



Town of Esopus Planning Board
Mailing Address: PO Box 700, Port Ewen, NY 12466
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(845) 339-1811 Ext. 126
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Lot Line Application Application Materials

Contents:

- **Application (including list of documents to submit)**
- **Agent Authorization (if applicant is not owner)**
- **Request for waiver of Public Hearing**
- **Map**

To be placed on the monthly meeting Agenda, complete applications must be submitted to the Planning Board Secretary two (2) weeks prior to the regularly scheduled monthly meeting.

**ESOPUS PLANNING BOARD
ULSTER COUNTY, NEW YORK**

LOT LINE APPLICATION

Name of LLA: _____

Name & Address of Applicant: _____

Telephone No.: _____ Email: _____

Name & Address of Property Owner(s): _____

_____ Telephone No.: _____

Name & Address of Surveyor/Engineer/Attorney: _____

_____ Telephone No.: _____ Email: _____

Site Location: _____

Proposed number of lots: _____

SBL Nos. for each parcel: _____

Zoning District: _____ Acreage/Lot Size: _____

Well/Septic (private/public): _____

Will project require permits from any Federal, State or County agencies? _____ If yes, please list agency(ies):

Signature of Applicant

Date

Materials to be submitted:

All materials to be provided electronically in PDF format as well as 9 complete sets of paper copies

Sketch plan (prepared by NYS licensed professional)	_____
Application	_____
Application fee (per schedule):	_____
Copy of recorded Deed(s) for record owner(s)	_____
Authorization for Agent to act (if owner not representing self)	_____
Waiver from requirements for Public Hearing pursuant to §107-16 A	_____

Town of Esopus
Planning Board
P.O. Box 700
Port Ewen, N.Y. 12466
Phone (845) 339-1811 Ext 126

Date:

REQUEST TO WAIVE PUBLIC HEARING

To the Esopus Planning Board:

I would like to request a waiver from the requirements of §107-16 A to hold a public hearing on the lot line adjustment application entitled:

_____.

Respectfully Submitted,

Signature of Owner/Agent

§ 107-16 **Procedures for lot line adjustments and minor subdivisions.**

A.

Lot line adjustment. Where a subdivider proposes an exchange or transfer of land with an adjoining property, the Planning Board may waive the requirements for sketch plan and preliminary plat approval and the public hearing on such proposal only if the following conditions are met:

(1)

No additional **lots** will be created;

(2)

Such exchange or transfer of lands does not preclude the proper future development, subdivision or resubdivision of the affected properties;

(3)

Such exchange or transfer of lands shall not create any new nonconformity with the terms and regulations of the Esopus Zoning Law.

(4)

The subdivider(s), within six months after the action on the sketch plan, as set forth in § **107-15E**, has prepared and submitted for approval by the Planning Board a final plat prepared to the specifications set forth in § **107-29** of these regulations, except for plat details that are specifically waived by the Planning Board. If such plat has not been submitted within this time period, the applicant must seek renewal of the sketch plan approved by the Town Planning Board, inclusive of payment of any and all renewal fees.

[Amended 11-19-2009 by L.L. No. 10-2009]

(5)

The subdivider(s) has paid the final plat fee as set forth in § **107-30B** of these regulations.

B.

Minor subdivisions.

(1)

If the subdivision sketch plan is classified by the Planning Board as a minor subdivision, the Planning Board may waive the requirements of filing a

preliminary plat and holding a public hearing on a preliminary plat, in which case a final plat shall be submitted (see § **107-18**) for which a public hearing will be held.

(2)

When the Planning Board determines, based on its own motion, or upon a written report by the Engineer for the Planning Board and/or Town Planner, that all of the requirements of a final plat have been met, the Planning Board shall declare the application to be complete and shall officially receive it at the Board's next regular meeting.

(3)

Ten copies of the final plat shall then be submitted to the Planning Board within six months of the date of action by the Board on the sketch plan (see § **107-15E**) along with payment of the final plat application fee as set forth in § **107-30B** of these regulations. If such plat has not been submitted within this time period, the applicant must seek renewal of the sketch plan approval by the Town Planning Board, inclusive of payment of any and all renewal fees.

[Amended 11-19-2009 by L.L. No. 10-2009]

(4)

The minor subdivision plat shall be prepared to the specifications set forth in § **107-29** of these regulations, except for plat details that are specifically waived by the Planning Board.

(5)

Receipt of a complete plat. A plat for a minor subdivision shall not be considered complete until a negative declaration (determination of nonsignificance) has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the New York State Environmental Quality Review (SEQR) Act. The time periods for review of a minor subdivision plat shall begin upon filing such negative declaration or such notice of completion.

[Added 11-19-2009 by L.L. No. 10-2009^u]

[1]

Editor's Note: This local law also provided for the renumbering of former Subsection B(5) through B(8) as Subsection B(6) through B(9), respectively.

(6)

A public hearing on the minor subdivision plat shall be held by the Planning Board within 62 days from the official date of application of the minor subdivision plat. This hearing shall be advertised at least once in the newspaper of general circulation in the Town, at least five days before such hearing. In addition, the Planning Board shall cause notice of such hearing to be mailed to all owners of

property adjoining the subject property at least five days prior to the public hearing. For any minor subdivision for which an agricultural data statement (ADS) has been prepared and submitted to the Planning Board, the Board shall cause notice of the proposed subdivision to be sent to all landowners listed in the ADS, along with a copy of the ADS. This notice shall be sent out in coordination with all other required notices as set forth above.

[Amended 11-19-2009 by L.L. No. 10-2009]

(7)

Action on the preliminary plat. The Board's action shall be to approve, approve with modification, or disapprove the preliminary plat within 62 days of either the public hearing if a negative declaration pursuant to SEQR has been made; or within 30 days from the date of filing of a final environmental impact statement. In the event that a complete final environmental impact statement is filed and accepted by a lead agency pursuant to SEQR, the Planning Board must prepare and adopt a findings statement pursuant to SEQR that shall be considered as part of the Board's decision on the preliminary plat. Failure of the Planning Board to act within this sixty-two-day period shall constitute default approval of the preliminary plat.

[Amended 11-19-2009 by L.L. No. 10-2009]

(8)

Following approval, the subdivision shall be recorded with the County Clerk within 62 days of the date of approval.

[Amended 11-19-2009 by L.L. No. 10-2009]

(9)

Any plat not filed and recorded with the County Clerk within 62 days from the date upon which such plat is approved, or considered approved by reason of the failure of the Planning Board to act, shall become null and void.

[Amended 11-19-2009 by L.L. No. 10-2009]