

Environmental
Assessment
Cole Hollow Road
Realignment Project

Appendix – B

Local Law #1

LOCAL LAW #1 - 1988

TOWN OF BLENHEIM
SCHOHARIE COUNTY NEW YORK

Relating to Streets or Highways and Building Permits

ADOPTED 3, 7, 88

- SIGNED Robert E. Shaffer, Supervisor
- SIGNED Wayne Starnall, Comptroller
- SIGNED Elizabeth Brundage, Councilman
- SIGNED James J. ...
- SIGNED Stephen B. Council, Councilman

Filed
3/7/88
Virginia R. ...
T.C.

(Please Use this Form for Filing your Local Law with the ~~Secretary~~ 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 ... Blenheim
Town
~~Village~~

Local Law No. 1 of the year 19 88

A local law Relating to Streets or Highways and Building Permits
(Insert title)

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

~~County~~
~~City~~ of ... Blenheim as follows:
Town
~~Village~~

The Town of Blenheim acting through its duly constituted Town Board or Town Planning Board, and pursuant to the authority conferred by law, resolves as follows.

SECTION 1 - PURPOSE

The purpose of this law is to regulate the laying out of streets, roads, thoroughfares and highways. NO permit for erection of any building will be issued unless a street or road serving the building has been approved by the process outlined in this Local Law #1, 1988. This ordinance does not regulate driveways as defined in Section 1-D.

- (A) Wherever used in this law the word "street" shall also be construed to mean a thoroughfare, road or highway.
- (B) Wherever used in this law, the words in the singular include the plural and words in the plural include the singular.
- (C) The word "shall" is mandatory and not directory. Words used in the present tense include the future.
- (D) Driveway - a private access to no more than two (2) dwellings.

~~SECRET~~

SECTION 2 - EXTENT OF APPLICABILITY OF STANDARDS & SPECIFICATION

These standards, specifications and rules apply to any new or old, in need of reconstruction, road, street or thoroughfare in the Town of Blenheim which is in excess of four hundred feet (400) in length and will serve more than two (2) dwellings (permanent or seasonal) or parcels of property.

SECTION 3 - APPLICATION PROCEDURE

- (A) Application for consideration of a private road or street shall be submitted to the Town Board or Town Planning Board for review, through the Town Clerks office along with a filing fee to be set annually by the Town Board. Upon preliminary examination of the application, a fee will be required to cover the costs of engineering review and inspections. A written estimate will be provided. The Town Board or Town Planning Board or its designee shall make a formal inspection of the site with the Town Highway Superintendent. Said person's shall, within sixty (60) days of receipt of a complete application make recommendation to the Town Board or Town Planning Board for the disposition of the application. The Town Board or Town Planning Board shall within sixty (60) days make recommendation to the Town Board. The Town Board shall within sixty (60) days of receipt of

recommendation decide whether or not the Town shall include said proposed street or roadway as a private road for building permits.

(B) The formal written application for consideration of any proposed roadway shall include the following:

1. Three (3) complete copies of application letter, and supporting documents as described below: (Town Superintendent of Highway, Town Board and Inspector).
2. A copy of proposed warranty deed or a quit claim deed conveying said street or roadway to current landowner along with a copy of all the necessary releases from mortgages or other claimants together with a proper title search and tax search covering at least 30 years up to the time application is made.
3. Name of proposed street or roadway.
4. Name of current landowners of property along said proposed street or roadway.
5. Number of parcels to be served by proposed street or roadway.
6. Map of road prepared and certified by a licensed professional engineer (licensed in New York State) with evidence of his/her certification of competence to design roads appurtenant to subdivisions under Title B, Article 145, Sec. 57208, Par. n of the State Education Law of New

York, ("Engineer") showing the road alignment, the length, radius, point of curve and point of tangency of all horizontal and vertical curves along said roadway, the grades between all critical points both numerically and by profile drawing and pertinent easements. Said map shall be of scale of 1 inch equals fifty feet maximum.

7. Drawing of road cross section and design and layout of backslopes, necessary drainage ditches, driveway crossings, and culverts shall be prepared by "Engineer," as in (6) above.
8. A location sketch showing the road location in the Town.
9. Application will include a description of construction materials to be used along with acceptable evidence of compliance with standards and specification with official report from NYS approved materials testing laboratory and of existing land use along the roadway.

SECTION 4 - STANDARDS AND SPECIFICATIONS

1. Title must be conveyed to landowners by warranty deed, to a right of way of not less than sixty (60) feet in width along the entire length of said private roadway.

2. The right of way shall be completely cleared of all brush, scrub trees and stumps for its entire width and length.
3. The backslopes shall be graded. All necessary drainage ditches and structures including driveway crossings shall be installed and shall be of accepted design in structural, hydrologic sense and shall be of adequate size and length as determined by the approved plans and inspected by the Town or County Highway Superintendent.
4. Culverts shall be installed where needed and shall be properly installed of material (corrugated steel pipe) as determined by Engineer and approved by Town Board and inspected by Town or County Highway Superintendent. Culvert are required for driveway crossing of a minimum length of twenty (20) feet and a diameter of 15 inches.
5. Roadways shall be adequately ditched and graded.
6. Roadways shall be raised above grade.
7. The maximum grade along any portion of the road or street shall be not more than ten (10) percent at its discretion.
8. No "dead end" roadways will be acceptable unless provided with an adequate turn around with a minimum of one hundred (100) feet.
9. A cross section will be required that conforms with the highway cross section shown on the attached drawing. Note that the roadbed shall not be less than eighteen (18) feet in width, shoulders of not less than five (5)

feet on each side; also, the roadbed shall be crowned at the rate of 1/4 inch per foot.

10. All roadways or streets must meet the State and County requirements for Town roads (Donovan Plan) and shall conform to the provisions of the New York Highway Law.
11. Signs must be posted at the beginning of said street or roadway stating that the road is a private road and is not maintained or serviced by the Town.
12. Necessary bridges shall be constructed according to current specifications of the New York State Department of Public Works, shall have a minimum capacity of fifteen (15) tons, and shall be constructed with a width of at least four (4) feet wider than the roadbed, with an absolute minimum of twenty-four (24) feet.
13. The sub-base shall be twenty-eight (28) feet in width and shall be covered with not less than four (4) inches of hard shale or graded gravel. A good grade of bank run gravel may be used. The surface, when graded properly, may be shot with a good grade of sealer oil (MC or equivalent) and chipped with No. 1 stone (heavy coat) 1/2 to 1 inch, rolled and shot with RC3 or 64P oil (3/4 gallon to sq. yd.), chipped with 1A stone and rolled to a width of twenty (20) feet or more. All of the above subject to the approval of the Town Highway Superintendent.
14. Utility poles shall be set in such a location that they normally will be in back of ditch line.

SECTION 5 - SITE ACCESS

The following inspections are required and must be made by the Superintendent of Town or County Highways or its designee and or inspector; it shall be the developer's responsibility to notify the Superintendent of the readiness to proceed with each phase of construction process so that spot checks on work in progress may be made.

1. First inspection upon completion of survey.
2. Second inspection upon completion of the clearing of the right of way.
3. Third inspection upon completion of rough grading and placing of culverts for drainage and driveways.
4. Fourth inspection upon completion of placement of sub-base.
5. Fifth inspection upon completion of placement of base course and structural backfilling.

SECTION 6 - EXCEPTIONS

Exceptions to any of the specifications herein will be considered upon recommendation of the Town Board or Town Planning Board, Superintendent of Town Highways and majority of the Town Board. Any such variances granted shall be specifically set forth in the decision of the Town Board regarding the disposition of said application.

SECTION 7 - SEPARATE VALIDITY

If any part or provision of this law is adjudged invalid or unconstitutional by any court of competent jurisdiction, such judgment shall be confined in its effect to the part provision or application directly involved and shall not affect or impair the validity of the remainder of this law.

SECTION 8 - TITLE OF LOCAL LAW

This LOCAL LAW shall be known and may be cited as "The Private Roadway or Street Law" of the Town of Blenheim.

CERTIFICATE OF COMPLIANCE

APPLICATION NO. _____

DATE ___/___/___

FILING FEE \$ _____ PAID ___/___/___ CLERK _____

APPLICATION FEE \$ _____ PAID ___/___/___ CLERK _____

=====

ROADWAY LOCATION _____

APPLICANT ADDRESS _____

*MUST BE SIGNED TO BE VALID

INSPECTION PER SECTION 5

1ST _____ DATED ___/___/___ SIGNED _____

2ND _____ DATED ___/___/___ SIGNED _____

3RD _____ DATED ___/___/___ SIGNED _____

4TH _____ DATED ___/___/___ SIGNED _____

5TH _____ DATED ___/___/___ SIGNED _____

FINAL INSPECTION

DATED ___/___/___ SIGNED _____

HIGHWAY CROSS SECTION - TOWN OF BLENHEIM

