



**APPLICATION PACKET FOR APPROVAL OF SUBDIVISION**  
**IN THE TOWN OF DURHAM, NEW YORK**

Dear Applicant,

On February 10, 2000 the Town Board of the Town of Durham passed Local Law #1 of 2000, Land Subdivision Law, and effective March 16, 2000. Pursuant to this Local Law, anyone wishing to subdivide land into either a minor or major subdivision must receive approval from the Town Board. The procedures that must be followed in order to receive such approval are detailed in Sections 4 and 5 of the Local Law. The General Requirements and Design Standards and the Documents to be submitted are detailed in Sections 6 and 7 of the Local Law. It is recommended that you read and review the entire Land Subdivision Law to ensure that all procedures are followed and requirements met.

If the subdivision is a simple subdivision, defined as the division of any tract of land into lots or parcels, other than building lots, for purposes other than building, then it is exempt from Town review and are automatically considered approved. Before preparing the final plats, the subdivider must submit a sketch plan to the Town Board at least ten days prior to the regular meeting of the Town Board at which subdivisions are considered for purposes of classifying the subdivision as simple and preliminary discussion. The subdivider shall then appear at the Town Board meeting to discuss whether the proposed subdivision meets the definition of a simple subdivision. If it meets the definition then the subdivider can proceed. If it is not a simple subdivision then the subdivider must proceed as if it is either a minor or major subdivision.

In short the procedures for a minor subdivision, defined as (A) the division of any tract of land into four or fewer building lots or parcels, within a three year period, that does not require the creation of any new streets or highways, are as follows:

1. Complete and submit the application for a minor subdivision at **least ten days prior** to the regular meeting of the Town Board at which subdivisions are considered [currently the first Tuesday of each month] to the Town Clerk. An application is attached. Before submitting the application, a subdivider **may** submit two copies of a sketch plan to the Town Clerk ten days before the regular meeting at which subdivisions are considered to classify the project and discuss the requirements of minor subdivision.
2. When submitting the application, attached must be **six copies plus 1 Mylar** of the final plat for the subdivision, which comply with the applicable requirements. (**must not be less than 12" x 18" and not more than 24"x 36"**, contain or have attached

**certificate of a licensed land surveyor showing the date of completion of the survey and the making of the map and the name of the subdivision.**

3. The Application will not be considered without six copies of the final plat.
4. Follow the State Environmental Quality Review Act by completing and submitting either a **full Environmental Assessment Form (full EAF)\*** for all Type I actions or a **short Environmental Assessment Form (short EAF)\*** for all Unlisted actions. The EAF forms are attached. *\*(Available for download from our website)*
5. The applicant or his/her authorized representative must appear before the Town Board at the regular meeting of the Town Board at which subdivisions are considered to discuss the final plat.
6. The Town Board will then schedule a public hearing on the proposed subdivision. This may be combined with a hearing that may be required under the State Environmental Quality Review Act.
7. The Town Board must then make its decision on the final plat.
8. After receiving the approved final plat, the applicant must file the final plat within sixty days in the office of the county clerk or such approval shall expire. *[Effective January 1, 2006 Greene County has established the following fees for filing subdivision maps: \$25.00 one to three lots, \$50.00 four to nine lots, \$100.00 ten or more lots (payable to Greene County Real Property)]*

In short the procedures for a major subdivision, defined as (A) the division of any tract of land into more than four lots or parcels for sale as building lots or the division of any tract of land into four or fewer lots or parcels when new streets or highways are required, are as follows:

1. An applicant **may** submit two copies of a sketch plan, which meets the applicable requirements to the Town Clerk at least ten days prior to the regular meeting of the Town Board at which subdivisions are considered for preliminary discussion. The Subdivider and/or his authorized representative shall attend the meeting to discuss the requirements of major subdivision.
2. Complete and submit the application for consideration of a preliminary plat of a proposed major subdivision at **least ten days prior** to the regular meeting of the Town Board at which subdivisions are considered [currently the first Tuesday of each month] to the Town Clerk, along with six copies plus one Mylar of the preliminary plat. **(must not be less than 12" x 18" and not more than 24" x 36", contain or have attached certificate of a licensed land surveyor showing the date of completion of the survey and the making of the map and the name of the subdivision.**

3. The Application will not be considered without six copies of the final plat.
4. Follow the State Environmental Quality Review Act by completing and submitting either a **full Environmental Assessment Form (full EAF)\*** for all Type I actions or a **short Environmental Assessment Form (short EAF)\*** for all Unlisted actions. The EAF forms are attached. *\*(Available for download from our website)*
5. The applicant or his/her authorized representative must appear before the Town Board at the regular meeting of the Town Board at which subdivisions are considered to discuss the preliminary plat.
6. The Town Board will then schedule a public hearing on the preliminary plat. This may be combined with a hearing that may be required under the State Environmental Quality Review Act.
7. The Town Board must then make and file its decision on the preliminary plat.
8. If the plat is not submitted in final form to the Town Board within six months, approval of the preliminary plat may be revoked.
9. Within six months of approval of the preliminary plat, the applicant shall submit an application for approval of the final plat along with three copies of the final plat and the other required applicable documents.
10. The Town Board will render a decision on a plat in substantial agreement with an approved preliminary plat.
11. If the final plat is not in substantial agreement with the preliminary plat, a public hearing will be held and the requirements of the State Environmental Quality Review Act must be followed.
12. The Town Board will then make and file a decision. If the final plat is approved it must be filed in the County Clerk's office within sixty days of final approval or the approval will expire.
13. If any improvements are required by the Town Board, the subdivider may have to post a bond or other form of security.

The procedures listed above are only a summary and outline. For a complete description of the requirements, please read and review the local law.

Sincerely,

Town of Durham Town Board



**TOWN OF DURHAM**  
**7309 State Route 81**  
**East Durham, NY 12423**



**518-239-6122 Office**  
**518-239-4140 Fax**  
**[www.durhamny.com](http://www.durhamny.com)**  
**[townclerk@durhamny.com](mailto:townclerk@durhamny.com)**

- \_\_\_\_\_ Simple (No Fee- less than 3 lots purposes other than building.)
- \_\_\_\_\_ Minor (\$50 – four or fewer building lots, with no new streets or highway)
- \_\_\_\_\_ Major (\$100 – more than four building lots or less than 4 lots requiring a new street or road)

<b>Office Use:</b> Application Number: _____ Date Received: _____ Paid \$ _____ Method _____ Receipt # _____ Parcel Id # _____
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## **APPLICATION FOR SUBDIVISION**

### **Applicant:**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_   
Telephone \_\_\_\_\_

### **Owner (if different):**

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_   
Telephone \_\_\_\_\_

### **Plans Prepared By:**

Name: \_\_\_\_\_  
Co. Name: \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_   
Telephone \_\_\_\_\_

**Authorized Representative (if any)**

*If not an attorney, must provide written, notarized statement from owner*

Name \_\_\_\_\_

Co. Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Proposed name of subdivision (*if there is one*) \_\_\_\_\_

Location of site: \_\_\_\_\_

\_\_\_\_\_

Tax map description: \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Ownership intentions (*i.e. purchase options*) \_\_\_\_\_

\_\_\_\_\_

Proposed use(s) of site \_\_\_\_\_

\_\_\_\_\_

Total site area (square feet or acres) \_\_\_\_\_

Current land use of site (*agriculture, commercial, undeveloped, etc.*) \_\_\_\_\_

\_\_\_\_\_

Current condition of site (*buildings, brush, etc.*) \_\_\_\_\_

\_\_\_\_\_

Character of surrounding land (*agricultural, residential, wetlands, etc.*) \_\_\_\_\_

\_\_\_\_\_

List the names and addresses of all owners of the land surrounding the proposed subdivision:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe project in as much detail as possible \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does the subdivision involve any easements? If so who are the parties to the easement, describe the easement. \_\_\_\_\_

Does this subdivision involve a permit or approval or funding, now or ultimately from any other governmental agency (Federal, State or Local)? If so, list agency(s) and permit/approvals.

\_\_\_\_\_  
\_\_\_\_\_

Attach the full or short Environmental Assessment Form in accordance with the State Environmental Quality Review Act and the appropriate number of final plats.

I certify that the information provided above is true to the best of my knowledge

Applicant name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_