

APPENDIX III-C

LOCAL LAW 1 OF 2010

BOUNDARY LINE ADJUSTMENT

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

of Canaan

Town

Village

Local Law No. 1 of the year 2010

A local law amending §355-21 of the Town of Canaan Subdivision Laws concerning the requirement for waiver to allow lot boundary adjustment.

Be it enacted by the Town Board of the
(Name of Legislative Body)

County

City

of Canaan as follows:

Town

Village

Section 1. TITLE

This Local Law shall be referred to as the “local law amending §355-21 of the Town of Canaan Subdivision Laws concerning the requirement for waiver to allow lot boundary adjustment.”

Section 2. PURPOSE AND INTENT

The Town Board of the Town of Canaan finds it necessary to make a revision to the existing zoning law. In enacting this zoning revision it is the intent of the Town Board to improve and streamline the process involved when an applicant is seeking a boundary line adjustment from the Town of Canaan Planning Board. The Town Board has further found that the current law imposes an unnecessary burden upon an applicant seeking a boundary line adjustment and imposes conditions which do not further the legitimate interests of the residents of the Town of Canaan.

Section 3. ENACTMENT

Be it enacted by the Town Board of the Town of Canaan that section 355-21 of the Subdivision Law be amended as follows:

§355-21. Requirements for waiver to allow lot boundary line adjustment.

An application for a waiver of subdivision approval to allow lot boundary line adjustment shall include a plat(s) conforming to the standards set forth in Subsection A herein below and which shall identify or be accompanied by the information set forth in the other subsections hereinbelow:

A. Drafting standards.

- (1) The plat(s) shall be drawn to the scale of one inch equals 50 feet or one inch equals 100 feet.
- (2) Dimensions shall be in feet and decimal parts thereof (except that areas of lots shall be shown in acres and decimal parts thereof), and bearings in degrees, minutes and seconds.
- (3) Plan(s) or Plat(s) shall be on sheets 18 inches by 24 inches or 24 inches by 36 inches.
- (4) Existing and proposed lot lines shall be shown on plan(s) or plat(s) and certified by a licensed New York State land surveyor (except with respect to any lot or part of a lot not required to be surveyed as a result of the provisions of Subsection E below). The Planning Board may in its discretion require the applicant to prepare a plat showing existing conditions and a plat showing the proposed adjustment where deemed necessary to interpret the full scope of the proposed boundary line adjustment.

- (1) Names and addresses of the owners of the lots involved in the proposed lot boundary line adjustment.
- (2) Names and address of the licensed New York State land surveyor responsible for the plat(s), stamped on each sheet with an original seal.
- (3) Zoning classification and requirements.
- (4) Date, North point and scale.
- (5) A location map for the purpose of locating the lots, at a scale of not more than 800 feet to the inch.

C. Existing features.

- (1) Except as otherwise provided in Subsection E hereinbelow, a complete survey of the lots included in the proposed lot boundary line adjustment showing all existing lot lines, survey pins and other survey reference markers, courses, distances, lot sizes, buildings and other structures, driveways, ways, streets and roads, wells, septic fields and overhead utility lines and setback and road frontage distances.
- (2) The location, names and width of all roads and ways adjacent to any of the lots and the location of classified streams and wetlands.

D. Proposed features. Except as otherwise provided in Subsection E hereinbelow, a complete survey of the lots included in the proposed lot line adjustment showing:

- (1) The location of all lot lines, survey pins and other survey reference markers after the proposed adjustment.
- (2) Total area of each lot after the proposed adjustment.
- (3) Setback distances from property boundaries of each building, structure, driveway, way, street and road, well septic field and overhead utility after the proposed adjustment.
- (4) Road frontage distances for each lot after the proposed adjustment.

E. Certain unsurveyed lots.

- (1) If any lot has not previously been surveyed by the licensed New York State land surveyor responsible for the plat and the proposed lot line adjustment (or, if more than one lot line

is being adjusted, each lot line adjustment) would increase the size of one of such lots, then no survey of such lot shall be required but the plat shall nevertheless show the approximate location of the other lot line of such lot and its approximate size.

- (2) In the case of either Subsection C or Subsection D hereinabove, if any lot greater than six acres in size has not previously been surveyed by the licensed New York State land surveyor responsible for the plat, then the survey of such lot required by either Subsection C or D may cover only a portion of such lot that is at least six acres in size and includes all lot lines being adjusted and all parts of the lot that are within 375 feet from any such lot line; provided, however, that the plat sheet shall include a drawing of the entire lot (which may be part of the location map) and set forth its estimated total area.

F. Survey pin certification.

- (1) A certification by the licensed New York State land surveyor responsible for the plat that all survey pins and other survey reference markers shown on each plat sheet are in place at the locations shown.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State.

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