

TOWN OF CLAY

SUBDIVISION ADJUSTMENT PROCEDURE

INSTRUCTIONS

ZONING 230-28F

This Subdivision Adjustment procedure is limited to the following:

- minor reallocation of land between existing lots
- correct platting errors
- less than 50% of lots in a filed plat
- resultant lots must conform to the zone district
- must diminish the degree of a nonconformity

INSTRUCTIONS:

1. A conference with the Commissioner of Planning and Development prior to submission of the application is usually helpful in expediting the approval process.
2. Submit the following documents to the Department of Planning and Development:

_____ Application for Approval of Preliminary Plat, original and one copy.

_____ Environmental Assessment Form, long form if over 10 acres or if commercial.

_____ Disclosure Affidavit.

_____ Subdivision Map, Two (2) copies, prepared in conformance with the Final Plat Review Checklist, clearly marked "Final Plat", and including the name of the subdivision.

_____ Boundary survey

_____ Legal description of the final lot or of each of the resultant (2) lots.

_____ Fee of \$75, check payable to "Town of Clay".

_____ If the applicant is not the owner, the attached form stating that the owner "agrees to and joins in" the application.

_____ All maps and surveys folded to 8 ½ x 14 maximum..

3. After approval, The Final Plat must be filed with the Onondaga County Clerk per the Requirements for Filing Subdivision Maps. Three (3) originals of the filed map, must be returned to The Department of Planning and Development, per The Filing Requirements.

*Please read
Instructions!!
Incomplete
applications
will not be
PROCESSED*

TOWN OF CLAY

APPLICATION FOR ADMINISTRATIVE APPROVAL OF PRELIMINARY PLAT

Routing:

- (1) Commissioner of Planning & Development
(2) Planning Board Attorney
(3) Onondaga County Planning Board

Tax Map # _____ - _____ - _____

Tract Name _____

Developer _____

Case No. _____

Developer's Address _____

Phone _____

Attorney _____

Phone _____

Address _____

Planner/Surveyor _____

Phone _____

Address _____

PLANNING DEPARTMENT ACTION

- 1. Date accepted for processing by the Planning Dept: _____ 20____
2. Date necessary referrals made: _____ 20____
3. Date of decision: _____ 20____

4. Plat approved (), disapproved (), or approved with the following modifications:

5. Last date for filing application for approval of final plat: _____ 20____

Commissioner of Planning and Development

DRAWINGS FORMING A PART OF THIS APPLICATION ARE:

(Must be filled in)

- a. Preliminary Plat: Drawing # _____ Date _____
b. Street Profiles: Drawing # _____ Date _____
c. Topographic Survey: Drawing # _____ Date _____

TO THE PLANNING BOARD, TOWN OF CLAY, NEW YORK:

The application for Approval of Preliminary Plat of:

(Name of Applicant)

(Address of Applicant)

respectfully states:

1. Applicant is (owner) (purchaser under contract) of the subject property which is located at (show street address, or if none, general description. Attach legal description):

2. Applicant acquired the subject property on _____, 20____ or if not owner, the name(s) and address(es) of the owner(s) of record of the subject property (is) (are):

3. The zoning district in which the subject property is located is:

4. The current land use of the subject property is:

5. The subject property is located within the territorial limits of the _____
_____ Volunteer Fire Department.

6. The name of the school district in which the subject property is located is :

7. Upon information and belief, the names and addresses of all adjoining owners and the current zoning classification of each adjoining parcel, are as follows:

<u>Name</u>	<u>Address</u>	<u>Zoning</u>
-------------	----------------	---------------

NORTH:

EAST:

SOUTH:

WEST:

8. Applicant proposes to file the final plat in _____ sections as shown on the submitted drawing. (Subject to Planning Board approval)
9. In the event that all required documents are not furnished to the Planning Board at the time of submission of this application, the applicant hereby agrees that he waives any and all rights which might otherwise accrue to him by virtue of Section 276 of the Town Law of the State of New York.
10. Applicant further consents to appropriate Planning Board action either revoking any approval which may be granted hereafter or obtaining necessary injunctive relief in the event applicant fails to abide by any conditions or restrictions contained herein or imposed hereafter by the Town of Clay Planning Board.

Dated: _____, 20_____

(Individual Signature)

(Corporate Name)

By: _____
(Officer)

(Mailing Address of Applicant)

Telephone Number _____

(Individual Acknowledgment)

State of New York)
County of Onondaga) ss:

On this _____ day of _____ 20_____, before me personally came and appeared _____, to me known, and known to me to be the person described in and who executed the foregoing Application for Approval of a Preliminary Plat, and he duly acknowledged to me that he executed the same.

Notary Public

(Corporate Acknowledgment)

State of New York)
County of Onondaga) ss:

On this _____ day of _____ 20_____, before me personally came and appeared _____, to me known, who being by me duly sworn did depose and say that he resides at _____ that he is the _____ of _____, the corporation described in and which executed the forgoing Application for Approval of a Preliminary Plat; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation and that he signed his name thereto by like order.

Notary Public

TOWN OF CLAY
DISCLOSURE AFFIDAVIT

This affidavit is a part of and must be completed and attached to every application, petition, request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
 OF

1, _____, being duly sworn, deposes and says that (s)he is:

(applicant, petitioner, corporation officer, property owner, etc.)

2. That deponent has read and is familiar with the provisions of the General Municipal Law, Section 809 which states:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions or any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or a municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this action an officer or employee shall be deemed to have an interest in the applicant when (s)he, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
 - (a) is the applicant, or
 - (b) is an officer, director, partner or employee of the applicant, or
 - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - (d) is a party to an agreement with such an applicant, express or implied, whereby (s)he may receive any payment or other benefit, whether or not for services rendered, or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

3. That no Town of Clay officer, employee or a relative of either, as defined in Section 809 General Municipal Law has any interest in this

(application, petition, or request)

-OR-

If a Town of Clay officer, employee or relative of either as defined in Section 809 General Municipal law has any interest in this (application, petition, etc.) give the full particulars in the following paragraph.

4.

DATED: _____, 20_____

(Applicant, etc. – Signature)

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
OF

_____, being duly sworn, deposes and says that (s)he is the (Applicant/Petitioner) in this (Application/Petition); that (s)he has read the forgoing affidavit and knows the contents thereof; that the same is true to the knowledge of deponent, except as to matters herein stated to be alleged on information and belief, and that as to those matters (s)he believes it to be true.

(Applicant, etc. – Signature)

Subscribed to before me, this
_____ day of _____, 20_____

Notary Public

CORPORATE ACKNOWLEDGEMENT

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:
OF

_____, being duly sworn, deposes and says that (s)he is the _____ of _____, the corporation named in the within entitled Application/Petition, that (s)he has read the forgoing affidavit and knows the contents thereof; and that the same is true to his/her knowledge except within the matters therein stated to be alleged upon information and belief, as to those matters (s)he believes it to be true.

(Applicant, etc. – Signature)

Subscribed to before me, this
_____ day of _____, 20_____

Notary Public

Date _____

(I / We) _____
being owner of premises known as:

(ADDRESS) _____

TAX MAP NUMBER(S) _____ . - _____ - _____
_____ . - _____ - _____
_____ . - _____ - _____

Agree to and join in the application of:

(APPLICANT NAME) _____

For a Subdivision (TO / FOR)

SIGNATURE _____

Town Requirements- the lowest opening which includes doors, windows, and walk-out basements should be at least one foot above the 100 year flood plain elevation (both FEMA and Town reg. Flood plains).

21. Floodplain elevation and boundary/floodway boundaries shall be shown.
22. Hydrant spacing and location- 400' maximum spacing.
23. Proposed improvements by others on or near property.
24. C & S utility and right-of-way drawings against tract map. Are Contract Drawings same as Final Plan.
25. Easements.
26. No hammerhead turn-arounds (cul-de-sac) pre Town Highway Department.
27. Driveways without concrete valley gutters to Town roads need culverts per Town Highway Department.
28. **GRADING PLAN**
 - a. Lot and swale grading.
 - b. Drainage system.
 - c. Sump pump discharge.
 - d. Flood route- no dead end low points.

➤ ***This is a list of items we look for in submittals and things that are considered for approval.
Six (6) copies to Town Engineer when approved.***

Onondaga County
TOWN OF CLAY

In order to file a subdivision map with the Onondaga County Clerk, requirements set by New York State, Onondaga County, and the city, towns and villages must be met. This guide identifies these requirements, necessary signatures, and certifications.

Subdivision maps are filed with the County Clerk, Room 200, Onondaga County Court House, 401 Montgomery Street, Syracuse; for more information call 435-2226. The filing fee is \$10.00.

- The subdivision map must meet the subdivision map requirements described in A and B below.
- Review, Approval and Certification in Steps 1-5 below, must be completed before a map can be filed.
- Steps do not have to be completed in the order they are listed.

Subdivision Map Requirements

A. The subdivision map must be:

- Printed in black ink on either linen, cloth backed paper, or Mylar.
- No larger than thirty-six by forty-four inches (36"x 44").
- Clear and legible for reproduction. (No folded or bent maps).
- Signed in black ink by all required officials. Only original signatures are acceptable.
- All stamps must be in black ink.

B. The subdivision map must include the following information:

- Tract name
- Property location by town or city
- Lot and/or block numbers
- North arrow
- Certificate of Licensed Land Surveyor: "We (or I) hereby certify that this is an accurate subdivision plat prepared by us (or me) on (date). This subdivision plat meets the current standards stated in the NYSAPLS Code of Practice for Land Surveys pertaining to All Boundary/Title Surveys. The subdivision boundary closure is (boundary closure precision). This map is not valid without the original seal of the surveyor."

Subdivision Map: Review, Approval and Certification Steps

1. **Municipal Subdivision Review:** Contact the municipality for local subdivision requirements, procedures, and the number and type of maps to be filed locally.

TOWN OF CLAY – Three copies, with County Clerk file number and date of filing added.

In a town: Signature of the town supervisor or planning board chair is required.

In a village: Signature of the village mayor or planning board chair is required.

In the City of Syracuse: Required signatures include:

City Planning Commission Secretary - Contact City Zoning Office*, City Hall Commons, 201 East Washington Street; or call 448-8640.

City Engineer- Contact the Deputy Commissioner of Public Works Technical Services, Room 401 City Hall; or call 448-8200.

City Assessor - Room 130 City Hall; or call 448-8280.

* Note: After the map is filed, the applicant must call the Zoning Office with the filing date and map number.

2. **Review of Water Supply and Sewage Disposal Plans** by Onondaga County Health Department, Division of Environmental Health

- One paper copy of the subdivision map must be left with this office.
- Contact Bureau of Public Health Engineering, 12th Floor of the John H. Mulroy Civic Center. Please call 435-6600 to be sure that a staff person will be available.

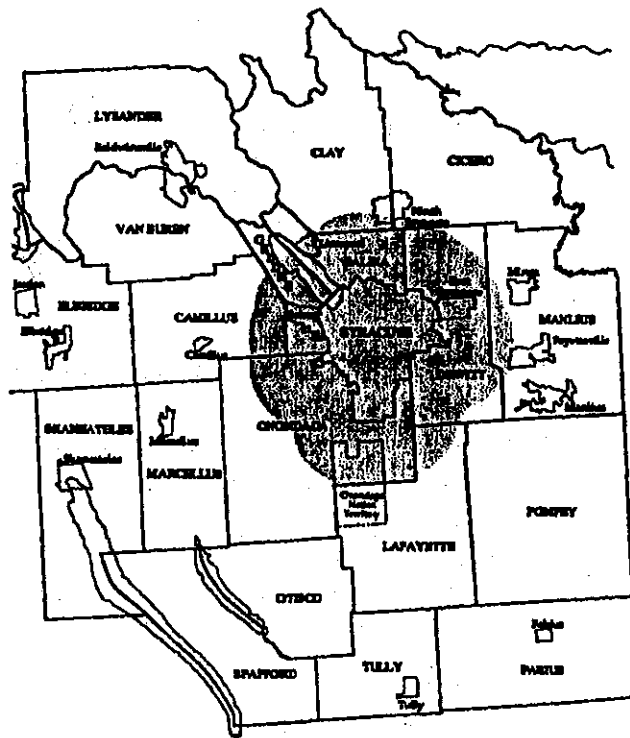
3. Review of Street Names - allow two weeks.

- Tracts containing new street name(s) must have both the tract name and the street name(s) submitted for prior review.
- When names are in compliance, a certification letter is issued by the Syracuse Onondaga County Planning Agency, 11th Floor of the John H. Mulroy Civic Center. Applicant must call Duane Coughenour at 435-2617 in advance to schedule an appointment to have this letter issued.

4. Three Mile Limit Review, City of Syracuse - allow up to six weeks.

- Determine whether your subdivision is or is not within three miles of the City of Syracuse; see map below or contact 448-8640 if you need help with this determination. Note that the following towns are entirely outside the three mile limit: Elbridge, Fabius, Lysander, Marcellus, Otisco, Pompey, Skaneateles, Spafford, Tully, and Van Buren.
- If your subdivision is within the three mile limit, contact 448-8640 for the procedure that must be followed. All forms needed can be obtained from this office.
- If your subdivision is outside the three mile limit, you must call 435-2611 to schedule an appointment to have this letter issued.

 Area Subject to Three Mile Limit Review



5. Certification of Real Property Tax Status

- An abstract and title company must provide certification that all real property taxes have been paid. Although any private abstract and title companies can provide this certification, some companies have offices in the County Clerk's Office, on the second floor of the Onondaga County Court House.
- If the project is in Syracuse, the City Finance Department will provide this certification. Contact Room 110 City Hall, or call 448-8300.