

VILLAGE OF GOUVERNEUR  
SUBDIVISION REGS

File: Village of Gouverneur  
Subdivision  
Reg's.

REQUIREMENTS  
for the  
APPROVAL  
of  
SUB-DIVISION PLANS  
in the Village of  
GOVERNEUR, N.Y.  
ADOPTED BY THE VILLAGE OF GOVERNEUR  
PLANNING COMMISSION  
SEPTEMBER 25, 1963  
APPROVED BY THE VILLAGE BOARD OF TRUSTEES  
OCTOBER 21, 1963

## TABLE OF CONTENTS

### SECTION I

Source of Commission Authority.....	3
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### SECTION II-DEFINITIONS

A. Subdivision.....	4
B. Streets and Alleys.....	4
C. Preliminary Plat, Final Plat.....	4

### SECTION III-PROCEDURE

A. Pre-application Procedure.....	5
B. Procedure for Conditional Approval of Preliminary Plat.....	5
C. Procedure for Approval of Final Plat.....	6

### SECTION IV-DESIGN STANDARDS

A. Streets.....	6&7
B. Alleys.....	8
C. Easements.....	8
D. Blocks.....	8
E. Lots.....	8
F. Public Sites and Open Spaces.....	9

### SECTION V-REQUIRED IMPROVEMENTS

A. Monuments.....	9
B. Utility and Street Improvements.....	9
C. Schedule of Required Utilities and Street Improvements.....	10

### SECTION VI-PLATS AND DATA

A. Pre-application Plans and Data.....	11
B. Plats and Data for Conditional Approval.....	11
1. Topographic Data.....	11-12
2. Preliminary Plat.....	12-13
3. Other Preliminary Plans.....	13
4. Draft of Protective Covenants.....	13
C. Plats and Data for Final Approval.....	13
1. Final Plat.....	13-14
2. Cross Sections and Profiles.....	15
3. A certificate by Village Engineer.....	15
4. Protective Covenants.....	15
5. Other Data.....	15

### SECTION VII-VARIANCES

A. Hardship.....	15
B. Large Scale Development.....	15
C. Conditions.....	15

INDEX.....	16
------------	----

REQUIREMENTS FOR APPROVAL OF SUBDIVISION PLANS

IN THE VILLAGE OF GOVERNEUR

SECTION I

By a resolution adopted by the Board of Trustees on the 17th day of September, 1963 pursuant to the provisions of sections of the General Municipal Law and the Village Law, the Planning Commission has power and authority to approve plats for subdivision within the Village of Gouverneur. As a basis for such approval the Planning Commission prescribes the following regulations governing subdivisions.

All references herein to sections 179-K and 179-L of the Village Law are only for the purpose of incorporating by reference all of the provisions contained in such sections of the Village Law as though the same were set forth herein in full length, and adopting the contents of such provisions of the Village Law as a part hereof.

## SECTION II

### DEFINITIONS

For the purpose of these regulations, which shall be known as and may be cited as the "Village of Gouverneur Subdivision Regulations", certain words used herein are defined as follows:

#### A. Subdivision

The term "subdivision" means the division of a parcel of land into four (4) or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land; provided that a division of land for agricultural purposes into lots or parcels of five (5) acres or more and not involving a new street shall not be deemed a subdivision. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

#### B. Streets and Alleys

The term "street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, road, throughway, parkway, avenue, boulevard, lane, place or however otherwise designated.

1. Arterial Streets and highways are those which are used primarily for fast or heavy traffic.

2. Collector Streets (or feeder streets) are those which carry traffic from minor systems or streets to the major system of arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.

3. Minor Streets are those which are used primarily for access to the abutting properties.

4. Marginal Access Streets are minor streets which are parallel to and adjacent to arterial streets and highways, and which provide access to abutting properties and protection from through traffic.

5. Alleys are minor streets or ways which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

#### C. Preliminary Plat, Final Plat

1. A plat is a plan for developing a piece of underdeveloped property.

2. A preliminary plat means the preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration.

3. Final plat means the final map, drawing, or chart on which the subdivider's plan of subdivision is presented to the Planning Commission for approval, and which, if approved, will be submitted to the county clerk for recording.

## SECTION III

### PROCEDURE

#### A. Pre-application Procedure

1. Previous to the filing of an application for conditional approval of the Preliminary Plat, the Subdivider shall submit to the Village Planning Commission plans and data as specified in Section VI. This step does not require formal application, fee, or filing of plat with the Planning Commission.

2. Within 15 days the Planning Commission shall inform the Subdivider that the plans and data as submitted or as modified do or do not meet the objectives of these regulations. When the Planning Commission finds the plans and data do not meet the objectives of these regulations it shall express its reasons therefor.

#### B. Procedure for Conditional Approval of Preliminary Plat

1. On reaching conclusions, informally as recommended in Section III A, regarding his general program and objectives, the Subdivider shall cause to be prepared a Preliminary Plat, together with improvement plans and other supplementary materials as specified in Section VI. The preliminary plat, topographic map, street profiles, etc. and all procedure relating thereto shall in all respects be in full compliance with the Provisions of Section 179-K and 179-L, as amended, of the Village Law and these regulations except where variation therefrom may be specifically authorized in writing by the Commission.

2. Three copies of the Preliminary Plat and supplementary material specified shall be submitted to the Planning Commission with written application for conditional approval at least one week prior to the meeting at which it is to be considered.

3. The Commission shall then study the Preliminary Plat and supplementary material in connection with the topography of the area, existing requirements of the zoning ordinance, etc., 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 Section 179-L as amended of the Village Law as well as specific requirements for parks, playgrounds, school sites, boulevards and main thoroughfares, the adequacy of street connections and the suitability of the land for development. Following (a) such review of the Preliminary Plat and other material submitted for conformity thereof to these regulations, and (b) negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him, the Planning Commission shall hold a formal public hearing in compliance with Section 179-K as amended of the Village Law. Within 40 days after the informal application for Conditional Approval of the Preliminary Plat, the Planning Commission shall communicate in writing its decision on the application as submitted or modified and if approved, the Planning Commission shall express its approval as Conditional Approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.

4. The action of the Planning Commission shall be noted on two copies of the Preliminary Plat, referenced and attached to any conditions determined. One copy shall be returned to the Subdivider and the other retained by the Planning Commission.

5. Conditional Approval of a Preliminary Plat shall specify the conditions prerequisite to the approval of the Final Plat, listing the specific changes which will be required for approval of the Final Plat which, upon fulfillment of the requirements of these regulations and the conditions of Conditional Approval, if any, will be submitted for approval of the Planning Commission and for recording.

#### C. Procedure for Approval of Final Plat

1. The Final shall conform substantially to the Preliminary Plat as approved, and, if desired by the Subdivider, it may constitute only that portion of the approved Preliminary Plat which he proposes to record and develop at the time, provided, however, that such portion conforms to all requirements of these regulations.

2. Application for approval of the Final Plat shall be submitted in writing to the Planning Commission at least one week prior to the meeting at which it is to be considered.

3. Three copies of the Final Plat and other exhibits required for approval shall be prepared as specified in Section VI, and shall be submitted with evidence of all required governmental approvals to the Planning Commission within six (6) months after approval of the Preliminary Plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted in writing by the Planning Commission.

4. The Planning Commission shall then, within 45 days from the date of submission of the Final Plat, approve, modify and approve, or disapprove such Final Plat.

The action of the Planning Commission shall be noted on two copies of the Final Plat; one copy shall be returned to the Subdivider and the other retained by the Planning Commission. If disapproved, reasons shall be stated in writing.

5. Within 90 days after receiving final approval, the developer must file the plat with the county clerk; otherwise such approval shall expire as provided in Section 179-K as amended of the Village Law.

### SECTION IV

#### DESIGN STANDARDS

##### A. Streets

1. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Master Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

2. Where such is not shown in the Master Plan, the arrangement of streets in a subdivision shall either:

a. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or

b. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuation or conformance to existing streets impractical.

3. Minor streets shall be laid out so that their use by through traffic will be discouraged.

4. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

5. Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the Village under conditions approved by the Planning Commission.

6. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall be avoided.

7. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.

8. When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than 200 feet for minor and collector streets, and of such greater radii as the Planning Commission shall determine for special cases.

9. Streets shall be laid out so as to intersect as nearly as possible at right angles.

10. Property lines at street intersections shall be rounded where the Planning Commission may deem it necessary. The Planning Commission may permit comparable cut-offs or chords in place of rounded corners.

11. Street right-of-way widths shall be as shown in the Master Plan and where not shown therein shall be not less than as follows:

STREET TYPE	RIGHT-OF-WAY (feet)
Arterial	75
Collector	66
Minor, for row houses and apartments	66
Minor, for other residences	60

12. Half streets shall be prohibited, except where essential to the reasonable development of subdivisions in conformity with other requirements of these regulations, and where the Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

13. Dead-end streets, designed to be so permanently, shall not be longer than 400 feet and shall be provided at the closed end with a turn-around having an outside roadway diameter of at least 80 feet, and a street property line diameter of at least one hundred (100) feet.

14. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the Planning Commission.

15. Street grades, wherever feasible, shall conform to the terrain, but shall not exceed the following, with due allowance for reasonable vertical curves:

STREET TYPE	PERCENT GRADE
Arterial	5
Collector	7
Minor	10

16. No street grade shall be less than 0.5 percent.

#### B. Alleys

1. Alleys shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

2. The width of an alley right-of-way and pavement shall be not less than 20 feet.

3. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

4. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Planning Commission.

#### C. Easements

1. Easements across lots or centered on the rear or side lot lines shall be provided for utilities where necessary and shall be at least twelve (12) feet wide or wider as required by the Planning Commission.

2. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

#### D. Blocks

1. The lengths, widths and shapes of blocks shall be determined with due regard to:

- a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- b. Zoning requirements as to lot sizes and dimensions.
- c. Needs for convenient access, circulation, control and safety of street traffic.
- d. Limitations and opportunities of topography.

2. Block lengths shall not exceed twelve hundred (1200) feet, or be less than five hundred (500) feet.

3. A pedestrian right-of-way at least 10 feet wide shall be provided near and through the center of every block over 800 feet long and shall be paved with a walk at least 5 feet wide.

4. Each block shall be planned to provide two 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.

#### E. Lots

1. The lot size, width, depth, shape and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

2. Lot dimensions shall conform to the requirements of the Village Ordinances. No residence and appurtenances shall exceed twenty (20) percent of the total lot area.

-9-

- a. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
3. The subdividing of the land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.
4. Double frontage, and reverse frontage lots, should be avoided except where essential to provide separations of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
5. Side lot lines shall be substantially at right angles or radial to street lines.
6. 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 subdivision.

#### F. Public Sites and Open Spaces

1. Where a proposed park, playground, school or other public use shown in a Master Plan is located in whole or in part in a subdivision, the Planning Commission may require the dedication or reservation of such area within the subdivision in those cases in which the Planning Commission deems such requirements to be reasonable.
2. Where deemed essential by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood unit developments not anticipated in the Master Plan, the Planning Commission may require the dedication or reservation of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.
3. 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 Commission, but in general developers should set aside not less than 10 percent of the area for these purposes.

### SECTION V

#### REQUIRED IMPROVEMENTS

##### A. Monuments

1. Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the Village Engineer. The monuments shall be of such material, size, and length as may be approved by the Village Engineer.

##### B. Utility and Street Improvements

1. Utility and street improvements shall be provided in each new subdivision in accordance with the standards and requirements described in the following schedules.

2. The standards and specifications for each general type of development shall be as follows:

- a. For apartment, row house, and similar multifamily residential types, improvements to be in accord with Standard A.
- b. For one-family detached dwellings with typical lot width of 125 feet or less, improvements shall be in accord with Standard B.
- c. For country homes with typical lot widths greater than "b" above, improvements to be in accord with Standard C.

d. For commercial, industrial and other types, as determined by the Planning Commission with the advice of the Village Engineer.

C. Schedule of Required Utilities and Street Improvements

STANDARD

A B C

- x x 1. Water supply pursuant to provisions of the Public Health Law and pursuant to Gouverneur Village Board of Water Commissioners regulations.
- x x 2. Sewage disposal pursuant to provisions of the Public Health Law and pursuant to plans approved by Village Engineer.
- x x x 3. Storm sewer system and other drainage improvements: pursuant plans approved by Village Engineer.
- x x x 4. Arterial streets: cross sections as determined by the Village Engineer and the Planning Commission.
  - 5. Collector streets:
    - x a. 75 ft. right-of-way; 36 ft. road bed; 36 ft. pavement if required by Village Board; and if installed, 5 ft. sidewalks on each side per Village specifications.
    - x x b. 66 ft. r.o.w.; 36 ft. road bed; 36 ft. pavement if required by Village Board; and if installed 5 ft. sidewalks on each side per Village specifications.
  - 6. Minor Streets:
    - x a. 66 ft. r.o.w.; 28 ft. road bed; 28 ft. pavement if required by Village Board; and if installed 5 ft. sidewalks on each side.
    - x b. 60 ft. r.o.w.; 28 ft. road bed; 28 ft. pavement if required by Village Board; and if installed 5 ft. sidewalks on each side.
    - x c. 50 ft. r.o.w.; 28 ft. road bed; and 28 ft. pavement if required by Village Board.
- x x x 7. Streets along development boundaries, and streets connecting development with existing improved street systems: cross sections as determined by Village Engineer and Planning Commission.
- x x x 8. Alleys: as determined by Village Engineer and Planning Commission.

## SECTION VI

### PLATS AND DATA

#### A. Pre-application Plots and Data

1. General Subdivision Information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawings required below. This information may include data on existing covenants, land characteristics, and available community facilities and utilities; and information describing the subdivision proposal as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas, and other public areas, proposed protective covenants and proposed utilities and street improvements.

2. Location Map shall show the relationship of the proposed subdivision to the existing community facilities which serve or influence it. Include development name and location; main traffic arteries; shopping centers; schools; parks and playgrounds; other community features such as hospitals and churches; title; scale; north arrow; and date.

3. Sketch Plan on topographic survey shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey. In any event the sketch plan shall include either the existing topographic data listed in B-1 below or such of these data as the Planning Commission determined is necessary for its consideration of the proposed sketch plan.

#### B. Plots and Data for Conditional Approval

(Note: all of the information set forth below is required by the Commission for the purpose of complying with sections 179-K and 179-L as amended of the Village Law and the Health Law and for the information of the public at public hearings. Due care in the preparation of this material will expedite the process of passing upon the Plots and Data for Final Approval.)

1. Topographic Data required as a basis for study of the Preliminary Plat, in B-2 below, shall include existing conditions as follows except when otherwise specified by the Planning Commission:

a. Boundary lines: bearings and distances.

b. Easements: location, width and purpose.

c. Streets on and adjacent to the tract: name and right-of-way width and location; type, width and elevation of surfacing; any legally established center-line elevations; walks, curbs, gutters, culverts, etc.

d. Utilities on and adjacent to the tract: location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of fire hydrants, electric and telephone poles, and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to, and size of nearest ones, showing invert elevation of sewers.

e. Ground elevations on the tract, based on a datum plane approved by the Village Engineer: for land that slopes less than approximately 2 percent show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions; for land that slopes more than approximately 2 percent either show contours with an interval of not more than 5 feet if ground slope is regular and such information is sufficient for planning purposes, or show contours with an interval of not more than 2 feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings.

f. Subsurface conditions on the tract, if required by the Planning Commission: location and results of tests made to ascertain subsurface soil, rock and ground water conditions; depth to ground water unless test pits are dry to a depth of 5 feet; location and results of soil percolation test if individual sewage systems are proposed.

g. Other conditions on the tract: water courses, marshes, rock outcrop, wooded areas, isolated preservable trees one foot or more in diameter, buildings, houses, barns, shacks, and other significant features.

h. Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings, railroads, power lines, towers, and other nearby nonresidential land uses or adverse influences; owners of adjacent unplatte land; for adjacent platted land refer to subdivision plat by name, recordation date and number, and show approximate percent build-up, typical lot size, and dwelling type.

i. Photographs, if required by the Planning Commission; camera locations, directions of views and key numbers.

j. Zoning on and adjacent to the tract.

k. Proposed public improvements: highways or other major public improvements planned by public authorities for future construction on or near the tract.

l. Key Plan showing location of the tract.

m. Title and certificates: present tract designation according to official records in office of appropriate recorder; title under which proposed subdivision is to be recorded, with names and addresses of record owners, subdivider and designer of preliminary layout, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered civil engineer or surveyor, date of survey.

2. Preliminary Plat shall be at a scale of two hundred (200) feet to one (1) inch or larger. It shall be drawn on vellum, tracing cloth, linen or canvas backed paper 20 inches wide by 20 inches long or 20 inches wide by 40 inches long. It shall show all existing conditions required by B-1, Topographic Data, and shall show all proposals including the following:

a. Streets: names, right-of-way and roadway widths; approximate grades and gradients; similar data for alleys, if any.

b. Other rights-of-way or easements: location, width and purpose.

- c. Location of utilities, of not shown on other exhibits.
- d. Connection with existing water supply or alternative means of providing water supply to subdivision as provided in section 89 as amended of the Public Health Law.
- e. Connections with existing sanitary sewerage system or alternative means of treatment and disposal proposed as provided in section 89 as amended of the Public Health Law.
- f. Provisions for collecting and discharging surface drainage.
- g. Lot lines and dimensions, lot numbers and block numbers.
- h. Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings.
- i. Minimum building setback lines.
- j. Improvements including proposed location of sidewalks, street lighting standards if any and species of street trees if any.
- k. Site data, including number of residential lots, typical lot size, and acres in parks, etc.
- l. Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses.
- m. Proposed subdivision name or identifying title, name of village and county in which subdivision is located, scale, true north arrow, and date.

3. Other Preliminary Plans. When required by the Planning Commission, the Preliminary Plat shall be accompanied by profiles showing existing ground surface and proposed street grades, including extensions for a reasonable distance beyond the limits of the proposed subdivision; typical cross sections of the proposed grading, roadway, and sidewalk; and preliminary plan of proposed sanitary and storm sewers with grades and sizes indicated. All elevations shall be based on a datum plane approved by the Village Engineer.

4. Draft of Protective Covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.

#### C. Plats and Data for Final Approval

1. Final Plat shall be clearly and legibly drawn in India ink on tracing cloth sheets or printed on linen or canvas backed paper or on material suitable for permanent record 20 inches wide by 20 inches long or 20 inches wide by 40 inches long and shall be a scale of one hundred (100) feet to one (1) inch or larger. Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the Final Plat may be submitted for approval progressively in continuous sections satisfactory to the Planning Commission. The Final Plat shall show the following:

- a. Primary control points, approved by the Village Engineer or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- b. Sufficient data acceptable to the Village 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, these should be referenced to monuments, and in any event should be tied to primary control points approved by the Village Engineer.

c. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings or deflection angles, and radii, arcs, and central angles of all curves.

d. 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.

e. Permanent reference monuments shall be shown thus "x". They shall be constructed in accordance with specifications of the Village Engineer. They shall be placed as required by the Village Engineer and their location noted and referenced on the plat.

f. Monuments of a type approved by the Village Engineer shall be set at all corners and angle points of the boundaries of the original tract to be subdivided; and at all intersections, angle points in street lines, points of curve, and such intermediate points as shall be required by the Village Engineer. Location and description of all such monuments shall be shown.

g. All lot corner markers shall be permanently located, satisfactory to the Village Engineer, at least 3/4 inches (if metal) in diameter and at least 2 $\frac{1}{4}$  inches in length, shown thus "o", and located in the ground to existing grade.

h. Name and right-of-way width of each street or other right-of-way.

i. Location, dimensions and purpose of any easements.

j. Number to identify each lot or site.

k. Purpose for which sites, other than residential lots, are dedicated or reserved.

l. Minimum building setback line on all lots and other sites.

m. Names of record owners of adjoining unplatte<sup>d</sup> land.

n. Reference to recorded subdivision plats of adjoining platte<sup>d</sup> land by record name, date and number.

o. Certification by licensed surveyor or professional engineer certifying to accuracy of survey and plat, including license numbers and seals.

p. 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 plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefor.

q. All offers of cession and covenants governing the maintenance of unceded open space shall bear the certificate of approval of the Village Attorney as to their legal sufficiency.

- r. Statement by owner dedicating streets, rights-of-way, lots, easements, and any other sites for public uses.
- s. Subdivision name or identifying title, name of the Village, county and state, scale, true north arrow, and date.

2. Cross Sections and Profiles of streets showing grades approved by the Village Engineer. The profiles shall be drawn to village standard scales and elevations and shall be based on a datum plane approved by the Village Engineer.

3. A Certificate by the Village Engineer certifying that the subdivider has complied with one of the following alternatives:

- a. All improvements have been installed in accord with the requirements of these regulations and with the action of the Planning Commission giving Conditional Approval of the Preliminary Plat and to his satisfaction in accordance with standards and specifications prescribed by him, or
- b. A bond or certified check has been posted, which is available to the Village, and in sufficient amount to assure such completion of all required improvements. Such bond or certified check shall be accompanied by a certificate of the Village Attorney as to the sufficiency of the bond offered in lieu thereof.

4. Protective Covenants in form for recording.

5. Other Data: Such other certificates, affidavits, endorsements, or dedications as may be required by the Planning Commission.

## SECTION VII

### VARIANCES

#### A. Hardship

Where the Planning Commission finds that in a specific and unusual instance extraordinary hardship may result from strict compliance with these regulations, it may with specific approval by the Village Board of Trustees vary the regulations so that substantial justice may be done and the public interest served; provided that such variation will not have the effect of nullifying the intent and purpose of the Master Plan or these regulations and provided a petition is submitted in writing explaining the need for a variance in each particular instance.

#### B. Large Scale Development

The standards and requirements of these regulations may be modified by the Planning Commission in the case of a plan and program for a large development, or a neighborhood unit, which in the judgement of the Planning Commission provide adequate public spaces and improvements for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provide such covenants or other legal provisions as will assure conformity to the achievement of the plan.

#### C. Conditions

In granting variances and modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

INDEX

**A**

Access Streets - II B1  
Access to public Streets - IV E3  
Action (of Planning Commission)  
on final plat - III C4  
pre-application data, rejection of, III A2  
preliminary plat - approval of, III B3, 4, 5  
preliminary plat - study of, III B3

Acreage - VI El m  
Adjoining platted land - VI Cl n  
Affidavits - VI C5  
Agricultural division - II A  
Alley (s) - II B5, IV B1  
dead end - IV B4  
intersections - IV B3  
requirements for - V C8  
where required - IV El  
width of - IV B2

Angles of Street Intersections -  
IV A9

Angle Points

monuments - V Al

Apartments

specifications - V E2 a, V C

Application

for conditional approval - III B2  
VI B

for final approval - VI C

Approach grades - IV Al

Approval - conditional - III B  
plats and data for - VI B  
final - VI C

Area (s)

parks - IV F3  
playgrounds - IV F3

Arrow

north, on maps and plats - VI A2  
VI El m, VI B2 m, VI Cl s

Arterial Street (s)

defined - II El  
grades - IV Al 5  
requirements for - V C4  
tangent on - IV B7  
width of - IV Al 1

Arteries

main, in subdivision - VI A2

Avenues - II B

Available Community facilities -  
VI Al

Available Utilities - VI Al

**B**

Base - pavement of streets - V Cl0  
Bearing (s)  
easement on final plat - VI Cl e  
lot lines on final plat - VI Cl e  
street lines on final plat - VI Cl b  
Bench marks - VI El m

Block (s)

corner monuments - V Al  
irregularly shaped - IV D4  
lengths of - IV D1, 2  
numbers - IV B2 g  
pedestrian right of way through  
IV D3  
rows of lots in - IV D4  
shapes - IV D1  
widths of - IV D1

Bonds

performance - VI C3 b

Boulevards - III B3

Boundary lines

in topographic data - VI El a  
on final plat - VI Cl b, c  
on preliminary plat - VI El a

Boundary streets

requirements for - V C7

Buildings

existing on a proposed subdivision - VI El g

Building setback lines

minimum - IV El, VI B2 i, V Cl 1

Business Areas

in subdivisions - VI Al

**C**

Camera location - VI El 1

Certificate (s)

of compliance - VI C3

other - VI C5

of posted bond or check - VI C3 b

Certification

by surveyor or engineer - VI Cl o

Cession

deeds of - VI Cl p

offers of - VI Cl q

Channels - IV C2

Chords at street intersections - IV A10

**Churches**  
in subdivision - VI A2  
**Civil Engineer**, registered, certification of - VI B1 m  
**Collector street (s)**  
connecting curves - IV A8  
defined - II B2  
grades of - IV A15  
requirements - V C5  
right of way widths - IV A11  
tangent - IV B7  
**Commercial developments**  
specifications - V B2 d  
**Commercial lots**, layout of - IV E2 a  
**Community Facilities**  
available - VI A1  
existing - VI A2  
Conditional approval - III B  
granting of - III B3, 4, 5  
plats and data for - VI B  
procedure - preapplication III A, B, VI A  
**Conditions**  
existing - VI B2  
**Connecting Curves**  
collector streets - IV A8  
minor streets - IV A8  
**Continuation of existing streets** - IV A2 a  
**Control Points**  
primary - VI C1 b  
**Contours** - VI B1 e  
**Corner Markers**  
location - VI C1 g  
size - VI C1 g  
how shown on final plat - VI C1 g  
**Country homes**  
specifications - V B2 c, V C  
**County**  
in which subdivision is located,  
name of - VI B2 m  
name of final plat - VI C1 s  
**County Clerk** - II C3, III C5  
**Covenants**  
copies for recording - VI C4  
existing - VI A1  
proposed - VI A1  
protective - draft of - VI B4  
recording - VI C4  
unceded open spaces - VI C1 q  
**Cross section**  
of streets - VI C2  
**Curves**  
arcs - VI C1 c, d  
central angles - VI C1 c, d  
collector streets - IV A8  
minor streets - IV A8  
monuments - V A1  
radii - VI C1 c, d  
Cut offs at street intersections - IV A10

**D**

**Data**  
for final approval - VI C  
final plat, to be shown on - VI C1 a, b  
lot (s) number - VI B2 k  
" size - VI B2 k  
park acreage - VI B2 k  
plats to show - VI  
topographic - VI B1  
**Date of**  
final plat - VI C1 s  
location map - VI A2  
preliminary plat - VI B2 m  
survey - VI B1 m  
**Datum** - VI B1 m, VI B3  
plane - VI B1 e  
**Dead end** - VI B4  
alleys - IV B4  
streets - IV A13  
**Dedication (s)**  
by owner - VI C1 r  
may be required - VI C5  
proposed park - IV F1, 2  
" playground - IV F1, 2  
" public use - IV F1, 2  
" school - IV F1, 2  
**Deeds**  
of cession - VI C1 p  
**Definitions** - II  
**Deflecting street lines** - IV B8  
**Depth of lots** - IV E1  
**Design standards** - IV  
**Design of streets** - IV  
**Detached houses**  
specifications - V B2 b, V C  
**Development**  
large scale - VII B  
location of - VI A2  
name of - VI A2  
**Dimensions**  
method of expression - VI C1 d  
**Disapproval** - III B3  
**Disposal of sewage** - VI B2 e  
**Division not a subdivision** - II A  
**Double frontage lots** - IV E4  
**Draft**  
of protective covenants - VI B4  
**Drainage**

Drainage (cont.)

other than sewers - V C3  
right of way - IV C2  
surface - VI B2 f  
-way - IV C2

Drainageway - IV C2

Drawings, preliminary - II C2

Dwellings

one family detached specifications - V B2 b, V C

E

Easements - IV C

for watercourses - IV C2  
final plat - VI C1 c, 1  
preliminary plat - VI B2 b  
public use - VI C1 r  
topographic data - VI B1 b

Elevations

ground-preliminary plat - VI B1 e  
invert-preliminary plat - VI B1 f  
of tract, in topographic data -  
VI B1 e

Endorsements - VI C5

Entrance Streets - II B2

Existing Conditions - VI B2

F

Feeder Streets - II B2

Final Approval - (see note in VI B)  
plate and data for - VI C

Final Plat

action on by Planning Commission  
III C4, 5

application for approval of - III  
C2

copies required - III C3

defined - II C3

filling with county clerk - III C5

no conditional approval - III B5

procedure for approval - III C

recording of - II C3

scale of - VI C1

size of - VI C1

what it must show - VI C

what must accompany it - VI C

Frontage, double, of lots - IV E4

" , reverse, of lots - IV E4

Future streets - IV E7

G

General information

subdivision preapplication - VI A

Grades

approach - IV A4  
approach by Village Engineer VI C2  
maximum - IV A15  
minimum - IV A16  
separation - IV A4

Gradients

centerline of streets - V C9

Grading

proposed in subdivision - VI B3  
streets - V C9

Ground elevations - VI B1 e

Ground slope

on land adjacent to subdivision -  
VI B1 h

Ground Surface

extensions beyond subdivision -  
VI B3

Ground Water - VI B1 f

H

Half streets -

generally prohibited - IV A12

Hardship - VII A

Highway (s) - II B

planned - VI B1 k

Homes

country - specifications - V B2 c, V C  
one-family - specifications - V B2 b, V C

Hospitals

in subdivisions - VI A2

Houses

apartment - specifications - V B2 a, V C

multi-family specifications - V B2 a, V C

one-family detached-specifications -  
V B2 b, V C

row - specifications - V B2 a, V C

I

Improvements

certificate of compliance - VI 3 a

proposed on subdivision - VI B1 k

public, planned - VI B1 k

sidewalk location - VI B2 j

street - VI B1

Improvements (cont.)

street lighting standards - VI

B2 j

street - required - V E2, VC

" - trees - VI B2 j

utility - VI B1

Industrial developments

specifications - V B2 d

Industrial lots - IV E2 a

Interior parks - IV D4

Intersections

alleys - IV B3

streets - IV A9

J

Jogs (in streets) - IV A6

K

Key numbers

(Photographs) - VI B1 i

L

Land

characteristics - VI A1

slopes - VI B1 e

Lane (s) - II B

Layout

lots, proposed of - VI A3

plat-preliminary - II C2

preliminary - designer's name -

VI B1 n

streets - minor - IV A3

" - proposed - VI A3

Length

Blocks - IV D1, 2

monuments - V A1

Limited access right-of-way - IV

A4

Lines

boundary - VI B1 a

Location (of)

development - VI A2

map - VI A2

street lines-final plat - VI C1 b

tract - VI B1 l

Lot (s) - IV E

angles - VI C1 d

commercial, layout - IV E2 a

dedication for public use - VI C1 r

depth of - IV E1

dimensions - VI B2 g, VI C1 d

" -conformity with zoning

regulations - IV E2

dimensions - typical - VI A1

" -typical country homes

V B2

dimensions-typical one-family

dwellings - V B2

double frontage - IV E4

industrial - IV E2 s

layout - proposed - VI A3

lines-preliminary plat - VI B2 g

lines-final plat - VI C1 b

number of - VI A1, VI B2 k

" -final plat - VI C1 j

" -preliminary plat - VI B2 g

orientation - V E1, 4

parcels larger than ordinary - IV E6

proposed layout - VI A3

residential-number of - VI B2 k

reverse frontage - IV E4

setback lines - IV E1

shape - IV E1

size - IV E1

sidelines - IV E5

width - IV E1

M

Main thoroughfares - III B3

Map (s)

date of - VI A2

location -scale - VI A2

north arrow on - VI A2

scale of - VI A2, VI B1 n

title of - VI A2

Marginal Access streets - II B4

Marshes - VI B1 g

Master Plan - VI A1, 2, V C4, VII A

proposed public use - IV F1

street r.o.w. width - IV A11

Material used in monuments - V A1

Maximum street grades - IV A14

Minimum set back lines - VI B2 1

Minimum street grades - IV A16

Minor streets - II B3

connecting curves - IV A8

grades of - IV A15

layout - IV A3

requirements - V C6

r.o.w. widths - IV A11

Miscellaneous

conditions on a tract - VI Bl g  
conditions on adjacent land - VI Bl h

Monuments - V A

construction of - VI Cl e  
corner markers - VI Cl g  
location of - VI Cl e  
methods of delineation - VI Cl e  
on final plat - VI Cl b, e  
type of - VI Cl f

Multi-family houses

specifications - V B2 a, V C

N

Name (s) of

designer - VI Bl m  
development - VI A2  
proposed subdivision - VI B2 m  
streets - IV Al<sub>4</sub>, VI Cl h  
village - VI Cl s

North Arrow

on preliminary plat - VI B2 m  
on final plat - VI Cl s

Number of lots - VI Al

Numbers

block - VI B2 g  
lot - VI B2 g  
" s - on final plat - VI Cl j  
sites on final plat - VI Cl j

O

Off street

loading - IV Bl  
parking - IV Bl  
service-commercial and industrial property - IV E2 a  
Open spaces - IV F7  
Orientation of lots - IV El, 4  
Outcrop of rock - VI Bl g  
Owners of record - VI Bl m, VI Cl m

P

Parallel streets - IV C2

Parcels larger than ordinary, lots - IV E6

Parking facilities

commercial property - IV E2 a  
industrial property - IV E2 a  
Park (s) - III B3, IV Al<sub>4</sub>  
acreage in subdivision - VI B2 k  
areas of - IV F3  
interior - IV D4  
proposed - VI A2

sites reserved for - IV F3, VI B2 l

subdivisions - in - VI A2

Parkway - II B

Parkways - IV C2

Pavement Base

streets - V C10

Percolation

tests - soil - VI Bl f

Photograph (s)

camera location - VI Bl i

direction of view - VI Bl i

key numbers - VI Bl i

preliminary plat - VI Bl d

topographic data - VI Bl i

Place - II B

Plan (s)

drainage - V C3

key to location - VI Bl 1

preliminary-other - VI B3

public sewers - V C2

sketch - VI A3

storm sewers - V C3

Planning Commission

V Cl<sub>4</sub>, 7, 8, 9

VI A3

VI Bl f, 1

VI B3

VI C5

Plat (s) - II C

and data - VI

and data preapplication - VI A

certification of - VI Cl o

final - II C3, VI C

" certification of - VI Cl o

" data to be shown - VI Cl

" preliminary control points -

VI Cl a

final scale of - VI Cl

final size of - VI Cl

preliminary - II C2, VI B2 (see also Preliminary Plat)

Playgrounds

areas of - IV F3

preliminary plat - III B3

proposed - IV F1

sites reserved for - VI B2 l

subdivisions in - VI Al, 2

Preapplication - III A

plans and data - VI A

procedure - III A

Preliminary layout

designer's name - VI Bl m

Preliminary plat

conditional approval of - III Bl,

2, 3, 4, 5

copies required - III B2

defined - II C2

lapses - III C3

Preliminary Plat (cont.)

pre-application procedure - III

A1

proposals - VI B2

public hearing on - III B3

scale of - VI B2

topographic data - VI B1

Primary control points - VI C1 b

Procedure - III

Profiles

extensions beyond subdivision

VI B3

of streets - V C9, VI C2

of subdivision - VI B3

Prohibitions

reserve strips - IV A5

half streets - IV A12

Property lines

final plats - VI C1 c

rounding at street intersections

IV A10

Proposals

shown on preliminary plats - VI B2

Proposed park - IV F1

" playground - IV F1

" school - IV F1

Protective covenants

draft of - VI B4

in form of recording - VI C4

Public Health Law - V C1, 2

Sec. 89 as amended - VI B2 d, e

Public hearings - III B3, VI B

Public improvements -

planned - VI B1 k

proposed - preliminary plat -

VI B1 k

Public Sewers - V C2

Public Sites - IV F

Public Spaces -

cession of - VI C1 p

maintenance of - VI C1 p

sites reserved for - VI B2 l

Public Streets

access to - IV E3

Public water supply - V C1

R

Radius of street curvature - IV A8

Railroad right of way - IV A4

Record Owners

of adjoining unplatted land - VI C1 m

names and addresses - VI B1 m

Recording plats - II C3

Regulations -

variances - VII

Required improvements - V

Requirement (s)

alleys - V C8

arterial streets - V C1

boundary streets - V C7

collector streets - V C5

minor streets - V C6

drainage-other than sewers - V C3

public sewer - V C2

" water - V C1

storm sewers - V C3

streets-arterial - V C1

" boundary - V C7

" collector - V C5

" minor - V C6

Reserve strips, prohibited - IV A5

Residential lots

number of-in subdivision - VI

typical size of - in subdivision - VI B2 k

Residential specification - V B2 a,b,c,d, VC

Resolution of adoption - I

Resubdivision - II A

Reverse frontage lots - IV E4

Right (s) of way

alley widths - IV B2

dedication by owner - VI C1 r

drainage - IV C2

limited access - IV A4

railroad - IV A4

street lines - V C1 c

widths of - V C5, 6

width-on final plat - V C1 h

Road - II B

Roadbed

widths - V C5, 6

Rock outcrop - VI B1 g

Row houses

specifications - V B2 a, V C

S

Scale

final plat - VI C1 s

map - VI B1 m

Scale (cont.)

map location - VI A2  
preliminary plat - VI B2 m

Schedule

street improvements-required-  
V B2, V C  
utilities-required - V B2, V C

School (s)

in subdivisions - VI A2  
proposed - IV F1  
sites - III B3

Set back lines

minimum - IV E1, VI B2 i, VI C1 l

Sewage

disposal of - VI E2 e  
soil percolation tests - VI E1 f  
systems- individual - VI E2 f  
treatment of - VI B2 e

Sewer (s)

plans - V C2  
public - V C2  
sanitary-connection to - VI B2 e  
" -proposed - VI B3  
storm - V C3  
" -proposed - VI B3

Shape

blocks - IV D1  
lots - IV E1

Shopping centers - VI A2

Side lot lines - IV E5

Sidewalks

proposed location - VI B2 j  
specifications for - Collector  
streets - V C5 a, b  
specifications for-minor streets-  
V C6 a, b

Sight distance - IV E8

Sites

churches - VI B2 h  
dedicated-purpose-final plat  
VI C1 k  
industry - VI B2 h  
multi-family dwellings - VI B2 h  
other non-public uses - VI B2 h  
parks - VI B2 l  
playgrounds - VI B2 l  
public use - VI B2 l  
reserved-final-plat - VI C1 k  
shopping centers - VI B2 h

Size

lots - IV E1  
monuments - V A1  
Sketch plan - VI A3  
Soil percolation tests - VI E1 f

Specification (s)

apartments - V B2 a, V C  
developments - Commercial - V B2 d  
developments - Industrial - V B2 d  
multi-family residence - V B2 a, V C  
residential - V B2 a,b,c,d, V C  
row houses - V B2 a, V C  
Village - V C5, 6, 10

Standard (s)

see "Requirements" & "Specifications"  
A - V B2 a, V C  
B- V B2 b, V C  
C - V B2 c, V C  
street - IV

Storm

sewers - proposed - VI B3  
" -requirements - VI C3  
water - easements - IV C2

Stream - IV C2

Street (s)

access - II B4  
" -limited - IV A4  
adjacent to tract - VI E1 c  
alleys - II B5  
" - requirements - V C8  
angles, central - VI C1 d  
" of deflection - VI C1 d  
" of intersection - IV A9  
arterial-defined - II E1  
" -requirements - II E1  
bearings-tangent - VI C1 d  
blocks - IV D  
boundary - requirements - V C7  
centerline elevations - VI E1 c  
" gradients - V C9  
central angles - VI C1 d  
collector - II B2

" requirements for - V C5  
conformity to plan - IV A2 b  
continuation of existing - IV A2 a  
cross sections - VI C2  
curve (s) - monuments at V A1

" -radii - VI C1 d  
dead end - IV A1 3  
dedication - VI C1 r  
defined - II B  
deflection angles - VI C1 d  
design of - IV A  
entrance - II B2  
existing-continuation of - IV A2 a  
feeder - II B2  
future - IV E7  
gradients - centerline - V C9  
grades of - IV A15, 16

Street (s) (cont.)  
grading - V C9  
level prohibited - VI B1 d  
improvements - proposed - VI A1  
" - required - V B2, V C  
intersections-angles - IV A9  
" - property lines at IV A10  
intersections-cut-cuts at - IV A10  
" - chords at - IV A10  
jogs - IV A6  
legally established features - VI B1 c  
lighting-standard location - VI B2 j  
lines-bearing of - VI C1 b  
" - length of - VI C1 b  
" - location of - VI C1 b  
location - VI B1 c  
marginal access - II B1  
minor - II B3, V C6  
maximum grades - IV A15  
minimum grades - IV A16  
names of - IV A11  
name - VI B1 c  
" - of on final plot - VI C1 b  
on a tract - VI B1 c  
parallel-for water course, etc. - IV C2  
pavement base - V C10  
preliminary plat - VI B1 c  
profiles - VI C2  
prohibited (half) - IV A12  
proposed-grades - VI B2 a  
" - gradients - VI B2 a  
" - layout - VI A3  
" - names - VI B2 a  
" - r.o.w. widths - VI B2 a  
" - roadway widths - VI B2 a  
public access to - IV E3  
requirements for arterials - V C8  
requirements for boundary - V C7  
requirements for collector - V C5  
requirements for minor - C C5  
requirements for utilities in  
V B2, V C  
requirements when railroad or limited  
access highway exists - IV A4  
reverse curves, tangent - IV A7  
right of way width - IV A11, V C5, 6,  
VI B1 c, VI C1 h  
roadbed widths - V C5, 6  
standards for - IV A  
surfacing - VI B1 c  
tangent bearings - VI C1 d  
" - distances - VI B2 d  
" - s on reverse curves - IV A7  
topographic data - VI B1 c  
trees, location of - VI B2 j  
utilities required - V B2, V C  
ways - II B5  
widths - V C5, 6  
Strips, reserve - IV A5  
Subdivider  
name of - VI B1 n  
Subdivision (s)  
acreage - VI B1 m  
adjacent land - VI B1 h  
approval - conditional - VI B  
" - final - VI B  
arteries in - VI A2  
bank marks - VI B1 m  
bordering on limited access highway - IV A8  
bordering on railroad r.o.w. - IV A8  
buildings - VI B1 h  
" - existing - VI B1 g  
business areas in - VI A1  
certification by civil engineer  
or surveyor - VI B1 m  
churches in - VI A2  
conditional approval - VI B  
covenants-existing - VI A1  
" - proposed - VI A1  
data-topographic - VI B1  
date of survey - VI B1 m  
datum - IV B1 n  
defined - II A  
development-location of - VI A2  
" - name of - VI A2  
elevations-in topographic data -  
VI B1 e  
embankments - VI B1 h  
existing covenants - VI A1  
extensions beyond - profiles of -  
VI B3  
final approval - VI B  
general preapplication information  
VI A  
hospitals in - VI A2  
improvements required - V  
key plan - VI B1 l  
land adjacent to - VI B1 h

lot dimensions = VI BI h  
lot size = VI BI h  
main contour line = VI BI h  
map scale = VI BI h  
maps of contour = VI BI h  
maps of elevation = VI BI h  
maps of drainage = VI BI h  
maps on digital plans = VI BI h  
maps, prepared = VI BI h  
margin error = VI BI h  
other topographic conditions =  
adjacent to = VI BI h  
other topographic conditions-  
on = VI BI h  
public concave = VI BI h  
public in = VI BI h  
photograph = VI BI h  
playground = VI BI h  
plate (s) ground = VI BI h  
" probability = VI BI h  
" of = VI BI h  
" land adjoining = VI BI h  
playground in = VI BI h, 2  
pre-application information = VI BI h  
preliminary plans = VI BI h  
prior design in = VI BI h  
proposed parameters = VI BI h  
proposed improvements (gridline) =  
VI BI h  
public improvements = VI BI h  
public spaces = VI BI h, 2  
quilted pattern = VI BI h  
rainbow grid = VI BI h  
rainbow = VI BI h  
recording date = VI BI h  
recycled improvements = VI BI h  
retaining walls = VI BI h  
scale of map = VI BI h  
schools in = VI BI h  
shopping contours = VI BI h  
sketch plan = VI BI h  
slopes-direction and gradient  
VI BI h  
space-public = VI BI h  
streets-prepared improvements  
VI BI h  
streets-topographic data = VI BI h  
sub-area-contours on VI BI h  
survey-contour line of VI BI h

boundary - VI EL 3  
 subsurface conditions - VI EL 2  
 subsurface tests - VI EL 2  
 surface characteristics - VI EL 2  
 Survey  
     contamination of - VI EL 2  
     date of - VI EL 2  
     topographic - VI AS  
 Surveyor, registered  
     certification of - VI EL 2

2

Tangent (s) - VI AS  
     tangent bearings - VI CL C  
         "    distances - VI CL C  
         "    steepest - VI AS, VI CL C  
 Tests  
     soil penetration - VI EL 2  
 Thoroughfare - VI E  
 Throughway - VI E  
 Title  
     of location map - VI AS  
     of subdivision - VI EL 2  
 Topographic Data - VI EL  
     boundary lines - VI EL 2  
     contour lines - VI EL 2  
     elevations - VI EL 2  
     ground elevations - VI EL 2  
     key plan - VI EL 1  
     location of tract - VI EL 1  
     other conditions on tract - VI EL 2  
     other conditions adjacent to  
         tract - VI EL 2  
     photographs - VI EL 1  
     public improvements-proposed- VI EL 2  
     streets (see also "Streets")  
         VI EL 2  
     subsurface conditions - VI EL 2  
     title - VI EL 2  
     tract location - VI EL 1  
     utilities (see also "Utilities")  
         VI EL 2  
 Topographic map - VII EL  
 Topographic survey - VI AS  
 Tract  
     key plan - VI EL 2

Direct designation.

Block - C1

Block and C1 - C2, 3, 4, 5, 6, 7

Block

Block and C1 - C2, 3

Street-Block - C1 - C2, 3

Block outward - C1 - C2

V

Unplanned land

zoned, outside of - IV C1, 2

Utilities

available - VI Bl. 1

Data card preliminary plan -

VI Bl. 4

easements for - IV C1

Electric poles - VI Bl. 6

Fire hydrants - VI Bl. 6

Location - VI Bl. 6, VI Bl. 6

poles, electric - VI Bl. 6

" , telephone - VI Bl. 6

" , street lighting - VI Bl. 6

preliminary plan - VI Bl. 6

required-schedule of - V C

sewer-sanitary - VI Bl. 6

" , storm - VI Bl. 6

street lights - VI Bl. 6

telephone poles - VI Bl. 6

topographic data on - VI Bl. 6

water main - VI Bl. 6

width of easements for - VI Bl. 6

Utilities improvement - V Bl.

V

Variances - VII

conditions required - VII C

Variations - VII Bl.

Village Attorney - VI C1 a

approval of covenants - VI C1 a

approval of offers of covenants -

VI C1 a

certifies to bond sufficiency -

VI C3 b

Village Board of Water Commissioners -

V C1

Village Engineer - V Bl. B2 d, C2, 3, 4,

7, 8, 9, VI Bl. c, B3, C1 a, b, c, f,

g, C2, 3

Village Law - VI Bl.

Sec. 179K-1: VII Bl. C4, 5

Sec. 179L-3: VII Bl. 3

Village specifications - V C5, 6, 10

Watercourses - IV C2, VI Bl. 6

Water supply - VI Bl. 6

public - V Bl.

ways (alleys) - VI Bl. 6

Width (cf)

blocks - IV Bl.

easements - IV C1

lots - IV Bl.

right of way - V C5, 6

roadbed - V C5, 6

sidewalks - V C5, 6

streets - V C5, 6

Wooded areas - VI Bl. 6

Z

Zoning

adjacent to a tract - VI Bl. 3

on tract - VI Bl. 3

Zoning Ordinance -

effect on lot dimensions - IV B2

