



## **Are you contemplating subdividing a land parcel?**

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In many places of NYS, public water supply systems are available. If your site is situated in such a location, then the lots which will result from your contemplated subdivision will be required to draw their water supply from the municipal water system. Even if the new dwellings of your subdivision will be using septic systems as their means of sewage disposal, you will be required to connect the homes to the municipal water company's lines or mains if the area is serviced by a public water supply. If a municipal water supply is not available, but your subdivision exceeds a certain number of lots (49 lots is generally the cut-off number), you will be required to install a community water supply to service the new dwellings of the subdivision. Moreover, in some counties (e.g. Putnam County), multifamily developments are also required to be serviced by a community water system when multiple service connections are required (five for Putnam County) or when the number of users of the system will exceed a certain amount of people (24 for Putnam County). Under any of the above scenarios, the installation of water mains will be necessary and your subdivision plans will have to detail their installation.

When water supply lines are to be installed or extended, you will generally be required to obtain an approval from the Health Department of the county in which your site is located. If you are required to construct a new central water system for the development, then you will also be required to obtain an approval from the NYS Department of Environmental Protection. Of course, you will also be required to obtain approval from the local municipal planning board or town board. That usually means that your proposal will be reviewed by the local municipal planning department and the local municipal engineering department.

Be prepared to attend various meetings of the planning board as your proposal is reviewed and granted various approvals. A typical sequence of approval would be for the planning board to first grant sketch approval. Once sketch approval is granted, your Surveyor can compute the lot lines and your site engineer can start designing the various amenities which will be required for the subdivision (which would include the design of the water supply system if the lots will not be permitted to have wells as their water supply source). Once all of the amenities are designed and approved by the local municipal engineering and planning departments, you will then, in most cases, be required to present your proposal to the general public in what is known as a public hearing. During public hearings, the neighbors are permitted to attend the planning board meeting and voice their comments and concerns with regard to your subdivision proposal. Once the public's concerns have been addressed to the satisfaction of the municipal board(s), you can then ask for preliminary approval.

By the time preliminary approval is granted, most site engineers would have also submitted the design plans to the county health department for preliminary review and comment. If approval is required from the NYS Department of Environmental Conservation (the NYSDEC), then it is likely

that your site engineer will have also submitted the plans to that agency for comment prior to the granting of preliminary approval. If your site is located within the Watershed of N.Y.C., then approval from the N.Y.C. Department of Environmental Protection (the NYCDEP) will also be required. Naturally, other planning issues associated with the subdivision process will need to be addressed as you progress through the planning board approval process. However, in this article we are concerned only with the design and installation of the water mains which will be required to supply water to the proposed dwellings. So, issues such as zoning code conformity, the presence of wetlands, and the presence of flood plains will not be discussed in detail in this article.

Once preliminary approval is granted, then your site engineer will work on obtaining the final approval from the county health department. If the NYCDEP and/or the NYSDEC must also approve the proposal, then your Site Engineer will also work on obtaining those other approvals. You will be well under way towards obtaining a final planning board approval once these other agencies have approved the proposal. Some municipalities will host a second public hearing for the proposal prior to the granting of final subdivision approval. Other municipalities do not require that the proposal be subjected to a second public hearing and will proceed directly to the final approval process. Either way, a resolution for final approval will have to be drafted by the municipality. Once that is done, the planning board can then vote to either grant, or deny, the final approval. If final approval is granted, then several of the town officials will sign the subdivision map (also called, the subdivision plat), which you will then file with the county clerk.

If your subdivision will require the installation of water mains, then your site engineer will be required to conform to the standards of the Great Lake - Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers. That organization publishes, amongst other codes, the "Recommended Standards for Water Works."