

# TOWN OF HOPEWELL

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## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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*Adopted 8/21/2013*

**TOWN OF HOPEWELL  
RULES AND REGULATIONS FOR SUBDIVISIONS AND  
DESIGN STANDARDS FOR LAND DEVELOPMENT**

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## ARTICLE I – GENERAL PROVISIONS

### SECTION 1 – Citation of Rules & Regulations

These rules and regulations shall be known and may be cited as “The Town of Hopewell’s Subdivision Regulations and Design Criteria & Construction Specifications for Land Development”.

### SECTION 2 – Authority

- A) The Planning Board: The Town Board of the Town of Hopewell, in accordance with the provisions of the Town Law of the State of New York, has heretofore created a Planning Board and has assigned to it the responsibility and authority to review and approve, modify and approve, or disapprove plans for land subdivision within the Town but outside any incorporated Village, which show lots, blocks or sites, with or without new streets or highways. Pursuant to the above authority, as well as Section 276, 277, and 278 of Article 16 of the NYS Town Law, the Planning Board has prepared and recommended approval by the Town Board of these Subdivision Rules & Regulations setting forth standards to be followed in the preparation and review of preliminary layouts and subdivision plats. By the same authority, the Planning Board has the power and authority to pass and approve the development of plats already filed in the office of the Clerk of Ontario County if such plats are entirely or partially undeveloped.
- B) Clustering Provisions: For the purpose of enabling and encouraging flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, and to preserve the natural and scenic qualities of open lands, the Planning Board, simultaneously with the approval of a plan, may in appropriate cases modify applicable provisions of the Zoning Ordinance. The Planning Board is granted the authority to accept a proposed clustered design from the applicant or upon written showing of cause, require an applicant to provide a clustered subdivision design in accordance with the requirements of section 278 of New York State Town Law, and in accordance with criteria set forth below.
- C) Criteria
- 1) The lands are in an agricultural or residential zoning district.
  - 2) The modifications would not result in a greater number of dwelling units or building plots than are permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Zoning Ordinance applicable to such land,
  - 3) In the event such modifications would result in a plan showing lands available for park, recreation, open space, or other municipal purposes directly related to the plan, the Planning Board as a condition of plan approval may establish such conditions on the ownership, user and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes. Such conditions shall be approved by the Town Board before the final plan may be approved by the Planning Board,
  - 4) No such modifications shall be granted by the Planning Board until the proposed plan, including areas within which structures may be located, the height and spacing of buildings, open spaces and their landscaping, off street open and enclosed parking spaces, and streets, driveways, and all other physical features as shown on said plan or otherwise described, accompanied by a statement setting forth the nature of the modifications requested, are considered at a public hearing conducted by the Planning Board,
  - 5) No modifications granted by the Planning Board may change or enlarge the permitted uses of such lands as set forth in the Zoning Ordinance.
  - 6) The Planning Board shall record in its minutes the grounds for granting any modification and note the date of such modification and the nature thereof on the final subdivision plan to be recorded in the Office of the County Clerk. The Town Clerk shall make appropriate notations and references of such modifications on the official Zoning Map of the Town.

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## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE I – GENERAL continued

**C) Clustering Provisions for Development of Residential Subdivisions upon Agricultural Properties in the Farmland Protection Overlay District.**

- 1) Purpose and Intent: Agriculture and Agriculturally related uses comprise a major and vital component of the economic structure and quality of the Town of Hopewell and its rural character.

Preserving prime and statewide important soils for future generations of farming is a critical obligation of the Town Board.

It is the intent of these regulations to promote the minimum loss of this valuable resource while allowing for reasonable use of land for residential or other permitted development.

For purpose of these regulations, the preserved agricultural lands shall be considered as the open space saved by a cluster designed development. In accordance with this part, the Planning Board is authorized to approve reduced lot areas and dimensional requirements upon showing that farm lands will be preserved.

- 2) In addition to Article I, Section 2B above, the following provisions may be considered by the Planning Board upon receipt of a sketch plan layout prior to preliminary approval. Upon request by the Planning Board, the applicant shall provide aerial soil maps and soil class information currently on file with the Town Assessor for agricultural exemptions or the equivalent documentation from the Ontario County Soils and Water District, or the district USDA office.
  - a. That upon receipt of an application for any subdivision of lands involving three or more proposed or potential future lots that is a subdivision of lands not accompanied by an application for clustering of proposed lots, the Planning Board shall be authorized to require the owner to submit a plat depicting a cluster development layout upon a showing of facts and conclusion supporting such request based upon any one (1) of the following criteria:
    1. That a cluster design may maintain additional farmland acreage otherwise to be permanently lost.
    2. That a cluster design may be advantageous for purposes of field access or field operation continuity.
    3. That a cluster design may allow for an area of development that impacts more marginal or less than prime soils.
    4. That a cluster design may minimize residential/agricultural conflicts by having dwellings, wells, and yards within close proximity to solid waste distribution or chemical applications, or natural existing buffers could be employed as an adequate separation space.
    5. That a cluster design would provide an improved environment with less potential conflict upon future expansion of the agricultural uses including but not limited to new or expanded buildings, feed or animal holding areas, storage of liquid or solid waste areas, or construction of farm labor dwellings.
      - a. The Planning Board shall be required to provide to the applicant, documentation in writing supported by the criteria noted above upon requesting the applicant to provide a cluster design.
      - b. Clustered subdivisions shall be designed without the necessity of new private or public streets unless such new street has been offered for dedication to the Town, County or State. The Hopewell Town Board, Ontario County Public Works Department or the State of New York Department of Transportation shall be provided a Notice of Intent by the developer to dedicate any proposed public street.

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### ARTICLE I – GENERAL PROVISIONS continued

- c. In order for maximum preservation of agricultural lands and flexibility of design, the Town Board hereby declares that all cluster development designs shall be open development zones in accordance with Part 280-a of New York State Town Law. Common or shared driveway access shall require a Homeowners Association agreement for shared maintenance of any driveway.

In order to minimize excessive or unnecessary road cuts, the cluster design shall employ combined driveways and/or other methods that minimize the number of road cuts to the least practical number.

- 1. Shared driveways shall require homeowners shared maintenance agreement.
- d. Flag lots shall be considered an acceptable and approved method of lot layout and design in order to carry out the purpose and intent of these regulations. Minimum lot widths shall be measured at that point on the lot where the principle building is to be located.

The Planning Board may consult with the Ontario County Agricultural District Representatives, the Ontario County Farm Bureau, the Town of Hopewell Agricultural Advisory Board, or any other recognized entity for the purposes of making an informed decision regarding the preservation of prime farmland.

- e. Maximum and minimum lot sizes for non-agricultural uses:
  - 1. Minimum lot size with or without public water:  
30,000 square feet Minimum lot width 125 feet.
  - 2. The maximum lot size of any subdivision of land is not limited provided that the total subdivision (s) of land does not exceed the percentages set forth in the Town of Hopewell Prime Farmland Overlay District part 504B.
- f. Determining lot sizes for non-agricultural uses designed as a Cluster Subdivision within the Overlay District are as follows:
  - 1. For purposes of determining the maximum number of lots allowed by a cluster development, the Planning Board shall divide the allowed 30% total acreage allowed for in Part 504B of the Zoning Ordinance Overlay District by the minimum lot sizes noted in section (e) above.
    - a. It is the intent of this section that upon receipt of a voluntary, or required cluster design as determined by the Planning Board, that the requirement of Section 278B of New York State Town law requiring a submittal of a conventional subdivision design prior to a cluster design be waived.
    - b. Remaining farmland shall be considered as the open space preserved by a cluster design.
  - 2. The Planning Board shall be authorized to allow reduced minimum lot sizes or dimension requirements with or without public water under any cluster design provided that all necessary separation distances between water supplies and sewage disposal systems comply with part 75A of the New York State Waste Water Treatment Standards.

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## ARTICLE I – GENERAL PROVISIONS continued

3. Planning Board Waiver: The Planning Board shall have the authority to waive or modify any of these requirements, lot size requirements, buildings setbacks, or other design or zoning standards that upon specific findings shall minimize or prevent the irreversible loss of prime farmland, while protecting the public health, safety, and welfare.
  - a. These rules and regulations shall apply to all agricultural lands listed with or without agricultural exemptions on the 1<sup>st</sup> day of March 2013, and all additional exempted properties hereafter.

### SECTION 3 – Purpose

To carry out the purpose of the Town Law and the Town Board in providing for such plat approval, these Rules and Regulations are adopted by the Town Board to provide for the future growth and development of the Town and to afford adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health, and welfare of its population. Consistent with such purposes, these Rules and Regulations will assure the orderly development of residential areas, the coordination of existing streets and public utilities with new service, the proper provisions of open spaces for passive and active recreation and the proper location of future sites for public buildings and shopping areas, all to the mutual benefit to the developer in providing more stable values and to the future home owner in providing the necessary services.

### SECTION 4 – Jurisdiction

- A) These subdivision regulations shall apply to all subdivision of land, as defined herein, located within the corporate limits of the Town of Hopewell.
- B) No land shall be subdivided within the corporate limits of the municipality until,
  - 1) The sub divider or his agent shall submit a sketch plat of the parcel to the Planning Board through the Town Building Inspector,
  - 2) The sub divider has obtained approval of the sketch plat and preliminary and final approval of the plat itself by the Planning Board and,
  - 3) The approved plat is filed with the Ontario County Clerk.
- C) No Building Permit or Certificate of Occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and not in conformity with, the provisions of these subdivision regulations, and no construction location or relocation of any public or private improvements shall take place or be commenced except in conformity with the regulations.

### SECTION 5 – Conflict with Existing Regulations

Where these Rules & Regulations impose greater restrictions than are imposed by the provisions of any other law, ordinance, regulations or private agreement, these Rules & Regulations shall apply.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE I – GENERAL PROVISIONS continued

#### SECTION 6 – General Policy for Subdivision Design and Review

It is declared to be the policy of the Planning Board to consider land subdivisions as part of a plan for the orderly, efficient and economical development of the Town in a manner that is reasonable and in the best interests of the community. The Planning Board will be guided in its consideration of an application for the subdivision of land by the following general requirements:

- A) Land must be buildable and free of hazard: The physical characteristics of the land to be subdivided shall be such that it can be used for building purposes without danger to health and safety or peril from fire, flood or other menace. Proper provision shall be made for drainage, water supply, sewage and other needed improvements including but not limited to those specified herein,
- B) Natural and historic features shall be preserved: In so far as possible, all existing features of the landscape such as large trees, rock outcrops, unusual glacial formations, water and flood courses, historic site, and other irreplaceable assets shall be preserved.
- C) Subdivision plans shall conform to the Town Comprehensive Plan: Subdivisions shall conform to the streets, parks and other public ways or spaces shown on the official Map of the Town, if any. They shall be in conformance with the Zoning Ordinance, and shall be properly related to the Town Master Plan as it is developed and used for guidance by the Planning Board, either with or without formal adoption. The proposed streets shall compose convenient system conforming to the Official Map, as it may be adopted by the Town Board. Streets shall be of such width, grade and location as to accommodate the prospective traffic, to afford adequate light and air, and to facilitate fire protection. Park areas of suitable location, size and character for playground or other recreational or open space purposes shall be shown on the subdivision plat in proper cases and when required by the Planning Board.
- D) Conditions: Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State of New York to Hopewell. The developer has the duty of compliance with reasonable conditions laid down by the Planning Board for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economic development of the Town of Hopewell and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.
- E) Consideration will be given to maintaining agricultural viability and protecting significant agricultural lands by minimizing adverse impacts on agricultural land remaining from the subdivision, prime and unique agricultural soils, adjoining or nearby agricultural land and operations, existing natural buffers, and agricultural infrastructure including but not limited to surface and subsurface agricultural drainage systems, farm equipment access points, equipment lanes.

#### SECTION 7 – Subdivisions Straddling Municipal Boundaries

Whenever access to a subdivision can be had only across land in another municipality, the Planning Board may request assurance from the Hopewell Town Attorney that access is legally established and from the Hopewell Town Highway Superintendent that the access road is adequately improved, or that a letter of credit has been duly established and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross town boundary lines.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE I – GENERAL PROVISIONS continued

### SECTION 8 – Re-subdivision of Land or Moving a Lot Line

- A) Procedure for Re-subdivision: For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such subdivision shall be approved by the Planning Board by the same procedure, Rules and Regulations as for a subdivision.
- B) Procedure for Subdivisions where Future Re-subdivision is Indicated: Whenever a parcel of land is subdivided and the subdivision plat shows one or more lots containing more than five acres of land and there are indications that such lots will eventually be re-subdivided into smaller sites, the Planning Board may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.
- C) Subdivisions involving only the moving of a lot line
- 1) The regulations of this section setting forth the procedure for subdivisions shall not apply to any subdivision whose sole purpose is to move a lot line between two adjacent parcels and where:
    - a. The lot line adjustment will not affect the location of
      - i. curb cuts or access to either parcel;
      - ii. drainage, drainage channels or drainage ditches; nor
      - iii. any buildings situate on either parcel;Exception: Curb cuts for agricultural use access or curb cut permits issued by the authority having jurisdiction of the highway.
    - b. The proposed subdivision is not subject to any other review under the Town of Hopewell Zoning Law; and
    - c. Both parcels shown on the proposed subdivision application comply with all applicable subdivision and zoning requirements in that both parcels and all the buildings thereon meet all applicable lot size, lot coverage, frontage, width, depth, area, setback, use, and number of primary uses.
  - 2) Any applicant proposing a subdivision whose sole purpose is to move a lot line between two adjacent parcels and wanting to invoke this paragraph C. must submit sufficient information to the Town Code Enforcement Officer to allow the Code Enforcement Officer to review the same for compliance with this Paragraph C. This shall include:
    - a. A subdivision map sealed and signed by a licensed surveyor reflecting both existing and proposed parcel boundaries, existing buildings and structures, wells for potable water, and septic system locations, if any; and
    - b. A written purchase contract between the two parcel owners evidencing that the portion of the parcel being subdivided will be conveyed following the filing of the subdivision map.
  - 3) The Code Enforcement Officer may approve subdivisions involving only the moving of a lot line between two adjacent parcels that are in compliance with this Paragraph C. by issuance of a letter to the Planning Board Chair stating that the revised parcels comply fully with the criteria of this Paragraph C. and comply with all applicable New York State Department of Health regulations pertaining to well and septic system distances from parcel boundaries.
  - 4) Any approval by the Code Enforcement Officer under this Paragraph C. shall contain a condition that the applicant who is acquiring additional land shall combine or merge the existing parcel with land to be acquired with the adjacent parcel so that there exists only one tax map for the revised parcel to which land is being added.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE I – GENERAL PROVISIONS continued

- 5) Upon receiving the aforementioned letter from the Code Enforcement Officer, the Planning Board Chair shall sign the subdivision maps.
- 6) If within 60 days of the date of the Planning Board Chair signs the subdivision map, the approved subdivision map is not filed and the respective deed between the parcel owners evidencing transfer of title to the land that is the subject of the lot line adjustment is not recorded, the approval of the subdivision pursuant to this Paragraph C. shall become null and void as though it had never been approved.
- 7) In the event that the Code Enforcement Office does not approve the lot line adjustment pursuant to this Paragraph C., it must be submitted to the Town of Hopewell Planning Board for approval who shall follow the regulations and procedures of this section and shall have the option to waive procedures at its discretion.

### SECTION 9 – Separability

If any section, sub-section, paragraph, sentence, clause or other parts of these Rules & Regulations are for any reason held invalid, the validity of the remaining portion of these Rules & Regulations shall not be affected.

### SECTION 10 – Design Criteria & Construction Specifications for Land Development

In the event of any conflict or inconsistencies between these Rules & Regulations and the Design Criteria and Construction Specifications for Land Development in the Town of Hopewell, it is the responsibility of the sub divider to bring such alleged inconsistency or conflict to the Planning Board's attention in writing, for a decision, and its decision shall be final and binding.

### SECTION 11 – Planning Board

The Planning Board shall have power to pursue all those duties established for it by the Town and these Rules & Regulations.

### SECTION 12 – Penalty

In case of any violation or threatened violation of any of the provisions of these Rules & Regulations, or condition imposed by the Planning Board, in addition to the remedies herein provided, the Town may institute any appropriate action or proceeding to abate such violation, to prevent any illegal act, conducted on or about such premises.

### SECTION 13 – Effective Date

These Rules & Regulations shall take effect and be in force from and immediately after its passage as prescribed by law.

**TOWN OF HOPEWELL  
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**ARTICLE I – GENERAL PROVISIONS continued**

SECTION 14 – Variances

The Planning Board may waive, subject to appropriate conditions, the provision of any or all improvements and requirements specified in Section 277 of the NYS Town Law as in its judgment of the special circumstances or a particular plat or plats are not requisite in the interest of the public health, safety and general welfare, or which in its judgment are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

SECTION 15 – Amendments

The Rules & Regulations as set forth above may be amended, altered or revised by the Planning Board from time to time, after a public hearing and subject to the approval of the Town Board.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE II – DEFINITIONS

Unless otherwise expressly stated the following terms shall, for the purpose of these regulations, have the meaning indicated. Words in the singular include the plural, and words in the plural include the singular. The word “person” includes a corporation, unincorporated association and a partnership as well as an individual. The word “building” includes “structure” and shall be construed as if followed by the words “or part thereof”. The word “street” includes “road”, “highway”, and “lane”, and “watercourse” includes “drain”, “ditch”, and “street”.

The words “shall” or “will” are mandatory, the word “may” is permissive. All other terms will have common dictionary meanings.

ALLEY (or service drive) – A strip of land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of access to two or more properties with frontage on some street.

BLOCK – A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-ways, shorelines of waterway, or boundary lines of other municipalities.

BUILDER – An individual, partnership or corporation who obtains a Building Permit for construction of a structure or structures on lots within the proposed development.

CESSION – Dedication of streets, highways, utilities, or parks.

CONTRACTOR – An agent acting for the developer to construct the required improvements of the project. The Contractor is responsible to perform the work in conformance with these requirements subject to the approval of Town Officials.

COUNTY OFFICIAL MAP – A map established by the Ontario County Board of Supervisors, pursuant to Sections 239 g, h, and i of the General Municipal Law.

CROSSWALK – A right-of-way, municipally or privately owned, at least five (5') feet in width, which cuts across a block or street to furnish access for pedestrians to adjacent streets or properties.

CUL-DE-SAC – A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

DESIGN CRITERIA & CONSTRUCTION SPECIFICATIONS FOR LAND DEVELOPMENT IN THE TOWN OF HOPEWELL – These criteria and specifications are regulations, which have been adopted by the Town Board of the Town of Hopewell and includes those amendments, additions, or deletions which the Town Board shall adopt from time to time by resolution.

DEVELOPER – Applicant, sub divider and/or an individual, partnership or corporation holding title or proposing to hold title to a parcel of land to be developed or subdivided.

DOUBLE FRONTAGE LOTS (Through Lot) – A lot, having at least two sides fronting on separate streets, which do not intersect while adjoining the lot.

DRAINAGE RIGHT-OF-WAY – The lands or easements required for the installation of storm water sewers or drainage ditches, or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

EASEMENT – A right granted to use certain land for a special purpose consistent with the general property rights of the owner.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE II – DEFINITIONS - continued

ENVIRONMENTAL REVIEW – Environmental Impact Assessment as prescribed by 6 NYCRR Part 617 State Environmental Quality Review (SEQR) – [Statutory authority: Environmental Conservation Law Section 3-0301(1) (b), 3-0301(2) (m) and 8-01133].

FINAL SUBDIVISION PLAN – A plan or plat prepared for recording by a registered engineer and/or surveyor.

FLOODPLAIN – The recorded land-water boundary of a natural watercourse flowing to an established elevation at a frequency as defined by the Federal Emergency Management Agency and recorded in the appropriate flood insurance rate map (FIRM).

GRADING PLAN – A plan showing all existing and proposed grades (surface elevations) for confirmation surface slopes relating to site drainage and safe surface slopes.

HALF STREET – One half of a street right-of-way and paving, usually with its centerline located on a property lines.

LETTER OF CREDIT – A draft for a certain sum of money as security guaranteeing that certain or all improvements will be made in accordance with the approved plans.

LOT – A piece, parcel, or plot of land intended as a unit for transfer of ownership for development.

LOT – FLAG LOT – A lot consisting of a narrow portion, or strip of land (“pole” portion of the lot), that accesses the public street at the front of the lot for a certain length then broadening to a wider portion of land (“flag” portion of the lot) as the lot depth increases. A REVERSE FLAG LOT is a flag lot having the wider (“flag”) portion of the lot accessing the street with the narrow (“pole”) portion of the lot occurring as the depth of the lot increases.

OFFICIAL MAP – The map established by the Town Board under Section 210 of the NYS Town Law showing the streets, highways, and parks theretofore laid out, adopted and established by law, and any amendments thereto adopted by the Town Board or additions thereto resulting from the approval of Subdivisions Plats by the Planning Board and the subsequent filing of such approved plats.

OFFICIAL SUBMISSION DATE – The date when a Subdivision Plat shall be considered submitted to the Planning Board, as provided in Section 276 of the NYS Town Law, and is hereby defined to be the date of a meeting of the Planning Board at which all required surveys, plans and data described in Article VI are deemed submitted, or deemed submitted as a complete application.

PARENT PARCEL – A parcel of land as it exists on the effective date of these regulations.

PLANNING BOARD – The Town of Hopewell’s Planning Board as established pursuant to the provisions of Article 16 of the NYS Town Law.

PRELIMINARY PLAT – The preliminary drawing or drawings indicating the proposed manner or layout of the subdivision to be submitted to the Planning Board for its consideration and meeting the requirements of Article VI of these regulations.

# TOWN OF HOPEWELL

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RESERVATION FOR HIGHWAY PURPOSES – A strip of land between the existing right-of-way line and the future right-of-way line of a highway as determined by the agency having jurisdictional responsibility over the maintenance and construction of the highway. Where a reservation is required, the front lot line shall be considered to be coincident with the future right-of-way line. Where there is no requirement for a reservation for highway purposes, the front line shall be considered to be coincident with the existing right-of-way line, with front setbacks and any other necessary lot measurements, being measured from the existing right-of-way line.

RESUBDIVISION – Revision of all or part of an existing filed plat including consolidation of lots.

RIGHT-OF-WAY – Land opened for use as a street, alley or crosswalk.

SEQR – Part 617 of the Environmental Conservation Law to implement the provisions of the State Environmental Quality Review Act.

SKETCH PLAT – Pre-preliminary plan or drawings of proposed project.

STREET – Any street, avenue, boulevard, road, lane, parkway, alley, or other way which is an existing or proposed state, county, or town roadway or way shown upon a plat heretofore approved pursuant to law or approved by official action or a street or way on a plat duly filed and recorded in the Office of the County Clerk of Ontario County prior to the appointment of a Planning Board and the grant to such Board of the power to review plats, and included the land between the street lines whether improved or unimproved and may comprise pavement, shoulders, gutters, sidewalks, parking areas, and other areas within the street lines or right-of-way. For the purpose of these Rules & Regulations, streets shall be classified as follows:

- A) Alleys are minor ways, which are used primarily for vehicular service to the back or the side of properties otherwise abutting on a street.
- B) Arterial streets are those, which are used primarily by a heavy volume of traffic.
- C) Collector streets are those which carry traffic from minor streets to the major system of arterial streets including the principal entrance streets of a residential development and streets for circulation within such a development.
- D) Marginal service streets are streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.
- E) Minor streets or local residential streets are those, which are used primarily for access to the abutting properties.

STREET PAVEMENT – The wearing or exposed surface of the roadway used by vehicular traffic.

STREET WIDTH – The distance between property lines or right-of-way lines.

SUBDIVISION – The division of any parcel of land into one or more lots, plots, sites, or other division of land for the purpose, whether immediate or future of transferring ownership or building development and shall include re-subdivision provided, however, that the public acquisition by purchase of strips of land for the widening or opening of streets shall not be included within this definition nor subject to these Rules & Regulations.

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SUBDIVISION PLAT OR FINAL PLAT – A drawing, in final form, showing the proposed subdivision containing all information or detail required by law and by these Rules and Regulations to be presented to the Planning Board for approval, compliant with appropriate land surveying standards, stamped and sealed by a New York State Licensed Land Surveyor, and if approved, duly filed by the applicant at the Ontario County Clerk’s Office.

SUPERINTENDENT OF WATER AND HIGHWAY – Those personnel directly in charge of their respective portions of the development upon dedication to the Town of Hopewell.

TIME LIMITS – Refers to the time limits specified in Section 276 of the Town Law of the State of New York, as amended. In the event a time limit in these Rules and Regulations shall be at variance with the current statutory authority of the State of New York, such statutory time period shall govern.

ZONING ORDINANCE – The officially adopted Zoning Ordinance of the Town of Hopewell, as amended.

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**ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES**

**SECTION 1 – Procedures**

Whenever any subdivision of land is proposed, before any permit for the erection of a permanent building in such proposed subdivision shall be granted, and before any subdivision plat may be filed in the Office of the Ontario County Clerk, the sub divider or his authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the following procedures:

A) Sketch Layout Procedure (Optional with the sub divider)

1) Sketch Layout Review Procedure: The purpose of this step is to afford the sub divider an opportunity to consult early and informally with the Planning Board in order to save time and money and to make the most of opportunities for desirable development.

2) Requirements: Ten (10) copies shall be submitted to the Planning Board and shall comply with the requirements set forth in Article VI, Section A of these Rules & Regulations. One (1) copy of the sketch layout shall be returned to the sub divider with the Planning Board's comments; the Planning Board shall retain one (1) copy, and four (4) copies shall be used for necessary coordination with other consultants or agencies. Before preparing a sketch layout the sub divider may discuss with the Planning Board, Departments, and Officials the general requirements as to design of streets, reservations of land, town frontage road policy, drainage, and erosion control and slope stabilization measures, water retention facilities, sewerage, water supply, fire protection and other improvements as well as procedural matters including proposals for phased development and compliance under the State Environmental Quality Review Act (SEQRA).

Sub dividers of land adjoining State or County Highways are advised to consult with the appropriate representative of the NYS Dept. of Transportation or the County Director of Public Works at the sketch layout stage in order to resolve street openings or storm water drainage at the earliest possible stage in the design process. Where public utilities are involved, the sub divider's engineer should contact the agencies for connection specifications, capacities, and any other requirements of the respective agencies. The Planning Board shall study the sketch layout of a proposed subdivision in relation to existing or potential development of the adjacent area, the Town and County Comprehensive Plans, if any, and in the course of its review may consult with other interested public agencies. In addition, if not already done so, the Planning Board may refer a copy of the sketch layout to the Town Engineer for his review and report.

3) County Department of Planning Review: Upon receipt of the complete application for sketch plan approval, certified as such by the Clerk of the Planning Board, the Planning Board may refer said application to the Ontario County Dept. of Planning for its review and report which shall be made to the Planning Board.

4) Notification of Results of Sketch Plan Layout Review: Not later than forty-five (45) days following the submission of a complete sketch layout, as certified by the Clerk of the Planning Board, the Planning Board shall convey a written report to the sub divider containing its comments concerning the design of the proposed subdivision, including, in appropriate cases, suggestions as to coordination with the design of adjacent subdivisions or compliance with requirements of other interested public agencies. Copies of minutes of the relevant meeting shall be considered a sufficient written report.

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**ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES - SECTION 1 – continued**

5) Clustering Request

Upon receipt of an application for review of the sketch plan layout of a conventional subdivision of land within residential and all other zoning districts excepting industrial, in addition to Part 5 above, the Planning Board shall be authorized to request a Cluster Development Application and Design as outlined in the Town of Hopewell Comprehensive Plan.

In rendering this request, the Planning Board shall provide written documentation to the Applicant providing facts and conclusions supporting such request based upon the following criteria:

- a. That a cluster design may maintain open space, woodlands, or other environmental features that are beneficial to the neighborhood community.
- b. That a cluster design may lessen visual or environmental impacts on important view sheds.
- c. That a cluster design may significantly reduce driveways and curb cuts or provide substantially improved sight distances.
- d. That a cluster design may provide an improved separation distance between the proposed development and existing agricultural uses or future expansion of agricultural uses including but not limited to expanded or new buildings, feed or animal holding areas, storage of liquid or solid waste, or waste management or chemical applications that could produce conflicts between uses.
- e. That in non-residential uses, reciprocal parking easements, common driveways, or other traffic management methods could be employed to reduce paved areas and subsequent increased storm water runoff, lessen sources of light pollution or glare, and may allow for increased green space.
- f. That cluster designs more adequately address recommendations or goals outlined in the Town of Hopewell Comprehensive Plan.

Review and final determination of the cluster layout benefits verses a conventional layout shall be made in accordance with Section 1 of Article III including the required written determination.

B) Preliminary Plat Submission

- 1) Preliminary Plat Review Procedure: A preliminary plat shall be prepared and submitted to the Planning Board for all proposed subdivisions.
- 2) Requirements: The preliminary plat shall be clearly marked “preliminary plat” and shall satisfy the requirements for preliminary layouts as described in Article VI, Section 13, and shall comply with the recommendations made by the Planning Board in its report on the sketch layout, if any. Twelve (12) copies of the preliminary plat and supplementary materials specified shall be submitted to the clerk of the Planning Board. One (1) copy of the preliminary plat shall be returned to the sub divider with the notification of decision, the Planning Board shall retain one (1) copy, and eight (8) copies shall be used for necessary coordination with other consultants or agencies.
- 3) County Planning Board Review and Establishing a Public Hearing Date (Section 239 of General Municipal Law): Upon receipt of a complete and satisfactory preliminary plat application, as certified by the clerk of the Planning Board, the Planning Board, shall where required by Section 239 M of the General Municipal Law, or as otherwise required, submit the preliminary plat to the County Planning Board for review and recommendations. The Planning Board shall schedule a public hearing within the time limit specified in Section 276 of the NYS Town Law, from the date of receipt of the complete application by the clerk of the Planning Board. The hearing shall be advertised at least once in a newspaper of general circulation in the Town within the time limit specified in Section 276 of the Town Law, before the date of the scheduled hearing.

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**ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES - SECTION 1 – continued**

- 4) Action by Planning Board: Within forty-five days after the date of such hearing, the Planning Board shall approve with or without modifications, or conditions, or disapprove such preliminary plat. The grounds of a modification, if any or the grounds for disapproval shall be stated upon the records of the Planning Board. Notwithstanding the foregoing provisions of these Rules & Regulations, the time in which a Planning Board must take action on such plat, may be extended by mutual consent of the sub divider and the Planning Board. When approving a preliminary plat the Planning Board shall state in writing any modification or conditions it deems necessary for submission of the plat in final form.  
\*Note: Any realty subdivision under the jurisdiction of the New York State Department of Health is considered a Type 1 Action. As such, the Department of Health is considered the Lead Agency responsible for/and or the Department of Environmental Conservation conducting a coordinated review.
  - 5) SEQR Compliance: All documents necessary for proper environmental review shall be submitted to the lead agency prior to action on the preliminary plat by the Town Planning Board. A determination of significance shall be rendered by the lead agency prior to preliminary approval.
  - 6) Notification of Decision: Within five (5) days of the approval of such preliminary plat it shall be certified by the clerk of the Planning Board as granted preliminary approval and a copy filed in the Town Clerk's Office and mailed to the sub divider. In the event the Planning Board fails to take action on preliminary plat within the time prescribed therefore, such plat shall be deemed granted preliminary approval. The certificate of the Town Clerk as to the date of submission and the failure to take action with such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.
- C) Subdivision Final Plat Review: Final Subdivision Plat Review Procedure: After receiving approval with or without modification, from the Planning Board on a preliminary plat, the sub divider may prepare his final subdivision plat and submit it to the Planning Board for review, except that if more than six (6) months has elapsed between the time of the Planning Board's decision on the preliminary plat and the submission of the final subdivision plat, and the Planning Board finds that conditions on the plat have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary plat for further review and possible revision prior to accepting the proposed final subdivision plat for review, in which case a public hearing shall be held on the revised plan.
- 1) Requirements: The final subdivision plat shall conform substantially to the preliminary plat as approved by the Planning Board. It shall incorporate any modifications, conditions or other features that may have been recommended by the Planning Board at the preliminary plat stage, and all such compliances shall be clearly indicated by the sub divider on the appropriate submission.  
If the sub divider wishes to develop the subdivision in phases, he may prepare and submit a subdivision plat for a portion of the area encompassed by the preliminary plat, provided the proposed development stages were indicated on the preliminary plat reviewed by the Planning Board. However, no more than two (2) individual sections of a subdivision shall be in process or under construction at the same time.

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### ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES - SECTION 1 – continued

- 2) Application for Subdivision Plat: A permanent reproducible on approved material plus ten (10) copies of the tracing and other exhibits required for approval, as specified in Article VI, Section C of these regulations shall be submitted with the application for approval. When submitting a subdivision plat for approval the sub divider shall also file with the Planning Board formal offers of dedication to the Town or other appropriate public agencies of all streets, parks, and playgrounds, and other permanent open spaces for community and/or neighborhood use, as shown in the subdivision plat. The approval of the plat does not constitute an acceptance by the Town of the dedication of those facilities. Also evidence of all necessary easements for storm water discharge, sanitary sewer and water petitions for creation of any needed special districts, or any other legal documents, including letters of credit pursuant to Article IV of these regulations, that may be requested by the Planning Board, shall be submitted with the final subdivision plat.
- 3) County Planning Board Review and Establishing a Public Hearing Date (Section 239M of General Municipal Law): Where required by Section 239M of the General Municipal Law, or as otherwise required, the final plat shall be submitted to the County Planning Board for review and recommendation prior to the public hearing on final plat approval, if required.
- 4) Public Hearing: Within forty-five (45) days from the date of the date of the submission of a plat in final form for approval by the Planning Board, a hearing shall be advertised at least once in the official newspaper in the Town at least five (5) days before such hearing, provided however, that when a Planning Board deems the final plat to be in substantial agreement with the preliminary plat approved as herein before provided and modified in accordance with requirements of such approval, if such preliminary plat has been approved with modification, the Planning Board may waive the requirement for a public hearing.
- 5) Notification of Decision: The Planning Board shall by resolution conditionally approve, with or without modifications, disapprove, or grant final approval and authorize the signing of such plat, within forty-five (45) days of its receipt by the Clerk of the Planning Board if no such hearing is held, or in the event such hearing is held, within forty-five (45) days after the date of such hearing. Notwithstanding the foregoing provisions of these Rules & Regulations, the time in which a Planning Board must take action on such plat may be extended by mutual consent of the sub divider and the Planning Board.

In the event a Planning Board fails to take action on a final plat within the time prescribed therefore, the plat shall be deemed approved and a certificate of the Town Clerk as to the date of submission and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

In reviewing a subdivision plat the Planning Board shall consult with the Town Engineer and such other officials or agencies as may be appropriate in each case. The Town Engineer shall report to the Planning Board concerning the adequacy of engineering features shown on the subdivision plat. Any costs for this service shall be borne by the developer. The action of the Planning Board shall be recorded in the Board's minutes, and the sub divider shall be notified of such action through transmittal of these minutes and a copy of the map submitted. In case of disapproval of a proposed subdivision plat, the Planning Board shall have in its minutes its reasons for disapproval. No construction of any sort, site improvements or Building Permit for any permanent building within the subdivision shall be issued by the municipality until the record sheet of the subdivision plat has been signed by the Chairman of the Planning Board and has been filed in the office of the Ontario County Clerk. Where a permit is desired for the occupancy of a building in the subdivision prior to the completion of all the improvements shown on the approval construction sheet of the subdivision plat, in addition to other requirements of the Town, the street serving the building shall be completed to a degree satisfactory to the Town's Fire Marshal and Highway Superintendent.

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**ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES - SECTION 1 – continued**

- 6) Endorsement of State Health Dept. or NYSDEC: Where required by State Law the subdivision plans shall be submitted to, and reviewed by the State Department of Environmental Conservation and Health for compliance with such laws and regulations as are appropriate, prior to final Planning Board approval.  
Private wastewater collection and treatment facilities shall comply with the latest edition of the Wastewater Systems Treatment Handbook – Individual Household Systems; prepared by the New York State Dept. of Health (Handbook is on file with Town Code Enforcement Officer).
- 7) County Official Map Notification: The Planning Board will also, if the County has established a County Official Map, notify the Ontario County Planning Board and the County Superintendent of Highways or Commissioner of Public Works, if the subdivision plat proposes structures or new streets having frontage on, access to, or is otherwise directly related to any County road, existing or proposed, as shown on the County Official Map. The County Planning Board reports to the Planning Board within thirty (30) days on its approval or disapproval or on its approval subject to stated conditions on the proposed subdivision plat. The plat may be approved by the Town subject to stated conditions, notwithstanding such report, when the application of such report will act to deprive the owner of the reasonable use of his land.
- 8) Conditional Approval: Upon adoption of a resolution of conditional approval of such final plat, the Planning Board shall empower the Chairman to sign the plat subject to completion of such requirements as may be stated in the resolution. Conditions shall include approval by any appropriate state agency having jurisdiction over any aspect of this development. Within five (5) days of such resolution, the plat shall be certified by the Chairman of the Planning Board as conditionally approved and a copy filed in the Town Clerk's Office and a certified copy mailed to the sub divider including a certified statement of such requirements which when completed will authorize the signing of the conditionally approved final plat. Only upon completion of such requirements shall the Chairman of the Planning Board sign the plat. Conditional approval of a final plat shall expire within one hundred eighty (180) days, after the date of the resolution granting conditional approval unless such requirements have been certified by the Planning Board as completed. Notwithstanding the foregoing provisions of these Rules & Regulations, the Planning Board may extend the time in which a conditionally approved plat in final form must be submitted for signature, if in its opinion such intention is warranted by the particular circumstances thereof, for not to exceed two additional periods of night (90) days each.
- 9) Signing of Plat:  
The following signature lines shall be provided:

\_\_\_\_\_  
Chairman, Planning Board

\_\_\_\_\_  
Town Engineer

\_\_\_\_\_  
Town Superintendent of Highways

In the absence of the Chairman, the Acting Chairman may sign in his place. If there is a County Official Map, such endorsement shall stipulate that the Plat does not conflict with the County Official Map or in cases where the plat does front on, or have access to, or is otherwise related to roads or drainage systems shown on the County Map, and that such plat has been approved by the County Planning Board in the manner specified by Article 12B, Section 239K of the General Municipal Law.

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**ARTICLE III – SUBDIVISION APPLICATION REVIEW PROCEDURES - SECTION 1 – continued**

- 10) Expiration of Approval: An approved plat must be filed in the County Clerk's Office within sixty (60) days from the date of the signature of the duly authorized officer of the Planning Board or the certificate of the Town as to the date of the submission of the final plat and the failure to take action thereon within the time prescribed. If it is not, the approval expires. In the event the owner shall file only a section of such approved plat in the office of the County Clerk the entire approved plat shall be filed within sixty (60) days of the filing of such section, with the Town Clerk. Such section shall encompass at least ten percent (10%) of the total number of lots contained in the approved plat and the approval of the remaining sections of the approved plat shall expire unless said sections are filed before the expiration of the exemption period to which such plat is entitled under the provisions of subdivision two of Section 276c of the Town Law. If for any reason construction of an approved subdivision does not commence within a period of one year from the date of filing with the County Clerk, such subdivision plat shall become void unless a mutually agreed upon extension between the Planning Board and the developer shall be made.

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**ARTICLE IV – SURETY**

**SECTION 1 – Improvements and Letters of Credit**

Prior to an action by the Planning Board approving a final subdivision plat, the applicant shall be required to complete, in accordance with the Planning Board's decision and to the satisfaction of the appropriate Town Departments all the street, sanitary and other improvements specified in the action approving said plat, or an alternative, to file with the Town Board a Letter of Credit in an amount estimated by the Planning Board and Town Engineer to secure to the Town the satisfactory construction and installation of the incomplete portion of the required improvements. A period of one (1) year, or such other period as the Planning Board may determine appropriate, within which time required improvement(s) must be completed, shall be specified by the Planning Board and expressed in the Letter of Credit. Such Letter of Credit shall comply with the requirements of Section 271 of the NYS Town Law and shall be satisfactory to the Town Board as to form, sufficiency, and manner of execution. Also, the developer shall provide another Letter of Credit in form and amount approved by the Town Board before the required improvements are accepted by the Town to assure the satisfactory maintenance of such improvements for a period of one year after their completion and acceptance of the Town. Said improvements shall include such of the following, as the Planning Board shall require:

- A) Street and Street Lighting Facilities
- B) Street Signs
- C) Gutters
- D) Grass Curb Strips
- E) Sidewalks
- F) Street Shade Trees
- G) Survey Monuments
- H) Storm water runoff systems
- I) Sanitary sewage collection system, or approved alternate, such as septic tanks and system.
- J) Water supply system, if water is available
- K) Park and recreational facilities
- L) Electrical, gas, telephone, and utility lines
- M) Plantings and ground cover
- N) Inspection Fees

**SECTION 2 – Inspection of Improvements**

The Town shall employ the Town Engineer to act as agent of the Planning Board for the purpose of assuring the satisfactory completion of improvements required by the Planning Board. The applicant shall include an estimate to the Town of costs of inspection before the subdivision plat is signed for filing. Such estimate shall be part of the Letter of Credit. If the Planning Board or its agent finds, upon inspection, that any of the required improvements have not been constructed in accordance with the Planning Board recommendations or the approved construction detail sheets, the applicant will be liable for the costs of completing the said improvements according to specifications.

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**ARTICLE IV – SURETY continued**

**SECTION 3 – Offers of Cession or Dedication**

- A) Cession or dedication of streets, highways, utilities, or parks:
- 1) All streets, highways, utilities, or parks shown on a filed or recorded plat are offered for dedication to the public unless the owner of the affected land, or the owner's agent, makes a notation on the plat to the contrary prior to final plat approval. Any street, highway, utility or park shown on a filed or recorded plat shall be deemed to be private until such time as it has been formally accepted by a resolution of the local legislative body, or until it has been condemned by the town for use as a public street, highway, utility, or park.
  - 2) In the event that such approved plat is not filed or recorded prior to the expiration date of the plat approval as provided in New York State Town Law, then such offer of dedication shall be deemed to be invalid, void and of no effect on and after such expiration date.
- B) Required Documentation for Dedication of Streets, Highways, Utilities, or Parks:
- 1) All necessary documentation as determined by the attorney for the Town, including but not limited to the following (as applicable):
    - a. Formal offer of dedication with legal description
    - b. Consent of the Town Board with legal description
    - c. Order of the Superintendent of Highways
    - d. All required deeds
    - e. Necessary releases required by Part 171 of New York State Highway Law
    - f. All required maintenance bonds or surety required by the Town Board
    - g. All bills of sale to the Town for utilities or other improvements
    - h. All bond releases from other governmental agencies or required bonds to remain in place
    - i. Required attorney certifications of title
    - j. All easements with legal descriptions
    - k. New York State Forms, TP-584, TP-584.2, RP-5217 as required to be filed with the deed of dedication and/or easements with the Ontario County Clerk's Office.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE V – REQUIREMENTS FOR IMPROVEMENTS & DESIGN

### SECTION 1 – Development Requirements

- A) General: Land shall be suited for the purpose for which it is to be developed. The Planning Board shall review proposed developments on their individual merit and their contributions to the Town.
- The sub divider shall strive to comply with standards of good planning and adhere to the specifications codes and ordinances of the Town as well as those rules of agencies having jurisdiction over any particular phase of a development.
- 1) Character of Land – Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menaces.
  - 2) Treatment of Unique Features – Existing features of the site which would add value to residential or other development, such as desirable trees, water bodies and water courses, historic spots, and similar irreplaceable assets, should be preserved through harmonious design of the subdivision.
  - 3) Conformity to Official Map and Comprehensive Plan – Subdivisions shall conform to the streets and parks shown on the Official Map of the Town as may be adopted and shall be properly related to the Town Comprehensive Plan as it is developed and adopted by the Town Planning Board.
- B) Floodplain
- 1) Mapping – Any portion of the land within the subdivision that may be subject to inundation or flood hazard by drainage, or lying within a flood hazard area depicted on the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Maps (FIRMs), shall be specifically identified on the preliminary plat.
  - 2) Use – The sub divider shall conform to land use and control measures required by the Flood Insurance Administrator for Flood Hazard Areas in accordance to the Flood Disaster Protection Act of 1973.
  - 3) Flood Hazard Prevention – Flood hazard prevention shall include the control of soil erosion of land surface and drainage channels and the prevention of inundation and excessive ground water seepage by comprehensive site grading and the establishing of adequate elevations of buildings, building openings and roadways above the observed, anticipated, or computed water levels of storm sewers, streams, channels, flood plains, detention basins and swales. All development proposed within a Flood Hazard Area as defined by the Federal Emergency Management Agency shall comply with the various regulations set forth by the Federal Insurance Administrator. Development within or adjacent to the flood plain or flood plain district shall comply with current Town zoning, ordinances, and regulations.
- C) Street Layout
- 1) Development plans shall conform to any Comprehensive Plans for the Town as shall have been prepared and adopted by the Town and Planning Boards.
  - 2) Local residential streets in a new development shall be so laid out as to discourage through traffic, but provisions for the extension and continuation of major streets into and from adjoining areas is required. If the subdivision abuts a present or proposed primary or major thoroughfare, marginal interceptor streets running parallel to the thoroughfare should be provided.
  - 3) If the lots resulting from the original development are large enough for re-subdivision, or if a portion of the tract is not subdivided, suitable access and street openings for such an eventuality shall be provided.
  - 4) Streets shall be logically related to the topography to produce usable lots and reasonable grades.
  - 5) Minor streets shall be laid out to discourage through traffic, but provision for street connections into and from adjacent areas will generally be required.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE V- REQUIREMENTS FOR IMPROVEMENTS & DESIGN - SECTION 1 – Development Requirements continued

- 6) Proposed streets shall be extended to provide access to adjoining property where necessary.
- 7) Where a subdivision abuts or contains an existing or proposed major traffic street, the Planning Board may require marginal access streets; rear service alleys, reverse-frontage lots or such other treatment as will provide protection for abutting properties, reduction in the number of intersections with the major street, and separation of local and through traffic.
- 8) New half or partial streets will not be permitted except where essential for reasonable subdivision of a tract in conformance with the other requirements and standards contained herein, and where, in addition, satisfactory assurance for dedication of the remaining part of the street can be secured.
- 9) Wherever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be plotted within such tract.
- 10) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts or when designed as a cul-de-sac.
- 11) New reserve strips, including those controlling access to streets, are prohibited.
- 12) No street shall have a name that will duplicate or so nearly duplicate as to be confused with the names of existing streets. Proposed street names shall be presented for approval to Ontario County 911 and the Town's addressing Official. The continuation of an existing street shall have the same name.

#### D) Street Intersection

- 1) Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than seventy-five (75) degrees.
- 2) Multiple intersections involving a junction of more than two (2) streets shall be prohibited.
- 3) Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred twenty-five (125) feet between their center lines.
- 4) Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width will be required.
- 5) Offset intersections are strongly discouraged.

#### E) Cul-de-sac Streets

- 1) Cul-de-sac streets, permanently designed as such, shall not exceed one thousand (1000) feet in length and shall not furnish access to more than twenty (20) dwelling units.
- 2) Cul-de-sac streets shall be provided at the closed end with a paved turnaround having a minimum radius to the outer pavement edge or curb line of fifty (50) feet. The radius of the right-of-way shall be sixty-six (66) feet.
- 3) Unless future extension is clearly impractical or undesirable, a turnaround right-of-way of the same width as the street shall be carried to the property line in such a way as to permit future extension of the street into the adjoining tract.
- 4) A cul-de-sac should be located if possible, so that it drains towards its entrance.
- 5) In no case shall a cul-de-sac abut property lines adjacent to the subdivision.

#### F) Blocks

- 1) The length, width and shape of blocks shall be determined with due regard to the following:
  - a. Provision of adequate sites for buildings of the type proposed,
  - b. Zoning requirements,
  - c. Topography,
  - d. Requirements for safe and convenient vehicular and pedestrian circulation,
  - e. Utility service and the operation and maintenance of same.

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**ARTICLE V– REQUIREMENTS FOR IMPROVEMENTS & DESIGN - continued**

- 2) All blocks in a subdivision shall have a minimum length of twelve hundred (1200) feet. Such blocks containing individual lots shall be at least two (2) lot depths in width, except where reverse frontage may be employed along major highways. Modifications of the above requirements are possible in commercial and industrial developments.
- 3) In large blocks with interior parks, in exceptionally long blocks, or where access, to other development or potential development is necessary, a sidewalk with a minimum right-of-way of six (6) feet (if proposed for dedication), and a walk three (3) feet in width shall be provided.

G) Lots

The following regulations shall govern the layout of lots:

- 1) The lot size, width, depth, shape, orientation, and the minimum building setbacks lines shall be appropriated for the subdivision and for the type of development and use contemplated.
- 2) All lots shown on the subdivision plat must conform to the minimum requirements of the Zoning Ordinance as to area and dimensions for the zone in which the subdivision is located. However, in the event of utilizing Section 278 of the Town Law, the Planning Board may use its discretion in determining lot sizes, but no increase in gross density contrary to the requirements of the Zoning Ordinance shall be permitted.
- 3) Each lot shall abut on a street built or to be built to the Town's specifications.
- 4) Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line, and all setbacks shall be measured from such line.
- 5) Sidelines of lots shall be at right angles to straight streets and radial to curved streets in so much as possible.
- 6) Where there is a question as to the suitability of a lot or lots for their intended use due to factors such as rock formation, flood conditions, or similar circumstances, the Planning Board may, after adequate investigation, require modifications of such lots.
- 7) Block length and width or acreage within bounding roads shall be such as to accommodate the size of lot required in the area by the Zoning Ordinance and to provide for convenient access, circulation control, and safety of street traffic.
- 8) Where lots abut existing Town, County, State, or Federal streets, marginal access roads or reversed frontage approach, or combined driveways at a single point or road access shall be used with a minimum number of driveways and/or street entering on to these roads.
- 9) Combined or shared driveways shall require a written maintenance agreement to be approved by the Planning Board and noted on the final plans. Five (5) or more combined or shared drives shall require a Home Owners Association in accordance with NYS General Business Law 252E.

H) Landscaping and Ground Cover: All lot areas, which are not covered by structures or paving, shall be properly graded and seeded by the developer, prior to road dedication.

I) Building Lines: The provisions set forth in the Zoning Ordinance of the Town of Hopewell shall control the minimum building setback.

J) Utilities: If sewer, water, gas, electrical, street lighting, or other public utility facilities are to be located within street right-of-way, they shall be placed underground, their location and installation shall be coordinated so that they may be added to, repaired, or enlarged at minimum cost.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE V– REQUIREMENTS FOR IMPROVEMENTS & DESIGN - continued

K) Easements

- 1) Easements shall be provided for all utilities of width necessary for installation, repair and/or replacement of said utilities, but in no case shall be less than twenty (20) feet wide.
- 2) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- 3) Where a development is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming substantially to the line of such watercourse and of such width as will be adequate to preserve natural drainage and maintain the same. The Town shall be granted maintenance easements for potential future drainage districts.

- L) Alleys: Alleys are prohibited in residential developments. In commercial or industrial districts without expressly designing loading areas, alleys with a minimum width of twenty-two (22) feet shall be required. Where such alleys dead end, they shall be provided with a turnaround having an outside roadway diameter of not less than seventy-five (75) feet. All alleys shall conform to the minimum requirements of the New York State Fire Code.

M) Reservation and Dedication of Lands for Public Use

- 1) The Board shall require the reservation and dedication of the area of land to be subdivided for park, playground, recreation, open land or other public purposes. In locating lands to be reserved and dedicated, the Board shall consider preservation of special environmental and geographic features, unsuitability of certain lands for building purposes, future expansion of public use areas, the most appropriate type of public land use for the area, and the conditions necessary to preserve access, use, and maintenance of such lands for their intended purpose.
- 2) Such lands may be retained in private ownership, provided they are permanently dedicated and maintained for their intended use by recorded covenant and security deemed adequate by the Town Board. Alternatively, lands may be offered to the Town as a gift, to be accepted at the discretion of the Town Board.
- 3) In the event that the Planning Board, upon consultation with the Recreation and/or Park Committee, determines that reservations of land of adequate size and suitable purpose cannot be practically located in a proposed subdivision or that said reservation would not appropriately serve the locale, the Board may condition its approval of a subdivision upon payment to the Town of a sum to be determined by the Town Board, which sum shall constitute a trust fund to be used by the Town exclusively for neighborhood park, playground or recreation purposes, including the acquisition of property. Reference is made to incentive zoning clauses currently being proposed in the Town of Hopewell's 2008 Zoning Regulations.

### SECTION 2 – Required Improvements

The sub divider or developer of a parcel of land shall make improvements to the parcel in accordance with the minimum standards required in these regulations. Where certain standards of development are not set forth, they shall be established by the Planning Board, following their review of the particular situation, and written findings.

In many cases, alternate improvement standards may be permitted if the Planning Board deems them equal in performance characteristics for the proposed use intended. Additional or higher design standards of improvements may be required in specific cases where the Planning Board believes it necessary to create conditions essential to the health, safety, moral and general welfare of the citizens of the Town of Hopewell.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE V– REQUIREMENTS FOR IMPROVEMENTS & DESIGN – Section 2 continued

A) Street and Pavements

The Town of Hopewell has established basic guidelines for the classification of roads to be constructed in the Town.

All streets or roads developed in the Town shall be improved to the standards set forth in the Design Criteria for land development in the Town of Hopewell.

- B) Sidewalks: Sidewalks may be installed on one or both sides of the street or road as the Planning Board may require, depending upon the local conditions of public safety. The Planning Board shall notify the developer in writing after the sketch plan has been reviewed by the Board where the Planning Board determines sidewalks are necessary for public safety.

- C) Storm and Surface Drainage: All storm sewers and drainage facilities such as gutters, catch basins, bridges, culverts and swales shall be designed and installed for the developed land. At a minimum, storm sewer systems shall be designed to convey ten (10) year frequency storm event using the “rational method” of drainage analysis. Other drainage facilities shall be evaluated using the SCS method per the latest NYSDEC Phase drainage design standards.

The following general design consideration shall be incorporated in the overall drainage design of the site:

- 1) Lots shall be laid out and graded to provide positive drainage away from building.
- 2) Storm sewers, culverts and related installations shall be provided:
  - a) To permit unimpeded flow of natural watercourse,
  - b) To insure adequate drainage of all low points along the line of streets,
  - c) To intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained,
  - d) In such a manner as to insure minimum soil erosion.
- 3) Discharge of sump pumps or roof leaders directly to roadside gutters or channels will not be permitted.
- 4) In the design of storm sewer installations, special consideration shall be given to prohibiting uncontrolled storm water runoff over adjacent properties.

- D) Public Sanitary Sewer System: Where the public sanitary sewer system, upon proper study and analysis by the Planning Board, is reasonably accessible, sanitary sewers and appurtenances shall be installed and dedicated to the Ontario County Department of Public Works (OCDPW) to adequately serve all units with connections to the public system. The design and installation of said sewers shall be subject to the approval of the Planning Board, with recommendations from the Town Engineer and final approval of the authority having jurisdiction of the sewer system. Where lots cannot be served by the extension of an existing public sanitary sewer, the developer shall obtain the approval for the use of individual, private wastewater systems with subsurface disposal fields by the appropriate State NYS Department of Health or NYS Department of Environmental Conservation agencies. Once the individual wastewater disposal systems are installed, they shall be inspected by the design engineer and certified to the Town Building Department as to the quality of the installation relative to the approved plans. In areas not presently served by public sanitary sewers, the Board may require, in addition to installation of individual on-site sewage disposal facilities, the installation and capping of sanitary sewer main and house connections for future sanitary connections, if studies of the Board indicate that extension of public sanitary sewer trunks or laterals to serve the property subdivided appears probable, or necessary to protect the public health.

**TOWN OF HOPEWELL  
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**ARTICLE V– REQUIREMENTS FOR IMPROVEMENTS & DESIGN – Public Water Supply continued**

- E) Public Water Supply: Where public water supply, upon proper study and analysis by the Planning Board, is reasonably accessible, the developer shall provide and dedicate to the Town or appropriate water district a complete water distribution system, including a connection for each unit and appropriately spaced fire hydrants. The design and installation of said system shall be subject to the approval of the Planning Board with recommendations from the Town Engineer and final approval of the Water District. No out of district hook-ups shall be permitted without approval from the Town Board.

Where public water supply is not within reasonable distance, an alternate supply, approved by the State Department of Health, shall be required.

If a private on-site well is to be used as a water supply, it must be constructed and tested in accordance with the latest New York State Department of Health regulations. Note that groundwater quality and quantity (supply) are determined by the local geology of the site and are not within the control of the town. The town therefore accepts no responsibility for quantity or quality of a private water supply should it approve a project having this feature.

- F) Preservation of Natural Features

- 1) Topsoil moved during the course of construction shall be redistributed so as to provide at least 6" deep layer to all non-paved or non-impervious areas and shall be stabilized by seeding or planting. At no time shall topsoil be removed from the site without written permission from the Planning Board. Large amount of topsoil removal may trigger the need for a NYSDEC mining permit.
- 2) To the fullest extent possible, all existing trees and shrubbery shall be conserved by the sub divider. Special consideration shall be given to the arrangement and ultimate improvement or development of the lots to this end. Precaution shall also be taken to protect existing trees and shrubbery during the process of grading the lots and roads. Where there is a question as to the desirability of removing a group of trees, which serve to add interest and variety to the proposed subdivision, in order to allow for use of the land for a lot or lots, the Planning Board may, after proper investigation, require modification of such lots. Where any land other than that included in public right-of-way is to be dedicated to the public use, the developer shall provide a conservation easement or other recordable instrument, which shall be in accordance with the rules and regulations of the New York State Department of Environmental Conservation.
- 3) Unique physical features such as historic landmarks and sites, rock-out-cropping's, hilltop lookouts, desirable natural contours, and similar features shall be preserved if possible.
- 4) The sub divider shall not be permitted to leave any surface depressions that will collect pools of water except when specifically designed for the purpose of retaining or detaining water.
- 5) The sub divider shall not be permitted to leave any hills or mounds of soil on the tract. All surfaces shall be restored within six (6) months of the time of the completion of the section of the subdivision, and provided with vegetative ground cover adequate to prevent water or wind erosion or detaining water in accordance with the storm water plan.

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**ARTICLE V– REQUIREMENTS FOR IMPROVEMENTS & DESIGN – Survey Monuments continued**

- G) Survey Monuments: Permanent survey monuments shall be set in the boundary of rights-of-way at intersecting streets, PC and PT of curves, though the PI of short curves may be used instead, where such is practical, at the discretion of the Town Superintendent of Highways and/or the Town Engineer. Monuments shall be placed on one side of the street only and at only one corner of intersecting streets. Adjacent monumented points shall be inter-visible. Monuments shall be tied into the New York State Co-ordinate System or other acceptable datum where practical at the discretion of the Town Superintendent of Highways and/or Town Engineer. Monument locations shall be shown on the subdivision plat, and field notes of ties to monuments. Monuments shall be of stone or concrete and not less than 4" in diameter or square, and not less than 42" long or from the top of underlying rock. Concrete monuments shall be reinforced with steel rods, and a plus, brass plate, or pin shall serve as the point of reference. If stone, a drilled hole shall serve as the point of reference and a magnetic rod or other suitable metal shall be placed adjacent to the monument to allow for recover. Iron pipes shall not be considered permanent monuments for the purpose of these Regulations. Approved monument locations shall be shown on the final approved and filed plat.
- H) Street Signs: Permanent street signs, of the same specifications as those of the Town Highway Department, showing the names of the intersecting streets shall be erected at each intersection.
- I) Street Lighting: The Planning Board may require adequate street and sidewalks lighting to be installed. Such a System shall be coordinated with the electrical utility system.
- J) Electric Utility: In every subdivision, provisions shall be made for a satisfactory electric utility supply system. All necessary wires serving the subdivision and the street lighting system shall be underground rather than on poles, standards, or towers. Underground conduit and cable shall be installed at a minimum distance of 1.5 feet below the lowest elevation of a roadside ditch or swale or in accordance with the regulations of the public utility.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE VI – SPECIFICATIONS FOR PLANS TO BE SUBMITTED

All material requiring Planning Board action shall be submitted to the clerk of the Planning Board in accordance with submittal requirement time tables of the Planning Board by laws or no later than the 1<sup>st</sup> day of the month for that respective month's meeting date. The submittal package shall include the plans, reports, sketches, and exhibits that may be required for review by the Board.

Before plans are submitted to the Planning Board for review, they shall be reviewed and stamped with a seal of a registered New York State Architect and Engineer and conform to the following lists for the various phases of plan development.

Incomplete submittals shall be cause for rejection by the Planning Board until the plans comply with the listed items.

A) Sketch Plan

- 1) Scale (no smaller than 1" = 100')
- 2) Title or name of development
- 3) North arrow, scale, and date
- 4) Owners name and address
- 5) Name of Engineer, Surveyor, or Architect responsible for preparation of plan
- 6) Zoning District and Limitations
- 7) Property boundary dimensions
- 8) Indication of general topography (contour intervals) on U.S.C. & G. S. datum
- 9) Indication of all existing natural features
- 10) Indication of all existing utilities, roads, houses, etc.
- 11) Schematic indication of proposed lots (numbered), utilities, roads, etc.
- 12) General location sketch (1" = 2,000' +/-)
- 13) Schematic method of water supply and sanitary sewage disposal
- 14) Name of adjacent owners
- 15) Area of property

B) Preliminary Plan

In addition to the requirements for a sketch plan, the following will be required:

- 1) Scale (no smaller than 1" = 50')
- 2) Property boundaries with bearings and distances
- 3) Existing and proposed topography (10' contour intervals max.)
- 4) Topographic datum U.S.C. & G.S.
- 5) All existing natural features
- 6) All existing roads, nearby and adjoining driveway cuts or access points, utilities with dimensions, sizes and inverts
- 7) Existing easements or other encumbrances on the property
- 8) Location and approximate dimensions and sizes of proposed lots (numbered), utilities, streets, etc.
- 9) Profiles of proposed streets, utilities, etc. with approximate grades.
- 10) Preliminary designs of culverts, pump stations, bridges, sewers, drainage, road sections, etc.
- 11) Proposed location, size and width of easement, parks, rights-of-way, public areas or building, and parcels of land to be dedicated or reserved for public use.
- 12) Zoning setbacks and restriction lines
- 13) SEQR – EAF, EIS, etc.
- 14) Percolation and deep test holes and locations with results (if applicable). The Town Building Inspector shall witness all perk tests and deep hole tests.
- 15) Special information on details requested by the Planning Board at sketch plan stage
- 16) The words "Preliminary Plat Subdivision"
- 17) Storm water control and mitigation plans per Department of Environmental Conservation Regulations.
- 18) Documentation by software or other acceptable engineering practice indicating any excess soil to be stockpiled temporarily on site or planned for removal.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE VI – SPECIFICATIONS FOR PLANS TO BE SUBMITTED - continued

### C) Final Plan

In addition to the requirements for the preliminary plan, the following will be required:

- 1) Size of the plan and material shall be acceptable for filing in the Ontario County Clerk's Office. (Note: The Ontario County Clerk's Office requires all plats filed to be on Mylar).
- 2) Scale (no smaller than 1" = 50')
- 3) Name and seal of the registered professional engineer, architect, or surveyor responsible for the plan.
- 4) Street lines, lot lines, rights-of-way, easements, and areas dedicated or proposed to be dedicated for public use.
- 5) Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line, and to reproduce such lines on the ground.
- 6) All dimensions shall be shown in feet and in hundredths of a foot.
- 7) The length of all, straight lines, radii, lengths of curves and tangent bearings for each street.
- 8) All dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated to public use.
- 9) The proposed building setback lines for each street or the proposed placement of each building.
- 10) Names of streets within and adjacent to development
- 11) Permanent reference monuments shall be shown.
- 12) Area of each lot
- 13) Existing contours (2' maximum unless deemed unnecessary by the Town Engineer)
  - a) Proposed finished contours
  - b) Proposed finished first floor elevations
  - c) Lowest architectural opening elevations
  - d) Spot elevations of swales, etc.

NOTE: on larger projects, these shall be incorporated on a separate grading plan as determined by the Town Engineer.
- 14) Location, size, invert elevations, type and class of pipe on all sanitary and storm sewers and manholes
- 15) Location, sizes and type of pipe for all water mains, location of all valves, hydrants, and blow offs, etc.
- 16) Profiles with detailed information of all streets, storm sewers, sanitary sewers and water main crossings.
- 17) Design and plan detail of all special construction (culverts, bridges, headwalls, etc.)
- 18) Engineering calculations are required to substantiate the proposed design of utilities, drainage system, etc.
- 19) A landscaping plan with planning schedule
- 20) Details required to specify special conditions, materials, or methods of construction
- 21) Letters of communication from the jurisdictional agencies
- 22) Signature of letter of Approval of plans by Zoning Officer, Superintendents of Water and Highway
- 23) Letter of approval of all agencies having jurisdiction over any phase of the development
- 24) Seal and certification by a licensed professional engineer and/or licensed land surveyor as evidence of professional responsibility for the preparation of the record sheet.
- 25) Affidavit stating that the applicant will install all improvements shown on the final plan at his own expense
- 26) SEQR Findings
- 27) Approval of Surety by the Town Board if required

**TOWN OF HOPEWELL  
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**ARTICLE VII – DESIGN CRITERIA**

SECTION 1 – Sanitary Systems

- A) Private Disposal Systems: Private disposal systems must conform to the minimum requirements established by the New York State Department of Health and/or the Department of Environmental Conservation.
  - 1) Provisions may be required to make the individual house plumbing reading for a future sanitary sewer system connection.
  - 2) Wastewater system components shall not cross over or be placed under water, gas or storm lateral, nor be located underneath driveway or paved areas.
- B) Sanitary Sewers: Minimum design requirements shall comply with specified New York State Department of Health and/or the Department of Environmental Conservation and the Ontario County Department of Public Works.

SECTION 2 – Storm Drainage Systems

In general, all development projects shall be required to provide for the adequate conveyance of storm drainage through the development. The natural drainage patterns are to be followed as much as possible. Drainage systems shall be sized to accommodate the future potential runoff based on the probable land use and the ultimate development of the upland watershed area.

- A) Storm Sewers and Drainage Facilities: At a minimum, a drainage area of up to 1,000 acres shall be designed to transmit the flow of a one-in-ten year storm event unless this design frequency interval is super ceded by the latest Phase 2 NYSDEC design requirements. Larger systems and structures on natural watercourse channels shall have minimum design intervals as follows:

<u>Drainage Area</u>	<u>Design Return Interval</u>
1,000 acres to 4 square miles	25 year
4 square miles to 20 square miles	50 year
20 square miles and above	100 year

- B) Allowance for Overflow Conditions: Overflow conditions shall be designed into each system to protect against damage from major storms and provide an outlet for storm water, should inlets or pipes become damaged or plugged.
- C) Natural Channels and Open Swales: Natural channels are generally preferred alignments for major components of a residential drainage system. However, the utilization of open channels shall be evaluated as to the ease and cost of maintenance, safety hazards and aesthetics before being allowed. The channels may require special invert or side design to properly convey water while keeping the maintenance cost minimal.
- D) Runoff Computations for Storm Sewer Design:
  - 1) The design of storm sewer systems shall be generally established by the Rational Formula ( $Q = CiA$ ) where:
    - Q = Runoff in cubic feet per second (cfs)
    - C = Runoff coefficient
    - i = Rainfall intensity in inches/hour
    - A = Drainage basin area in acres
  - 2) Rainfall intensity figures shall be taken from the chart provided in the appendix for the time of concentration and return period required for a particular basin.
  - 3) Times of concentration shall be calculated by the design engineer but shall be a maximum of 15 minutes to the first inlet for a residential subdivision.
  - 4) Runoff coefficients shall also be calculated by the design engineer to establish a weighted value representative of the type of development proposed. In general, the following ranges shall be adhered to:

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE VII– DESIGN CRITERIA - SECTION 2 – Storm Drainage System – continued

<u>Descriptions of Area or Character of Surface</u>	<u>Runoff Coefficient</u>
Business District	0.70 to 0.95
Residential - Single Family	0.40 to 0.50
Apartments	0.50 to 0.70
Industrial	0.50 to 0.90
Unimproved	0.10 to 0.30
Pavement	0.70 to 0.95
Roofs	0.70 to 0.95
Lawns	0.10 to 0.35

Factors to be considered in the determination of the runoff coefficient are: Soil type, slope of land, development density, etc.

- 5) Points of discharge shall be to recognize drainage courses or established drainage ways in agreement with NYS Drainage Law. This may require the sub divider to obtain downstream easements to reach a suitable outfall.
- 6) Culverts shall be designed to accommodate the design storm for the drainage area but shall be checked for the next highest increment of storm return interval to evaluate the possible flooding complications caused by backup. Headwater and/or tail water calculations will be required to determine if ponding may occur. In general, the use of multiple culverts is discouraged because of maintenance problems. Inlets and outlets of culverts shall be protected from erosion or turbulence problems by the use, of “rip-rap” stone, headwalls, energy dissipaters, or the like.
- 7) Backyard swales shall be designed with minimum side slopes of 1 on 4 and a minimum longitudinal slope of 1%. Field (yard) inlets shall be generally provided every 300 lineal feet, at all low points and where swales intersect.
- 8) Retention or detention ponds may be required for new developments within the Town where, in the judgment of the Planning Board and the Town Engineer, these facilities may be applied to the existing conditions or topography and dictate the practicality of this alternative.

It shall be the developer’s responsibility to see that no more adverse effect is experienced downstream than can be tolerated without undue hazard or inconvenience to the Town or downstream property owners. In most cases, design standards and criteria established by NYSDEC’s standards shall control.

If a detention pond is to be used on the site, the following parameters shall be adhered to:

- a) Drainage control ponds shall be designed to accommodate the return interval storm for the drainage basin size plus at least a 3'-0" minimum freeboard (vertical separation distance from high-water elevation to top of berm elevation).
  - b) The pond outlet should be protected against erosion.
  - c) An overflow mechanism should be designed to allow for larger than design storms.
  - d) Ponds constructed in fill or using dikes shall be reviewed very closely regarding soil stability and permeability to preclude any filtration and undermining.
  - e) Runoff calculations, for larger facilities must use the SCS Hydrograph Method per NYSDEC Phase 2 standards now in effect.
- 9) The design engineer shall submit the following information for review of the storm sewer design:
    - a) A U.S.C. & G.S. quadrangle map section with the development and drainage basin outlined.
    - b) A tabular form or spreadsheet showing computed runoffs and design capacities of each pipe comprising the proposed system.
    - c) A map of the development showing the “on-site” drainage areas with inlets labeled in conjunction with the spreadsheet.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE VII– DESIGN CRITERIA - SECTION 2 – Storm Drainage System – continued

- E) Storm Sewer
  - 1) Minimum pipe size - 12" diameter
  - 2) Minimum velocity when flowing full – 3 fps
  - 3) Maximum manhole and catch basin spacing – 300 lf
  - 4) In general, only natural waterways may be continued in open channels. Street drainage and other parts of a storm sewer system shall be in closed conduit. When gradient and tributary runoff require conduit greater than thirty-six inches (36") in diameter, then open channel design may be considered. Unless New York State Department of Environmental Conservation (NYSDEC) or United States Army Corps of Engineers (USACOE) review and regulations shall super cede this part.
  
- F) Storm Laterals (if required by the Planning Board): Laterals shall be a minimum of four inches (4") in diameter. Builders shall provide backwater (check) valves on all laterals where the storm drain is at an elevation to permit gravity drainage from the basements adjacent to the system. Sump pumps will be permitted to discharge to storm laterals or, in the absence of storm sewers, to splash pads directed to side or rear yard drainage swales. Roof runoff will not be permitted to tie into the storm laterals directly. Splash pads (blocks) will be required for roof leaders.
  
- G) Catch Basins: Catch basins shall be placed at all low points and intersections within a dedicated road a maximum spacing of 300'. Catch basin leads shall only be connected to the storm drains at manholes except in those areas where the storm drain is 24" in diameter or greater.
  
- H) Storm Manholes: Storm manholes shall be of the following inside diameter: [assuming that no more than three (3) pipes are penetrating any one manhole].

<u>Pipe Diameter (largest)</u> <u>Diameter</u>	<u>Inside</u>	<u>Manhole</u>
12" - 18"		4'-0"
21" - 30"		5'-0"
33" - 42"		6'-0"
Greater than 42"		Special Design

All storm manhole diameters shall be provided on the project plans.

- I) Drainage Easements: The minimum easement width shall be 20 feet. Where open channel drainage is permitted, easements shall be of a proper width to permit adequate maintenance as determined by the Town.  
It shall be the policy of the Town to obtain easements for future and/or existing drainage districts.

### SECTION 3 – Water Mains

All work performed and materials furnished within the development for the purpose of supplying the development with potable water supply shall comply with the Hopewell Water Rules & Regulations Local Law and Administrative Guide.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE VII– DESIGN CRITERIA - SECTION 2 – Storm Drainage System – continued

#### SECTION 4– Grading

- A) General: The finished grading on developed lands shall provide for the effective removal of storm water runoff to a drainage system. In general, the design engineer shall try to establish a finished grade at the structure line to permit a minimum of 2.0% grade away from the structure to the drainage system.  
Drainage shall generally be to side or rear lot swales provided:
- 1) Swales are of a proper cross-section to permit ease of maintenance by the individual owner plus be capable of conveying the predicted flows.
  - 2) Easements shall be provided for access and/or maintenance where necessary.
  - 3) Finish grade at right-of-way line shall be not more than two feet (2') above finish grade at centerline and the driveway slope within the lot shall not present a hazardous approach condition. From edge of pavement to right-of-way line, driveways shall be built, or treated in a manner, which will not permit loose material to be spilled on the pavement.
- B) Grading Plan: A Grading Plan shall be submitted with the final plan for any development showing the following items:
- 1) Existing contours
  - 2) Spot elevations of proposed finish grade at key locations
  - 3) Garage floor elevations
  - 4) Directional flow arrows showing drainage routes
  - 5) Proposed finish contours
  - 6) Minimum elevations of any architectural opening
  - 7) Culvert inverts elevations. All elevations shall be based on U.S.C. & G.S. datum.
  - 8) Bench mark set from U.S.C. & G.S. datum
  - 9) All Temporary Stockpile Locations

#### SECTION 5 – Road Classifications

The following designations will be used by the Town to classify roads and their respective construction procedures:

A) Town connector

B) Subdivision

C) Rural Development

The basic considerations of each road classification are as follows:

- 1) Town Connector
  - a) Provide connections to major roads and represents major traffic pattern throughout the Town.
  - b) Design speed of 55 mph
  - c) High volume traffic
  - d) Provide access to subdivision roads
  - e) Relatively low density of development abutting such a road
- 2) Subdivision
  - a) Densities as permitted by the current zoning provisions
  - b) Design speeds of 30 mph or less
  - c) Low volume of traffic
  - d) Individual driveways at regular intervals
  - e) Usually no effect on overall Town traffic pattern

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE VII– DESIGN CRITERIA - SECTION 5 – Storm Drainage System – continued

### 3) Rural Development

- a) Density may vary, but typical lot size may be five (5) or more acres that produce excessive storm water runoff.
- b) Low volume of traffic
- c) Usually has no effect on overall Town traffic pattern
- d) Design speed of 30 mph or less

Each of these roads has basic characteristics, which may be varied by the Town to be consistent with unique proposals of development and construction. The individual variations of the conditions will not be permitted if they sacrifice design safety or maintenance of a proposed road type. Standard pavement width shall comply with the typical cross sections shown in the construction detail.

## SECTION 6 – General Design Considerations

### A) Rights-of-Way

- 1) Minimum width sixty-six feet (66')
- 2) Private underground utilities to be located on easements beyond right-of-way limit

### B) Horizontal Alignment

The following factors shall be incorporated into the design of each road type:

- 1) Sight Distance
- 2) Clear sight at intersection
- 3) No centerline intersection angles less than 75°.
- 4) Minimum centerline radius of 150 feet.
- 5) Road pavement intersection shall have a minimum of 35' radius.
- 6) Cul-de-sacs shall not exceed 1,000 feet in length and end with an offset turnaround when possible (see construction details).
- 7) Access to future developments shall be provided when required.
- 8) Tangent sections shall be used between curves to maintain the proper flow of traffic.
- 9) Offset intersections are to be avoided.

### C) Vertical Alignment

- 1) Length of vertical curve to be consistent with the proper sign distance required for each road type.
- 2) Vertical curves required whenever changes in grade exceed one percent (1%).

### F) Road Grades

- 1) Minimum – one half percent (0.5%)
- 2) Maximum – Six percent (6%) (Unless special/unique circumstances or special design)

- G) Leveling Areas - Leveling areas shall be incorporated at all intersections for a minimum distance of 100 feet and the grade shall not exceed three percent (3%).

### H) Road Widths

<u>Class</u>	<u>Pavement Width</u>	<u>Shoulders</u>	<u>Drainage</u>
Town Connector	22 ft. min.	6 ft.	Roadside Swale
Subdivision	24 ft.	30" Concrete Gutters	Underground Conduit
Rural Development	30 ft.	5 ft.	Roadside Swale

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE VII– DESIGN CRITERIA - SECTION 6 – General Design Considerations continued

l) Special Consideration

- 1) Roadside Swale – Where grades exceed five percent (5%) and/or unstable soil conditions warrant, the swales shall be improved using some type of stable flow line, i.e., concrete, rip-rap or pipe.
- 2) Sub-base Conditions – Under-drains may be required. When soil or subsurface conditions are unfavorable, the developer and/or contractor building the road will be required to install under-drains. The method used shall be subject to written approval of the Highway Superintendent and/or Town Engineer.
- 3) Frontage Development – Where frontage development is to be approved along connector roads, the Planning Board may require that the roadside swale be enclosed in conduit along the fronts of the development. Such conduits shall be of the proper size to accommodate anticipated flows. This requirement is dependent on the depth of swale and maintainability aspects related thereto.

### SECTION 7 – Road Design

- A) General Requirements: The design engineer shall consider the proposed use of the road when preparing a road design. The following criteria are listed as minimum standards to be considered by the designer. It is the intent of these requirements to obtain a road and a base that is stable and will not move, pump, shift, or visibly appear to be questionable for proper road construction.

B) Minimum Design Standards for Each Road Type

1) Town Connector

- a) Two (2) six inch (6") lifts of No. 2 and No. 3 crushed stone (NYSDOT Gradation table 703-4) mixed equally
- b) One (1) three inch (3") lift of crusher-run stone (NYSDOT Spec. 304-202, Type 2).
- c) Asphaltic concrete courses shall be two inches (2") of Type 3 binder (NYSDOT Table 401-1) and one inch (1") of Type 7 top (NYSDOT Table 401-1)
- d) Nine-inch (9") thick stabilized shoulder (NYSDOT Spec. 304-2.02, Type 2)

2) Subdivision and Rural Development

- a) Two (2) six inch (6") lifts of #2 and #3 crushed stone (NYSDOT Gradation Table 703-4) mixed
- b) One (1) three inch (3") lift of crusher run stone (NYSDOT Spec. 304-2.02, Type 2)
- c) Asphaltic concrete courses shall be two inches (2") of Type 3 binder (NYSDOT Table 401-1) and one inch (1") of Type 7 (NYSDOT Table 401-1).
- d) Nine-inch (9") thick stabilized shoulder (NYSDOT Spec. 304-2.02, Type 2)

NOTE: All depths indicated are completed thicknesses.

### SECTION 8 – Concrete Gutters

In general, gutters with a maximum invert depth of one and one-half inches (1-1/2") below the front edge of the gutter shall be provided along the edges of all roads to be dedicated to the Town of Hopewell unless open or closed drainage is approved by the Highway Superintendent as allowed for on a rural development road. A typical cross-section is shown in the construction details section of this document.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE VII– DESIGN CRITERIA continued

### SECTION 9 – Driveway Culverts

- A) Shall be provided along existing road frontage lots to properly convey roadside drainage. The culverts shall be set to the proper grade to allow the natural flow of water.
- B) Minimum of twelve inch (12") diameter unless they are a part of a larger drainage course which may require larger diameter pipes.
- C) The culverts shall extend a minimum of five feet (5') beyond the edge of the driveway pavement. (Thirty (30) foot widths with end caps is typical.)
- D) End sections or headwalls shall be provided on both ends of the culverts.
- E) Elevations to be set by U.S.C. & G.S. datum wherever possible.
- F) Culverts shall have a minimum of twelve inches (12") of cover above the top of pipe.

### SECTION 10 – Sidewalks

Where required by the Planning Board, sidewalks shall conform to the specifications and details shown in the construction details section of this document.

### SECTION 11 – Survey Monuments

Monuments shall be located at:

- A) P.C. and P.T. of all horizontal curves. One side only.
- B) Maximum of 1,000' along one side of right-of-way line.

### SECTION 12 – Miscellaneous

Where land areas are reserved for future connections to adjacent parcels, all improvements, i.e., sanitary, storm, water, roads, will be constructed to the common property line to accommodate these future connections. This requirement may be waived by the Planning Board under special conditions, and showing of cause.

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**ARTICLE VIII – MATERIAL SPECIFICATIONS**

SECTION 1 – General Information

The materials intended to establish the degree of excellence are herein included and deemed to be of satisfactory quality for installation within the Town. Where other materials may be proposed in substitution for those herein called for, the developer shall submit a written request to the Town Engineer for approval. When new materials may be made available, their use may be permitted in limited test sections with the restriction that should these materials prove unsatisfactory through the test period (as established by the Town Engineer), they shall be removed and replaced with those herein called for at no expense to the Town.

All standard designations (NYSDOT Standard Specifications, ASTM, AWWA, etc.) used in these specifications shall be considered to be the latest edition and/or revision thereof.

SECTION 2 – Storm Drain

- A) Reinforced Concrete Pipe: Shall be supplied in conformance with ASTM Specifications C-76 Wall B. Joints shall be of the bell and spigot type with compression type joint.
- B) Polyvinyl Chloride (PVC) Pipe: Shall meet the requirements of ASTM D-3034, minimum wall thickness SDR 35 with elastomeric gasket joint, ASTM D-3212.
  - 1. Other plastic pipe approved for such use meeting ASTM standards acceptable to the Town.
- C) Corrugated Steel Pipe: All pipe shall be coated inside and outside and have joints made with connecting bands and neoprene gaskets. Thickness gauges will be dependent on the load conditions, except that sixteen (16) gauge shall be the minimum allowable thickness.
- D) Storm Laterals:
  - 1) Corrugated steel pipe shall be coated inside and outside and have joints with connecting bands and neoprene gaskets. Thickness gauge will be dependent on the load conditions, except, that sixteen (16) gauge shall be the minimum allowable thickness. Minimum six-inch (6") diameter.
  - 2) PVC conforming to ASTM D-3034, minimum four inches (4") in diameter and standard lengths installed.
- E) Catch Basin Leads: Shall be a minimum of twelve inches (12") in diameter.
  - 1) Reinforced Concrete Pipe (RCP)
  - 2) Polyvinyl Chloride Pipe (PVC)
  - 3) Corrugated Steel Pipe (CMP)

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE VIII– MATERIAL SPECIFICATIONS continued

### SECTION 3 – Manholes and Manhole Ladders

Pre-cast reinforced concrete sections shall be manufactured in accordance with ASTM Specifications C-478. Riser sections shall have tongue and groove ends and super “O” joints and gaskets conforming to ASTM C-443. Manhole bases may be pre-formed or poured in the field. Roof slabs shall be pre-cast structural concrete, reinforced for H-20 loading and 30% impact loading. A 24" diameter hole shall be eccentrically located in the roof slab. In place of preformed openings in base sections, flexible manhole sleeves cast directly into the base walls may be used with compatible pipe material. “Lock Joint” sleeves by Interpace Corp. and “Dura-Seal” sleeves by Dura Crete Corp. are approved products.

All manholes shall be sealed inside and outside completely with two (2) coats of heavy-duty water repellent protective coating which complies with ASTM Specifications D-450, Type B.

- A) Manholes: Manholes constructed of other materials shall be considered for approval following a review of said manhole construction. In specifying these manholes, the developer's engineer shall submit adequate design data and/or shop drawings to substantiate the installation.
  
- B) Manhole Ladders and Steps: Manhole ladders or steps shall be provided in all sanitary and storm manholes and shall be constructed of one (1) of the following materials:
  - 1) Non-corrodible, aluminum magnesium alloy ladders, with intermediate supports at five-foot (5') intervals.
  - 2) Forged aluminum with drop front design and grooved tread surface.
  - 3) Steps shall be cast into the walls or riser sections and shall be aligned in each section to form a continuous ladder with rungs equally spaced vertically in the assembled manhole at a distance of twelve inches (12") apart. Steps shall be of cast iron with an asphalt coating as manufactured by Neenah R-1981-J, Woodward W-833 or Syracuse Castings 2588-2 or equivalent.

### SECTION 4 – Frames and Covers

- A) Storm Manhole Frames and Covers: Shall be Neenah R-1723, Woodward M-319, Syracuse Castings 1009 with a vented cover, or any other approved equal. The inside diameter for clearance shall be a minimum of twenty-three inches (23")
  
- B) Catch Basin Frames and Grates: Shall be rectangular, galvanized (ASTM A-123) and sized to fit gutter inlets or field inlets. The gutter grates shall be NYSDOT size No. 1 to fit the catch basin inside dimensions of 18" x 24". The minimum field inlet shall be NYSDOT size No. 9 to fit a field inlet of 24" x 24" inside dimension.  
Catch basin manholes shall be set to allow a NYSDOT size No. 1 grate to be installed.  
Frames and grates shall be as specified in NYSDOT Specification Drawings 655-6R1 and Section 655 of the NYSDOT Standard Specification manual. All grates shall be bolted to the frames.

### SECTION 5 – Water Mains

- A) Water Service: All water mains and services shall be approved by the Water District Superintendent per Water District Rules and Regulations.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE VIII– MATERIAL SPECIFICATIONS continued – SECTION 6

### SECTION 6 – Concrete Gutters and Sidewalks

- A) Concrete
  - 1) Shall be a minimum of 4000 psi (28 day strength) Class A concrete conforming to NYSDOT Specification 609.
  - 2) Air entraining admixture conforming to ASTM Specification C-260.
  - 3) Bituminous expansion material shall conform to NYSDOT Specification 705-07.
  - 4) Curing and sealing compound – conforming to ASTM C309 Type I, Class B for curing and also acting as a concrete sealer.
  
- B) Testing: The developer shall obtain in accordance with ASTM C-31 two (2) samples from every other truck delivering to the site and have the samples compression tested by an independent testing laboratory.  
Results of these tests shall be submitted to the Town Highway Superintendent.

### SECTION 7 – Road Materials

- A) Sub-Base and Base Courses:
  - 1) Crusher run stone shall conform to NYSDOT Specification Section 304-2.02, Type 2.
  - 2) Aggregate shall conform to NYSDOT Gradation Table – 703-4, size as specified.
  
- B) Bituminous Pavement:
  - 1) Binder course shall conform to NYSDOT Specification Section 401, Type 3 (Dense Binder).
  - 2) Top course shall conform to NYSDOT Specification Section 401, Type 7.
  
- C) Tack Coat: Shall conform to NYSDOT Specification Section 407. The grade shall depend on the specific use intended.
  
- D) Pre-molded Bituminous Joint Filler: Shall conform to NYSDOT Specification Section 705-7.
  
- E) Under drains: Shall be fully coated six inch (6") perforated corrugated metal pipe in conformance with NYSDOT Specification Section 707-07 or four inch (4") in diameter by thirty inches (30") deep as shown in the construction details portion of this document.

### SECTION 8 – Survey Monuments

Monuments shall consist of one-half inch (1/2") diameter-reinforcing rod embedded in concrete four inches (4") in diameter by thirty inches deep as shown in the construction details portion of this document.

### SECTION 9 – Equivalents

The mention of apparatus, articles, or materials by name and such specific description of same as is made herein are intended to convey to the Contractor's understanding the degree of quality required. The Town Engineer shall be the sole judge of the qualifications of the offerings and will determine all questions regarding the conformance of any offer with the specifications.

For the project, it will be assumed that the Contractor will furnish the exact equipment called for in the plans and specifications unless the Contractor files with the Town of Hopewell the names and complete description of each article that he proposes to substitute as approved by the Town Engineer and Town Board of Hopewell.

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**ARTICLE IX – INSTALLATION**

SECTION 1 – General Requirements

- A) Pre-Construction Meeting: A pre-construction meeting shall be held prior to the start of construction of a development. The developer, his contractor and engineer shall meet with respective Town department heads and inspectors to discuss the overall project and to permit definite familiarization with Town requirements.  
It is the developer's responsibility to set up and schedule the pre-construction meeting with all involved agencies and parties affected by the project.
- B) Meaning of Drawings: The contractor shall abide by and comply with the true intent and meaning of all drawings and of the specifications taken as a whole. If the contractor believes that the construction indicated on the project drawings will not, when executed, produce safe and substantial results or if it appears that there is any discrepancy in the drawings, it is his duty to immediately notify the developer's engineer, in writing, and to thereafter proceed only upon written order.
- C) Protection of Property and Work:
- 1) The contractor shall so conduct his operations as to damage no more than is absolutely necessary, trees, garden plots, shrubbery, pipe lines, conduits, buildings and other structures. The contractor shall use all necessary precautions to protect the work and adjacent structures of all kinds during construction and shall so conduct his operations that at no time shall the work or such structure be endangered.
  - 2) Responsibility and damage – the developer shall be responsible for all parts of his work, temporary or permanent, until the project is accepted by the municipality, and he shall thoroughly protect all work, finished or unfinished, against damage from any cause as all work is at the contractor's risk until the same is accepted by the developer. The use of part or all of the work by the municipality as provided for in these specifications shall not relieve the developer of this responsibility. The contractor shall be responsible for damage to life and property due to his operations and shall provide all necessary guards, rails, night-lights, etc.
- D) Construction Schedule: Prior to the start of work, the developer shall provide the Building Inspector with a schedule showing the order in which work will be completed. The schedule shall include estimated dates of completion for each portion of the project.
- E) Permits: The developer shall secure all necessary permits from the municipality and/or any other agency that may have control over any work prior to the start of construction.
- F) Existing Utilities or Structures: Before construction begins near any existing utility or structure, the contractor shall notify the appropriate owner of his intention and their instructions as to the protection of their property. These instructions must be followed. Before commencing work, the contractor shall determine the exact location of any structure or underground utility in order that the contractor's project will not damage or disrupt these facilities.  
The contractor shall take necessary precautions to prevent entry of mud, debris, etc. into existing utilities. All existing underground facilities shall be checked for damage before backfilling. In the event a facility is damaged, the owner of that facility shall be notified so as to insure an acceptable repair and/or replacement.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE IX– INSTALLATION -SECTION 1 – General Requirements – continued

- G) Facilities for Inspection: The contractor shall furnish all reasonable facilities and aid to the inspector and safe and convenient footways, scaffolds, ladders, etc., that may be needed for the examination and inspection of any part of the work. Inspectors may stop work when the town or its agent determines that the contractor has no responsible agent on the project or if he feels that the contractor is not performing the work in an approved manner. Disorderly, intemperate and incompetent persons shall not be allowed on the project. The employees who neglect or refuse to follow the inspector's instructions shall be permanently removed from the project. Failure to conform to these controls may warrant refusal of the municipality to accept the development for dedication.
  
- H) Layout: It shall be the responsibility of the developer to have the work carefully laid out by qualified surveying or engineering personnel in a manner that will assure accurate completion of the work.
  
- I) Defective Work: The inspection of the work shall not relieve the developer of any of his obligations to comply with the specifications. Any defective work shall be made good and any unsuitable materials shall be removed and replaced. If the work or any part thereof shall be found defective before the final acceptance of the project, the developer shall make good such defect in a manner satisfactory to the Town.

### SECTION 2 – Grading

Achieve surface elevations per grading plan to within one foot (1') of design grade shall prior to any trench excavation. Tighter tolerances are necessary for house "pads", road base, surface drainage, drainage control area basins, etc.

### SECTION 3 – Trench Excavation

- A) Excavation: Under this term will be included all excavation in trenches and pits, together with all backfilling and embankments that may be needed for the laying of the utilities and appurtenances or that may be necessary for the laying, changing and construction of any other water, gas or drain pipes, sewers, conduits, culverts, drainage ditches or water courses, either under or over the proposed pipes, or for any other incidental work that may be ordered by the Town or its representative(s). All work shall be done in accordance with the latest Federal Safety Standards of OSHA.
  
- B) Width of Trenches: The trenches shall be of such width as may be required by the engineer to insure proper and workmanlike laying and handling of the pipes and appurtenances, proper tamping and backfilling when laid. In all cases, trenches should be kept as narrow as possible. The contractor shall be responsible to provide sheeting/bracing or other requirements to insure the safety of his workmen in conjunction with the proper installation of the pipe.
  
- C) Depth of Trenches: In general, the trenches shall be excavated to such a depth to properly install the utilities to the grade established in the field by the engineer. The depth of the excavation shall allow the proper bedding material to be placed under the pipe.  
Any extra depth shall be filled with the compacted crushed stone to the proper grade required.  
The trenches for the water pipe shall, in general, be excavated to such depth as will provide six inches (6") of cover over the top of the pipe from the elevation of the greatest recorded frost penetration. In no instance shall this thickness of cover be less than four feet, six inches (4'6") from finished grade except in places where said pipe is required to pass over or under any existing pipes, other structures, or will be within a cut area for future highway widening and as noted on the plans. Minimum cover when crossing under roads or highways shall be six feet (6').

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**ARTICLE IX– INSTALLATION – SECTION 3 Trench Excavation continued**

- D) Tunneling: Work shall generally be conducted in open trenches or excavations, with proper protection. Tunneling shall be done only in areas specifically called for by the design plans with specific details approved by the Town.
- E) Blasting: Whenever necessary to resort to blasting for making the excavations, the trench shall be covered in an acceptable form to prevent fragments of rock from being thrown out. Only experienced, licensed workmen shall be employed in the handling and uses of explosives, or have access thereto. All blasting operations shall be conducted in strict accordance with existing ordinances, regulations and specifications relative to rock blasting and the storage and use of such explosives.
- J) Bailing and Draining: The contractor shall furnish a sufficient pumping plant and shall provide and maintain, at his own expense, satisfactory drainage whenever needed in the trench and other excavations during the progress of the work and up to final inspection. No structures shall be laid in water. Water shall not be allowed to flow or rise upon any concrete or other masonry. All water pumped or bailed from the trench or other excavation shall be conveyed in a proper manner to a suitable point of discharge.
- K) Bottom of Trench: The bottom of the trench shall be carefully graded and formed according to the directions of the engineer, before any structures are laid therein. When other instructions or design are not indicated, all trenches shall be excavated in a straight line. In hard pan soil, boulder formations, loose rock, or sold rock, the excavation shall extend at least six inches (6") below the bottom of the pipe and a carefully compacted bed of crushed stone screenings or course sand placed in the bottom of the trench up to the level of the bottom of the pipe.
- G) Bottom of Trench – continued: See Detail AA for specific material bedding requirements. It is the intentions of this specification to achieve not less than Class "B" pipe bedding.
- L) Suitable Bedding and Safety Backfill Material: It shall be the responsibility of the contractor to generally utilize material excavated from the trench in order to provide the required backfill to meet the listed specifications. Should the nature of the soil be such that the contractor is unable to meet the above requirements by selecting, with reasonable care, from the excavated material, he shall provide the following materials, if so ordered by the Town.  
Sand, stone or concrete cradle when the trench bottom does not provide sufficient bearing capacity or when specification requires specific bedding for certain utilities.  
Sand encasement shall be ordered by the Town when the trench is excavated in rock, boulders, or hard pan and none of the material above this level is suitable for backfilling the pipe.

**SECTION 4 – Pipe Installation**

- A) Line and Grade: All pipes and appurtenances of whatever character shall, when set, conform to the alignments and grades required by the engineer. All of the required special castings and other fixtures that are indicated upon the plans, or that may be required during the progress of the work, shall be installed in their proper positions.
- B) Laying Pipe: The contractor shall use suitable tools and appliances for the safe and convenient handling and laying of all utilities and appurtenances. All pipes and castings shall be carefully examined by the contractor for defects and no pipe or casting which is known to be defective shall be laid. If defective pipe or castings should be discovered after being laid, these shall be removed and replaced with sound pipe or castings. The pipes shall be cleaned before they are laid and shall be kept clean until they are accepted with the completed work. All pipe ends to be capped except during the actual pipe laying.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE IX– INSTALLATION continued

Sewers shall be built to straight lines and grades between angle point or manholes unless specifically changed on the project drawings. The contractor shall provide sufficient grade control to properly install the pipe and appurtenances. Sewer pipe shall be laid upgrade with spigots placed in the direction of flow. All pipes shall be fitted together to form a smooth, even invert. Pipes disturbed after laying shall be removed and re-laid.

After the pipe has been placed and adjusted to line and grade, the bed shall be trimmed to support the pipe for its entire length. Material used for bedding shall be tamped rammed under the bottom and the haunches of the pipe. The trench shall then be backfilled to above the top of the pipe and carefully compacted into place to hold the pipe in position. Compaction densities shall be achieved and confirmed if/when necessary by a geotechnical consultant retained by the contractor.

- C) Cutting Pipe: Whenever it may be necessary to cut any straight pipe for any purpose, cutting shall be done to the satisfaction of the Engineer by skilled workmen with proper tools, in such manner as will not cause any cracking of the pipe.

## SECTION 5 – Manhole Construction

- A) General: Manholes shall be constructed of the size, type and at the locations shown on the plans, or as designated by the engineer in the field.

The manhole bed shall be excavated level and include a minimum of six inches (6") of crushed stone.

Manhole risers and flat slab covers shall be pre-cast reinforced units. Manhole bases may be pre-cast "Monobase" or field poured with 3,500 concrete psi.

Interior and exterior concrete surfaces shall be sealed by the supplier and touched up or recoated by the contractor with like materials.

Any pipe entering a manhole shall be neatly cut with proper sharp tools before installation in the manhole. Pipe shall not be "chipped off" after installation.

Openings around pipes shall be completely filled with non-shrink grout\* and after initial set, waterproofed on the outside with a heavy coal-tar coating. Riser and cover slab joints shall be made, using non-shrink grout in a sufficient quantity to fill the joint completely. All lift holes shall be closed, using non-shrink grout and waterproofed by covering them with coal tar coating on both sides. All joints and openings shall be closed immediately upon setting the manhole. Lift holes shall not be used until the concrete is properly cured.

*\* Note: When PVC pipe is used, all openings around pipes shall be completely filled with 100% epoxy-non-shrink grout.*

Before each barrel of the manhole is set, the joint shall be cleaned and the barrel correctly aligned so that the steps form a continuous ladder. The first step shall be no more than fifteen inches (15") below finished grade and continue to the top of the bench wall.

It is the intent of these specifications to construct first-class manholes, which will exclude all ground water, by means of carefully constructed foundations, tight barrel joints and the coating of the inside and outside of the manholes.

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**ARTICLE IX– INSTALLATION – SECTION 5 – Manhole Construction continued**

- B) Frames and Covers: The frames shall be firmly set in a bed of not less than one full inch (1") of cement mortar and adjusted to the finished grade. The manhole frame may be set directly on the concrete roof slab, providing the top will be at the proper grade; otherwise, pre-cast concrete spacers shall be mortared to the roof slab to raise the frame to the proper grade. Brick with mortar plastered one-half inch (1/2") inside and out with coal tar coating may be substituted for the pre-cast concrete spacers. A maximum of three (3) courses of spacers or bricks shall be used to adjust the frames and grates to the proper grade.
- C) Inverts  
Inverts shall be constructed in all manholes. The inverts may be constructed of the mainline pipe or brick (Grade SS) and shall be the depth of the pipe. When PVC material is used, all brick, concrete or other masonry material that interfaces with the PVC shall be adhered to the PVC with 100% epoxy non-shrink grout.
- D) Manholes  
Wherever the invert of the entering sewer is more than two feet (2') above the invert of the outlet sewer, it shall be connected with an outside drop with a clean-out pipe half bricked up. Where possible the drops shall be constructed with vertical drop pipes; otherwise, the drop may be offset. When drops are placed, the entire excavation around the drop pipe shall be filled with 3,000 psi concrete extending not less than two feet (2') along the main sewer. The clean-out opening in the barrel of the manhole shall be cut in after the manhole wall pipe is in place and the joint between the clean-out pipe and the manhole wall shall be thoroughly sealed with cement mortar on the inside and bituminous joint material on the outside, using suitable gasket in between.
- E) Sealing of Storm Manholes  
All manholes shall be sealed with two (2) coats of sealer as applied by the manhole manufacturer to the entire interior and exterior surfaces in minimum dry thickness of 11 mils per coat. Application shall be in accordance with the coating manufacturer's recommendations and shall be certified thereto by the suppliers. Before placement in the field, abraded areas shall be "touched up" with two (2) coats by the contractor. Covers and other exposed surfaces shall also be coated in the field. Improper materials or mil thickness shall be cause for rejections of manhole sections.

**SECTION 6 – Catch Basins**

Catch Basins shall be constructed as shown in the construction details portion of this document or as shown on the plans for special conditions.

All catch basins constructed of precast concrete shall be coated inside and outside with two (2) coats of heavy-duty coal tar sealer.

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## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE IX– INSTALLATION

#### SECTION 7 – Laterals and Water Services

Laterals and water services shall be installed to the right-of-way (or easement) line for all lots. Each service shall be located with a two-inch by four-inch (2"x4") witness stake extending a minimum of three feet (3') above finished grade. The stakes shall be color coded in conformance with Industrial Code 53 to denote the type of service they represent.

Storm sewer connections on new storm sewer main installations shall be made with either a tee or wye fitting. Connections to an existing sewer main shall be made with approved saddles.

#### SECTION 8 – Hydrants and Valves

A hydrant unit shall consist of a hydrant, guard valve, mechanical joint tee and anchor pipes. Before hydrants or valves are installed, they shall be checked to determine if they are in the proper working order.

Hydrants shall be set plumb with the break flange three inches (3") above the finished grade. Hydrant weeps shall be surrounded by at least ten (10) cubic feet of crushed stone or gravel. If the ground water is higher than the drainage plug, the plug shall be closed and the crushed stone eliminated.

Valve boxes shall be placed plumb over the operating nut of the valve and adjusted to the final grade.

All hydrants shall be painted red with silver caps and bonnets and all valve box covers shall be painted blue as approved by the Water Superintendent.

#### SECTION 9 – Backfilling and Finishing

- A) General: Trenches shall be immediately backfilled following the installation of utilities unless specifically changed in writing by the engineer. The roadways and sidewalks shall be left unobstructed, with their surface in a safe and satisfactory condition. The trench shall be tamped sufficiently to prevent settlement of or damage to existing or newly installed structures. See compaction requirements that follow.
- B) Backfill Immediately After Approval: Only select earth material shall be deposited around the utility and appurtenances covering them by hand for a depth of at least twelve inches (12") above the pipe. This earth shall be thoroughly tamped or rammed as it is being thrown in so as to fill the lower portion of the trench thoroughly distributed throughout. Bed the utility per the construction detail identified in the Appendix. Achieve the specified compaction values shown on the construction detail for the trench backfill.
- C) Restrictions as to Materials: No rock or frozen earth shall be put in the trench until the refilling has reached at least two-feet (2') above the top of the pipe lines and then not unless especially permitted by the engineer. All spaces between suitable pieces of rock shall be thoroughly filled with earth by backfilling in alternate layers of rock and earth. The trench shall be finished smooth and undulations will not be acceptable.
- D) Backfilling Pavement Crossings: All main lines or laterals that cross existing or proposed streets shall be backfilled with crusher run stone conforming to NYSDOT 304-2.02 Gradation Type 2. Materials shall be compacted in lifts of one-half foot (6") maximum to the elevation of the road subgrade. From there the backfill shall conform to the material specifications for individual road sections.  
In no instance shall virgin material that is used for backfill be excavated at a later date to be re-used for crusher run stone backfill.

**TOWN OF HOPEWELL  
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**ARTICLE IX– INSTALLATION Section 9 – Backfilling and Finishing continued**

- E) Cleaning Up: As the work progresses or as directed by the Engineer, all rubbish or refuse, unused materials and tools, shall be removed at once from along and near the trench line construction.  
Rough clean up along the route shall immediately follow installation procedures. Large spoil banks will not be permitted in developed areas.  
Final clean up and landscaping shall proceed immediately after the installation, testing and approval of the facility.  
In all cases, the project site shall be restored to a condition equal to or better than that, which

**SECTION 10 – Compaction**

Compaction densities specified herein shall be the percentage of the maximum density obtainable at optimum moisture content as determined and controlled, in accordance with all appropriate AASHTO and NYSDOT Standards. Each layer of backfill shall be moistened or dried as required and shall be compacted to the following densities, unless otherwise specified. Tests may be taken at any depth of the backfill as requested by the Town.

- A) Select Fill:  
Under all existing or proposed roads, driveways, parking areas..... 95%  
All other areas ..... 85%
  
- B) Methods and Equipment: Methods and equipment proposed for compaction shall be subject to the approval of the Town. Compaction by rolling or operating heavy equipment over fill areas shall be conducted in a manner by which injury to existing utilities and structures shall be avoided. Any pipe or structure damaged thereby shall be replaced or repaired as directed by the Town and at the expense of the developer.
  
- C) Testing:
  - 1) Field density tests may be ordered by the Town as necessary and will be paid for by the developer.
  - 2) The developer shall furnish all necessary samples for laboratory tests and shall provide assistance and cooperation during field tests. The developer shall plan his operations to allow adequate time for laboratory tests and to permit taking of field density test during compaction.  
Any areas found to be below required compaction densities shall be removed and replaced with new material at the developer’s expense. Also he shall be ordered to change the methods of operation and/or the backfill materials.  
Inadequate compaction shall be cause for the Town to issue a “Stop Work Order” on a project.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE IX– INSTALLATION continued

### SECTION 11 – Testing of Underground Utilities

- A) General Information: Upon the satisfactory completion of the installation of the underground utilities, the contractor shall proceed to test each of the installed facilities as herein specified. These tests shall be conducted in the presence of the Town. No test will be accepted unless witnessed by the Town. Records and data of these tests shall be submitted to the municipality.
- B) Storm Sewers: All storm sewers shall be flushed clean by the contractor in the presence of the Town. The lines shall be lamped to confirm alignment and checked for slope and invert elevations.
- C) Water Mains: Provisions for metering the flushing and testing water shall be made. Water that is used for testing and other purposes must be purchased by the developer.
- 1) The entire system, including services to the curb stops, shall be pressure tested at a minimum 1.5 times the working pressure of 150 psi at the point of testing for a period of two (2) hours. No high-pressure test will be allowed when temperature is less than 32° unless a heated shelter is provided for test equipment and the exposed service.  
A leakage test for 24 hours shall also be conducted along with the pressure test. These tests shall be performed in accordance with AWWA C600. The point of testing shall be at the highest elevation of the main.
  - 2) Disinfection  
Upon completion of the pressure testing, the main shall be disinfected in accordance with AWWA C601. (Item 7.3 therein does not apply.)
  - 3) Samples  
After flushing of the newly disinfected main, the Town of Hopewell Water Utilities Department shall obtain samples of water and submit them to a laboratory approved by the New York State Department of Health. A satisfactory laboratory report, together with the Town's licensed professional engineer's Certificate of Construction shall be submitted for approval upon receipt of the Approval of Completed Work, the water system shall be considered completed and may be accepted for service by the Town.
- D) Defective Areas: In any area where satisfactory results of applied tests cannot be obtained, the defective portion of the system shall be located and replaced with new materials. That portion of the system shall then be retested until satisfactory results are obtained. Use of repair clamps will not be permitted.

### SECTION 12 – Roads, Gutters and Sidewalks

- A) General Information: The contractor shall not proceed to construct any of these items until the underground system has been installed, tested and approved by the Town. Careful attention shall be given by the contractor to obtain the necessary compaction densities as required under Section 10. In general, the soils in Hopewell preclude ultimate compaction in a short period of time due to the high clay content in the soil. Therefore, paving of the top road surface may be delayed by order of the Town of Hopewell for a period of seven (7) months or at least until a winter season has passed since the completion of the road binder course. As a minimum, the road shall be designed and constructed to the shape and dimensions as shown on the appropriate construction detail(s) contained in this booklet. If deemed necessary by the Board, a greater road width and base may be required in those areas where particular traffic patterns require a special design.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE IX– INSTALLATION continued

### SECTION 13 – Roads

- A) Subgrade: The subgrade shall be graded to remove all unsatisfactory or unstable material. Where material is removed below the subgrade elevation, suitable granular material shall be used to bring the road to the proper subgrade. Where ground water or poor soil conditions exist, the developer shall be required to install perforated under-drain and crushed stone weeps to drain the base. The entire subgrade surface shall be thoroughly compacted according to NYSDOT Specification 203-3.12. No movement shall be observed in the subgrade material as the roller passes.  
When the subgrade is completed, the contractor shall so notify the Town Highway Superintendent and the Design Engineer for a final inspection. Upon the inspection and written approval of the subgrade by the Highway Superintendent, the base material may be placed.
- B) Base Material: Approved base materials shall be uniformly deposited and compacted in layers with a roller, according to NYSDOT Specifications. Rolling shall begin at the sides and continue toward the center and shall continue until there is no movement of the course ahead of the roller. After compaction, the top surface of this course shall not extend above the theoretical elevation for this course and when tested with a straightedge sixteen feet (16') in length, any bump or depression over one-quarter inch (1/4") from the theoretical grade line shall be satisfactorily eliminated. When the base has been prepared to the satisfaction of the Highway Superintendent, the developer may be ordered to seal it with a rapid sealing liquid asphalt emulsion as specified in the latest NYSDOT Specifications, with 0.5 gallons per square yard as determined by the Highway Superintendent and not more than 24 hours prior to placement of binder asphalt.
- C) Bituminous Pavement:
- 1) Binder shall be placed and compacted to a minimum finished layer thickness of two inches (2") with a self-propelled asphalt spreader and rolled according to the latest NYSDOT Specifications. Before applying the top course, any irregularities in the binder course shall be eliminated but at no time will "cold patch" or "winter mix" be allowed on the binder for repair work.
  - 2) Before the surface course is placed, the binder will be cleaned and inspected by the Highway Superintendent to determine the condition of the pavement. It may be necessary to apply a tack coat at the rate of 0.1-gallon/square yard before placing the surface. Surface course shall be placed and compacted to a minimum finished layer thickness of one inch (1") with a self-propelled asphalt spreader and rolled in accordance with the latest NYSDOT Specifications.
- D) Temporary Road Construction: Where construction sequences preclude the specified road construction items and these requirements for Certificates and Occupancy, a temporary road consisting of the specified road section less surface course may be constructed.  
This temporary road shall be inspected by the Town Highway Superintendent and approved in writing prior to the issuance of any Certificate of Occupancy. The Town may accept dedication of the road and sufficient monies will remain in the letter of credit to top the road the next year.
- E) Continuation of Existing Road: When construction of a road is continued from an existing road or previous developed section, the roads shall be joined with a triangular cut of at least fifteen feet (15') from edge of curb to the centerline of the new pavement. The intent of this provision is to eliminate any grade difference and make a smooth riding transition.  
All pavement joints shall receive a tack coat before placing the binder or top course.

# TOWN OF HOPEWELL

## RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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### ARTICLE IX– INSTALLATION – SECTION 13 – Roads continued

- F) Stabilized Shoulders (For Town Connector and Rural Development & Roads): Stabilized shoulders shall be constructed to the dimensions shown on the typical sections. Construction methods shall conform to the latest NYSDOT Specifications. The base course shall consist of a wedge of crusher run stone (NYSDOT Spec. 304-2.02, Type 2) with a minimum thickness of nine inches (9") at the outside edge.
- G) Under-drains: Under-drains shall be installed in conformance with NYSDOT Specification 605 using six inch (6") fully coated perforated CSP or four inch (4") PVC and under-drain filter Type 1 per the latest NYSDOT Specifications.  
The under-drain shall be laid on four inches (4") of compacted stones and require six inches (6") of stone above and around the pipe.

### SECTION 14 – Concrete Gutters

Concrete gutters shall conform to the following:

- A) Concrete gutters shall be a minimum of eight inches (8") in depth and constructed true to the shape, line and grade and placed on a thoroughly compacted base. The gutters may be constructed using a slip form method or in-place form work.
- B) Joints between sections shall be placed every ten feet (10') at right angles to the flow line and must be "wet struck" one-eighth inch (1/8") wide and three-quarter inch (3/4") deep. Full depth expansion joints shall be placed every fifty feet (50') and at all structures or inlets. The full depth expansion joints shall contain bituminous expansion joint material for its full depth.
- C) Gutters shall be broom finished before the joints are struck and the finish shall be consistent throughout the project.
- D) Gutters shall be cured and sealed by spraying with an approved curing and sealing compound. The spray shall be applied at the rate as recommended by the manufacturer.
- E) One (1) coat of curing and sealing compound shall be applied when the work is complete and another coat after the gutters has set for 48 hours.
- F) The use of burlap or covering for curing or protection is not acceptable until after the concrete has been sprayed and set.
- G) The gutters, prior to final paving, shall be flooded and checked for horizontal and vertical line and grade and finish. If any gutters are found to be constructed in an unacceptable manner by the Superintendent of Highways, they shall be removed and replaced
- H) Gutter replacements shall conform to the existing gutter regarding finish and color.

### SECTION 15 – Concrete Sidewalks

- A) Minimum four inches (4") in depth and constructed true to shape, line and grade per the sidewalk construction detail shown in this booklet with 6"x6"x10 gauge wire placed where shown or fiberglass mix for reinforcement. Detectable warning strips shall be placed on the sidewalk ramp per the latest ANSI standards.
- B) Minimum width shall be five feet (5') or to match existing.

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**ARTICLE IX– INSTALLATION – SECTION 15 – Concrete Sidewalks continued**

- C) The base shall be thoroughly compacted crusher run stone (per latest NYSDOC Spec. 304-2.02, Type 2) and have a compacted thickness of four inches (4"). The base material shall extend six inches (6") outside each edge of the concrete sidewalk.
- D) A cross slope of one-quarter inch (1/4") per foot shall be maintained for positive drainage toward street level.
- E) Dummy construction joints shall be wet struck at five-foot (5') increments and be three-quarter (3/4") deep. Full depth bituminous expansion joints shall be placed every twenty-five feet (25') and at all castings.
- F) Sidewalks shall be broom finished and have troweled and beveled (rounded) edges with a corner radius of one-quarter inch (1/4"). The finish shall be consistent throughout the project.
- G) Two (2) coats of approved curing and sealing compound shall be applied. One (1) coat immediately following the finish work and the second coat 48 hours later.

**SECTION 16 – Survey Monuments**

The monuments shall be installed in those areas shown on the approved final plan and as located in the field by the Licensed Land Surveyor. They shall be installed to a depth of at least thirty inches (30") below finished grade with the top surface to be flush with finished grade.

**SECTION 17 – Final Grading**

Upon satisfactory completion of the utilities and roads, the entire area within the right-of-way shall be raked and finished to an acceptable appearance.

The contractor shall be responsible to fine grade the right-of-way at least once. In those areas where home building has started, unsightly clean up and depressions will then become the responsibility of that builder.

Debris and spoil banks created during the development (not home building) of the site shall be entirely removed and/or disposed of from the site. No burying of debris or materials shall be allowed on approved or proposed building lots.

**SECTION 18 – Final Cleaning**

During the time period between initial installation and testing and acceptance for dedication, debris and/or sediment may accumulate in the storm or sanitary systems. The developer shall be responsible to flush and remove this debris from the system prior to the final inspection for dedication.

**SECTION 19 – Signs**

Street and traffic signs will be supplied by the Town Highway Department and they shall be set in locations designated by said department. Payment for signs shall be the responsibility of the developer.

# TOWN OF HOPEWELL RULES AND REGULATIONS FOR SUBDIVISIONS AND DESIGN STANDARDS FOR LAND DEVELOPMENT

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## ARTICLE X – APPROVAL OF THE PROJECT FOR DEDICATION

### SECTION 1 – General

All construction within the right-of-way shall be complete with final inspections and approvals of the construction by the Town Department involved:

- A) Water District
- B) Building Department
- C) Highway Department
- D) Town Engineer

### SECTION 2 – Survey Monuments

Monuments shall have been set in their required locations and labeled on the record drawings.

### SECTION 3 – Grading

Final grading shall be completed within the right-of-way and all spoil removed from the site.

### SECTION 4 – Street Signs

All street and traffic signs shall be properly set in their designated locations.

### SECTION 5 – “As-Built” Plans

As-built plans and all testing results shall be supplied to the Town.

Record maps shall be prepared by the Design Engineer and twelve (12) prints and a reproducible (Mylar) shall be submitted to the Town’s Building Inspector. Electronic (digital map) files of the information may also be required by the Town of Hopewell for their future information and use. The record map shall contain the following information:

- 1) The location, sizes, elevations, lengths, slopes and invert and top elevations of manholes of all sanitary and storm sewers, water mains and appurtenances.
- 2) Significant elevations of drainage swales and other key surface elevations.
- 3) The location including ties to all valves, curb stops and hydrants to permanent structures.
- 4) Finished elevations and slopes of road surfaces.
- 5) The locations at the property line of each individual lot:
  - a. Sanitary Lateral
  - b. Storm Lateral
  - c. Water Service Curb Box
- 6) Any other significant details affecting the operation or maintenance of the system by the Town.
- 7) The location of all facilities shall be tied to visible and reproducible objects.
- 8) All appropriate legal documents shall be provided to the Town by the developer for review by the Town Attorney.

### SECTION 6 – Maintenance Bonds

The submission and acceptance of the two (2) year Maintenance Bonds for all improvements to be offered to the Town for dedication. Maintenance Bonds shall be written by a surety licensed to do business in New York State and they shall be in the amount of ten percent (10%) of the final construction cost.

Note: A greater percentage and bond duration may be imposed if so recommended by the Town’s Engineer or appropriate consultant.

### SECTION 7 – Release of Monies

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**ARTICLE X – APPROVAL OF THE PROJECT FOR DEDICATION**

The Town Board, upon recommendation from the Town Engineer, receipt of a two (2) year Maintenance Bond and Certified Record (as built) drawings, shall then authorize release of monies retained in the Letter of Credit. Partial release from the Letter of Credit may be granted by the Town Board as individual components of the subdivision development are completed. This shall not be construed as final acceptance of the work by the Town.

If the required improvements are not completely installed within the period fixed or extended by the Town Board, the Town Board may declare the Letter of Credit in default and collect the amount payable thereunder. Upon receipt of such amount, the Town shall install such improvements as were covered by the Letter and are commensurate with the extent of building development which has taken place in the subdivision, not exceeding in cost, however, the amount collected upon the Letter of Credit.

SECTION 8 – Required Documentation

See Article IV – Section 3

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**LETTER OF CREDIT**

**Based on Engineer's Estimate dated:** \_\_\_\_\_

**Attached hereto for the Development** \_\_\_\_\_

**Town of Hopewell**

Earthwork	\$ _____	
Contingency (10%)	\$ _____	
Total Earthwork		\$ _____
Sanitary Sewers	\$ _____	
Contingency (10%)	\$ _____	
Total Sanitary Sewers		\$ _____
Storm Sewers	\$ _____	
Contingency (10%)	\$ _____	
Total Storm Sewers		\$ _____
Water Mains	\$ _____	
Contingency (10%)	\$ _____	
Total Water Mains		\$ _____
Roadways	\$ _____	
Contingency (10%)	\$ _____	
Total Roadways		\$ _____
Subtotal Construction Cost		\$ _____
Inspection (3% - 5%)		\$ _____
Road Signs & Clean Up		\$ _____
Design Engineering & Surveying Fees		\$ _____
<b>TOTAL LETTER OF CREDIT</b>		<b>\$ _____</b>

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**LETTER OF CREDIT BALANCE**

PROJECT NAME: \_\_\_\_\_ ESTIMATE NO.: \_\_\_\_\_  
 MUNICIPALITY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 PROJECT NO.: \_\_\_\_\_

**LETTER OF CREDIT INFORMATION**

TOTAL CONSTRUCTION TO DATE:	\$ _____	1.)	ORIGINAL AMOUNT:
A. CONSTRUCTION VALUE TO BE RELEASED	\$ _____	2.)	AUTHORIZED FOR RELEASE PER ESTIMATE NOS.:
B. ENGINEERING COSTS	\$ _____		\$ _____
C. INSPECTION COSTS	\$ _____		\$ _____
D. OTHER COSTS	\$ _____		\$ _____
<b>AMOUNT PREVIOUSLY RELEASED THROUGH ESTIMATE NO. _____</b>	<b>\$ _____</b>		<b>SUBTOTAL \$ _____</b>
AMOUNT AUTHORIZED	\$ _____		

**\*BALANCE REMAINING IN LETTER OF CREDIT THROUGH THIS STATEMENT:**  
 \$ \_\_\_\_\_

**\*The Balance amount shall be sufficient to insure satisfactory completion of the remainder of the development.**

_____ Dated	_____ Project Engineer
_____ Dated	_____ Owner
_____ Dated	_____ Municipal Engineer
_____ Dated	_____ Fiscal Officer

LETTER OF CREDIT EXPIRES: \_\_\_\_\_