Section 2.2 Off-Site Impacts

A. Commercial and industrial development shall be planned and undertaken so as to minimize impacts upon adjoining and nearby land uses (especially residents), and shall not adversely affect the existing character of the surrounding neighborhood.

B. The locations, nature and height of buildings, walls, signs and fences and the nature and extent of the landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings, and/or will not impair their value.

C. Any noise, odor, vibration, dust, gas or emission of any type that is likely to result from the nature of the operation shall not be hazardous.

D. Commercial Lighting shall be the minimum to meet legal requirements and provide for patron safety. Lighting devices shall be oriented and shielded to minimize disturbance to surrounding property. Lighting shall be directed in such a manner that no direct beam of light or excessive glare shines upward unto other properties or the public road-way.

Section 2.3 Existing Topography and Vegetation

A. Existing vegetation, topography and careful siting methods shall be utilized to minimize the visual impact of the proposed development.

B. Hillside cuts for roads and other site development shall be stabilized and vegetated with indigenous species to avoid highly contrasting unnatural land forms.

C. In highly visible areas, such as hillsides, existing and introduced indigenous vegetation shall be used to blend the structure with the surrounding landscape while still providing a view from within the source.

D. Outdoor areas, walks, parking areas or similar size improvements shall be landscaped with relocated or introduced vegetation where possible.

Section 2.4 Geological Forms

Natural or geological features shall be preserved to the extent possible.

Section 2.5 Scenic Views

A. Potential views should be developed and used in plan development.

B. In areas where the views are an important component of the value of property, new uses shall be evaluated carefully in terms of their effect on these views.

C. Buildings should be of a height compatible with adjacent uses and shall not interfere with views from roads, nearby properties or other established viewing points.

D. Scenic vistas created by the presence of open fields, especially in the vicinity of heavily wooded areas, should be protected by the placement of development within wooded areas.

E. For highly visible wooded areas, structures should be sited in wooded areas rather than in open fields. Light-colored or highly -reflective materials shall be avoided. In previously developed or in agricultural areas, natural building materials should be used.

F. The siting of development in highly visible locations should be avoided and, where this is impractical, vegetative screening shall be used to minimize visual impacts.

G. Buildings shall not be silhouetted against the skyline but shall be sited below the crest or ridge line of hills to preserve a natural topographic and vegetative profile.

H. Roads, utility rights-of way and other linear alterations should follow topographic patterns, diagonally traversing slopes to avoid forms which tend to stand out against the rolling mountainous terrain of the Adirondacks. Consideration, however should also be given to the requirements of public utility companies regarding the installation of facilities to an individual site.

Section 2.6 Construction Activities

A. All earth moving activities shall be planned in such manner as to minimize the amount of land area disturbed.

B. Natural features such as topography, waterways and other similar resources should be preserved, and development shall conform substantially with natural boundaries and alignment of watercourses.

C. Permanent vegetation shall be successfully established and permanent erosion control structures shall be installed in accordance with the

construction schedule approved by the Planning Board. Wherever feasible, indigenous vegetation shall be retained and protected.

D. Where it is not possible to permanently stabilize a disturbed area immediately after the final earth moving has been completed or where the activity ceases for more than fifteen (15) days, interim stabilization measures shall be implemented promptly, including mulching and planting of vegetation.

E. Run-off from any slope exposed for longer than fifteen (15) days shall be controlled through utilization of mulching, check dam, temporary sediment basins, and other generally approved engineering methods.

F. Topsoil from all areas to be excavated shall be removed and stored. Upon completion of the earth movement, the topsoil shall be respread to provide a suitable base for seeding and planting except on the immediate building site and the road leading to it.

G. All fill material shall be of a composition suitable for the ultimate use of the fill, free of rubbish and toxic waste. Fill material shall be compacted sufficiently to prevent problems of erosion.

Note: For all major divisions of land, earth moving activities shall be conducted in accordance with the standards and guidelines for erosion and sedimentation control contained in the New York Guidelines for Urban Erosion and Sediment Control (Empire State Chapter, Soil-Water and Conservation Society, October 1991).

Section 2.7 Drainage

A. Wetlands should remain undeveloped. Development in areas of greater than 20 percent slope should be avoided.

B. Satisfactory provision shall be made for surface water drainage; existing drainage and runoff patterns shall not be disturbed any more than necessary.

C. Satisfactory provision shall be made for control of soil erosion and for revegetation of disturbed soil areas.

D. No on-site surface or ground water drainage system in connection with the construction or alteration of any building, structure or natural land form shall be located or constructed in such a manner as to intensity run-off in an

unacceptable manner, pollute, or cause erosion on adjoining properties. Surface water shall be appropriately drained to protect buildings and structures with a minimum grade of one half percent (0.5%) and to prevent development of stagnant ponds or pools, except where planned as part of the development proposal. Surface drainage shall be conveyed to an existing system of stormwater disposal where available and all surface drainage shall be designed so as not to discharge onto walkways, streets or adjacent property in such a manner as to create a nuisance or hazard. To prevent accelerated erosion and resulting sedimentation, erosion and sedimentation control structures shall be designed, implemented and maintained.

E. Stormwater shall be managed and controlled on the site utilizing retention structures, infiltration, or other generally accepted engineering practices so as to prevent water velocities exceeding the velocities encountered prior to site development from being conveyed through or from the project site during twenty (20) year storm.

F. Proposed sediment basins shall have a minimum capacity sufficient to accommodate a single event twenty (20) year storm or the annual sediment load, whichever is greater. Adequate measures shall be provided to ensure that sediment basins will be cleaned when the basin capacity is reduced by greater then 20 percent of its holding capacity. The discharge from a sediment basin shall be to a natural waterway and shall be toxin free.

G. The applicant shall provide measures to insure long-term maintenance of retention and detention basins, including periodic clearing of filters, removal of debri and sediment and weed cutting to the satisfaction of the Board. Wherever possible, restrictive deed covenants shall be used to assure that maintenance responsibilities are legally binding.

H. The quality infiltration rate and levels of groundwater shall be preserved as much as possible.

Note: All major divisions of land shall be conducted in accordance with the standards and guidelines set forth in "Reducing the Impacts of Stormwater Runoff From New Development" (New York State Department of Environmental Conservation, April 1992).

Section 2.8 Roads and Parking

A. Vehicular circulation and service access shall be planned to protect

pedestrians and to avoid pedestrian/vehicular conflicts.

B. Off-street parking shall be provided on the site in sufficient quantity for occupants and/or users of the proposed structure or land use activity.

C. The visual impact of parking areas shall be minimized.

D. Parking areas and driveways shall be designed and constructed to provide safe, convenient and aesthetically pleasing access to and from public highways.

E. Activities which involve a new road or driveway entering onto a public highway shall comply with the following standards:

1. The point of intersection with the public highway shall be a point at which sight distances are good and sufficient in both directions.

2. The angle of intersection with the public highway shall be as close to ninety (90) degrees as possible.

3. In the case of new connections to town highways, the existing public road drainage shall be protected so that surface drainage flow is not impeded. The Town Highway Superintendent shall prescribe the size and type of culvert.

4. Any access permits necessary from the County of Essex, Town of Keene or State of New York as a result of access causing entry to a state, town or county highway shall be obtained by the applicant to compliance with the terms of this section.

F. All proposed traffic access roads shall be adequate in width, grade, alignment and visibility, and not located too near street corners or other places of public assembly; necessary traffic signalization and other safety controls, devices and facilities shall be given proper consideration and be duly provided wherever appropriate or warranted.

G. Access shall be restricted to discrete points of entry and exit and shall not be along the entire road frontage of the project.

H. Snow removal, if applicable, shall be provided on the site so as to avoid obstructing drivers' vision, protect landscaping elements and avoid posing problems from adjoining properties

I. All roads shall be planned and installed to logically relate to the existing soils, topography and vegetation. For these purposes, areas with steep slopes, shallow soils, soils with the water table at or near the surface, and soils that are highly susceptible to erosion or slippage shall generally be avoided.

J. Clearing and grading of roads in wooded areas shall be limited to that which is necessary to construct safe roads, provide needed roadside and embankment drainage, construct stable cuts and fills and provides for utility installation.

K. All cleared banks, exposed borrow areas and cut and fill slopes, including ditch banks, shall be revegetated in a manner suited to site conditions.

L. Ditch bottoms shall be constructed and maintained to minimize soil erosion during period of peak flow by means of revegetation, sodding, mulching, netting, stone paving, rip-rap and other materials or combinations of these, depending on hydraulics and soils properties.

M. Road and private drive grade should not exceed a twelve percent (12%) average grade over any one hundred fifty (150) foot length, and should not exceed fifteen percent (15%) over any length.

N. Road maintenance procedures shall minimize the use of salt and other de-icing compounds for keeping surfaces free of ice and snow. Lightly salted sand is a desired alternative.

O. Where feasible, access should be combined with existing access to public roads and the number or width of access points should be kept to the minimum amount necessary for the safe entry and exit.

Section 2.9 Signs

The Planning Board, in considering a sign requiring review, shall determine the sign's impact upon the town's aesthetic character according to the pertinent General Review Standards of this Article, as well as the following:

A. Proposed signs shall consist of design, materials, size, height, placement and coloration appropriate to the nearby aesthetic character of the area, and which will not unduly adversely affect the qualities of scenic views of mountains, hillsides, rivers, open fields and meadows, nor contribute to the appearance of commercial strip development along the town's major thoroughfares.

B. In addition to the foregoing requirements, the following minimum standards shall be applied by the Planning Board in its review:

1. Signs shall be constructed of wood, metal or stone.

2. No external sign shall be internally illuminated, and lighting, if necessary, shall be limited to external, non-colored light, directed to minimize glare upon nearby properties and roads. Strings of lights are prohibited, except from November 1 to January 30, whether or not they are part of any sign. No sign shall contain flashing, intermittent, rotating or moving lights, nor consist of other moving, fluttering or revolving devices such as pennants, banners, ribbons, streamers or similar devices. Banners, pennants, ribbons or streamers may be employed on an occasional, temporary basis, not more than three (3) times per year, for periods of one week, to call attention to special business or related events such as "grand openings," "special sales," etc.

3. No sign shall contain or employ day-glowing or other fluorescent paint or pigments.

4. No sign shall be erected or maintained which exceeds the highest roof ridge of any building or is more than 15 feet above the ground.

5. Not more than one free-standing sign shall be erected or maintained upon any parcel of land. Free-standing signs shall not exceed ten (10) feet in height, measured from the highest level of natural ground immediately beneath the sign to the highest point of the sign or the supporting structure thereof.

6. No sign shall be erected having a sign area greater then twenty (20) square feet.

7. Not more than two (2) signs, including off-premise locations, shall be erected or maintained relating to a single business or activity, except for directional signs that do not exceed four (4) square feet in sign area and which are limited to such texts as "Entrance," "Exit," "No Parking, " etc. The total sign area of the two (2) permitted signs shall not exceed thirty (30) square feet. For the purposes of this provision, a single business or activity shall include all businesses or activities subordinate to or integrated with that business or activity, located on the same premises as that business or activity. Where more than one business or activity is maintained upon the same premises, each business or activity shall be limited to one sign. When there is more than one business operating

out of a single building, each business may have two signs which conform to the site plan law but there may be a maximum of only three signs on the property.

8. Free standing signs shall be placed so as not to obstruct the vision of motorists entering and leaving the premises, and shall otherwise not interfere with pedestrian traffic nor interfere with the use and enjoyment of the adjoining properties.

9. "Sign area" means the total area of all faces or surfaces of a sign anywhere upon which writing or any illustrative, emblematic or other artistic or expressive matters appears; in cases where such writing or their expressive matter is not set against any face or surface, the total area within a single continuous rectangular perimeter enclosing the extreme limits of such matter shall constitute the sign area. If the sign area is composed of two surfaces back-to-back, the area of the larger side shall constitute the total sign area.

10. Any sign in existence on the date of this law's enactment may be replaced with a sign duplicating size, shape and design.

Section 2.10 Sewage

A. No on-site sewage tile field or seepage pit shall be located within one hundred (100) feet of any shoreline and no septic or other holding tank shall be located within one hundred (100) feet of any shoreline, as measured from the normal annual high water mark of the water body.

B. Every on-lot sewage disposal system shall comply with the standards as to type, capacity. location, layout and minimum lot size of the New York State Department of Health (DOH) as set forth in the booklet entitled "Waste Treatment Handbook; Individual Household Systems", and where applicable, the regulations of the NYS Department of Environmental Conservation (DEC), from time to time is effect (whether or not the construction of such a system is subject to the prior approval of such departments) and shall also comply with the provisions of this law. In case of conflict between the requirements of he DOH, DEC and this law, the more restrictive shall prevail.

Section 2.11 Water Supply

Any drilled, point-drive or dug well shall comply with the generally accepted

standards of the NYS DOH.

Section 2.12 Emergency Access

It is recommended that all proposed structures should be readily accessible for emergency vehicles, including police, ambulance and fire protection. The Board of Fire Commissioners can provide information on emergency access.

Section 2.13 Impact on Municipal Services

The Planning Board shall take into account the ability of the responsible unit of government to provide the services and facilities that will be required by the use or project under consideration, and guide development in a manner that reflects the physical capacity of the service system or facility and the financial capacity of the responsible unit of government to respond to additional requirements generated by the use or project.

Section 2.14 Shoreline Protection

A. All construction involving any shoreline shall be carried out in such a manner as to minimize interference with the natural course of such waterway, to avoid erosion of the shoreline, to minimize increased run-off of ground and surface water into the waterway and to remove only the vegetation which is necessary to the accomplishment of the project.

B. Any pump-out or other connection to provide for the accommodations of sanitary wastes should be connected to an adequate and approved sewage disposal system whether a public system or an individual on-site system.

C. Any paved or otherwise improved parking area, driveway, loading or service area within one hundred (100) feet of any shoreline shall be designed and constructed so as to minimize surface runoff and the entrance of any chemical pollutants or soil situation into the waterway.

Section 2.15 Multiple-Family Dwellings

In the case of multiple family dwellings, the needs of residents for adequate usage open space for play areas and informal recreation shall be considered.

B. In case of any violation or threatened violation of any of the provisions of this local law or conditions imposed by a permit or approval pursuant hereto, in addition to other remedies herein provided, the Town by action of the Town Board, may institute any appropriate action or proceeding to prevent such unlawful activity, to restrain, correct or abate such violation, or to prevent any illegal act, conduct, business or use in or about such premises.

C. Any permit or approval granted under this local law which is based upon or is granted in reliance upon any material misrepresentation, or failure to make a material fact or circumstances known, by or on behalf of an applicant, shall be void. This section shall not be construed to affect the remedies available to the Town under paragraphs (a) and (b) of this section.

D. The Planning Board may settle by civil release and compromise any violations of this law, on the terms which may be mutually agreeable to the Planning Board and the alleged violator, prior to Town Board action under Paragraphs (a) or (b) of this section. Where such Town Board action has been initiated, consent of the Town Board shall be a necessary prerequisite to such civil compromise and settlement.

Section 4.5 Serverability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law with the application thereof to other persons or circumstances and the Town Board of the Town of Keene hereby declares that it would have passed this Local Law or the remainder thereof had such invalid provision been apparent.

Save as herein amended the provisions of the Town of Keene Site Plan Review Law being Local Law No. 5 of the year 1995 as well as the provisions of Local Law No. 1 for the year 2002 are hereby ratified and declared to be and shall remain in full legal force and effect.

ARTICLE IV: MISCELLANEOUS PROVISION

Section 4.1 Administrative Officer

The Town Board may appoint an administrative officer on a temporary or permanent basis or on a project-by-project basis, to assist in the administration and enforcement of this local law or any additional regulations adopted pursuant to Section 4.2 hereof.

Section 4.2 Further Regulations by Board

The Town Board may, after public hearing, adopt such further procedural rules and regulations as it deems necessary to carry out the provisions of this local law.

Section 4.3 Amendments

A. The Town Board may, on its own motion, on petition, or on recommendation of the Planning Board, after public notice and hearing, amend this local law pursuant to all applicable requirements of law.

B. All proposed amendments shall be done pursuant to the municipal home rule law, and originating by petition or by motion of the Town Board shall be referred to the Planning Board for report and recommendation thereon. The Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute a recommendation for approval of the proposed amendment.

Section 4.4 Enforcement

A. Any person, corporation, partnership, association or other legal entity who shall violate any of the provisions of this local law, or any conditions imposed by a permit or approval pursuant hereto, shall be guilty of an offense and subject to a fine of no more than $350 or by penalty of $350 for a first offense to be recovered by the Town in a civil action as stated in the Town Law. Every such person or entity shall be deemed guilty of a separate offense for each week such violation, disobedience, omission, neglect or refusal shall continue.

Section 3.9 Required Fee

An application for development plan review shall be accompanied by a fee in an amount which shall be established from time to time by the Town Board and posted in the Town Hall.

Section 3.10 Reimbursement of Costs

In addition to fees and costs chargeable pursuant to Section 617.17 of the State Environment Quality Review Act, costs incurred by the Planning Board for consultation and other professional fees in connection with the review of a proposed development plan shall be charged to the applicant, pursuant to such schedule as shall be established from time to time by the Town Board and posted in the Town Hall.

B. Any public hearing held under this local law shall be advertised by a notice of public hearing, to be published once in the official newspaper of the Town at least five (5) days prior to the date of the hearing. In addition, at least ten (10) days prior to the date of the hearing, notice shall be mailed to the applicant, and all owners of property within five hundred (500) feet of the exterior boundary of the property for which the application is made, as maybe determined by the latest assessment records of the Town.

C. Any hearing may be recessed by the Planning Board in order to obtain additional information or to serve further notice upon other property owners, or to persons it decided may be interested in the proposal being considered. Upon recessing, the time and date when the hearing is to be resumed shall be announced. No further notice or publication will be necessary.

Section 3.6 Extensions of Time Period

The time periods within which Planning Board actions are required by this Article are the maximum times allowable. The Planning Board shall act as quickly as possible in reviewing and approving applications in order to minimize delays to applicants, and it is the expectation of the Planning Board that a public hearing will seldom be required and that most applications will be expeditiously reviewed and approved (or approved with conditions or modifications) in a shorter time period then forty-five (45) days. Under certain circumstances, however, the maximum allowable time period within which the Planning Board must render its decision upon a completed application may be extended by the Planning Board for an additional period of time as mutually agreed upon by the Board and the applicant.

Section 3.7 Required Referral

Where applicable, the Planning Board shall refer to the plan to the Essex County Planning agency for advisory review and a report in accordance with Section 229-m of the General Municipal Law.

Section 3.8 Appeal of Board Decision

Any person aggrieved by a decision of the Planning Board may apply to the Supreme Court for a review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be instituted within thirty (30) days after the filing of a decision in the Office of the Town Clerk.

of the receipt of a complete application for development plan approval, the Planning Board shall either act on it or hold a public hearing. If no decision is made or hearing commenced within forty-five (45) days, the plan shall be considered approved. The Planning Board's action shall be in the form of a written statement mailed to the applicant stating whether or not the plan is approved, approved with conditions or modifications, or that a public hearing is to be held. Decisions of the Planning Board may include reasonable conditions or modifications to further the ends of this local law. The Planning Board shall issue a Site Plan Law Permit upon final approval of the application.

In no case shall an application be disapproved without a public hearing. If a public hearing is held, the Planning Board shall approve with conditions or modifications or disapprove the application within forty-five (45) days of the date of the close of the hearing. If an application is disapproved, the reasons therefore shall be clearly stated. The decision of the Planning Board shall immediately be filed in the Office of the Town Clerk and a copy thereof mailed to the applicant, certified mail, return receipt requested.

The Planning Board may, in the case of small projects, boundary line adjustments and minor divisions of land which have little impact on adjoining lands or the subject property, waive the requirement of a public hearing and proceed without a public hearing provided all other requirements of this Local Law are met. The Planning Board must recite its grounds for waiving its requirement of a public hearing in writing and file the same with the application and other supporting documents.

Section 3.4 Consultant Review

The Planning Board may consult with such local and county officials, and private consultants, in addition to representatives of federal, sate and county agencies including, but not limited to, the Soil Conservation Service (SCS), Department of Transportation (DOT), DEC and DOH as it deems necessary in connection with its review of any development plan.

Section 3.5 Public Hearing Notice and Conduct

A. In determining whether or not, in its discretion to hold a public hearing, the Planning Board shall consider the size and complexity of the proposed activity, the level of public interest in the application, the likelihood that the project may be approved only with substantial modifications and the possibility of disapproval.

(1) Proposed subdivision name or identifying title and the name of the town and county in which the subdivision is located, the name and address of record owner and subdivder, name, license number and seal of the licensed land surveyor, if any:

(2) Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.

(3) Sufficient data and acceptable to the town authorized engineer to determine readily the location, bearing, and length of every street line, lot line, and boundary line, and to reproduce such lines upon the ground. Where applicable, these should be referenced to monuments included in the state system of plane coordinates, and in any event should be tied to reference points previously established by a public authority.

(4) The length and bearing of all straight lines, radii and length of curves for each street. All dimensions and bearings of the lines of each lot. All dimensions in feet and tenths of a foot.

(5) Any permanent reference monuments to be constructed as required by the Planning Board or the town authorized engineer. Permanent monuments shall be constructed as specified in Section 6.6 hereof.

(6) All lot corner markers, permanently located satisfactorily to the town authorized engineer, at least three-eights inch (metal) in diameter and at least 36 inches in length, and located in the ground three inches above existing grade.

(7) Where private roads are shown on the plat, the subdivider shall note on the plat a clear statement of which landowner(s) or association of landowners will be responsible for maintenance of the private roads.

B. Construction drawings include plans, profiles and typical cross-sections, as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, pavements and sub-base, manholes, catchbasins and other facilities.

Section 3.3 Planning Board Review and Decision

In reviewing applications, the review considerations and standards of Article II hereof shall be applied by the Planning Board. Within forty-five (45) days, the

sanitary sewers and storm drains and the size and type thereof, the character, width and depth of pavements and subbase, the location of manholes, basins and underground conduits.

L. Preliminary designs of any bridges or culverts which may be required.

M. The proposed lot lines with approximate dimensions and area of each lot.

N. Where the topography is such as to make difficult the inclusion of any of the required facilities within the public area as laid out, the plat shall show the boundaries of proposed easements over or under private property, which permanent easements shall not be less than 20 feet in width and shall provide satisfactory access to an existing public highway or other public open space shown on the subdivision or the official map if one exists.

O. If the application covers only a part of the subdivider's entire holding, a map of the entire tract, drawn at a scale of not less than 400 feet to the inch showing an outline of the platted area with its proposed streets and indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract shall be submitted. The part of the subdivider's entire holding submitted shall be considered in the light of entire holdings.

P. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

Q. Where private roads are shown on the plat, the subdivider shall note on the plat a clear statement of which landowner(s) or association of landowners will be responsible for maintenance of the private roads.

Upon approval of the preliminary plat by the Planning Board, the following documents shall be submitted for final plat approval:

A. The plat to be filed with the County Clerk shall be printed or drawn in ink upon mylar film or otherwise in accordance with the requirements of the County Clerk. The plat shall be drawn at a scale of no more than 100 feet to the inch and oriented with the true or magnetic north point at the top of the map. When more than one sheet is required, an additional index sheet of the same size shall be filed showing to scale the entire subdivision with lot and block numbers clearly legible.

The plat shall show:

A. Proposed subdivision name, name of town and county in which it is located, date, true or magnetic north point, scale, name and address of record of owner, subdivider and engineer or surveyor, including license number and seal, if applicable.

B. The name of all subdividers immediately adjacent and name of all the owners of record of all adjacent property.

C. Zoning district, including exact boundary lines of district, if more than one district, and any proposed changes in the zoning district lines and/or the zoning ordinance text applicable to the area to be subdivided, if such exists.

D. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.

E. Location of existing property lines, easements, buildings, water courses, marshes, rock outcrops, wooded areas, and other significant existing features for the proposed subdivisions and adjacent property.

F. Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.

G. Contours with intervals of ten feet or less as required by the Board, including elevations on existing roads. Approximate grading plan, if natural contours are to be changed more than two feet.

H. The width and location of any roads or public ways or places shown on the Land Use Plan, if such exists, within the area to be subdivided, and the width, location, grades and road profiles of all streets or public ways proposed by the developer.

I. The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes; connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Public Health Law; profiles of all proposed water and sewer lines.

J. Storm drainage plan indicating the approximate location and size of proposed lines and their profiles; connection to existing lines or alternate means of disposal.

K. Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs, water mains,

6. Results of any required on-site investigations including soil tests, borings and percolation tests, if applicable.

7. Record of the application and approval status of all required state and county permits, if any, including a letter of non-jurisdiction from the Adirondack Park Agency or a copy of an Adirondack Park Agency permit.

C. Such additional information as the Planning Board may reasonable require to assess the proposed project.

Section 3.2.2 Minor Division of Land

In the case of Minor Division of Land only, the plat application shall include the following information:

A. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

B. A map showing the boundary lines of the tract, and the proposed lot lines (including lot dimensions and acres), drawn at a scale of between 50 and 100 feet to the inch.

C. All on-site sanitation and water facilities shall be designed to meet the minimum specifications of the State Department of Health, and a notation to this effect shall be made on the plat and signed by the subdivider.

D. Proposed subdivision name, name of town and county in which it is located.

E. Date, month and year, true or magnetic north arrow, map scale, and name and address of owners and subdividers.

F. The plat to be filed with the County Clerk shall be printed upon mylar film or otherwise in accordance with the requirements of the County Clerk.

Section 3.2.3. Major Division of Land

The following documents shall be submitted as a preliminary plat for approval: Two copies of the preliminary plat prepared at a scale of not more than 100 but not less than 50 feet to the inch, showing:

of land involved, identification of contiguous properties, and easements or public rights-of-way and such other features as the Planning Board may deem relevant within five hundred (500) feet of the site.

2. Existing features of the site including existing land and water areas, existing buildings and any existing accessory structures, existing water supply systems and sewage systems located either on the parcel or on an immediately adjacent parcel and existing surface drainage characteristics.

3. Delineation of proposed building locations and arrangement of buildings or installations on the site, including parking areas, circulation patterns and means of ingress and egress.

4. Sketch of proposed building or structure including exterior dimensions and elevations of front, side and rear view clearly showing exterior finish materials to be used and facade details.

5. Location and design of outdoor lighting facilities.

6. Proposed landscaping or vegetative plantings.

7. Map indicating existing and proposed topography at a contour interval of not more than 5 feet where the slope is 10 percent or greater and not more than 2 feet where the slope is less than 10 percent, and the existing and proposed elevations.

B. Accompanying data, to include the following:

1. Application form and fee, where applicable.

2. Name and address of applicant and any licensed professional consultants.

3. Copy of deed to the property in question if requested by the Planning Board.

4. Authorization of owner if applicant is not the owner of the property in question.

5. Description of materials and methods of construction for the exterior of the project.

ARTICLE III: REVIEW PROCEDURES

Section 3.1 Preliminary Sketch Plan Review

Prior to submission of an application for development plan review, an applicant is encouraged to meet in person with the Planning Board to discuss the proposed project. Such discussion shall consider the primary aspects of the project, application requirements and an informal sketch plan, in order to assist the applicant in preparing a formal development plan.

The applicant should provide the Planning Board with sufficient data regarding the proposed development to clearly illustrate the intention of the applicant. This should include a map showing the important existing natural and man-made features on and adjacent to the site and a sketch plan showing the major features of the proposed development. If necessary, the site may also be visited by the Planning Board.

The Planning Board will indicate to the extent feasible whether the proposal, in its major features, is acceptable or should be modified before expenditures for more detailed planning are made. The Planning Board shall also review the application submission requirements to determine what specific information is to be presented with the site plan application. The Planning Board may, if appropriate, in the case of small developments with little impact on adjoining lands or subject property, accept the informal sketch plan as the formal site plan providing all other requirements are met. The Planning Board must state its grounds for waiving certain submission requirements in writing and file such statements along with the plan application and supporting documents.

Section 3.2 Application Requirements

Applications shall consist of the following, unless specifically waived in writing by the Planning Board following a sketch plan submittal and preliminary review.

Section 3.2.1 Site Plan

A. Two copies of a site plan drawn to scale, to include the following (the sketch plan may be deemed to be the final plan at the Planning Board's discretion):

1. Location map showing boundaries and dimensions of the parcel or track

Section 2.16 Commercial Facilities

In the case of a commercial facility or any facility designated for use by the general public or by several people, such as trail heads, clubs, or campgrounds, adequate access, parking, sanitary facilities, trash disposal and similar amenities should be provided for users of such a project to protect the health, safety and general welfare of the surrounding neighborhood as controlled and determined by the Town Board.

Section 2.17 Petroleum Use Facilities

Any storage of petroleum products, or petroleum products use facilities shall include adequate provisions for ensuring that leaks shall be prevented and that any leak, rupture or spill shall be contained and not be introduced into or affect adjacent properties or waterways. All above ground and underground tank installations shall comply with all current New York State Department of Environmental Conservation regulations.

Section 2.18 Fences

Fences which are incompatible or inappropriate with respect to height, design features, color, and style of material in relation to other structures on the same lot or in the surrounding facilities or properties that are potential safety hazards should be avoided.