

Chapter 56

**SUBDIVISION OF LAND**

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**ARTICLE I**  
**General Provisions**

**§ 56-1. Authorization of Planning Board.**

By authority of the resolution of the Town Board of the Town of Canton adopted on April 14, 1987, pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Canton Town Planning Board is authorized and empowered under § 276 of the Town Law to:

- A. Approve, conditionally approve or disapprove plats showing lots, blocks or sites, with or without roads or highways.

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- B. Approve preliminary plats.
- C. Pass and approve the development of entirely or partially undeveloped plats already filed in the office of the County Clerk.
- D. Adopt such rules and regulations as it deems necessary, consistent with the New York State Town Law, to approve plats.

**§ 56-2. Title.**

These regulations shall be known as the "Subdivision Regulations of the Town of Canton."

**§ 56-3. Approval by Town Board.**

These regulations, after public hearing and adoption by the Planning Board, have been approved on April 14, 1987, by the Town Board and are effective this day of approval.

**§ 56-4. Purpose.**

The purpose of these regulations is to provide for orderly efficient growth within the community and to afford adequate facilities for the transportation, housing, safety, health and welfare of the population.

**§ 56-5. Enforcement.**

Enforcement of this chapter shall be the duty of the Planning Board acting through the Code Enforcement Officer and as the agent of the Town Board.

**§ 56-6. Amendments.**

The Planning Board may, on its motion and after public hearing, amend, supplement or change these regulations, subject to the approval of the Town Board. These amendments shall take effect after Town Board approval.

**§ 56-7. Variances.**

When, in the opinion of the Planning Board, undue individual hardship may result from the strict compliance with these regulations, it may modify these regulations so that substantial justice may be done and the public interest secured, provided that such modifications will not have the effect of nullifying the intent and purpose of § 281 of the Town Law. In the case of a large-scale development, such as a planned unit development, which would include provisions for housing, shopping and recreation facilities, the Planning Board may modify these regulations, provided that such development shall include covenants, restrictions and other legal provisions necessary to guarantee full achievement of such a proposed plan. The Planning Board may waive, subject to appropriate conditions, the provision of any or all of such improvements and requirements as, in its judgment of the special circumstances of a particular plat or plats, are not requisite in the interest of public health, safety or general welfare or which, in its judgment, are inappropriate because of the inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

**§ 56-8. Penalties for offenses; additional remedies.**

- A. Any person, firm or corporation who commits an offense against, disobeys, neglects or refuses to comply with or resists the enforcement of any of the provisions of these regulations shall, upon conviction, be deemed guilty of a violation, punishable by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each week an offense is continued shall be deemed a separate violation of these regulations.
- B. In addition to the penalties provided above, the Town Board may also maintain an action or proceeding in the name of the town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of these regulations.

**§ 56-9. Fee.**

A fee to be determined by the Town Board shall be paid to the Town Clerk for credit in the general fund when the final plat is submitted to the Planning Board for action thereon.

**ARTICLE II  
Definitions**

**§ 56-10. Definitions.**

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

CODE ENFORCEMENT OFFICER - Any person appointed, designated or otherwise retained by the Town Board to carry out the functions assigned to such person according to these regulations.

CONDITIONAL APPROVAL OF A FINAL PLAT - The approval of a final plat subject to conditions set forth by the Planning Board in a resolution conditionally approving such a plat. Such conditional approval does not qualify a plat for recording or authorize the issuance of building permits.

FINAL PLAT - A drawing, in final form, showing a proposed subdivision and 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.

FINAL PLAT APPROVAL -The signing of a final plat by a duly authorized officer of a Planning Board after a resolution granting final approval to the plat or after conditions specified in a resolution granting conditional approval of the plat are completed.

OFFICIAL SUBMISSION DATE - The day on which an application for plat approval, complete and accompanied by all required information, endorsements and fees, has been filed with the Planning Board.

PRELIMINARY PLAT - A drawing(s), clearly marked Preliminary plat, showing the layout of a proposed subdivision, submitted to the Planning Board for approval 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.

PRELIMINARY PLAT APPROVAL - Approval of the layout of proposed subdivision as set forth in the preliminary plat. but subject to approval of the plat in final form.

SKETCH FORM - A sketch of a proposed subdivision to enable the sub-divider

to save time and money in reaching GENERAL agreement with the Planning Board as to the form of the layout and objectives of these regulations.

SUBDIVISION - Whenever, any division of a parcel, that would create more than two (2) parcels\* in any one-year period\*\* is proposed in the Town, it is considered to be a subdivision.

No contract can be made to sell, nor can any offer be made to sell any lots in such a subdivision or any part thereof before the sub-divider makes application for and receives final approval of such proposed subdivision in accordance with these regulations.

Whenever any sales of a parcel of land takes place, any subsequent sale of a portion of that parcel within one (1) year of the recording of the Deed of the original sale shall be deemed a subdivision@ and shall be subject to the regulations aforesaid. However, a sale or conveyance of the entire parcel originally conveyed within the ensuing one (1) year shall not be deemed a subdivision.

\* i.e. The original parcel plus one new created parcel within the boundaries of the original parcel.

\*\* i.e. One year from the date of the proposed division.

[Amended 9-11-2001]

SUBDIVISION, MAJOR - A subdivision containing five (5) or more lots, or any subdivision requiring a new road.

SUBDIVISION, MINOR - A subdivision containing two (2) to four (4) lots, fronting on an existing road.

### **ARTICLE III Review and Approval Procedures**

#### **§ 56-11. Stages of procedure.**

A. Minor subdivisions shall be processed in the following stages:

1. Sketch plan conference/final plat.
2. Public hearing.
3. Final plat approval.

B. Major subdivisions shall be processed in the following stages:

1. Sketch plan conference/preliminary plat.
2. Public hearing.
3. Preliminary plat approval.
4. Optional public hearing.
5. Final plat approval.

**§ 56-12. Pre-application procedures.**

Prior to the preparation of and the submission of a plat for approval, the sub-divider should proceed to gather the necessary information and data on the existing conditions at the site. He she should study the site suitability and opportunities for development. Presumably, he/she will discuss financing, planning and marketing with the lending institutions. With his/her licensed land surveyor he/she should develop a preliminary layout in sketch form which in turn should be submitted to the Planning Board for advice and assistance and should include a preliminary environmental assessment.

**§ 56-13. Sketch plan conference.**

- A. The sub-divider should request an appointment with the Planning Board for the purpose of reviewing the sketch plan. The Planning Board will notify the sub-divider of the time, date and place that the Planning Board will meet to consider and review such sketch plan and the program as they relate to the General Plan, Zoning Law, design standards and improvement requirements. This meeting is intended to assist the sub-divider in the planning and preparation of the preliminary and final plats to save him/her both time and expense in preparing maps and plans. The plan will be classified as a minor or major subdivision by the Planning Board, as defined in these regulations. Subdivisions classified as minor may proceed directly to the preparation of a final plat without submission and approval of a preliminary plat which shall be required for a major subdivision.
- B. This step does not require formal application, fee or filing with the Planning Board.

**§ 56-14. Agricultural/woodland waiver.**

If, at the sketch plan conference, the Planning Board determines that the subdivision is for agricultural, woodland purposes only, does not involve the creation of a new road or highway and does not include more than one (1) lot of less than five (5)



acres in area, the Planning Board may waive the subdivision review process and exempt the subdivision from these regulations.

**§ 56-15. Approval by New York State Department of Health.**

New York State Department of Health approval is required for any subdivision containing four (4) or more lots in any three-year period. Early contact with the New York State Department of Health office in Massena by the sub-divider is advised.

**§ 56-16. Preliminary plats.**

- A. All major subdivisions shall be subject to the preliminary plat requirements as specified therein. The sub-divider shall file an application for approval of the preliminary plat on forms available at the Town Office, accompanied by all documents specified in Article IV herein.
- B. Following the review of the preliminary plat and supplementary material submitted for conformity with these regulations and following negotiations with the sub-divider on changes deemed advisable and the kind and extent of improvements to be made, the Planning Board shall hold a public hearing. This hearing shall be held within forty-five (45) days of the official submission date of the plat. The sub-divider shall attend the hearing. The hearing shall also fulfill the requirements of the State Environmental Quality Review Act (SEQR) on the environmental assessment. A copy of the application for preliminary plat approval with SEQR will also be submitted to the County Planning Board for its approval.
- C. Within forty-five (45) days of the public hearing, the Planning Board shall approve, approve with modifications, or disapprove the preliminary plat and state its reasons for disapproval.
- D. Notice of public hearing. The hearing shall be advertised at least once in the official newspaper of the town at least five (5) days before the hearing. Notice of the hearing shall be mailed to the owners of all adjoining properties or within one hundred fifty (150) feet of the subdivided property at least five (5) days before the hearing.
- E. SEQR review. The sub-divider will be responsible for completion of an environmental assessment form, short or regular, or an environmental impact statement (EIS), at the discretion of the Planning Board. A statement of findings must accompany approval of plat.
- F. Notice of decision. The action of the Planning Board shall be noted on three

(3) copies of the preliminary plat and reference made to any modifications determined. One (1) copy shall be returned to the sub-divider and the other two (2) copies retained by the Planning Board. One (1) Planning Board copy shall be deposited in the town safe.

- G. Effect of approval. Approval of a preliminary plat shall not constitute approval of the final plat. The preliminary plat shall be a guide to the preparation of the final plat. Before submission of the final plat or any portion thereof for formal approval, the sub-divider must comply with these regulations and all regulations set forth by the Planning Board in its review of the preliminary plat and any New York State Department of Health requirements.

### **§ 56-17. Final plats.**

- A. All subdivisions, as defined herein, shall require final plat approval by the Planning Board.
- B. The sub-divider shall file an application for final plat approval on forms available in the Town Office, and accompanied by documentation as specified in Article IV herein, to the Planning Board. Such application shall be submitted at least ten (10) days prior to the meeting at which it is to be considered by the Planning Board, and no later than six (6) months after the date of the preliminary plat approval.
- C. Optional public hearing. A public hearing may be held by the Planning Board after a completed application is filed and prior to rendering a decision. This hearing shall be held within forty-five (45) days of the official submission date of the final plat. The sub-divider shall attend the hearing. The Planning Board shall approve, conditionally approve or disapprove the final plat within forty-five (45) days of the public hearing.
- D. Waiver of public hearing. If the final plat is in substantial agreement with the preliminary plat, the Planning Board may waive the public hearing requirement. If no hearing is held, the Planning Board shall approve, approve with conditions or disapprove the plat within forty-five (45) days of the official submission date.
- E. Notice of decision. The sub-divider shall be notified of the action of the Planning Board. If approval is granted, he/she shall record the final plat, or section thereof, in the County Clerk's office within sixty (60) days after the date of approval; otherwise, the plat shall be considered null and void and must again be submitted to the Planning Board for approval before recording in

the County Clerk's office.

- E. Conditional approval. Upon resolution of conditional approval of the final plat, the Planning Board shall empower a duly authorized officer to sign the plat, subject to completion of such requirements as may be stated in the resolution. Within five (5) days of such resolution, the plat shall be certified and a copy filed with the Planning Board and the sub-divider, stating that, when the requirements are completed, the plat shall be signed by the duly authorized officer of the Board. Conditional approval of a final plat shall expire within one hundred eighty (180) days after the date of the resolution granting conditional approval unless such requirements have been certified as completed. The Planning Board may grant an extension of the time requirement if it deems it necessary; however, no more than two (2) ninety-day extensions may be granted.
- F. Approval of sections. Prior to granting final or conditional approval, the Planning Board may permit the plat to be subdivided into two (2) or more sections and may, in its resolution granting conditional or final approval, state that such requirements as it deems necessary to ensure the orderly development of the plat be completed before such sections may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat, subject to any conditions imposed by the Planning Board, shall be granted concurrently with conditional or final approval of the plat.
- G. Signature and filing. Upon satisfactory completion of the above requirements, the signature of the duly authorized officer of the Planning Board shall be affixed to the final plat. Within sixty (60) days from the date of such signature denoting final approval, the final plat or approved sections thereof shall be duly filed by the applicant in the office of the County Clerk.
- H. If at any time the Planning Board does not take action within the prescribed time, the applicant can assume approval of that stage of the process. When the Planning Board does not take action within the prescribed time on the final plat, the developer may take a copy of the certificate of submission and the final plat and file them in the County Clerk's office.

**ARTICLE IV**  
**Required Information**

**§ 56-18. All plats.**

The following information shall be required for all plat submissions:

- A. Name, address and telephone of sub-divider and owner, if different person, and all professional advisors, including license numbers and seals.
- B. Map of original parcel, drawn to scale, one (1) inch to one hundred (100) feet, showing
  1. Subdivision name, tax map number, North arrow and date.
  2. Subdivision boundaries, contiguous properties and names of owners.
  3. Existing roads, utilities and structures.
  4. Watercourses, marshes, vegetation, bedrock, wooded areas, public facilities and other unique or significant physical features on or near the site.
  5. Proposed pattern of lots, including lot widths and depths, road layouts, open space, sewerage and water supply.
  6. On-site sanitation and water supply facilities shall be designed to meet the specifications of the State Department of Health, and a statement to this effect shall be made on the subdivision map.
  7. Drainage plan, including profiles and lines or ditches and drainage easements on adjoining properties.
  8. Land contours at two-foot intervals.
- C. Copy of Tax Map(s).
- D. Existing restrictions on the use of land, including agricultural districts and zoning. Copies of such covenants or deed restrictions as are intended to cover all or part of this plat.
- E. Total acreage of subdivision and number of lots proposed.
- F. Building types, approximate size and cost.
- G. Evidence of legal ownership of property, deed, land contract, etc.
- H. Environmental assessment form or impact statement.

**§ 56-19. Minor subdivision final plats.**

The following shall be submitted with all applications for approval of a final plat for a minor subdivision.

- A. One (1) copy of the plat to be submitted to the County Clerk, drawn with ink on appropriate materials, plus two (2) copies.
- B. Information specified under § 56-18, updated and accurate.
- C. Additional information as deemed necessary by the Planning Board.
- D. Any required fees.

**§ 56-20. Major subdivision preliminary plat.**

The following shall be submitted with all applications for approval of a preliminary plat for a major subdivision.

- A. Three (3) copies of the plat map, drawn to scale.
- B. All information specified under § 56-18, updated and accurate.
- C. All parcels of land proposed to be dedicated to public use and the conditions of such use.
- D. Grading and landscaping plans.
- E. Plans and cross-sections showing sidewalks, road lighting, road trees, buffers, curbs, water mains, sanitary sewers and storm drains, the character, width and depth of roads and sub-base and the location of any underground utilities.
- F. Preliminary designs for any bridges or culverts.
- G. An actual field survey of the boundary lines of the tract, giving complete description by bearings and distances, made and certified by a licensed surveyor. The corners of the tract shall also be marked by monuments of such size and type as approved by the Planning Board, shown on the plat.
- H. Where the preliminary layout submitted covers only a part of the sub-divider's entire holding, a sketch of the prospective future road and drainage system of the undeveloped part shall be submitted for study to the Planning Board.

- I. Any additional information as deemed necessary by the Planning Board.
- J. Any required fees.

**§ 56-21. Major subdivision final plat.**

The following shall be submitted with all applications for approval of a final plat for a major subdivision:

- A. One (1) copy of the plat to be submitted to the County Clerk, drawn with ink on suitable material, plus two (2) copies. The map scale shall be one (1) inch to one hundred (100) feet unless otherwise specified by the Planning Board.
- B. Proposed subdivision name and the name of the town and county in which the subdivision is located; the name, address and telephone number of the record owner and the sub-divider; name, address, telephone number, license number and seal of the surveyor and engineer.
- C. Road lines, pedestrian ways, lots, easements and areas intended to be dedicated to public use.
- D. Sufficient data acceptable to the Planning Board to determine readily the location, bearing and length of every road line, lot line and boundary line and to reproduce such lines on the ground.
- E. The length and bearing of all straight lines, radii, length of curves and central angles of all curves; tangent bearings shall be given for each road. All dimensions of the lines of each lot shall also be given. The plat shall show the boundaries of the property, location, graphic scale and true North point.
- F. All offers of cession and any covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
- G. Permanent placement markers shall be shown and constructed in accordance with Planning Board specifications.
- H. Approval of the State Health Department of public or private water supply systems proposed or installed.

- I. An approved environmental impact statement.
- J. Construction drawings, including plans, profiles and typical cross-sections, as required, showing proposed location, size and type of roads, sidewalks, road lighting standards, landscaping, curbs, water mains or wells, sanitary sewer or septic systems, storm drains or ditches, pavements and subbase and other facilities.
- K. Deed restrictions, existing and proposed in form for recording.
- L. Under § 277 of the Town Law, the Planning Board may require a performance bond designed not only to insure the installation of improvements but to do so in a satisfactory manner. The bond must be in an amount equal to the cost of the improvement. The bond shall bear the certificate of approval of the Town Attorney as to its legal sufficiency.
- M. Any other data such as certificates, affidavits, endorsements or other agreements as may be required by the Planning Board to enable enforcement of these agreements.

#### **§ 56-22. Waiver of requirements.**

The Planning Board may waive, subject to appropriate conditions, the provision of any or all of such improvements and requirements as, in its judgment of the special circumstances of a particular plat or plats, are requisite in the interest of the public health, safety and GENERAL welfare or which, in its judgment, are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

### **ARTICLE V**

#### **Design Standards and Required Improvements**

#### **§ 56-23. Road design standards.**

- A. Conformity with General Plan. The arrangement, width, location and extent of local roads and all secondary roads should conform to and be in harmony with the General Plan for the town. Roads not in the General Plan should conform to the recommendation of the Planning Board based on existing and

planned roads, topography, public safety, convenience and proposed uses of land. The Town Highway Superintendent shall be consulted by the Planning Board for an advisory opinion before the approval of any new road.

- B. Arrangement. Residential local roads shall be designed to discourage through traffic whose origin and destination is not within the subdivision.
- C. Location. When a proposed subdivision is adjacent to or contains a state highway, the Planning Board may seek information from the New York State Department of Transportation as to the status of said highway in reference to right-of-way and direction. The Planning Board may require a marginal road(s) approximately parallel to and on each side of such a right-of-way at a distance suitable for an appropriate use of the intervening land as for park purposes in residential districts or for commercial or industrial purposes. Such distance shall also be determined with due regard for the requirements of approach grades and future grade separation. Railroad right-of-way shall receive similar consideration.
- D. Intersections. Roads shall intersect one another at angles as near to a right angle as possible, and no intersection of roads at angles less than sixty degrees (60<sup>°</sup>) shall be approved. Road intersections shall be rounded with a radius of twenty-five (25) feet measured at right-of-way line when said intersection occurs at right angles. If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of radius acceptable to the Planning Board. Road jogs with center line offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- E. Dead-end roads. Each dead end road shall be provided with a turnaround deemed sufficient by the Town Highway Superintendent for snowplowing.
- F. Half roads. Dedication of a half road shall be prohibited, except when essential to the reasonable development of the subdivision in conformity with other requirements of these regulations, and where the Planning Board finds that it will be practicable to require the dedication of the other half which is adjacent to a tract to be subdivided, the other half shall be platted within such tract.
- G. Access. In commercial and industrial subdivisions, definite and assured provision shall be made for service access, such as off-road parking, loading and unloading, consistent with and adequate for the uses proposed.



- H. Names and numbers. Names of new roads shall not duplicate existing or platted roads in the town or surrounding communities. New roads which are extended or in alignment with existing roads shall bear the name of the existing roads. House numbers shall be assigned in accordance with the house numbering system now in effect in the town.
- I. Road signs. The subdivider shall provide and erect road signs of a type to be approved by the Town Board at all road intersections prior to acceptance of the constructed roads.
- J. Trees. If road trees are provided, they should be outside of the road right-of-way and planted in such a manner as not to impair visibility at any corner (s).
- K. Standards for road design. Standards for road design are as follows:

| <b>Standards</b>   | <b>Local Road</b>  | <b>Secondary Roads</b> |
|--|--|------------------------|
| Minimum width of right-of-way (feet)                     | 50   | 65                     |
| Minimum width of pavement (feet)                         | 18   | 18                     |
| Minimum width of shoulders (feet)                        | 5  | 6                      |
| Minimum radius of horizontal curves (feet)               | 250, except for road intersection corners  | 400                    |
| Minimum length of vertical curves (feet)                 | 250, except for road intersection corners  | 300                    |
| Minimum length of tangents between reverse curves (feet) | Shall be such that at least a 200-foot line of sight exists measured 3 feet above the road surface | 200                    |
| Maximum grade (percent)                                  | 10   | 6 to 8                 |
| Minimum grade (percent)                                  | 1  | 1                      |
| Minimum braking sight distance (feet)                    | 400  | 500                    |

**§ 56-24. Road construction standards.**

- A. Road improvements, including curbing, shall be installed at sub-divider's

expense.

B. Roads shall be built with:

1. Sub-grade, which shall be rough-graded the full width of the road right-of-way and compacted the full width between the outer edges of the curbs and gutter. The sub-base shall consist of a suitable gravel and stone material approved by the Highway Superintendent and compacted to a depth approved by the same.
2. Base course, consisting of a suitable gravel and stone material approved by the Highway Superintendent at least six (6) inches in depth after compaction and stabilization.
3. Surface course, consisting of an approved bituminous material.
4. Finish course, consisting of an approved bituminous material to be laid one (1) year after the surface course.

**§ 56-25. Sidewalks.**

- A. Sidewalks shall be installed at the sub-divider's expense at such locations approved by the Planning Board.
- B. Sidewalks must be constructed to comply with the detail specifications of the final plan.

**§ 56-26. Utilities.**

Public utility improvements may be required and shall be installed as follows:

- A. Fire protection. Hydrants are to be of a size, type and location specified by the National Board of Fire Underwriters, American Insurance Association.
- B. Street lighting. Poles, brackets and lights are to be of a size, type and location as approved by the Town Board and the local power company.
- C. Electricity. Power lines shall be placed underground and shall be approved by the local power company.
- D. Utility services shall be placed underground when possible and shall meet industry standards.

**§ 56-27. Lots.**

- A. Dimensions. The lot size, width, depth, shape and area shall comply with the Town Zoning Law unless a waiver is granted.
- B. Double frontage lots. Frontage on two (2) roads other than corner lots will not be allowed.
- C. Pedestrian easements. In order to facilitate pedestrian access from roads to schools, parks, play areas or nearby roads, perpetual unobstructed easements at least twenty (20) feet wide may be required by the Planning Board. In heavy traffic areas, sidewalks may be required in addition.
- D. Setback. Provisions of the Town Zoning Law shall apply regarding setback lines.
- E. Corner lots. Lots of residential use shall have extra width to permit appropriate building setback from and orientation to both roads.

**§ 56-28. Unique and natural features.**

Unique physical features, such as historic landmarks and sites, rock outcrops, hilltop lookouts, desirable natural contours and similar features, shall be preserved where possible. All surfaces must be graded and restored within six (6) months. Topsoil moved during construction shall be returned and stabilized by approved methods. Damage to trees should be avoided.

**§ 56-29. Public open spaces and sites.**

- A. Consideration shall be given to the allocation of areas suitably located for community purposes as indicated on the General Plan and shall be made available by one (1) of the following methods:
  - 1. Dedication to the town.
  - 2. Reservation of land for the use of property owners by deed or covenant.
- B. If the Planning Board determines that suitable park or parks of adequate size cannot be properly located in the plat or is otherwise not practical, the Board may require as a condition of approval of the final plat a payment to the town of a sum to be determined by the Town Board, which sum shall

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constitute funds to be held in trust and used by the town exclusively for neighborhood park, playground or recreational purposes, including the acquisition of property.

- C. The Planning Board may require the reservation of such area(s) or site(s) of a character, extent and location suitable for the needs of the town, such as water and sewage treatment plant, water tower and other community purposes not anticipated in the General Plan.

**§ 56-30. Land unsuitable for subdivision.**

As a safety measure for the protection of the health and welfare of the people of the town, land which is found to be unsuitable for subdivision due to harmful features (e.g., drainage problems) shall not be subdivided until adequate methods are formulated by the sub-divider and approved by the Planning Board. Before final approval, the sub-divider shall, in lieu of the improvements, furnish a letter of credit or certified check covering the cost of the required improvement.