

References: Town of York Subdivision Regulations (1988)  
NYS Town Law Section 276

**What is the status of the current subdivision?**

Rules for filing subdivisions, according to Section 6(A) of the Town of York Subdivision Ordinance:

“Any subdivision plat not so filed or recorded [with the County Clerk] within thirty (30) days of the date upon which such plat is approved or considered approved by reasons of the failure of the planning Board to act, shall become null and void.”

(Note: This 30 day filing requirement is in conflict with NYS Town Law Section 276(7)(11). NYS Town Law allows filing within 62 days. The Town should revise this statement to reflect NYS Town Law.)

**What this means for the current subdivision:** Because the original subdivision plat approved by the Town of York Planning Board was not filed with the County Clerk within 30 (or 62) days of Planning Board approval, the Planning Board approval is null and void. The subdivision has to go through the entire review process again from the beginning as if it were a new subdivision before the Planning Board.

**What is the process for a major subdivision to be approved?**

1. **Final Plat Review for Major Subdivision**
  - Application: Within six months of Preliminary Plat approval, the owner files an application with the Planning Board for approval of the Final Plat for the subdivision. If not filed within 60 days, the Planning Board may revoke the approval of the Preliminary Plat. Final Plat must comply with NYS Town Law regulations and Town of York Subdivision Ordinance Article V, Section 3 (pp. 17-19).
  - Fee: The fee = \$40. This must be submitted at the time of Final Plat application.
  - The following must be submitted to the Planning Board secretary at least 10 days prior to the meeting:
    - A copy of the application and three copies (one in ink on linen or plastic) of the Final Plat.
    - The original Final Plat.
    - Copy of all offers of cession, covenants, and agreements.
    - Two prints of all construction drawings.
  - “Applications for approval of plans for sewer and water facilities will be filed by the subdivider with all necessary Town, Bounty and State agencies.”

- ❑ “Endorsement and approval by the Livingston County Department of Health shall be secured by the subdivider before official submission of the Subdivision Plat.”
- ❑ Performance Bond and Improvements requirements listed in Article III, Section 5, must be met before Planning Board can grant final approval of Final Plat.
- ❑ Planning Board holds public hearing within 45 days of submission of a plat in final form. Public hearing must be advertised in a newspaper of general circulation at least five days before the hearing. Planning Board can waive the public hearing requirement if it deems that the Final Plat is in substantial agreement with the Preliminary Plat and any recommended requirements.
- ❑ Planning Board acts on the Final Plat (approval, conditional approval or disapproval) within 45 days of the close of the public hearing. If no public hearing is held, then final action must take place within 45 days of Final Plat submission to the Planning Board secretary.
- ❑ Planning Board secretary must file Planning Board decisions within 5 days to the Town Clerk. The secretary of the Planning Board sends a certified mail notice of the decision to the subdivider.
- ❑ If the Plat is conditionally approved, the secretary of the Planning Board shall, within 5 days of such action, mail a certified copy to the owner including a certified statement of such requirements which when completed will authorize the signing of the final Plat. The Final Plat shall not be signed for recording until the subdivider has complied with the provisions of Section 5 of the York Subdivision Regulations.
- ❑ A duly authorized officer of the Planning Board signs the Final Plat to certify Planning Board approval.
- ❑ The Final Plat must be filed with the County Clerk within 62 days of Planning Board approval.