

**Town of Smithtown Planning Board
SUBDIVISION APPLICATION CHECKLIST**

NAME _____

HAMLET _____

ACREAGE _____

LOTS/UNITS _____

PRELIMINARY – Must include all requirements of § 248-11 of the Subdivision Regulations.

APPLICATION FORMS:

- 1 F-601 Application for the subdivision of land
- 1 F-602 Acknowledgement of requirements – preliminary layout
- 5 Environmental Assessment forms (original and 4 copies)
- 1 Title Search indicating any easements, covenants, deed restrictions, encumbrances or liens against this land

FEES:

- \$600 Plus \$600 per lot or dwelling for residential zoned land \$ _____
- \$1,000 Per acre for industrial zoned land \$ _____
- \$275 Request to extend Preliminary Map approval \$ _____
- Environmental Assessment Fee (see EAF schedule)* \$ _____

MAPS:

- 15 Paper prints – Preliminary Map
- 10 Tree Preservation and Land Clearing Plans
- 10 Road Profile prints

FINAL: * - Must include all requirements of § 248-12 through § 248-16 of the Subdivision Regulations.

APPLICATION FORMS:

- 1 F-601 Application for the subdivision of land – must include signatures of all property owners
- 1 F-603 Letter of Application – Final Plat
- 1 F-604 Acknowledgement of requirements – final plat
- 1 F-605 Certificate of Compliance with grading & excavating ordinance
- 1 G-702 Offer of Dedication
- 2 G-705 Utility Availability (LIPA & water company)
- 1 G-706 School Board letter
- 1 Letter of Acknowledgement Postmaster

FEES:

- \$600 Plus \$600.00 per lot or dwelling unit \$ _____
- \$750 Per acre for each industrial final plat \$ _____
- \$150 Readvertisement \$ _____
- \$500 Per variance request per lot \$ _____
- (no fee shall be assessed for variances granted pursuant to §248-31)
- \$250 Request to extend Final Plat Approval \$ _____
- \$135 Request to extend Performance Bond \$ _____
- \$500 Request to waive of bond requirements \$ _____
- \$500 Request to amend Planning Board decision \$ _____
- \$500 Lot line amendment (not creating buildable lot) \$ _____

- Erosion and Sediment Control Fee (Separate check payable to Town of Smithtown)
Applications involving up to less than 1 acre = \$150
Application involving 1 to less than 5 acres = \$300
Applications involving 5 acres or more = \$300 for first 5 acres + \$10 for each additional acre

TOTAL \$ _____

MAPS

- 15 Paper prints – Final Map
- 10 Grading and Drainage/Public Improvements prints
- 10 Road Profile prints
- 5 Erosion and Sediment Control Maps

Notes:

- A division of one parcel into two lots requires a final application submission only. However, the Environmental Assessment form, Environmental Assessment Fee, Title Search, and Tree Preservation and Land Clearing Plan, and Erosion and Sediment Control Fee, are still required.
- Additional fees (Park Fee, Inspection Fee, Recording Fee, e.g.) are calculated at final approval and vary with each subdivision. Please contact the Planning Department at 360-7540 for more information.
- Subdivision Regulations may be reviewed or purchased at the Planning Department Office.



Planning Board
Town of Smithtown
Suffolk County, N.Y.
SUBDIVISION APPLICATION

Please see separate sheet for instructions. If you have questions, please call Planning Dept. (360-7540). Original copies only. Faxed or photocopies are not acceptable.

SECTION F-601 – Application for Subdivision Plat Approval

File No. _____ Amount of Fee \$ _____ Date Received _____

Subdivision Name _____

SCTM# 800- _____

APPLICATION IS HEREBY MADE to the Smithtown Planning Board for a subdivision plat approval for the subdivision described herein.

I. a. Applicant's Name _____

Address _____ Tel. No. _____

b. If the applicant is a corporation, give the name and title of responsible officer:

Name _____ Title _____

c. Land Owner _____

Land Owner's Address _____

d. Subdivision Engineer or Land Surveyor (licensed)

Name _____ License No. _____

Address _____ Tel. No. _____

e. If the applicant does not own the property, prepare endorsement at the end of this form establishing owner's authorization of the applicant's proposed subdivision of his land.

f. All communications with regard to this subdivision (or land partition) shall be addressed to the following person until further notice:

Address _____ Tel. No. () _____

Street City State Zip

II Proposed Site

a. Metes and bounds description of the entire holding, deed restriction, easements, etc., are attached hereto.

b. Deed or deeds are recorded in the Country Clerk's Office:

Date Liber Page

c. Are there any encumbrances or liens against this land other than mortgages?

d. Are there any marsh or water areas located on the preliminary layout? _____

e. Are there any existing structures to be removed? _____

f. The proposed subdivision is designed for the following types of land uses:

g. Is there any change of zoning requested this time, or do you contemplate any future changes in zoning? If so describe the change.

h. Are all the open spaces shown on the layout to be dedicated for public use?

i. How many acres are to be dedicated for public park or playground purposes?

j. The site will be serviced by the following special districts or utility companies:

Fire District _____

Post Office _____

School District _____

Water _____

Electricity _____

Gas _____

Telephone _____

k. Will the final plat be filed in sections?

I hereby depose and say that all the above statements and information and all statements and information contained in the supporting documents and drawings attached hereto are true.

Sworn before me this

day of _____, 20_____

Applicant's Signature

Notary Public

Owner's Endorsement

COUNTRY OF SUFFOLK }
STATE OF NEW YORK } SS. :

_____ being duly sworn, deposed and says

(Owner's Name)

that he resides at _____

(Owner's Address)

in the County of _____, and State of _____

and that he is (the owner in fee) (_____ of the

(Official Title)

_____ Corporation which is the owner in fee) of

the premises described in the foregoing application and that he has authorized

_____ To make the foregoing application for subdivision

(or land partition) plat approval as described herein.

Sworn before me this

Owner's Signature

day of _____, 20_____

Notary Public



Planning Board
Town of Smithtown
Suffolk County, N.Y.

**PRELIMINARY PLAT
ACKNOWLEDGEMENT**

SECTION F-602 - Acknowledgment of Requirements - Preliminary Layout

File No. _____ Date _____

Subdivision Name _____

SCTM # 800- _____

I, the undersigned, as engineer or land surveyor for the above designated subdivision, have complied with the requirements of the Smithtown Subdivision Regulations for preliminary layouts, and in particular with the detailed provisions of the following section and subsections:

1. Subsection 248-8 concerning the elements of a complete submission.
2. Subsection 248-9 concerning the filing fee.
3. Subsection 248-11 concerning preliminary layout requirements.

Engineer or Land Surveyor

License No. _____



Planning Board
Town of Smithtown
Suffolk County, N.Y.

FINAL PLAT LETTER

SECTION F-603 - Letter of Application - Final Plat

File No. _____ Date _____

Subdivision Name _____

SCTM #800- _____

Chairman
Smithtown Planning Board
Smithtown, New York

Dear Sir:

I hereby make application, as subdivider, for Planning Board approval of the subdivision final plat designated above. I further submit that I understand and comply with the requirements for subdivision plat approval as described in Chapter 248 - Subdivision Regulations and Chapter 322 - Zoning Ordinance of the Town of Smithtown.

Further, the following documents, checked below are handed to you herewith:

- Form F-601, Application for Subdivision Plat approval.....
- Form F-604, Acknowledgement of requirements - Final Plat.....
- Form F-605, Certification of Compliance with Grading & Excavation Ordinance...
- Form G-702, Offer of Dedication for Public Uses.....
- Form G-705, Utility Company Letters.....
- Form G-706, Board of Education Acknowledgement.....
- Final Plat (fifteen (15) paper prints).....
- Street Profiles (ten (10) paper prints).....
- Drainage and Regrading Plan (ten (10) paper prints).

Title Search indicating any easements, covenants, deed restrictions, encumbrances or liens against this land.

Subdivider's Signature

By _____
(Used by Corporation only)



Planning Board
Town of Smithtown
Suffolk County, N.Y.

**FINAL PLAT
ACKNOWLEDGEMENT**

SECTION - F-604

Acknowledgement of Requirements - Final Plat

File No. _____ Date _____

Subdivision Name _____

SCTM # 800 _____

I, the undersigned, as engineer or land surveyor for the above designated subdivision, have complied with the requirements of the Smithtown Subdivision Regulations for final plats, and in particular with the detailed provisions of the following subsections:

1. Sections 248-15 and 248-16 concerning the elements of a complete submission.
2. Sections 248-23 thru 248-29 and 248-35 thru 248-41 concerning technical standards.

Engineer or Land Surveyor

License No. _____



Planning Board

Town of Smithtown
Suffolk County, N.Y.

COMPLIANCE WITH REGRADING AND EXCAVATION ORDINANCE

SECTION - F-605 Certificate of Compliance with the General Regrading and Excavation Ordinance

File No. _____ Date _____

Subdivision Name _____

SCTM # 800 - _____

Chairman
Smithtown Planning Board
Smithtown, New York

Dear Sir:

This is to certify that, as the subdivider of the above designated subdivision, I am familiar with the Town of Smithtown's Ordinance entitled "An Ordinance to Regulate and Control General Regrading of Land, Extraction and Removal of Earth Products and Other Excavations", and further that I have met all the requirements for conditions which are not specifically excluded in Chapter 154 of the Town Code.

Subdivider's Signature

By _____

(Used by Corporation only)



Planning Board

Town of Smithtown
Suffolk County, N.Y.

UTILITY COMPANY ACKNOWLEDGEMENT

Please see separate sheet for instructions. If you have questions, please call Planning Dept. (360-7540). Original copies only. Faxed or photocopies are not acceptable.

G-705 Utility Company Letter of Acknowledgement

Chairman
Smithtown Planning Board
Town Hall
Smithtown, New York

Re:
Subdivision Name

Final Plat Drawing Dated

Public Improvement and Utilities Plan Dated

Dear Sir:

Review of these drawings indicates that the provisions for utility service improvements related to our system are well designed. Therefore we plan (or do not plan) to install these utilities and provide service as it becomes necessary in conformity with the provisions in our field rate schedule.

Yours truly,

.....
Company

By

.....Position.....



Planning Board

Town of Smithtown
Suffolk County, N.Y.

SCHOOL BOARD ACKNOWLEDGEMENT

Please see separate sheet for instructions. If you have questions, please call Planning Dept. (360-7540). Original copies only. Faxed or photocopies are not acceptable.

G-706 School Board Letter of Acknowledgement

Chairman
Smithtown Planning Board
Town Hall
Smithtown, New York

Re:
Subdivision Name

Dear Sir:

The Subdivider of the above named subdivision has advised our Board that he has applied to the Planning Board for the approval of a final plat containing lots. We herewith acknowledge notice of the proposed development.

Yours truly,

.....
School District Name and Number

By

.....
Position



Planning Board

Town of Smithtown
Suffolk County, N.Y.

IRREVOCABLE OFFER OF DEDICATION

FORM G-702 - IRREVOCABLE OFFER TO DEDICATE STREETS, HIGHWAYS, PARKS, STORM DRAINAGE BASINS, OR OTHER PARCELS

This agreement made this _____ day of _____, _____, between _____

as Grantor and Promisor, and the **TOWN OF SMITHTOWN**, a municipal corporation with offices in Town Hall, at 99 West Main Street, Smithtown, New York, as Grantee and Promisee.

Pursuant to Article 16 of the Town Law of the State of New York and the requirements of the Planning Board of the Town of Smithtown, Suffolk County, New York, the undersigned hereby:

A. Certifies that _____ is [are] the fee owner[s] of the subdivision described as " _____ " located at _____, Town of Smithtown, New York, containing the _____ shown thereon described on Exhibit A annexed hereto and which entire subdivision contains _____ acres for which Smithtown Planning Board approval is sought. The said land hereinabove described is shown on map entitled " _____ "

B. The undersigned irrevocably offers to convey the public streets, highways, public park lands, storm water drainage basins or other parcels as shown "to be dedicated" to the Town of Smithtown upon acceptance by the Town of Smithtown of this offer by the execution and delivery to the Town of Smithtown of a warranty deed or deeds with full covenants conveying the title in fee and unencumbered to said lands to the Town of Smithtown.

SIGNATURE

State of New York, County of Suffolk

On the _____ day of _____ in the year _____.

Before me, the undersigned, personally appeared _____

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

The Problem with Stormwater

Stormwater is water from rain or melting snow that doesn't soak into the ground but runs off into waterways. As stormwater flows from rooftops, over paved areas and lawns it picks up debris, chemicals, motor oil, animal waste and other pollutants. Stormwater can flow into a storm sewer system or directly into a lake, stream, river or wetland, potentially contaminating the water we use for drinking, swimming and fishing. Polluted runoff is the nation's greatest threat to clean water.

Stormwater carries the residue of urban living. Toxic chemicals from automobiles, sediment from construction activities, bacteria from animal wastes and careless application of pesticides and fertilizers threaten the health of the waterway and can kill fish and other aquatic life.

Stormwater Management

Stormwater management, especially in urban areas, is becoming a necessary step in seeking reductions in pollutants in our waterways and presents new challenges. More often than not, end-of-pipe controls are not the best answer for removing pollutants from stormwater runoff. Pollutants in runoff enter our waterways in numerous ways and the best method of control is usually at the pollutant's source.

The US Environmental Protection Agency and the New York State Department of Environmental Conservation are addressing stormwater management in several ways. A federal regulation, commonly known as Stormwater Phase II, requires permits for stormwater discharges from Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas and from construction activities disturbing one or more acres. To implement the law, the NYSDEC has issued two general permits, one for MS4s in urbanized areas and one for construction activities. The permits are part of the State Pollutant Discharge Elimination System (SPDES).

Construction Permit Notice of Intent

Section 402 of the Federal Clean Water Act requires permits for stormwater discharges from construction activities that disturb one or more acres of land. To obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity, you must prepare a Stormwater Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) before beginning construction.

Mail your Notice of Intent to:

**NYS DEC "Notice of Intent"
Bureau of Water Permits
625 Broadway, 4th Floor
Albany NY 12233-3505**

Note: A Stormwater Pollution Prevention Plan must be prepared before submitting the NOI.

If your project is in a regulated MS4, you must submit your NOI and SWPPP to the municipality.

For More Information:

Visit the DEC website at:

<http://www.dec.ny.gov/chemical/8468.html>

If you don't have web access, you can obtain written material by calling your Regional DEC office below or your County Soil & Water Conservation District office.

Region 1: (631) 444-0409	Region 6: (315) 785-2524
Region 2: (718) 482-4933	Region 7: (315) 426-7500
Region 3: (914) 332-1835	Region 8: (585) 226-5452
Region 4: (518) 357-2045	Region 9: (716) 851-7070
Region 5: (518) 623-1200	

For a listing of Soil and Water Conservation Districts in New York State visit:

www.nyacd.org/districts.html

Tools available from the DEC website:

SPDES General Permit for Stormwater Discharges from Construction Activity

Permit Forms for download —

- ◆ Notice of Intent (application for permit coverage)
- ◆ Notice of Termination
- ◆ MS4 SWPPP Acceptance Form

Instruction Manual for Stormwater Construction Permit (for preparing SWPPP and NOI)

[New York State Standards and Specifications for Erosion and Sediment Control](#) (2005)

[New York State Stormwater Management Design Manual](#) (2003)

NEW — Chapter 9: Redevelopment Projects

NEW — Chapter 10: Enhanced Phosphorus Removal

Stormwater Interactive Mapping Tool

Technical guidance documents

Moving Dirt? Building Something?

If your project will impact, disturb or expose **one or more acres of soil**, including:

- ◆ Clearing and Grubbing
- ◆ Filling or Stockpiling
- ◆ Building Construction
- ◆ Grading
- ◆ Excavating
- ◆ Demolition

... you are required to have a permit for stormwater discharges from the site.



Stormwater Construction Permit Regulations

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

SPDES General Permit for Stormwater Discharges
from Construction Activity

Stormwater Impacts from the Construction Industry

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands and oceans. Through the use of proper erosion and sediment control and stormwater management practices, construction site operators are the key defenders against stormwater impacts.

Construction and development increase the amount of impervious surfaces in our watersheds, thus increasing runoff to waterways. The additional runoff results in increased erosion and sedimentation, and destroys aquatic habitat. Preventing soil erosion and sedimentation is an important responsibility at all construction sites.

In addition to the environmental impacts, uncontrolled erosion can have a significant financial impact on a construction project. It costs money and time to repair gullies, replace vegetation, clean sediment-clogged storm drains, replace poorly installed practices and mitigate damage to other people's property or to natural resources.



Rain could easily wash this loose soil into the storm sewer and into a nearby stream, causing a water quality standards violation that could cost the site operator up to \$37,500 each day it occurs.

Stormwater Pollution Prevention Plan

The owner/operator must prepare a SWPPP - a plan for controlling runoff and pollutants from a site during and after construction activities. The principal objective of a SWPPP is to comply with the NY SPDES Stormwater Permit for construction activities by planning and implementing the following practices:

- ◆ Reduction or elimination of erosion and sediment loading to waterways during construction
- ◆ Control of the impacts of stormwater runoff on the water quality of the receiving waters
- ◆ Control of the increased volume and peak rate of runoff during and after construction
- ◆ Maintenance of stormwater controls during and after completion of construction

SWPPP and General Permit Sequence

If your project will disturb or impact 1 or more acres of land and you are constructing a commercial, industrial or institutional building, apartments, duplexes, a roadway, a single-family residential development with more than 25% impervious surfaces, a single-family development impacting 5 or more acres of land (including home construction); creating recreation areas, fill areas or linear utilities disturbing 5 acres or more*:

Develop a Stormwater Pollution Prevention Plan (SWPPP) with stormwater management practices in conformance with the New York State Stormwater Management Design Manual and erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

If your construction project is single-family residential with 25% or less impervious cover, a linear utility, recreation fields or fill area, and will impact between 1 and 5 acres of land (and the site is not located in a TMDL Watershed, or directly discharging to an impaired 303(d) waterbody**):

Develop a SWPPP with erosion and sediment controls in accordance with the New York State Standards and Specifications for Erosion and Sediment Control

- ▶ If your project *is* located within a regulated MS4**
 1. Submit the SWPPP and Notice of Intent (NOI) to the municipality for review and acceptance
 2. Submit the NOI and signed MS4 SWPPP Acceptance form to DEC in Albany
 3. Begin construction 5 business days after notification from DEC of acceptance of NOI
- ▶ If your project *is not* located within a regulated MS4**
 1. Submit a Notice of Intent (NOI) to the DEC in Albany
 2. Begin construction 5 business days after notification from DEC of acceptance of NOI

However... If the SWPPP deviates from the DEC technical design standards:

1. Submit a NOI to the DEC in Albany
2. Submit SWPPP to DEC Regional Office for review and acceptance prior to beginning construction

When all construction has been completed and the site has been stabilized and fully vegetated:

- ▶ File a Notice of Termination (NOT) with the DEC

* Consult Appendix B of the General Permit for a complete listing of SWPPP requirements by project type
** Check the MS4 Stormwater General Permit for maps of regulated MS4 boundaries, TMDL watersheds and impaired waterbody listings

Basic Components of a Stormwater Pollution Prevention Plan*

- ◆ **Narrative Report** describing pre-development conditions and details of the planned project
- ◆ **Maps** illustrating site location, topography, drainage area, existing and proposed structures, erosion and sediment control and stormwater control measures
- ◆ **Erosion and Sediment Control Plans**
- ◆ **Water Quality and Water Quantity Control Plans**
- ◆ **Construction Sequence Schedule**
- ◆ **Contractor Certification Statements**
- ◆ **Operations and Maintenance Schedule**
- ◆ **Weekly Inspection Reports**

* For a complete description of required SWPPP components please refer to the SPDES General Permit for Stormwater Discharges from Construction Activity.



Stormwater retention ponds provide effective water quality control by using forebays for sediment settling, and have controlled-discharge outlets for flood control.

Important Terms

Owner/Operator: The person or legal entity which owns or leases the property where construction will occur.

Qualified Professionals: Professional Engineers, Landscape Architects and Certified Professionals in Erosion and Sediment Control are qualified to develop and certify SWPPPs and inspect construction sites.

TMDL and 303(d) Waterbodies: Section 303(d) of the Clean Water Act requires states to identify Impaired Waters where specific designated uses are not fully supported. In order to restore and protect these Impaired Waters, Total Maximum Daily Loads (TMDLs) or other strategies have been developed to reduce the input of pollutants that restrict waterbody uses.