

LOCAL LAW FILING

New York State Department of State
41 State Street, Albany, NY 12231

(Use this form to file a law with Secretary of State)

Text of law should be given an amended. Do not include matter being eliminated and do not use italics or underling to indicate new matter.

Town of Jackson

Local Law No. 1 of the year 2004.

A local law Amendments to Town of Jackson Subdivision Regulations to provide for certain amendments and clarifications to existing regulations.

Be it enacted by the Board of the Town of Jackson as follows:

1. Article VII entitled "Terminology and Definitions" is hereby amended by adding the following definitions to the subsection entitled "VII-2 DEFINITIONS"

Lot Line/Boundary Line Agreement – A written agreement by owners of abutting parcels in which they resolve any dispute as to the exact legal description of all or any portion of the common boundary line between their parcels which dispute arose from causes such as a vague or a conflicting legal description of the common boundary line.

Lot Line Adjustment – A modification of a non-disputed existing boundary line between two parcels such that:

- a. The line is moved no more than 100 feet at either or both ends from where it currently is and no more than two (2) acres is involved in the total adjustment between parcels;
- b. No new lot is created; and
- c. No new non-buildable lot is created.

Stand Alone Lot – A lot which has never been separately described and which was a part of lands originally sold together, but which has become a stand alone lot by virtue of it having been separated, such as by another lot, from the rest of the land with which it was originally sold and which lot must meet subdivision regulations for a minor subdivision and which lot was created prior to the original adoption of subdivision regulations in the Town of Jackson.

Separately Described Lot – A lot which is separately described in a deed in a

conveyance which was recorded prior to the original adoption of these regulations and which lot must meet subdivision regulations for a minor subdivision.

2. The following language is added to the end of the definition of a Minor Subdivision as found in Article VII:

Also any subdivision of lands located on a private road, which road existed prior to the original adoption of these regulations, may be treated as a minor subdivision.

3. Article VI is renamed as “VARIANCES, WAIVERS, EXEMPTIONS”

4. A new subsection VI-4 is added entitled “EXEMPTIONS”

A Lot Line/Boundary Line Agreement, a Lot Line Adjustment, a Stand Alone Lot or a Separately Described Lot as defined herein are exempt from these regulations provided the following procedures are met by the applicant:

1. The applicant shall complete and file an application with the Planning Board which shall be reviewed by the Planning Board.
2. The Planning Board shall review the application and confirm that the proposed action is exempt under this section of the subdivision regulations.
3. The Planning Board may impose conditions which it deems appropriate upon the confirmation of the exemption, but only subject to the approval of the Town Board.
4. There shall be no fee for an application filed seeking an exemption, but the applicant shall reimburse the Planning Board for any or all sums actually incurred by the Board.
5. Article II at the end of the first paragraph is amended by adding the following language:

Any person intending to offer a portion of his or her property for sale who is uncertain as to the exact amount of property to be subdivided may come before the Planning Board to discuss the matter with the Board and the Board may determine that the person can offer the property for sale provided that the person includes in the contract of sale that the sale is contingent upon Planning Board approval and that Planning Board approval is secured before the sale.

6. Article II entitled Procedure for Filing Subdivision Applications-PrepApplication Review 1.1 Submission of Sketch Plan change to submit to the Clerk of the Planning Board at least (7) seven days prior to the regular meeting of the Board.
7. The Highway Superintendent shall approve all proposed driveway cuts and where it comes on to a Town Road.