

Chapter 193

SUBDIVISION OF LAND

§ 193-1.	Purpose.	§ 193-7.	Required improvements.
§ 193-2.	Authority to approve plats.	§ 193-8.	Preliminary plan requirements.
§ 193-3.	Title.	§ 193-9.	Final plan requirements.
§ 193-4.	Definitions and word usage.	§ 193-10.	Variances.
§ 193-5.	Application; review procedures.	§ 193-11.	Amendments.
§ 193-6.	Design standards.		

[HISTORY: Adopted by the City Council of the City of Ogdensburg 12-15-1975 as Ch. 31 of the 1975 Ogdensburg Municipal Code. Amendments noted where applicable.]

§ 193-1. Purpose.

The purpose of this chapter is to assure the orderly development of residential areas, the coordination of existing streets and public utilities with new services, the proper division of open spaces for passive and active recreation and the proper location of future sites for public buildings and shopping areas. The integration of all these services will be of mutual benefit to the developer in providing more stable values and to the future home owner in providing the necessary services at minimum cost and maximum convenience, thereby creating conditions favorable to the health, safety, morals and general welfare of the citizens of the City.

§ 193-2. Authority to approve plats.

By a resolution adopted by the City Council on the 16th day of September 1953, pursuant to the provisions of Article 3 of the General City Law, the Planning Board of the City of Ogdensburg has the power and authority to approve plats for subdivisions within the City of Ogdensburg showing new streets or highways.

§ 193-3. Title.

This chapter shall be known and may be cited as the "City of Ogdensburg Subdivision Regulations of 1967."

§ 193-4. Definitions and word usage.

- A. Generally. Words in the singular include the plural, and words in the plural include the singular. The word "building" includes "structure" and shall be construed as if followed by the words "or part thereof." The word "street" includes "road," "highway" and "lane," and "watercourse" includes "drain," "ditch" and "stream." The words "shall" or "will" are mandatory, and not directory, the word "may" is permissive.
- B. Specific terms. Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated:

ALLEY OR SERVICE DRIVE — A strip of land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of access to two or more properties.

BLOCK — An area bounded by streets.

BOARD, PLANNING BOARD OR CITY PLANNING BOARD — The City of Ogdensburg Planning Board.

CROSSWALK — A right-of-way, municipally or privately owned, at least 10 feet in width, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

CUL-DE-SAC — A residential street with one end open for public vehicles and pedestrian access and the other end terminating in a vehicular turnaround.

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

FINAL SUBDIVISION PLAN — A plan prepared for recording by a registered engineer or surveyor. (See § 193-9.)

GRADING PLAN — A plan showing all present and proposed grades for water drainage.

HALF STREET — One-half (1/2) of a street right-of-way and paving, usually with its center line located on a property line.

IMPROVEMENTS — Those physical additions and changes to the land that may be necessary to produce usable and desirable lots (grading, paving, curbing, gutters, fire hydrants, water mains, sanitary sewers, storm sewers and drains, sidewalks, crosswalks and street shade trees). (See § 193-7.)

LOT — A parcel of land for transfer of ownership or building developing.

PRELIMINARY PLAN — A plan prepared by a registered engineer or surveyor or a qualified site planner, showing existing features of the land and proposed street and lot layout within and adjacent to a subdivision. (See § 193-8.)

RIGHT-OF-WAY — Land opened for use as a street, alley or crosswalk.

STREET — A right-of-way, municipally or privately owned, serving as a means of vehicular and pedestrian travel, furnishing space for sewers, public utilities and shade trees. The streets are classified by function as follows:

- (1) **LOCAL RESIDENTIAL STREET** — A street used as the principal means of access to adjacent residential properties serving only a comparatively small number of dwellings.
- (2) **COLLECTOR STREET OR ROAD** — A street or road connecting local residential streets to each other, to community facilities and to primary or major thoroughfares, serving only neighborhood traffic.
- (3) **PRIMARY OR MAJOR THOROUGHFARES** — A street connecting district centers, serving large volumes of through fast traffic, preferably located outside or bounding the residential neighborhoods.

SUBDIVIDER — A person who is the registered owner, or authorized agent of the registered owner, of land to be subdivided.

SUBDIVISION — A division of any part, parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels two or more in number for the purpose of conveyance, transfer, improvement or sale with appurtenant roads, streets, lanes, alleys and ways, dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon.

§ 193-5. Application; review procedures.

- A. Application. Whenever any subdivision of land showing a new street or highway is proposed to be made, the subdivider shall apply in writing to the City Planning Board for approval of such subdivision. The application of the subdivider shall conform to the requirements of §§ 193-6, 193-7, 193-8 and 193-9 of this chapter. It is suggested that the proposed layout be discussed informally with the Planning Board as early as possible and before any engineering details are done. After the contours are prepared a sketch plan should be developed roughly indicating street and lot location. The Planning Board's knowledge of development activities and requirements should be of material assistance at this stage. It is further suggested that sketches showing the future development of the total area, if larger than the initial submission, be made and submitted for informal consideration by the Board prior to formal submission of any portion thereof.
- B. Required copies of preliminary layout plan.
- (1) The subdivider shall submit to the City Planning Board three copies of each:
 - (a) The preliminary layout plan as described in § 193-8, at a scale of not more than 100 feet to one inch;
 - (b) A topographic map at the same scale; and
 - (c) Proposed street profile cross section and grading maps at appropriate scales.
 - (2) The preliminary layout will be jointly studied in connection with topography of the area, Chapter 221, Zoning, and the requirements of local plans for the area. Particular consideration will be given to the general requirements of the community, the best use of the land to be subdivided and the suitability of the land for development. Provisions for parks, playgrounds, school sites and other public use will be considered.
- C. Tentative approval of preliminary plan. Upon tentative approval of the preliminary plan by the City Planning Board, it will communicate in writing within 30 days to the subdivider, giving notice of:
- (1) The specific changes to be made on the plan;
 - (2) The character and extent of the public improvements to be installed as a requirement of final plan approval; and
 - (3) The amount of performance bond or other assurances acceptable to the Planning Board, that the Planning Board will require in lieu of actual improvement construction.
- D. Final approval of preliminary plan; time limit; filing of final subdivision plan.
- (1) Upon completion of the changes requested by the City Planning Board, the subdivider will receive final approval of the preliminary plan. Such approval will remain in full force and effect for one year thereafter, and within such time, the subdivider shall file with the Planning Board original drawings, on tracing cloth, of the final subdivision plan, grading plan and street profiles. These drawings shall be as described in § 193-9, at a scale of not more than 100 feet to the one inch.
 - (2) This may consist of all or part of the preliminary plan as finally approved by the Planning Board. If it is only part of the total preliminary plan, the remainder must be submitted for final approval within a reasonable period of time.
 - (a) Offer of cession. The subdivider shall tender offers of cession in a form certified as satisfactory by the City Attorney of all land included in streets, highways or parks, not

specifically reserved by him, but approval of the plan by the Planning Board shall not constitute an acceptance by the city of the dedication of any street, highway, park or other public open space.

- (b) Public hearing; approval or disapproval of final plan. A public hearing shall be held by the City Planning Board which hearing shall be advertised at least once in a newspaper of general circulation in the City of Ogdensburg at least five days before such hearing. Upon receiving certificates of approval regarding the adequacy and completion of improvements from the appropriate City departments, the Planning Board shall then, within 45 days from the date of submission of the final plan and such certificates, approve, modify and approve or disapprove such plan; otherwise such plan shall be deemed to have been approved and a certificate of the City Clerk as to the date of the submission of the plan for approval and the failure to take action thereon within such time shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval herein required. The ground of refusal of any plans submitted shall be stated upon the records of the City Planning Board.
 - (c) Expiration of approval. The approval by the Planning Board or the certificate of the City Clerk as to the date of the submission and the failure of the Planning Board to take action thereon within 45 days, shall expire 90 days from the date of such approval or such certificate, unless within such 90 days such plan shall have been duly filed or recorded by the owner in the office of the County Clerk or registrar.
- E. Completion of improvements before final plat approval. The developer shall complete in accordance with the requirements of the Planning Board all improvements listed in § 193-7 of this chapter; provided, however, that the Planning Board may waive, subject to appropriate conditions and guarantees, for such period as it may determine, the provision of any or all such improvements as in its judgment of the special circumstances of a particular plat or plats are not requisite in the interest of the public health, safety and general welfare. During and after installation of the improvements, official inspection shall be made by the Director of Planning and Development or his representatives who shall be at all times free to enter the development area during the period of improvement installation. The Director of Planning and Development shall issue certificates of approval to the City Planning Board upon completion of the improvements in accordance with the standards and specifications herein contained, such certificates to be a requirement to final plat approval. **[Amended 12-12-1989 by Ord. No. 17-1989]**
- F. Performance bond in lieu of improvements. Alternatively, a performance bond sufficient to cover the full cost of the required improvements as estimated by the Planning Board or other appropriate city departments designated by the Planning Board shall be furnished to the city by the subdivider. Such performance bond shall be issued by a bonding or surety company approved by the City Attorney or by the subdivider with security acceptable to the City Council, and shall also be approved by the City Attorney as to form, sufficiency and manner of execution. Such performance bond shall run for a term to be fixed by the Planning Board, but in no case for a longer term than three years; provided, however, that the term of such performance bond may be extended by the Planning Board with consent of the parties thereto. **[Amended 12-12-1989 by Ord. No. 17-1989]**
- G. Modification. If the Planning Board shall decide at any time during the term of the performance bond that the extent of building development that has taken place in the subdivision is not sufficient to warrant all the improvements covered by such performance bond or that required improvements have been installed as provided in these regulations and by the Planning Board in sufficient amount to warrant reduction in the face amount of said bond or that the character and extent of such

development requires additional improvements previously waived for a period stated at the time of fixing the original terms of said bond, the Planning Board may modify its requirements for any or all such improvements, and the face value of such performance bond shall thereupon be reduced or increased by an appropriate amount so that the new face value will cover the cost in full of the amended list of improvements required by the Planning Board and any security deposited with the bond may be reduced or increased proportionately. **[Amended 12-12-1989 by Ord. No. 17-1989]**

- H. Default. In the event that any required improvements have not been installed as provided in this section within the term of such performance bond, the City Council may thereupon declare said performance bond to be in default and collect the sum remaining payable thereunder, and upon the receipt of the proceeds thereof the city shall install such improvements as are covered by such performance bond and are commensurate with the extent of building development that has taken place in the subdivision but not exceeding in cost the amount of such proceeds.

§ 193-6. Design standards.

In addition to all other standards, specifications and codes adopted by the city, the following principles of land subdivision, minimum requirements and standards of good design shall be observed by the developer in all instances:

- A. Land subject to flooding. Land subject to flooding and land deemed by the Planning Board to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may involve danger to health, life or property or aggravate the flood hazard, but such land within the plan shall be set aside for such uses as shall not be endangered by periodic or occasional inundation.
- B. Streets and roads.
- (1) Street system.
- (a) The development plan shall conform to such plan or plans for the city as shall have been prepared and adopted by the City Planning Board.
 - (b) Local residential streets in a new development should be so laid out as to discourage through traffic, but provision for the extension and continuation of major streets into and from adjoining areas is required. If the subdivision abuts a present or proposed primary or major thoroughfare, marginal interceptor streets running parallel to the thoroughfare should be provided.
 - (c) At all times, the street layout should be logically related to the topography of the land, as may be determined by the Planning Board.
 - (d) Where the center lines of minor streets opening into opposite sides of a major thoroughfare are within 200 feet of each other, they shall be made to coincide by curbing or angling the minor streets.
 - (e) If the lots resulting from the original development are large enough for subdivision or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.
 - (f) Culs-de-sac in the local street system shall not exceed 500 feet in length and must be designed with a turnaround having an outside roadway diameter of at least 100 feet and a street property line diameter of at least 140 feet.

- (g) Intersecting minor and secondary streets leading from the same subdivision shall not empty into the same side of a major thoroughfare at intervals less than 800 feet.
- (2) Street alignment.
- (a) The minimum radius at the center line for curves on primary roads or major thoroughfares shall be 500 feet; for collector streets or roads, 300 feet; and for local residential streets it shall be 150 feet.
 - (b) Except for local residential streets, there shall be a tangent of at least 100 feet measured at the center line between reverse curves.
 - (c) Proper sight distance should be provided with respect to both horizontal and vertical alignment. Measured along the center line, this should be 400 feet for primary roads or major thoroughfares; 200 feet for collect streets or roads; and 100 feet for local residential streets.
 - (d) Proper sight lines should be maintained at all intersections of streets. Measured along the center line, there should be a clear sight triangle of 75 feet from point of intersection. No present or future building or obstruction will be permitted in this area.
- (3) Street grades.
- (a) There shall be a minimum grade of at least $\frac{3}{4}$ of 1% on all streets; a maximum grade of 6% on primary roads, major thoroughfares and collector streets or roads; and 10% on local residential streets for distances of 1,500 feet maximum.
 - (b) Vertical curves shall be used in changes of grade exceeding 1% and should be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas. Where the grade exceeds 7%, such leveling areas shall have a minimum length of 50 feet within which no grade shall exceed a maximum of 4%. The grade of actual intersections shall not exceed 1% in any direction.
- (4) Street widths.
- (a) Minimum street and pavement widths are shown on the accompanying chart of typical street cross sections.¹
 - (b) Additional widths may be required by the Planning Board:
 - [1] Where required for public safety and convenience.
 - [2] For parking in commercial or public use areas.
 - [3] Where old streets do not provide the proper widths and additional dedication is necessary.
- (5) Street intersections.
- (a) Multiple intersections involving the junction of more than four roadways shall be avoided, and where such avoidance is impossible, such intersections shall be designed with extreme care for both vehicular and pedestrian safety.

1. Editor's Note: The chart of typical street cross sections is on file in the Planning Office.

- (b) Right angle intersections shall be used whenever practicable especially when local residential streets empty into major or collector thoroughfares, there shall be no intersection angle, measured at the center line, of less than 60° minimum.
 - (c) Street curb intersections shall be rounded by a tangential arc with a minimum radius of 20 feet for local residential streets and 30 feet for intersections, including collector streets or roads and primary roads or major thoroughfares.
- (6) Other requirements.
- (a) The dedication of half streets at the edge of a new subdivision is prohibited. If circumstances rendered this impracticable, adequate provision for the concurrent dedication of the remaining half of the street must be furnished by the subdivider. The existence of a half street in an adjoining subdivision will require the provision of the remaining half in the proposed subdivision.
 - (b) Reserve strips controlling access or egress are prohibited. New streets shall be provided through to the boundary lines of the development especially if it adjoins acreage.
 - (c) Streets that are extensions of or obviously in alignment with existing named streets shall bear the names of the existing streets, subject to the approval of the Planning Board.

C. Blocks and lots.

- (1) Blocks. In large blocks with interior parks, in exceptionally long blocks or where access to a school or shopping center is necessary, a crosswalk with a minimum right-of-way of 10 feet and a paved walk of at least four feet in width shall be provided.
- (2) Lots.
 - (a) The minimum lot size and frontage shall be controlled by the provisions of Chapter 221, Zoning, of the Code of the City of Ogdensburg.
 - (b) All corner lots shall be one and one-half (1 1/2) times the minimum width of the interior lots of the same block. All lots shall abut on a street, but double frontage lots are prohibited. If, after subdividing, there exists remnants of land, they shall be included in proposed or existing lot areas.

D. Building lines, utility easements and alleys.

- (1) Building lines. The minimum building setback shall be controlled by the provisions set forth in Chapter 221, Zoning, of the Code of the City of Ogdensburg.
- (2) Utility easements. If easements are used at the rear of lots to provide sewer, water, gas or electrical facilities, a minimum of 10 feet from the rear of each lot must be provided.
- (3) Alleys. Alleys are prohibited in residential developments. In commercial or industrial districts without expressly designed loading areas, alleys with a minimum width of 22 feet shall be required. Where such alleys dead-end, they shall be provided with a turnaround having an outside roadway diameter of not less than 75 feet.

E. Dedications and reservations for public land use. Areas for parks and playgrounds shall be dedicated to the city and shall be of reasonable size. The Planning Board does not require an arbitrary percentage of area, but in most cases, the developer should set aside not less than 10% of the area for

these purposes. Where combinations of such areas with adjoining developments are feasible, this should be done. In all instances, full compliance with City plans is required, and the subdivider shall dedicate or reserve the needed portion of his area for whatever public purpose is determined by such plans and indicated thereon.

§ 193-7. Required improvements.

The following is a complete list of required improvements to be installed by the subdivider:

- A. Street grading. All streets shall be graded to the grades shown on the street profile and cross-section plan submitted and approved with the preliminary plan. They shall be inspected and checked for accuracy by the City Engineer or his representative.
- B. Storm and surface drainage. All storm sewers and drainage facilities such as gutters, catch basins, bridges and culverts shall be installed and the land graded for adequate drainage as shown on the grading plan submitted and approved with the preliminary plan. These also shall be inspected and checked for adequacy by the City Engineer.
- C. Pavement.
 - (1) All pavement for local residential streets and collector streets or roads shall be installed as shown on the preliminary plan.
 - (2) All pavement shall conform to the road construction specifications adopted by the City of Ogdensburg.
 - (3) All curbs shall be either straight or rolled concrete or stone curbs. Straight curbs shall be installed at all intersections and when used throughout, all curb cuts shall be included in initial installation.
- D. Sidewalks.
 - (1) Sidewalks shall be constructed on both sides of all streets, except for U-shaped streets, culs-de-sac, short service streets and rural streets where this requirement may be modified to their installation on one side only.
 - (2) Sidewalks shall be constructed to the following minimum specifications: Sidewalks shall be 4,500 pounds minimum strength concrete or better, with a minimum of four feet width and four inches thickness except at driveway crossings where the sidewalk should be increased to six inches thickness. **[Amended 4-11-2016 by Ord. No. 09-2016]**
- E. Planting. Adequate tree planting shall be completed by the developer. Street trees shall be a minimum of 40 feet and a maximum of 50 feet apart. Tentative tree species will be indicated on the preliminary plan. Trees shall not be less than 1 1/2 inches in diameter at the bases at the time of planting. They may be planted on either side of the sidewalk unless the planting strip is less than eight feet in which case, they should be planted in the lawn area. Trees must be adequately supported by guy wires until firmly rooted.
- F. Sewers. All necessary mains and laterals for connection from the lots to the public sewage system as shown on the preliminary plan shall be installed by the subdivider. Individual lot treatment of sewage waste is prohibited.
- G. Water. Individual wells used as the major source of supply on an individual lot basis is prohibited.

- H. Monuments. Permanent reference monuments of precast concrete or a durable stone, 30 inches by six inches, with 45° beveled edges shall be set at final grade at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections and such intermediate points as may be required. All lot corner markers shall be permanently located and shall be at least a three-fourth-inch metal pin with a minimum length of 30 inches located in the ground to final grades.
- I. Street signs. Permanent street signs, of the same type and design in general use throughout the City, showing the names of the intersecting streets shall be erected at each intersection. Such signs shall be embedded in a concrete base at least one foot eight inches square and one-foot deep.

§ 193-8. Preliminary plan requirements.

- A. The developer shall submit to the Planning Board a preliminary layout of the proposed subdivision, complete topography of the area at two-foot intervals, unless otherwise specified by profiles and cross sections. These shall all be submitted in triplicate [one white cloth and two black and white paper prints] at a scale of not less than 100 feet to one inch and shall contain the following information:
 - (1) The proposed subdivision name or identifying title and the tract in which the subdivision is located.
 - (2) The name and address, personally signed, of the record owner, subdivider and designer of preliminary layout in India ink.
 - (3) The deed description and map of survey of tract boundary made and certified by a licensed surveyor to be a closed and balanced traverse. Location of property lines, existing easements, buildings, watercourses and other essential features.
 - (4) The names of all subdivisions immediately adjacent and the names of owners of record for adjacent acreage.
 - (5) The location and size of any existing sewers, water or gas mains, culverts and drains on the property to be subdivided.
 - (6) Sanitary sewers detailed as follows:
 - (a) Plans and profiles of all sewers, showing all special features such as inverted siphons, extra strength pipes, sewer bridges, stream crossing, etc., shall be included.
 - (b) Figures showing the manhole stationing, size of sewers, surface and sewer invert elevations at manholes and the grade of all sewers between two adjacent manholes must be shown on the profiles. When there is question of the sewer being sufficiently deep to serve any residence, the elevation and location of the basement floor shall be plotted on the profile of the sewer which is to serve the house in question. The subdivider's engineers shall certify that all sewers are sufficiently deep to serve adjacent basements except where otherwise noted on the plans.
 - (c) Details of all ordinary sewer appurtenances, such as manholes, drop manholes, inspection chambers and inverted siphons as well as of any special appurtenances or structures, such as regulators, tide gates, sewer bridges, pumping stations, etc., must accompany the plans.
 - (d) Detailed plans of all sewer sections, except standard pipe clearly shown as such must accompany the plans. Details of cradling and encasement must also be shown.

- (e) A summary of design data for all sewers and for pumping stations or any similar facility must accompany the plans.
- (7) Storm drainage and sewers detailed as follows:
 - (a) All details required for the collection and disposal of surface drainage shall be required for sanitary sewers.
 - (b) Details of catch basins, open channels, culverts, conduits, ditches and headwalls.
 - (c) Design and construction details for the ultimate disposal of stormwaters.
 - (d) Design and construction details for any method of lowering the groundwater table with a drainage system.
 - (e) A summary of design data for all storm drainage.
- (8) The location, names and existing widths of present and proposed street, highway, easements, building lines, alleys, parks and other public open spaces.
- (9) The width, location, grades and street profiles of all proposed streets.
- (10) Typical cross sections of the proposed grading of the roadway and sidewalks and the topographic conditions. Additional cross sections at points where cut or fill exceeds three feet or multiples of three feet.
- (11) Zoning regulations for the area with zoning district boundaries affecting the area. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- (12) The date, scale and true North point.
- (13) All proposed lot lines with approximate dimensions. All building setback lines.
- (14) The proposed location of and type of sidewalks and the location and species of street trees; the location, size and types of curbs, gutters, water mains and lines; and the character, width and depth of pavement and subbase.
- (15) All necessary easements to service public areas.
- B. When and if the development covers only a portion of the subdividers entire holding, a sketch of the prospective future street system of the entire area shall accompany the preliminary layout. In addition, the sketch shall show all prospective sewer and drainage facilities with sizes, slope, location and area served.
- C. All preliminary plans must be submitted at one of the following sizes or multiples of these sizes: 17 inches by 22 inches, 22 inches by 34 inches or 34 inches by 44 inches. A suitable border line shall be placed on all drawings with a margin of not less than 1/2 inch on all sides.

§ 193-9. Final plan requirements.

The developer shall submit the final subdivision plan and street profiles clearly and legibly drawn in India ink. These shall be original drawings or prints on tracing cloth at a scale of not more than 100 feet to one inch and shall include the following information:

- A. Proposed subdivision name or identifying title and the tract in which the subdivision is located; the

name and address of the record owner and subdivider; and the name, license number and seal of the registered professional engineer or surveyor.

- B. Street lines, pedestrian ways, lots, reservations, easements and areas dedicated to public use.
- C. Sufficient data to determine readily the location, bearing and length of every street, lot line and boundary line and to reproduce such lines upon the ground.
- 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 for each street. All dimensions of the lines of each lot shall be shown in feet and decimals of a foot. The property boundaries, location, scale and North point shall also be shown.
- E. By proper designation thereon, all public open spaces for which deeds of dedication are included. All offers of dedication shall bear the certificate of approval of the City Attorney as to their legal sufficiency.
- F. Lots and blocks within a subdivision, numbered and lettered.
- G. Permanent reference monuments shown thus "X." All lot corner markers shall be shown thus "O."
- H. As-built drawings, certified by the subdivider's engineer, showing plans, profiles and ground ties to sanitary sewers, storm drainage facilities, manholes, house lateral stubs and all other underground facilities constructed by the contractor.
- I. Certification of approval by the appropriate public agencies, when and where required, as well as such other certificates, affidavits, endorsements or other agreements as may be required by the Planning Board in the enforcement of this chapter.

§ 193-10. Variances.

- A. Hardship.
 - (1) Where the Planning Board finds that because of unusual circumstances of shape, topography or other physical features of the proposed subdivision or because of the nature of adjacent developments extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variation will not have the effect of nullifying the intent and purpose of Chapter 221, Zoning, this chapter or any other codes, local laws and ordinances of the City of Ogdensburg.
 - (2) In granting variances and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.
- B. Large scale development. The standards and requirements of this chapter may be modified by the Planning Board in case of a plan and program for a new complete community or a neighborhood unit, which, in the judgment of the Planning Board, 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 and achievement of the plan.

§ 193-11. Amendments.

This chapter may be amended, altered or revised by the City Planning Board from time to time, after public hearing and subject to the approval and enactment of the City Council. The City Council shall not enact any amendments to this chapter until referral to the Planning Board as provided in Chapter 221, Zoning, § 221-87, of this Code.