

Chapter 280

SUBDIVISION OF LAND

§ 280-1.	Planning Board authority.	§ 280-10.	Required improvements.
§ 280-2.	Policy.	§ 280-11.	Public acceptance of proposed streets, sidewalks and park areas.
§ 280-3.	Word usage; definitions.		
§ 280-4.	Application process.	§ 280-12.	Inspection.
§ 280-5.	Area variances.	§ 280-13.	As-built drawings of required improvements.
§ 280-6.	Planning Board review process.	§ 280-14.	Public utilities.
§ 280-7.	Waiver of requirements.	§ 280-15.	Repealer.
§ 280-8.	Action on proposed subdivision plat.	§ 280-16.	Severability.
§ 280-9.	General requirements and design standards for subdivisions.	§ 280-17.	When effective.

[HISTORY: Adopted by the Board of Trustees of the Village of Canton 12-15-2021 by L.L. No. 4-2021.¹ Amendments noted where applicable.]

§ 280-1. Planning Board authority.

The Village Planning Board has the power and authority to approve or disapprove plats for subdivision within the Village of Canton.

§ 280-2. Policy.

- A. The Planning Board shall consider land subdivision plats as part of a plan for the orderly, efficient, economic and environmentally sound development of the Village.
- B. The following objectives shall guide the Planning Board's decisions:
 - (1) Land is to be subdivided in a way that protects the existing character and pattern of neighborhood development, natural, cultural and scenic resources to sustain biodiversity, protect water resources, historic and archaeological assets and the viewsheds of the Village for the benefit of all residents.
 - (2) Land subdivisions, related activities and supporting infrastructure shall reflect the goals and objectives of the Comprehensive Plan and other adopted plans.
 - (3) New transportation networks or their extension required as part of a subdivision shall be multimodal, complying with the Village's Complete Streets Policy and related program.²
 - (4) Proper provision shall be made for all infrastructure, including water, sewer, stormwater

1. Editor's Note: This local law also repealed former Ch. 280, Subdivision of Land, adopted 11-10-1975 by L.L. No. 5-1975 as Ch. 126 of the 1975 Code.

2. Editor's Note: See Ch. 129, Complete Streets.

management, utilities and other needed improvements.

(5) Provision shall be made for adequate permanent reservations of pedestrian and bicycle connections/trails, open space and parks; and/or maintaining undeveloped natural areas and corridors to mitigate any adverse environmental impacts of a proposed subdivision.

§ 280-3. Word usage; definitions.

A. Word interpretation. The word "street" includes "road," "highway" and "lane"; and "watercourse" includes "drain," "ditch" and "stream." The word "shall" is mandatory unless otherwise indicated.

B. Terms defined. Unless otherwise expressly stated in this chapter, the following terms shall, for the purpose of these regulations, have the meanings indicated below.

APPLICANT — See "owner."

CONSERVATION EASEMENT — The grant of a property right or interest from a property owner to a unit of government or qualified conservation organization that permanently limits some uses of the land in order to protect its conservation values. Landowners continue to own and use their land and may sell or pass it on to heirs.

EASEMENT — A right granted to use certain land for a special purpose not inconsistent with the general property rights of the owner.

LOT — A tract, plot or parcel of land considered as a unit, occupied or capable of being occupied by a building or use and accessory buildings or uses, or by a group of buildings united by a common use or interest, and including such open spaces as are required by this chapter, and having its principal frontage on a public street or an officially approved place.

OWNER — The owner of the land proposed to be subdivided or his/her duly authorized agent.

PLAT — A map representing a tract of land showing the boundaries and location of individual properties and streets prepared and signed by a New York State licensed land surveyor and New York State licensed professional engineer, licensed landscape architect, which shall have his/her New York State seal affixed thereon and 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 for recording.

PRELIMINARY PLAT — A plan prepared by a New York State licensed professional engineer, New York State licensed land surveyor, New York State registered architect or a New York State licensed landscape architect, on a base map prepared by a New York State licensed land surveyor, showing existing features of the land and proposed street utility and lot layout within and adjacent to a subdivision.

RESUBDIVISION — A change in a subdivision plat or resubdivision plat filed in the office of the St. Lawrence County Clerk, which change affects any street layout shown on such plat, affects any area reserved thereon for public use or diminishes the size of any lot shown thereon.

STREET — A public or private way which affords the principal means of access to abutting properties, including any highway.

SUBDIVIDER — Any person, firm, corporation, partnership or association who or which shall lay out, for the purpose of sale or development, any subdivision or part thereof, as defined herein, either for themselves or others.

SUBDIVISION — The division of any parcel of land into two or more lots, blocks or sites, with or

without streets or highways, and includes resubdivision.

§ 280-4. Application process.

A. Sketch plan; preapplication meeting (optional).

- (1) A preapplication meeting is an opportunity for the applicant to present and discuss a sketch plan for the proposed subdivision prior to committing resources to the preparation of a formal plat; and reach general agreement on the requirements of this section. The preapplication meeting is not required.
- (2) Prior to filing a formal application for approval of a subdivision plat, an applicant may submit a sketch plan prior to the regular meeting of the Planning Board that should include all necessary information to inform the Planning Board of the applicant's proposed subdivision, including:
 - (a) A vicinity map sketched at a scale of 2,000 feet to the inch, showing the relationship of the proposed subdivision to existing community facilities that serve it, such as roads, commercial areas, schools, etc. Such a sketch may be superimposed upon a United States Geological Survey Map of the area.
 - (b) Sketch plan on a topographic survey of the proposed area to be subdivided showing, in simple sketch form, the proposed layout of streets, lots and other features.
 - (c) General subdivision information necessary to explain and/or supplement the vicinity map and sketch plan.

B. Filing of subdivision application.

- (1) The applicant shall file an application and required fee for the approval of a preliminary plat on forms available from the Code Enforcement Officer, which shall be accompanied by the required number of paper copies and an electronic copy of the preliminary plat.
- (2) General plat requirements. The subdivision plat shall comply in all respects with the requirements below and with the provisions of Village Law § 7-728 and § 7-730.
 - (a) A New York State licensed land surveyor's seal shall be required for all subdivision plats.
 - (b) A New York State licensed engineer's seal shall be required for all subdivision plats of five lots or more.
 - (c) Sketch plans and plats shall be clearly and legibly drawn at an adequate scale to show detail from one inch equals 50 feet to one inch equals 200 feet.
 - (d) Drawings shall be submitted on uniform size sheets not larger than 36 inches by 48 inches. When more than one sheet is required to show the plat, an index map of the same size shall be submitted.
 - (e) All submissions shall indicate the proposed subdivision name or identifying title; the words "Village of Canton, St. Lawrence County, New York"; the name and address and seal of the NYS licensed engineer and land surveyor responsible for the plat; and the date, approximate true North point and graphic scale.
- (3) Additional plat requirements. In addition to the general plat requirements of Subsection B(2) above, the following additional data shall be required unless waived as provided in § 280-7

below.

- (a) The name of the property owner(s) and the authorized applicant, if different from the property owner(s).
- (b) Tax number of all parcels to be subdivided.
- (c) Location, bearings and distances of trace boundary, including georeferencing information or latitude and longitude coordinates of the plat as available.
- (d) The Planning Board, at its discretion, may require topography at a contour interval of not more than 10 feet.
- (e) The names of property owners within 100 feet of the property boundary, including those adjoining and those across roads fronting the proposed subdivision.
- (f) Location, name and dimensions of existing streets, easements, deed restrictions, zoning district boundaries, property lines, buildings, parks and public properties.
- (g) Location of existing sewers, water mains, culverts and storm drains, if any, including pipe sizes, grades and direction of flow.
- (h) Location of pertinent natural and other features, such as watercourses, wetlands, floodplains, rock outcrops, stone walls, agricultural district lands, contiguous forest, and single trees 15 inches or more in diameter as measured four feet above the base of the trunk.
- (i) Location, width and approximate grade of all proposed streets, with approximate elevations shown at the beginning and end of each street, at street intersections and at all points where there is a decided change in the slope or direction.
- (j) Proposed sewer lines, water mains, stormwater drainage, fire hydrants, street trees, streetlight fixtures, street signs and sidewalks, as applicable.
- (k) Lot lines of all proposed or existing lots, and suggested building envelopes.
- (l) Conceptual future plans for the parcel, if any.
- (m) Location and approximate dimensions of all property proposed to be reserved for park or public uses.
- (n) Other data that must be available for consideration of the subdivision at the discretion of the Planning Board.

§ 280-5. Area variances.

- A. Where a subdivision application contains one or more features that do not comply with the dimensional regulations of Chapter 325, Zoning, subdivision review shall begin with the Planning Board prior to seeking the identified area variance(s).
- B. Prior to completing its review, the Planning Board shall refer the area variance application(s) to the Zoning Board of Appeals along with its written opinion regarding the variance(s).
- C. Such area variance applications may be made to the Zoning Board of Appeals for such area variance pursuant to Chapter 325, Zoning, Article XIV, Variances and Appeals, without a decision or

determination by the Code Enforcement Officer.

§ 280-6. Planning Board review process.

A. Applicant to attend Planning Board meeting.

- (1) The applicant shall attend a regular meeting of the Planning Board to review the subdivision plat application.
- (2) The Planning Board may require additional information as provided in § 280-4 above prior to considering the survey plat to be complete.

B. Referral to Superintendent of Public Works.

- (1) Subdivisions involving the following infrastructure improvements shall be referred to the Village Superintendent of Public Works for review and recommendation:
 - (a) Connections to the municipal water or sewer systems.
 - (b) Infrastructure improvements involving 2,500 square feet or more of increased imperviousness in the DMU and MS Zoning Districts or 1/2 acre or more of soil disturbance in all districts except the TBL Zoning District for stormwater pollution prevention plan considerations as required in Chapter 325, Zoning, § 325-59.
 - (c) Projects involving transportation networks, including, but not limited to, new or extended streets, sidewalks or pathways.
- (2) The Village Superintendent shall provide written recommendations or findings to the Planning Board within 30 days of the referral.

C. Complete Streets review.

- (1) The Planning Board and any other entity or entities designated by the Village Board of Trustees shall review all subdivisions regarding a transportation network connection or extension or subdivision for which there are no sidewalks fronting the parcel to be subdivided at the time of application for compliance with the Village's Complete Streets Policy and program.
- (2) The Planning Board shall refer such projects as described in Subsection C(1) above to all entities designated by the Village Board to review projects for compliance with the Village's Complete Streets Policy and program. Such entities shall provide written recommendations or findings to the Planning Board within 30 days of the referral.

D. State environmental quality review.

- (1) The Planning Board shall initiate the NYS Environmental Quality Review Act process under Article 8 of the Environmental Conservation Law and its implementing regulations as codified in Title 6, Part 617 of the NYS Codes, Rules and Regulations, prior to considering the subdivision plat complete.
- (2) A subdivision plat shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of such plat shall begin upon filing of such negative declaration or such notice of completion.

E. Notice and public hearing.

- (1) Upon determining that the application is complete, the Planning Board shall set a public hearing within 62 days.
- (2) Notice of the public hearing shall be advertised in the Village's official newspaper or, if there is none, in a newspaper of general circulation in the Village at least 10 days before the public hearing.
- (3) In addition, a copy of the public notice shall be mailed through the United States Postal Service to each applicant 10 days prior to the meeting date, and one copy of the notice shall be mailed to property owners within 100 feet of the property line of the property for which the application applies, including properties on the opposite side of the street or highway as per the Village Assessor's roll.

§ 280-7. Waiver of requirements.

The Planning Board may waive, when reasonable, any requirements for a subdivision submitted for its approval except requirements of Chapter 325, Zoning, which shall require an area variance; and requirements related to minimum county, state and federal standards. Any such waiver, which shall be subject to appropriate conditions, may be exercised in the event any such requirements or improvements are found not to be requisite in the interest of the public health, safety and general welfare or inappropriate because of inadequacy or lack of connecting facilities adjacent, or in proximity to, the subdivision.

§ 280-8. Action on proposed subdivision plat.

- A. Final plat. The plat submitted to the Planning Board shall show or be accompanied by the following information if not already provided on the subdivision plat:
 - (1) All information required in § 280-4 above.
 - (2) Areas of all lots in hundredths of an acre; lot numbers as directed by the Village Assessor; and location, material and size of all permanent monuments.
 - (3) Accurate location of all property to be offered for dedication for public use, with the purpose indicated thereon, and of all property to be reserved by deed covenant for the common use of the property owners of the subdivision.
 - (4) Sufficient data, acceptable to the Highway Superintendent, to readily determine the location, bearing and length of all street, lot and boundary lines and to reproduce such lines upon the ground.
 - (5) Necessary agreements in connection with required easements or releases.
 - (6) Formal offers of cession to the Village of all streets, sidewalks and public parks.
- B. The Planning Board shall, by resolution, conditionally approve, conditionally approve with or without modification, disapprove or grant final approval and authorize the signing of such plat within 62 days after the date of the public hearing. This time may be extended by mutual consent of the subdivider and the Planning Board. Failure to act on a final plat within the time prescribed shall be deemed an approval of the plat.
- C. Upon resolution of conditional approval of such final plat, the Planning Board shall empower a duly

authorized officer to sign the plat upon completion of such requirements as may be stated in the resolution. Within five days of such resolution, the plat shall be certified by the Clerk of the Planning Board as conditionally approved, a copy filed in its office and a certified copy mailed to the applicant. The copy mailed to the applicant shall include a certified statement of such requirements that, when completed, will authorize the signing of the conditionally approved final plat. Upon completion of such requirements, the plat shall be signed by said duly authorized officer of the Planning Board. Conditional approval of a final plat shall expire 180 days after the date of the resolution granting such approval unless the requirements have been certified as completed within that time. The Planning Board may, however, extend the time within which a conditionally approved plat may be submitted for signature if, in its opinion, such extension is warranted.

- D. Plat void if revised after approval. No changes, erasures, modifications or revisions shall be made on any plat after approval has been given by the Planning Board. In the event that any plat, when recorded, contains any such changes, the plat shall be considered null and void and the Planning Board shall institute proceedings to have said plat stricken from the records of the County Clerk.
- E. Filing of approved plat. Approval of the plat shall expire within 62 days from the date of such approval unless within such sixty-two-day period such plat shall have been duly recorded by the owner in the office of the St. Lawrence County Clerk. If the plat is not filed within this period, the approval shall expire as provided in § 7-728 of New York State Village Law.

§ 280-9. General requirements and design standards for subdivisions.

- A. Minimum lot standards.
 - (1) The minimum lot size, lot width and other dimensional standards of Chapter 325, Zoning, Article V, § 325-17, Lot development standards for principal uses, shall apply.
 - (2) Side lot lines shall be substantially at right angles or radial to street lines.
 - (3) Odd or irregularly shaped lots, particularly those having more than four sides, shall be avoided where possible.
 - (4) The plat shall provide each lot with satisfactory access to an existing public street or to a subdivision street that will be ceded to public use at the time of final plat approval.
 - (5) Radius corners shall be provided on the property line substantially concentric with the curb radius corners.
 - (6) Particular emphasis shall be placed on proper grading of lots where steep slopes are involved.
 - (7) Every effort shall be made by the developer to preserve trees, shrubs (particularly native species) and other natural or landscaped areas contributing to wildlife habitats, streambank protection, natural scenery, stormwater management and erosion control and provision of natural screening between incompatible uses.
- B. Parks and playgrounds. Every effort shall be made to secure and ensure the acquisition and/or the establishment of reasonable amounts of open space in all newly developed areas to be used for public parks and/or recreational amenities.
- C. Street design.
 - (1) Arrangement of streets in a new subdivision.

- (a) General planning standards. The arrangement, character, extent, width, grade and location of all streets shall be considered in relation to the proposed uses of the land to be served by such streets.
- (b) Relation to topography. Streets and roads shall conform to the original topography, following contour lines where practical, thereby reducing the number and extent of steeply graded roads, and arrange as many building sites as possible at or above the grades of the streets. A combination of steep grades and sharp curves shall be avoided.
- (c) Dead-end or cul-de-sac streets shall be avoided to the extent possible.
- (d) No reserve strips which could in any way control access to land dedicated, or to be dedicated, to public use shall be permitted; nor shall these so-called "reserve strips" be permitted to control access from neighboring properties not included in any specific subdivision before the Board.
- (e) In case a tract is subdivided into parcels which the Planning Board may consider to be larger than normal building lots, such parcels shall be arranged to allow for the location and opening of future streets and/or logical further subdivision.
- (f) Where subdivisions have large frontages facing collector or arterial streets, the planning of the subdivision should include every effort to reduce the number of driveways and openings.

(2) Compliance with Village Complete Streets program.³

- (a) All subdivisions located on existing street networks will be studied for opportunities to enhance existing transportation networks into Complete Streets or providing Complete Streets elements such as sidewalks.
- (b) All subdivision projects that include a transportation network extension or development of new street segments shall follow accepted or adopted Complete Streets design standards and use the best and latest design standards available as identified and updated by the Village Complete Streets program.

(3) Design of streets, sidewalks and other transportation network amenities shall utilize state and federal design manuals, standards and guidelines as applicable; and shall be ADA-compliant. Resources may include, but are not limited to, the most recent editions of the New York State Department of Transportation Highway Design Manual; the New York State Department of Transportation Specification Book; guides provided by the American Association of State Transportation and Highway Officials (AASHTO) on streets, pedestrian and bicycle facilities; and other guides as may be recommended by the Planning Board, Superintendent of Public Works and the Village Complete Streets program.

(4) Designs for all projects will be context-sensitive, considering adjacent land uses and community needs and incorporating the most up-to-date, widely accepted, ADA-compliant design standards for the particular setting, traffic volume and speed, and current and projected demand. Each project must be considered both separately and as part of a connected network to determine the level and type of treatment necessary for the street to be complete.

D. Blocks.

3. Editor's Note: See also Ch. 129, Complete Streets.

- (1) General planning standards.
 - (a) The length, width and shape of blocks shall be determined with due regard to:
 - [1] Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - [2] Zoning requirements as to lot sizes and dimensions.
 - [3] Need for convenient access, circulation, and control safety of street traffic.
 - [4] Limitations and opportunities of topography.
 - (b) Block lengths shall generally not be less than 400 feet but not more than 800 feet.
 - (c) Irregular-shaped blocks or oversize blocks indented by culs-de-sac, parking courts or loop streets and containing interior block parks or playgrounds will be acceptable when properly designed, as determined by the Planning Board. Such blocks shall include adequate off-street parking, facilities for pedestrian access from streets to all lots, proper easements for utility lines and satisfactory provision for maintenance of park and open space, where included.
 - (d) Nonresidential blocks intended for commercial or industrial use shall be of such length and width as is suitable for their prospective use. Such blocks shall include adequate provisions for off-street parking and servicing.

§ 280-10. Required improvements.

A. Completion of improvements or bond required.

- (1) Prior to an action by the Planning Board approving a plat, the applicant shall be required to complete, in accordance with the Planning Board's decision and to the satisfaction of the appropriate Village departments, improvements as may be required in this § 280-10 and specified in the action approving said plat or, as an alternative, to file with the Village Attorney a bond in an amount estimated by the Planning Board to secure to the Village the satisfactory construction and installation of the incomplete portion of the required improvements.
- (2) Performance bonds. Performance bonds shall comply with the requirements of § 7-730 of New York State Village Law and shall be satisfactory to the Village Board of Trustees as to form, sufficiency and manner of execution. A period of one year, or such other period as the Planning Board may determine appropriate, within which required improvements must be completed shall be specified by the Planning Board and expressed in the bond. The bond shall also provide that an amount determined adequate by the Planning Board shall be retained for a period of one year after the date of completion of the required improvements to assure their satisfactory condition.

B. Monuments. Monuments shall be placed at all block corners, angle points, points of curvature in streets and points of tangency or horizontal curves, and at intermediate points as required by the Village. However, in no case shall there be less than four permanent monuments per block. At least one monument in each subdivision shall be related to the United States Geological Survey system and shall bear the true elevation above sea level. In addition, markers shall be placed at all points when street lines intersect the plat boundary and at all lot corners. The monuments and markers shall be of such material, size and length as may be approved by the Village.

C. Water and sewerage facilities. Connection to the Village municipal water system and sewer system is required in accordance with Chapter 259, Sewer Use, and Chapter 318, Water, of the Village Code. All related infrastructure and proposed connections shall be approved by the Village Superintendent of Public Works and other appropriate agencies having jurisdiction over the planning and installation of these in the area of the subdivision.

D. Storm drainage facilities.

- (1) Adequate storm drainage systems shall be required in all new subdivisions. All subdividers shall present an individual lot drainage plan for each lot in their proposed subdivision. Such plan shall be used in the grading of lots before final approval of structure is granted. Storm drainage plans shall reflect potential surface runoff within the drainage area after development and shall comply with the requirements of the Superintendent of Public Works.
- (2) An adequate drainage system shall mean one which has been designed by a licensed professional to perform such work and is approved by the Village Superintendent and is in accordance and consultation with the following:
 - (a) Stormwater management shall be in accordance with the New York State Department of Environmental Conservation (NYSDEC) technical standards for stormwater practice design provided in the New York Stormwater Management Design Manual, which is updated from time to time.
 - (b) The NYSDEC's "Reducing the Impacts of Stormwater Runoff from New Development" should be consulted. A primary goal is to ensure that the peak rate of surface water flowing off-site shall not increase above pre-development conditions and shall not adversely affect drainage on adjacent properties or public roads.

E. Streetscape and utilities.

- (1) Streets shall be graded and improved meeting the design criteria of § 280-9 as applicable, and shall include street signs, sidewalks, streetlighting standards, curbs, gutters, trees, water mains, sanitary sewers, storm drains and fire hydrants, except where the Planning Board may waive, subject to appropriate conditions, such improvements if they are not considered requisite in the interest of public health, safety and general welfare.
- (2) Underground utilities required by the Planning Board shall be placed between the paved roadway and street line to simplify location and repair of the lines, the subdivider shall install underground service connections to the property line of each lot before the street is paved. Utility location should take into consideration the location of future street trees so as to minimize the risk of future disturbance of trees during repair activities.
- (3) Grading and improvements shall conform to the Village minimum road specifications and shall be approved as to design and specifications by the Village Superintendent of Public Works.

F. Utility and drainage easements.

- (1) Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights-of-way, perpetual unobstructed easements a minimum of 15 feet in width, but 20 feet in width where possible, for such utilities shall be provided across property outside the street lines and with satisfactory access to the street. Such easements shall be centered on rear or side lot lines.

- (2) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width as to encompass the twenty-five-year flood area of such watercourse.
- (3) Right-of-way for storm drainage must be sufficient for facilities to handle not only the anticipated discharge from the property being subdivided, but also the anticipated runoff that will occur when property at a higher elevation in the drainage basin is developed.

G. Dedication and reservation of open space.

- (1) If the arrangement of lots results in large expanses of preserved open space, the preserved open space may be included as a portion of one or more large lots, or may be contained in a separate open space lot. Such open space may be owned by a homeowners' association, private landowner(s), utility company, a nonprofit organization, or the Village or other governmental entity, as long as it is permanently protected from development by a conservation easement held by said unit of government or qualified conservation organization.
- (2) Permanent preservation by conservation easement. A perpetual conservation easement restricting development of the open space land and allowing use only for agriculture, forestry, passive recreation, protection of natural resources or similar conservation purposes, pursuant to § 247 of the General Municipal Law and/or §§ 49-0301 through 49-0311 of the Environmental Conservation Law, may be granted to the Village, with the approval of the Village Board, or to a qualified not-for-profit conservation organization acceptable to the Planning Board. Such conservation easement shall be approved by the Planning Board and shall be required as a condition of final plat approval. The conservation easement shall be recorded in the St. Lawrence County Clerk's office prior to or simultaneously with the filing of the final subdivision plat in the County Clerk's office.

H. Easements for pedestrian access. The Planning Board may require pedestrian access from streets to schools, parks, playgrounds or other nearby streets in order to facilitate perpetual unobstructed easements at least 20 feet in width.

§ 280-11. Public acceptance of proposed streets, sidewalks and park areas.

The approval by the Planning Board of a plat shall not be deemed to constitute or imply the acceptance by the Village of any street, sidewalk, park, playground or other open space shown on said plat. The Planning Board may require said plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Village Board of Trustees covering future title, dedication and provision for the cost of grading, development, equipment and maintenance of any park or playground area.

§ 280-12. Inspection.

The Village may employ an inspector to act as agent of the Planning Board for the purposes of assuring the satisfactory completion of improvements required by the Planning Board and shall determine an amount sufficient to defray costs of inspection. The applicant shall pay the Village costs of inspection before the subdivision plat is signed for filing. If the Planning Board or its agent finds, upon inspection, that any of the required improvements have not been constructed in accordance with the approved drawings, the applicant and the bonding company will be severally and jointly liable for the costs of completing said improvements according to specifications.

§ 280-13. As-built drawings of required improvements.

Drawings showing the location of all required improvements as built shall be certified by a New York State licensed land surveyor and filed with the Planning Board at least 30 days prior to the acceptance of the improvements by the Village.

§ 280-14. Public utilities.

The Planning Board may accept assurance from each public utility company whose facilities are proposed to be installed. Such assurance shall be in writing, addressed to the Planning Board, stating that such public utility company will make the installations necessary for the furnishing of its services within a specified time, in accordance with the approved plat.

§ 280-15. Repealer.

Chapter 280 of the Village Code, entitled "Subdivision of Land," as adopted by Local Law No. 5-1975 as Chapter 126, together with all changes and amendments thereto, is hereby repealed and declared to be of no effect.

§ 280-16. Severability.

If any provision of this chapter or the application thereof to any person, property or circumstances is held to be invalid, the remainder of this chapter and the application of each provision to other persons, property or circumstances shall not be affected thereby.

§ 280-17. When effective.

This chapter shall take effect upon filing with the NYS Secretary of State.