

SUBDIVISION REGULATIONS

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(History: Adopted, Hilton Village Board, 7-11-55)

1. **Purpose**

By a resolution adopted by the Board of Trustees on the 11th day of July 1955, pursuant to the provisions of 179-K of the Village Law, the Planning Board of the Village of Hilton, has power and authority to approve plats for subdivision within the Village of Hilton. As a basis for such approval the Planning Board prescribes the following regulations governing subdivisions:

2. **Definitions**

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

BOARD- Means the Planning Board of the Village of Hilton.

ENGINEER- Means the duly designated engineer of the Village of Hilton or if there be no such official, the planning consultant or engineer employed by or assigned to the Village Planning Board.

SUBDIVISION- Means the division of any parcel of land into two (2) or more lots, plots, sites or other divisions of land for immediate or future sales or for building development in such a way as to create one (1) or more new streets.

PRELIMINARY LAYOUT - Means the preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Board for its consideration.

PLAT- Means the final map, drawing or chart on which the subdivider's plan of subdivision is presented to the Planning Board for approval, and which, if approved, will be submitted to the county clerk or registrar for recording.

OFFICIAL MAP- Means the map established by the Village Board of Trustees under 179-e of the Village Law showing the streets, highways and parks therefore laid out, adopted by the Village Board or additions thereto resulting from the approval of subdivision plats by the Planning Board and the subsequent filing of such approved plats.

MASTER PLAN- Means a comprehensive plan prepared by the Planning Board pursuant to 179-gg of the Village Law which indicates the general locations recommended for the various functional classes of public works, places and structures and for the general physical development of the Village of Hilton, and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

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3. Procedure

- a. Whenever any subdivision of land is proposed to be made and before any contract for the sale of or any offer to sell such subdivision or any part thereof is made by lot numbers, and before any permit for the erection of a structure shall be granted, the subdivider, or owner thereof or his agent shall apply in writing to the Board for approval of such subdivision. The application of the subdivider, owner or agent to the Board shall conform to the specifications in 4,5, and 6 of these regulations.
- b. The preliminary layout, topographic map, street profiles and formal subdivision plat, and all procedures relating thereto shall in all respects be in full compliance with the provisions of 179-k and 179-1 of the Village Law and these regulations except where variations therefrom may be specifically authorized by the Board.
- c. Three (3) copies each of the preliminary layout, as described in 5 designated as such at the scale of not more than one hundred (100) feet to the inch, topographic map at the same scale and proposed street profiles at appropriate scales shall be filed with the Board. The Board shall then study the preliminary layout and proposed street profiles in connection with the topography of the area, the existing requirements of the Zoning Ordinance, if any, the Master Plan and the Official Map, if any, and shall take into consideration the general requirements of the community and the best use of the land to be subdivided. Particular attention shall be given to matters enumerated in 179-1 of the Village Law as well as to specific requirements for parks, playgrounds, school sites, boulevards and main thoroughfares, the adequacy of street connections and the suitability of the land for development.
- d. After arriving at tentative conclusions the Board shall discuss the preliminary layout with the subdivider or his agents at a regular meeting of the Board. After such discussion the Board shall communicate in writing within thirty (30) days to the developer; (1) the specific changes which it will require in the preliminary layout, (2) the character and extent of the required public 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 construction or improvement or the amount of the performance bond therefor which it will require as prerequisite to the approval of the formal subdivisions plat to be submitted subsequently.
- e. The subdivider, after official notification by the Board with respect to the preliminary layout and the changes if any to be made therein, shall within six (6) months thereafter file with the Board original drawings of the formal subdivision plat and street profiles. These drawings shall be on tracing cloth in sheets twenty (20) inches by twenty (20) inches or twenty (20) inches by forty (40) inches to a scale of not more than one hundred (100) feet to the inch except when more than one (1) sheet with lot and block numbers. Before the Board acts on the formal subdivision plat it shall hold a formal hearing thereon in compliance with 179-k of the Village Law. The Planning Board shall then, within forty-five (45) days from the date of submission of the formal plat, approve, modify and approve or disapprove such plat. Such approval shall ,however, not be deemed final until the subdivider has complied with the provisions of the following paragraph.

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- f. The developer shall complete in accordance with the Board's decision, to the satisfaction of the engineer and any other official or body authorized by law to act, all the street and sanitary improvements specified in 179-1 of the Village Law and not specifically waived by the Board, or alternatively shall file with the Board a performance bond complying with such 179-1 of the Village Law, satisfactory to the Village attorney, for the completion of such improvements as are not constructed and approved by the engineer and any other official or body authorized by law to act prior to the approval of the plat. The Board shall require a certificate from the Village engineer or other designated official as to the satisfactory character of improvements completed and from the Village attorney or other designated legal advisor as to the adequacy of any bond which may be preferred. The subdivider shall tender offers of cession in a form certified as satisfactory by the Village attorney of all land included in streets, highways or parks, not specifically reserved by him, but approval of the plat by the Board shall not constitute an acceptance by the Village of the dedication of any street highway, park or other public open space.
- g. After the completion of these details and notation to that effect upon the plat, it shall be deemed to have final approval and within ninety (90) days thereafter the developer must file the plat with the county clerk or registrar. Otherwise, such approval shall expire as provided in 179-k of the Village Law.

4. General requirements for the subdivision of land

The subdivider shall observe the following general requirements and principles of land subdivision;

1. In general, the proposed subdivision shall conform to the Official Map and to the Master Plan, if such exist.
2. The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions or for their proper projection when adjoining property is not subdivided, and shall be of a width at least as great as that of such existing connecting streets.
3. In general, main highways and secondary highways shall not be less than the width shown on the Master Plan, if such exists. Parkways and boulevards shall be such width as may be designated by the Board. As a general rule the width of minor streets shall not be less than fifty (50) feet.
4. Dead-end or cul-de-sac streets shall not in general exceed four hundred (400) feet in length, and shall be equipped with a turn-around roadway with a minimum radius of thirty-five (35) feet for the outside curb at closed end.
5. Block lengths generally shall not exceed one thousand two hundred (1,200) feet in length.

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4. General requirements for the subdivision of land

6. Each block shall be planned to provide two (2) rows of lots, but irregularly shaped blocks indented by cul-de-sac streets and containing interior parks will be acceptable when properly designed and covered by agreements as to maintenance of interior parks.
7. Curb radii at intersection shall not be less than twenty (20) feet and property lines shall be adjusted accordingly.
8. Side lines of lots, so far as practicable, shall be at right angles or radial to street lines.
9. Care shall be exercised in the layout of lots at street intersections.
10. Corner lots shall be increased in size whenever necessary so as to provide that any structure to be placed thereon shall conform to the building line of each street.
11. Grades of all streets shall conform in general to the terrain, and shall not be less than five-tenths percent (.5%) nor more than five percent (5%) for main thoroughfares nor more than ten percent (10%) for minor streets.
12. Paved rear service streets of not less than twenty (20) feet in width, or in lieu thereof, adequate off-street loading space, suitably surfaced shall be provided in connection with all lots designed for commercial use.
13. In front of areas designed and zoned or where a petition for a change in zoning is contemplated for commercial use to permit such use the street width shall be increased by such amount on each side as may be deemed necessary by the 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.
14. Land subject to flooding and land deemed by the Board to be uninhabitable shall not be plotted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or shall not produce unsatisfactory living conditions.
15. In case a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivision.
16. In general, street lines within a block deflecting from each other at any one (1) point more than ten (10) degrees shall be connected with a curve, the radius of which for the inner street lines shall not be less than three hundred and fifty (350) feet on main thoroughfares, two hundred and fifty (250) feet on secondary thoroughfares and one hundred (100) feet on local streets. The outer street line in each case shall be parallel to such inner street line.

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4. General requirements for the subdivision of land

17. Areas for parks and playgrounds shall be of reasonable size for neighborhood playgrounds or other recreation uses. No arbitrary percentage of area shall be insisted upon by the Board, but in general developers should set aside not less than ten percent (10%) of the area for these purposes.
18. Variations of the general requirements above outlined may be permitted by the Board on application when in their judgement special factors warrant such a variation.

5. The preliminary layout

Subdividers shall present to the Board a preliminary layout. Three (3) copies shall be filed at the scale of not more than one hundred (100) feet to the inch, showing or accompanied by the following information:

1. Proposed subdivisions name or identifying title and the name of the Village of Hilton and of the County of Monroe.
2. Name and address of record owner, subdivider and designer of preliminary layout.
3. Location of property lines, existing easements, building, water courses and other essential features.
4. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
5. The location of any existing sewers and water mains, culverts and drains on the property to be subdivided.
6. Location, names and present widths of existing and proposed streets, highways, easements, building lines, alleys, parks, electric power lines and other public open spaces and similar facts regarding property adjacent.
7. Any changes in the use, height, area and density districts or other regulations under the Zoning Ordinance applicable to the area to be subdivided and any boundaries of such districts affecting the tract; all parcels of land proposed to be dedicated to public use and the conditions of such dedication.
8. The width and location of any streets or other public way or places shown upon the Official Map or the Master Plan, if such exists, within the area to be subdivided, and the width, location, grades and street profiles of all streets or other public ways proposed by the developer.
9. Typical cross sections of the proposed grading and roadways or sidewalks and topographic conditions.
10. Date, true north point and scale.

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5. The preliminary layout

11. Deed description and map of survey of tract boundary made and certified by a licensed land surveyor.
12. Connection with existing water supply or alternative means of providing water supply to the subdivision as provided in 89 of the Public Health Law.
13. Connections with existing sanitary sewerage system and sewage pumping stations be shown.
14. Provisions for collecting and discharging surface drainage.
15. Preliminary design of any bridges or culverts which may be required.
16. The proposed lot lines with approximate dimensions and suggested location of buildings.
17. The preliminary layout shall show the proposed locations and type of sidewalks, street lighting standards and species of street trees, the location of curbs, gutters, water mains, sanitary sewers and storm drains and the sizes and types thereof, the character, width and depth of pavement and sub-base, the location of manholes and basins and underground conduits.
18. Where the topography is such as to make difficult the inclusion of any such facilities within the public area so laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than ten (10) feet in width and which shall provide satisfactory access to an existing public highway or other public open space shown upon the layout or upon the Official Map.
19. Where the preliminary layout submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the submitted part will be considered in the light of adjustments and connections with the street system of the part not submitted.

All of the information set forth above is required by the Board for the purpose of complying with 179-k and 179-1 of the Village Law and the Health Law and for the information of the public at the public hearings. Due care in the preparation of this material will expedite the process of passing upon the formal subdivision plat.

6. The subdivision plat

The subdivision plat submitted for approval and subsequent recording shall be clearly and legibly drawn in ink upon tracing cloth. The size of the sheets shall be twenty (20) inches including a margin of one (1) inch outside ruled border lines on three (3) sides and two (2) inches border along the left side for binding.

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6. The subdivision plat

The drawing shall be at the scale of not more than one hundred (100) feet to the inch. The subdivision plat shall show:

1. Proposed subdivision name or identifying title and the name of the Village of Hilton in the County of Monroe, the name and address of record owner and subdivider, name, license number and seal of the licensed professional engineer.
2. Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.
3. Sufficient data acceptable to the engineer to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. Where practicable, included in the state system of plane coordinates, and in any event should be cited to reference points previously established by a public authority.
4. The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings shall be given for each street. All dimensions and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The final plan shall show the boundaries of the property, location, graphic scale and true north point.
5. The final plan shall also show by proper designation thereon all public open spaces for which deeds of cession are included and those spaces title to which is reserved by the developer. For any of the latter, there shall be submitted with the final subdivision plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefore.
6. All offers of cession and covenants governing the maintenance of unseeded open space shall bear the certificate of approval of the Village attorney as to their legal sufficiency.
7. Before the final approval of the plat, there shall be filed with the Planning Board a certificate of the engineer as to the completion of all improvements required by the Board to his satisfaction in accordance with standards and specifications prescribed by him. For any required improvements not so completed there shall be submitted with the plat a certificate of the Village attorney as to the sufficiency of the bond offered in lieu thereof.
8. Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Village practice. In counties which have established a county block and lot system, the block numbers shall be obtained from the county registrar.
9. Permanent reference monuments shall be shown thus "X". They shall be constructed in accordance with specifications of the engineer, and when referenced to the state system of plane coordinates shall also conform to the requirements of the State Department of Public Works. They shall be placed as required by the engineer and their location noted and referenced upon the plat.
10. All lot corner markers shall be permanently located, satisfactory to the engineer, at three-quarters (3/4) inches (if metal) in diameter and at least twenty-four (24) inches in length, shown thus "O" and located in the ground to existing grade.
11. Monuments of a type approved by the engineer shall be set at all corners and angle points of the boundaries of the original tract to be subdivided;