

**Town of Pomfret**  
**Application for a Minor Subdivision of Land**

**SUBDIVISION TITLE:** \_\_\_\_\_

**ADDRESS OF SITE OF PROPOSED SUBDIVISION:** (As listed in Town Assessor's Records)

\_\_\_\_\_

<b>Tax Map No.</b>	<b>Section, Lot, Block</b>	<b>Street Address, City, State, Zip Code</b>
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**APPLICANT'S NAME & ADDRESS:**

\_\_\_\_\_  
Name

**Phone Number:** \_\_\_\_\_

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

(Applicant must be either the owner of the property to be developed or used or be a party with a purchase agreement for the property. A copy of the purchase agreement must be included with the application)

**NAME & ADDRESS OF PRESENT  
PROPERTY OWNER:**

\_\_\_\_\_  
Present Owner Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

**CONTACT PERSON:**

\_\_\_\_\_  
Contact Person Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

**ENGINEER DESIGNING SUBDIVISION:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Fax Number

**SURVEYOR DESIGNING SUBDIVISION:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Fax Number

**Town of Pomfret**  
**Application for a Minor Subdivision of Land**

**APPLICANT'S PROPOSED ACTION:**

- ( ) Residential Standard Subdivision
- ( ) Residential Cluster Subdivision
- ( ) Commercial Subdivision
- ( ) Subdivision Amendment

Area of Parcel: \_\_\_\_\_ Acres

Number of Lots Proposed: \_\_\_\_\_

Length of \_\_\_\_\_ Feet  
New Street(s):

Access to: ( ) Town Highway  
( ) County Highway  
( ) State Highway

TOWN SEWER EXTENSION PROPOSED? ( ) YES ( ) NO

TOWN WATER EXTENSION PROPOSED? ( ) YES ( ) NO

WATER WELL? ( ) YES ( ) NO

SEPTIC SYSTEM? ( ) YES ( ) NO

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

**Town of Pomfret**  
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**APPLICATION ATTACHMENTS:**

*To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all the applicable materials listed below may result in a delay in scheduling the application for review or Hearing by the Planning Board.*

- \_\_\_\_\_ \$150.00 application fee (cash, check, or credit card payable to the Town of Pomfret)
- \_\_\_\_\_ Plot Plan showing the exact location of the original and new proposed lot
- \_\_\_\_\_ Professional Survey of the ENTIRE land to be Subdivided (outlined with the detailed parcels to be subdivided)
- \_\_\_\_\_ Photographs of existing conditions
- \_\_\_\_\_ SEQR Part 1 – See attached
- \_\_\_\_\_ Agricultural Data Statement (If applicable)

## SEQR REQUIREMENTS

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an "Action"

If an action is determined not to have significant adverse environmental impacts, a determination of no significance or Negative Declaration is prepared. If an action is determined to have potential significant adverse environmental impacts, an Environmental Impact Statement (EIS) is required.

The SEQR process uses the EIS to examine ways to avoid or reduce adverse environmental impacts related to a proposed action. This includes an analysis of all reasonable alternatives to the action. The SEQR "decision making process" encourages communication among government agencies, project sponsors and the general public.

**Actions are classified into 3 different categories.** The classification of the action will determine the level of initial environmental review that the project will receive, which could consist of: No further review; Full (Long form) EAF or Short Form and To Coordinate or not to coordinate with other agencies.

**Type I Classification Actions** - are most likely to have significant adverse impact on environment, so are more likely to require EIS. (Not all Type I Actions are an automatic EIS requirement.)

**Some Examples:**

- Large Residential facilities (in context of existing community size)
- In or "substantially contiguous to" Historical Register listed or eligible sites or parks
- Affecting agricultural districts
- Purchase, sale or other transfer of more than 100 acres

**\*Type I classifications require that the SEQR process continue**

**Type II Classification Actions** - have been determined not to have a significant adverse impact on the environment and therefore do not require an EIS

**Some Examples:**

- Most Maintenance or repairs - including upgrading building to meet building and fire codes
- 1, 2 or 3 family homes on approved lots
- New non-residential uses under 4,000 square feet (requiring no zoning change or use variance)
- Purchase or sale of supplies or equipment - land transactions not covered
- Minor structures, such as garages, barns, or home swimming pools, routine permit and license renewal with no substantial change in permitted activities
- Rebuilding or replacement of facilities, in kind, on the same site

**\*Type II classifications conclude at SEQR**

**Unlisted Classification Actions** - are any proposals or actions not specifically included on either the statewide Type I or Type II lists. This is the largest category of actions subject to SEOR review. Specific items are not listed since it is impossible to identify in advance every potential project or decision which an agency may need to consider.

**Some Examples:**

- New 20 unit apartment building
- New non-residential use of 10 acres or less
- Parking for less than 1,000 cars
- Sale, purchase, lease or other transfer of fewer than 100 acres of land by government entity

**NOTE:** The SEQR regulations allow an agency to choose to apply the Type I initial review process to any unlisted action. Therefore it is reasonable to treat any large or complex project that has been classified as Unlisted, as a Type I action.

**\*Required that SEQR continue**

**Please complete Part I of the attached *Short Environmental Assessment Form* as a required part of the Zoning Board of Appeals Application process. Thank you.**

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ acres		
b. Total acreage to be physically disturbed?		_____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: _____ Date: _____		
Signature: _____ Title: _____		



# Agricultural Data Statement

**Instructions:** This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant

Owner if Different from Applicant

Name: _____ Address: _____ _____	Name: _____ Address: _____ _____
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1. Type of Application:  Special Use Permit;  Site Plan Approval ;  Use Variance;  
(check one or more)  Subdivision Approval

2. Description of proposed project: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Location of project: Address: \_\_\_\_\_  
Tax Map Number (TMP) \_\_\_\_\_

4. Is this parcel within an Agricultural District?  NO  YES (Check with your local assessor if

5. If YES, Agricultural District Number \_\_\_\_\_ you do not know)

6. Is this parcel actively farmed?  NO  YES

7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by:

\_\_\_\_\_  
Signature of Municipal Official

\_\_\_\_\_  
Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

County Clerk, the entire approved plat shall be filed with the Town Clerk within 30 days of the filing of such section. Any section of the approved plat which is filed in the office of the County Clerk shall encompass at least 25% of the total number of lots contained in the approved plat. 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 Town Law.

**§ 250-9. Minor subdivision approval requirements.**

- A. The Planning Board shall approve or disapprove minor subdivision final plats in accordance with the provisions of this section.
- B. Applicants for approval of minor subdivision plats are encouraged to meet with the Code Enforcement Officer to determine whether the approval process authorized by this section can and should be utilized. The Code Enforcement Officer may require the applicant to submit whatever information is necessary to make this determination, including, but not limited to, a copy of a tax map showing the land proposed to be subdivided and all lots previously subdivided from that tract of land. Applicants for approval of minor subdivisions are too required to submit a preliminary plat. The applicant shall also submit two surveys of the minor subdivision prepared by a surveyor licensed by the State of New York.
- C. The Planning Board may require a series of submittals conforming to those for major subdivisions, but may waive data requirements for good cause.
- D. In cases where the proposed minor subdivision will not pose any danger to health and safety or peril from fire, flood, erosion or other menace and where the application of these regulations will serve no substantial public interest the Planning Board may waive any or all other requirements of these regulations for any minor subdivisions, including, but not limited to, the requirement of a public hearing. The survey requirement shall not be waived.
- E. Subsequent to the adoption of these regulations, not more than three additional new lots may be created out of an existing parcel (i.e., a parcel in existence on the date that these subdivision regulations were adopted) using the minor subdivision approval process, within a thirty-six-month period.
- F. The Planning Board shall approve, deny, or conditionally approve the proposed minor subdivision final plat signature on the plat by the Chairman of the Planning Board or designee. Action by the Planning Board shall be taken within 62 days following the receipt of a complete and satisfactory application for approval of a final plat for a minor subdivision. The time period within which the Planning Board is required to act may be extended by mutual agreement of the applicant and the Planning Board. The applicant shall be notified in writing and all decisions of the Planning Board shall be filed in the office of the Town Clerk within five days. If the Planning Board fails to act within the sixty-two-day period, the subdivision shall be deemed to be approved and the Town Clerk may issue a certificate of approval on demand.

- (3) The hearing on the plat shall be advertised at least once in a newspaper of general circulation in the Town at least five days before such hearing if held independently of the hearing on the draft environmental impact statement, or 14 days before a hearing held jointly therewith. The hearing on the plat shall be completed within 120 days after it has begun.
  - (4) If the Planning Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 62 days following the close of such public hearing. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within 62 days following the close of the public hearing on the plat. Within 30 days of the filing of such final environmental impact statement the Planning Board shall issue findings on the final environmental impact statement and make its decision on the plat.<sup>1</sup>
- C. If the Planning Board is not lead agency under the State Environmental Quality Review Act, any public hearing held by the Planning Board on a preliminary plat, on a final plat where no preliminary plat was required, or on a final plat which does not substantially conform to an approved preliminary plat shall be coordinated with the environmental review process as follows:
- (1) The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the plat jointly with the lead agency's hearing on the draft environmental impact statement. Failing such agreement the Planning Board shall hold the public hearing on the plat within 62 days after the receipt of a complete plat by the Clerk of the Planning Board.
  - (2) The hearing on the plat shall be advertised at least once in a newspaper of general circulation of the Town at least five days before such hearing if held independently of the hearing on the draft environmental impact statement or 14 days before a hearing held jointly therewith. The Planning Board may provide that the hearing be further advertised in such a manner as it deems most appropriate for full public consideration of such plat. The hearing on the final plat shall be completed within 120 days after it has begun.
  - (3) The Planning Board shall act on the plat within 62 days after the close of the public hearing on such plat.

#### ARTICLE IV

#### Improvements and/or Guarantees

##### § 250-12. Required improvements.

- A. Prior to the approval of a final plat by the Planning Board, the applicant shall complete all of the improvements deemed necessary by the Planning Board to the satisfaction of the appropriate Town departments and the Planning Board.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).