E. Streets along development boundaries and streets connecting the development with existing improved street system: cross section as determined by the engineer and Planning Board.
- F. Grading and centering gradients: per plan and profiles approved by the engineer.

- G. Streetlighting: per plan and specifications approved by the engineer.
- H. Street name signs at all intersections, the design of which must be approved by the Planning Board.
- I. Residential construction standards shall meet the qualifications set forth on the drawings in this section. These specifications are established for natural conditions of satisfactory subgrades, slope and drainage. Where these natural conditions are other than favorable the Planning Board, after consultation with the Village Highway Superintendent, may require reasonable higher standards for gravel base and pavement and may specify special treatment of the subgrade.
- J. For commercial, industrial and other nonresidential subdivision, construction standards for required improvements shall be specified by the Planning Board.
- K. The developer shall furnish a performance bond or cause a deposit sufficient to cover the full costs of the construction of such utility and street utility and street improvements as may be required by the Planning Board in accordance with § 7-730 of the Village Law. The developer may install such utility and street improvements at his own expense or, in the alternative, may secure the formation of a special district to install such utility and street improvements pursuant to laws of the rate.

ARTICLE VI

Information to be Supplied by Developer or Subdivider

§ 103-12. General provisions.

The subdivider or developer shall provide the Planning Board with the information as required by this Article.

§ 103-13. Pre-application information.

The following shall be submitted as pre-application information:

- A. Sufficient information to outline the existing site conditions and proposed development to supplement the drawings required in §§ 103-14 and 103-15 of this Article. This information shall include data on land characteristics, covenants, available community facilities and utilities and information describing the subdivision such as number of lots, typical lot width and depth, business areas, public areas, proposed covenants, utilities and street improvements.
- B. A location map to indicate the relationship of the proposed subdivision to significant existing community facilities which will serve to influence it. Such facilities include major traffic arteries, shopping areas, schools, parks, employment centers, railroads, churches, hospitals and similar facilities. This map shall be drawn to a scale suitable to indicate the above features as well as North point, date and scale.
- C. A sketch plan of the proposed layout showing proposed distribution of layouts, subdivision boundaries, lot sizes, building types and approximate square feet of living area in dwelling, streets and other features of the proposal accompanied by data

existing topography. The sketch plan may be a freehanded pencil drawing made directly on a print of a United States Geological Survey (USGS) map, which will also show contiguous lands of the developer.

§ 103-14. Preliminary plat.

- A. The preliminary plat shall comply with the this section.
- B. The preliminary plat shall cover the same areas of the sketch plan and shall consist of one or more maps or drawings which may be reproduced on paper, with all dimensions shown in feet or decimals thereof, drawn to a scale of not more than 100 feet to the inch where the total land area is more than 10 acres, and not more than 50 feet to the inch where there is less than 10 acres, showing or accompanied by the following information:
- (1) General information.
 - (a) Proposed subdivision name and the name of the town, village and county.
 - (b) Names and addresses of the record owner, subdivider and designer of the preliminary plan.
 - (c) Number of acres within the proposed subdivision, location or property lines, existing buildings, watercourses, unusual and desirable trees and other essential features.
 - (d) The names and locations of all subdivisions immediately adjacent to or the names of owners of adjacent property.
 - (e) The location of any existing sewage disposal system and locations and size of water mains, culverts and drains immediately adjacent to the property to be subdivided.
 - (f) Locations, name and present widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other proposed public, open spaces and similar facts regarding adjacent property.
 - (g) The provisions of Chapter 119, Zoning, of this Code applicable to the area to be subdivided by zoning district boundaries affecting the tract and any proposed change in such chapter as it affects the area.
 - (h) The width and location of any streets or other public ways or places shown upon the Official Map and Master Plan, if any, within the area to be subdivided and the width, location, grades and street profiles of all streets or other public ways proposed by the subdivider.
 - (i) The location of all gas and oil or other underground and overhead transmission lines.
 - (2) Site maps.
 - (a) Contour lines at intervals of two feet based on USGS datum of existing grades and the proposed finished grades. Such contour lines shall be shown

at any intervals of less than two feet where required by the Clinton County Department of Health.

- (b) Typical cross sections of the proposed grading, roadways, sidewalks and unusual topographic conditions.
 - (c) Date, magnetic North point and scale.
 - (d) Meets and boundaries description and map of survey to tract boundary made and certified by a licensed land surveyor tied into established reference points and, where possible, related to the state system of plane coordinates established by Chapter 545, Laws of 1938.
 - (e) Connection with existing water supply or alternative means of providing water supply to the proposed subdivision and water supply available for fire protection.
 - (f) Where a sanitary sewage system is unavailable, the alternative means of treatment and disposal of sewage proposed, including location and results of percolation and other tests to ascertain subsurface soil, rock and groundwater conditions and depth to groundwater unless pits are dry at a depth of five feet.
 - (g) Location of percolation test sites if required.
 - (h) Provisions for collecting and discharging storm drainage in the form of a drainage plan.
 - (i) Preliminary designs of any bridges or culverts which may be required.
 - (j) The proposed location and type of sidewalks, streetlighting standards and species of street trees, the location of curbs, gutters, water mains and typical sewage disposal systems and the sizes and types thereof, the character, width and depth of pavement and subbase or other street improvement and the location of manholes and basis and underground conduit.
 - (k) All parcels of land proposed to be dedicated to public use and the conditions of such dedications.
 - (l) The locations of all trees on the site over one foot in diameter four feet above ground level, except in wooded areas the outlines of said area shall be shown.
 - (m) The location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field, unless an existing street intersection is shown, the distance along a street from one corner of the property to the nearest existing street intersection shall be shown.
- (3) Neighborhood map. Location of all existing and planned street, public facilities and watercourses within 400 feet of any part of the subdivision shall be drawn as a separate map at a scale of one inch equals 400 inches to one inch equals 200 inches.

§ 103-15. Final plat.

- A. The final plat shall comply with this section.
- B. The final plat shall be drawn in black waterproof ink on tracing cloth on sheets 20 by 20 inches or 20 by 40 inches and shall be at a scale of 80 inches to one inch or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. Space shall be reserved on each sheet for endorsement by the Board, the Clinton County Department of Health and New York State Water Resources Commission where required. The final plat shall conform in all respects to the preliminary layout as approved by the Board and shall show the following:

§ 103-16. Maps.

All maps shall comply with the following and have the following information:

- A. Proposed subdivision name and the name of the village, town and county.
- B. Name and address of the record owner and subdivider.
- C. Graphic scale, date and magnetic North point.

§ 103-17. General information.

The following general information shall be given and supplied:

- A. Certification of title showing that applicant is owner.
- B. Certification by the licensed professional engineer who prepared the plat to the effect that the plat represents a survey made by him, that all monuments indicated thereon actually exist and that their location, size and material are accurately shown.

§ 103-18. Site maps.

Site maps shall comply with and include the following information:

- A. The boundaries of the subdivision and its general location in relation to existing streets.
- B. Streets names and lines, pedestrianways, lots, reservations, easements and areas to be dedicated to public use.
- C. Sufficient data acceptable to the engineer to determine readily the location, bearing and length of every street line, lot line and boundary line and to reproduce such lines upon the ground. Where practicable, these should be referenced to monuments included in the state system of place coordinates and in any event should be tied to reference points previously established by a public authority.
- D. The length of all straight lines, the deflection angles, radii, length and curves and central angles of all curves, tangent distances and tangent bearings for each street.
- E. The proper designation of such plat, all proposed public open space for which offers of cession are made by the subdivider and those spaces title to which are reserved by him.

- F. Lots within the subdivision numbered in numerical order within blocks and blocks lettered in alphabetical order.
- G. Minimum building setback lines on all lots.
- H. Location and description of monuments.
- I. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.

§ 103-19. Development data.

The following shall be supplied as development data: cross sections and profiles of all existing and proposed streets in the subdivision showing grades approved by the engineer or qualified appointee of the Village Board. The profiles shall be based on a datum plane approved by the engineer or qualified appointee of the Village Board of Trustees.

§ 103-20. Legal data.

The following shall be required as legal requirements:

- A. Written offers of cession to the village, in a form and title thereto acceptable to the Village Attorney, of all public streets, rights-of-way, drainage easements, parks or other public facilities and open spaces shown on the plat and copies of agreements or other documents showing the manner in which space, title of which is reserved by the subdivider, is to be maintained.
- B. All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Board giving conditional approval of the preliminary layout, and with the written approval of the Village Superintendent or authorized village representative as to the street and drainage construction, the written approval of the Village Superintendent of Water and Sewer or authorized village representative in regards to water and/or sewer systems construction, when such system is to be turned over to the village or connected to an existing water and/or sewer district and with the written approval of the Village Board as to street or road dedication, drainage easements, park(s) or other public facility(ies) as shown on the plat duly filed with the Planning Board.
 - (1) Subject to the discretion of the Village Board of Trustees of the Village of Champlain, the subdivider may be required to furnish a one-year performance and warranty bond in an amount and form acceptable to the Village Board for road and drainage improvements. In the event that the Village Board of Trustees requires said bond, the subdivider shall provide the same.
 - (2) A bond, cash, certified check or certificate of deposit, which is available to the village and in sufficient amount to assure completion of all required improvements, shall be given if so required by the Village Board.
- C. Endorsement of approval by Clinton County Department of Health and Water Power and Control Commission where required.

- D. Access permits from New York State Department of Public Works where required.
- E. Protective covenants in form of recording.
- F. Other data such as certificates, affidavits, endorsements or deductions as may be required by the Planning Board in the enforcement of these regulations.

ARTICLE VII Variances

§ 103-21. Variances.

The following criteria are applicable to variances:

- A. Where the Planning Board finds that compliance with these regulations would cause unusual hardship or extraordinary difficulties because exceptional and unique conditions of topography, access, location, shape, size, drainage or other physical features of the site, the minimum requirements of the regulations may be modified to mitigate the hardship, provided that the public interest is protected and the development is in keeping with the general spirit and intent of the regulations.
- B. No such modifications may be granted if it would have the effect of nullifying the intent and purpose of the Official Map, Chapter 119, Zoning, of this Code, the Master Plan or these regulations.

§ 103-22. Large-scale development.

The standards and requirements of these regulations may be modified by the Planning Board in the case of a plan and program for neighborhood unit or similar large-scale development which, in its judgment, provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and which also provides such covenants or other legal provisions as will assure conformity with and achievement of the plan. This plan should conform to the Planned Development District in Chapter 119, Zoning, of this Code.

§ 103-23. Cluster development.

- A. Provided the zoning regulations allow the same, the Planning Board may approve plats with lot dimensions below the minimum area standard normally required in the zoning district, provided that equivalent additional land is set aside as open or recreational space or that portions of the proposed development are designed for lower density development. In either case the average density for the entire plat shall not exceed the maximum density by the zoning regulations.
- B. Open or recreational space in such plats may be public or adequately secured for such purposes by private need restrictions acceptable to the Planning Board.

- C. Such land shall be considered as meeting or counting toward the requirements of Article IV of these regulations governing public open spaces and neighborhood facilities sites.

§ 103-24. Unrequired or inappropriate improvements.

- A. The Planning Board may waive the requirements for such subdivision improvements as, in its judgment of the special circumstances of a particular plat or plots, are not requisite in the interest of the public health, safety and general welfare.
- B. The Planning Board may also waive the requirements for such subdivision improvements as, in its judgment of the special circumstances of a particular plat or plats, are inappropriate because of inadequacy or lack of connecting facilities adjacent to or in proximity to the subdivision.

§ 103-25. Conditions to waivers and modification.

In granting waiver or modifications, the Planning Board may require such reasonable conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so waived or modified.

§ 103-26. Additional information.

- A. The Planning Board may require such additional information and exhibits from the applicant as it deems necessary to describe or the review of any application before said Board and compliance of the same with the requirements of these regulations.
- B. The Planning Board is hereby authorized to modify the minimum requirements as provided by Chapter 119, Zoning, of the Village Code in accordance with the provisions of § 7-738 of the Village Law, in order to enable and encourage flexibility in design and development of land in harmony with the intent of said § 7-738.

ARTICLE VIII

Fees

§ 103-27. Fees established. [Amended 3-9-1998 by L.L. No. 3-1998]

- A. The application submitted to the Planning Board for review, approval and/or other consideration shall be accompanied by a fee listed on the following schedule of fees for the village.

Type	Fee
First Planning Board appearance, sketch plan submitted and review	No fee required