

VILLAGE OF UPPER NYACK
328 North Broadway
Upper Nyack, NY 10960

APPLICATION FOR SUBDIVISION

Application and Review Procedures for Subdivision Plat Plans

1. Application

Complete applications to the Planning Board for Subdivision Plat Plan approval must be submitted to the Secretary of the Planning Board at the Village Hall at least 31 days prior to the Planning Board meeting in order to be placed on the agenda of that meeting for a public hearing. The number of copies of the application and exhibits to be presented to the Planning Board can vary depending upon the number of referrals to various agencies that will be required. Cash or a check in the proper amount, payable to the Village of Upper Nyack, must accompany the application to the Planning Board.

2. Publicizing the Public Hearing

A. Upon receipt of an application for review by the Planning Board, the Secretary will:

1. Arrange and publish the Notice of Public Hearing in the official newspaper, and post the notice at the Village Hall.
2. Provide the applicant with a copy of the Notice of Public Hearing and Affidavit.
3. Provide the applicant with a list of all property owners with 200 feet of the property that must be notified, by certified mail, of the public hearing.
4. Submit copies of the application to all agencies and consultants for the required review.

B. Upon receipt of the Notice of Public Hearing and the property owners list, the applicant will:

1. Send, by certified mail, a copy of the Notice of Public Hearing to each property owner on the list provided and submit the postal receipts to the Secretary.
2. Post a copy of the Notice of Public Hearing at 50' intervals along the street frontage of the subject property not less than 5 days prior to the scheduled public hearing.
3. Submit to the Secretary the notarized Affidavit attesting to the posting of the notice at least 5 business days prior to the public hearing.

3. Review and response by consultants and other agencies

The Secretary will keep at least 1 copy of the application and exhibits available for public access at the Village Hall. The listed consultants and agencies will review the application and exhibits and transmit their comments to the Planning Board for consideration at the time of the Public Hearing.

The Secretary shall submit copies of the application and exhibits to the following:

- a. Building Inspector
- b. Village Engineer
- c. Village Attorney
- d. Planning Board Members
- e. Rockland County Planning Department if the property is within 500 feet of the following:
Village boundary, County or State highway, County or State park, the Long Path.
(These referrals are required by the General Municipal Law and must be done immediately as the Rockland County Planning Board has 30 days in which to respond.)
- f. The Town of Clarkstown or Village of Nyack if the property is within 500 feet of the boundary.
- g. Palisades Interstate Park Commission if the property adjoins the park or the action will impact it.
- h. NY State Department of Transportation if the property adjoins a State road.
- i. Rockland County Department of Health if a septic system or new sewer mains are required.
- j. Orangetown Sewer
- k. NY State Department of Environmental Conservation if the existence of a wetland on the property is suspected.
- l. Any additional agency known to be involved in the review process.

4. Preliminary review by the Planning Board

Procedures at the Planning Board Meeting:

- a. The applicant may address the Planning Board and summarize the application and exhibits that have been submitted for consideration.
- b. The comments from the consultants and from other agencies will be read.
- c. Members of the public may ask questions or make comments about the application under consideration.
- d. The Planning Board will classify the proposed action under the State Environmental Quality Review Act and will either complete an Environmental Assessment or request the applicant to provide additional information necessary to do so. The Planning Board will then make a positive, negative, or conditional negative declaration of environmental significance when it has the necessary information.

5. After due consideration and review of the available information, the Planning board may take any of the following actions:

- a. Grant Preliminary approval of the application as submitted.
- b. Grant approval of the application subject to any conditions set forth at the public hearing.
- c. Grant final approval of the application, as submitted, with or without additional considerations.
- d. Defer any decision on the application pending additional information from the applicant, additional comments from the public, reports from the consultants or for other reasons.
- e. Upon request from the applicant, the Planning Board may continue the public hearing at a future date.
- f. The Planning Board must make a decision on the application within 62 days of the close of the public hearing, provided that all of the requested information has been received.
- g. Disapprove the application for valid reasons.

6. Final Review by the Planning Board

- a. When the applicant has fulfilled the conditions that were a part of the preliminary approval, he or she shall submit revised drawings and such other documentation required to show compliance to the Secretary of the Planning Board.
- b. The Secretary will advise the applicant of the number of copies of the application and documents that will be required at least 14 days prior to the date of the next Planning Board meeting.
- c. The Secretary will transmit copies to the following: Building Inspector, Village Engineer, Village Attorney, members of the Planning Board, retain 1 copy for the file.
- d. After Final Approval of a subdivision is granted and before the reproducible copy of the Final Plat is submitted to the Rockland County Clerk for filing, a copy of the plat shall be delivered to the Planning Board .

VILLAGE OF UPPER NYACK

Submission of Subdivision Applications for Planning Board Review

Checklist items 1-7 must be submitted and reviewed by Clerk and Building Inspector before application is placed on Planning Board agenda. Planning Board meets monthly; application deadline is 31 days prior to public hearing.

CHECKLIST FOR SUBDIVISION PLAT PLAN REVIEW

1. _____ 2 copies of subdivision application (in packet)
2. _____ 1 copy of deed
3. _____ 1 copy of survey in current owners' names
4. _____ 12 copies of site plan, signed and sealed by licensed professional
REFER TO SUBDIVISION PLAT PLAN CHECKLIST FOR REQUIREMENTS
5. _____ 1 copy of the *SUBDIVISION PLAT PLAN CHECKLIST* filled out by applicant
6. _____ 1 copy of Short or Full Environmental Assessment Form (in packet)
7. _____ Payment of Planning Board Fees at time of submission

Requirements prior to appearance before Planning Board:

- _____ Postal receipts for certified letters of neighbor notification, accompanied by:
- _____ 1 copy of signed and notarized AFFIDAVIT submitted to clerk 5 days prior to Planning Board Meeting

**VILLAGE OF UPPER NYACK
SUBDIVISION PLAT PLAN CHECKLIST**

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Project Name: _____

Name of Applicant: _____

The following information must be submitted and included on the proposed site plan at a **minimum scale of 1" = 20'** in a form having sufficient detail to insure a clear understanding of the work to be performed by the Owner or Applicant. A larger scale may be required to show extent of the work.

Information Required for All Applications:

- ____ Name and address of Owner of Record.
- ____ Name and address of surveyor or engineer of record, signed, sealed and dated.
- ____ Indicate original and revision dates
- ____ Vicinity Map at a scale not over 1" = 1000'
- ____ North reference arrow.
- ____ Property outline in metes and bounds.
- ____ Physical area of property (square feet or acres).
- ____ Physical area of each proposed lot (square feet or acres).
- ____ Tax map identification of property and proposed lot(s).
- ____ Adjacent property owners names and tax lot numbers.
- ____ Identify contiguous holdings of Owner of Record
- ____ Indicate provisions for monumenting property outlines.
- ____ Note reference to construction or site plan

- ____ Zoning District identification.
- ____ Bulk Table requirements.
- ____ Indicate Zoning District setback limits.
- ____ Special District identification

- ____ Locate and describe all Rights of Way.
- ____ Locate and describe all easements, existing and proposed.
- ____ Right of Way and easement outlines in metes and bounds.
- ____ Reference all existing and proposed restrictions or covenants.

- ____ Existing and proposed contours at 5 ft. intervals.
- ____ Locate and identify trees that are 16" in diameter or larger.
- ____ Reference requirement for highway tree planting.
- ____ Show treatment of outstanding geological features.
- ____ Locate all existing watercourses.
- ____ Proposed treatment of ground water flow control.
- ____ Soil erosion and sediment control plan showing the location and typical design of control structures.

- ____ Location of all existing and proposed utility lines and services.
- ____ Note reference to construction and utility standards.
- ____ Name and status of all existing and proposed streets.
- ____ Location and usage of all existing structures on property.

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SUBDIVISION PLAT PLAN CHECKLIST**

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- _____ Provisions for approval by Rockland County Health Department.
- _____ Provisions for approval by Chairman of Rockland County Drainage Agency
- _____ Provisions for approval by Planning Board Chairman.
- _____ Note on map that the Village Contractual Agreement form must be filled out, signed, and properly submitted to the Planning Board.
- _____ Note stating that applicant will comply with all laws and ordinances of the Village of Upper Nyack.
- _____ Statement that surveyor who prepares subdivision plat also certify that he/she is responsible for the survey upon which the plat plan is based. This statement is to be followed by the surveyor's signature and license number and placed on the map on the lower right hand side. [Real Property Law, Section 334, Chapter 605 of the Laws of 1985]
- _____ All subdivision maps presented for filing must have endorsed thereon or annexed thereto a Certificate of the Commissioner of Finance or of an abstract and title company and a certificate of the tax collecting officer of any county, city, town or village wherein such property or any part thereof is situate, stating that all taxes levied and unpaid and in addition, all taxes which are a lien prior to the time such original or subsequent map is offered to be filed, whether assessed against the entire tract of land or against any lot or other part of such land, have been paid.

**VILLAGE OF UPPER NYACK
APPLICATION FOR SUBDIVISION**

Name of Project: _____

Owner: _____ **Phone:** _____

Address: _____

Applicant: _____ **Phone:** _____

Address: _____

Engineer/Surveyor: _____ **Phone:** _____

Address: _____

Architect: _____ **Phone:** _____

Address: _____

Attorney: _____ **Phone:** _____

Address: _____

Site Location: on the _____ side of _____ (street), and
_____ feet _____ (direction) of _____ (street).

Requested approval is for: Residential _____ Commercial _____ purposes.

Site acreage (square feet): _____ Zoning District: _____

County Tax ID number: _____

Has the Zoning Board of Appeals granted a prior variance concerning this property? _____ (yes/no)
If so, give specific details as follows: _____

Has the Planning Board granted a special permit concerning this property? _____ (yes/no)
If so, give specifics as follows: _____

Is any variance from the Zoning Board of Appeals requested? _____ (yes/no) If so, please explain:

Signature _____ Date: _____