Resolution 106-96

TOWN OF DUANESBURG

STREET AND ROAD ORDINANCE

COUNTY OF SCHENECTADY
STATE OF NEW YORK
ORDINANCE NO. 1-96

Town of Duanesburg
RD #1
Duanesburg, NY 12056

THE STREET AND ROAD ORDINANCE OF THE TOWN OF DUANESBURG COUNTY OF SCHENECTADY, STATE OF NEW YORK ORDINANCE NO. 1-96

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ARTICLE I DEFINITIONS

SECTION 1.1

For the purpose of these regulations, certain words and terms herein are defined as follows:

"DEVELOPER" shall mean any individual, firm, company, corporation or group engaged in developing land.

"RESERVE CONTROL STRIP" shall mean strip of land which might be used to control access from a proposed subdivision to any neighboring property, or to any land within the subdivision itself.

"NYSDOT STANDARD SPECIFICATION" shall mean the latest STANDARD SPECIFICATIONS CONSTRUCTION AND MATERIALS as required and promulgated by the New York State Department of Transportation, in effect and as amended, revised and changed from time to time.

"STREET" shall mean all property within the right-of-way lines in any roadway, thoroughfare or highway. Wherever used in this Ordinance, the word "STREET' shall also mean a roadway, thoroughfare, road, highway or public way.

"STREET COLLECTOR" shall mean a street designed to serve as a traffic way for a neighborhood or as a feeder to a major street, see attached Diagram "A".

"STREET, DEAD END" shall mean a street with only one outlet for vehicles.

"STREET LOCAL" shall mean a street intended to provide access to abutting properties in an area which is primarily residential.

"STREET, MAJOR" shall mean a street designed to serve heavier flow of traffic and used primarily as access to a subdivision from a COLLECTOR STREET, see attached Diagram "A".

"STREET, MINOR" shall mean a street within a subdivision designed primarily to connect MAJOR STREETS and provide access to the same, see attached Diagram "A".

"TOWN" shall mean the Town of Duanesburg, County of Schenectady, State of New York.

"TOWN HIGHWAY SUPERINTENDENT" shall mean the Duanesburg Town Highway Superintendent, or other duly appointed representative thereof.

"TOWN ENGINEER" shall mean a person or firm licensed to practice engineering in NYS as designated by the Town of Duanesburg on matters related to this Ordinance.

SECTION 1.2 PLANNING BOARD TO DEFINE STREETS

The Planning Board of the Town of Duanesburg, shall have the authority to determine how a proposed street shall be classified, i.e. major, minor, collector, etc. for purposes of this Ordinance. No determination pursuant to this section shall be made without first considering the recommendation as to classification made by the Town Engineer.

SECTION 1.3 REFERENCE TO SECTIONS

Reference made in this Ordinance to various sections of any State, Federal or Local Law, regulation, publication, manual and/or standards shall mean that which is in effect at the time this Ordinance becomes effective and as the same may be amended, revised and/or changed from time to time.

ARTICLE II STREET LAYOUT

SECTION 2.1 PURPOSE

The purpose of the Ordinance is to regulate the design, construction and the laying out of streets, thoroughfares or highways within the Town of Duanesburg, and to outline the necessary improvements required prior to dedication of the same to the Town as a Town Highway.

SECTION 2.2 ACCEPTANCE BY THE TOWN

After the effective date of this Ordinance, no street shall be accepted by the Town of Duanesburg, a Town Street or Road unless and until it shall conform to the Requirements, Laws, Standards And Regulations herein provided, and further complies with any other Town Law, Ordinance or Regulation affecting the same.

This Ordinance shall not apply to subdivisions and streets that have received necessary approval from the Town prior to the effective date hereof.

The accepting of any Town Street or Road may be delayed at the discretion of the Town Board upon the Town Engineer's recommendation that the same should be delayed due to frost or other weather conditions that would prohibit an informed decision as to whether or not the requirements of this Ordinance have been complied with.

SECTION 2.3 ARRANGEMENT

The arrangement of streets, hereinafter laid out, shall provide for the convenient flow of traffic and shall, wherever possible, provide for the continuation of the principal streets existing in adjoining subdivisions or provide for their proper projection into adjoining property if not subdivided.

The street pattern shall conform to the Official Map of the Town of Duanesburg in existence at the time application is made and shall have the approval of the Planning Board of the Town of Duanesburg prior to starting construction and prior to being accepted by the Town Board.

SECTION 2.4 WIDTH OF STREETS, RIGHT OF WAY

The minimum right-of-way width of a street shall be sixty (60) feet. This width shall be measured from lot line to lot line. Said width shall be measured at right angles to the lot line on straight streets and on radial lines on curved streets.

The Town reserves the right to require a greater width than set forth herein in order to provide for a street projected to become a main thoroughfare. In the event that a greater width is required, the Town reserves the right to require a greater pavement width as needed. Said determinations to be made by the Planning Board after considering the recommendation of the Town Engineer.

SECTION 2.5 RESERVE CONTROL

There shall be no Reserve Control Strips along or at the end of proposed streets or temporary turnarounds affecting access of adjoining property except where control of such strips is placed solely with the Town under an irrevocable offer to dedicate. When interior streets of a subdivision are dedicated to the Town, the stub streets which connect these interior streets to present or future adjacent subdivisions, must be dedicated simultaneously.

SECTION 2.6 PROPERTY LINE AT STREET CORNERS

The property line at all street corners shall be rounded or otherwise set back sufficiently to allow a radius or tangent on the property line of twenty-five (25) feet.

SECTION 2.7 DEAD END STREET

Dead-end streets designed to have one end permanently closed shall be provided at the closed end with a turnaround roadway having a minimum radius of at least sixty (60) feet. A temporary turnaround easement of equal size must be granted at the end of any street being dedicated in sections. Such easement will be automatically terminated when the street is extended.

SECTION 2.8 STREET GRADES

Street grades shall not exceed eight percent (8%), however, in no event shall the same be less than one percent (1%) unless specifically approved by the Town Engineer.

SECTION 2.9 CURVES

Design of horizontal curves shall be in accordance with the design criteria outlined in the latest edition of the AASHTO publication "A" Policy on Geometric Design of Highways and Streets".

SECTION 2.10 BLOCKS

Intersecting streets shall be so laid out and planned to provide that blocks between street lines shall not be less than one thousand (1000) feet for minor streets and not less than three thousand (3000) feet for major streets.

In the event that an unusual topographic condition or more efficient land use would require variance from this length, then and in that event, the same shall have prior approval of the Planning Board and the Town Engineer of the Town of Duanesburg.

ARTICLE III STREET CONSTRUCTION

Prior to being offered for dedication, all roadways must be constructed in accordance with the typical section attached hereto and as per this Ordinance.

SECTION 3.1 GRADING

The roadway shall be graded to the proper subgrade elevation below the proposed finish grade, crowned to shed water laterally to the side ditches and compacted per NYSDOT Standard Specifications. The entire street shall be graded to permit proper installations of utilities and to provide for improvements, consideration being given to existing trees which do not interfere with such installations. The subgrade shall be prepared in accordance with Section 203 of the NYSDOT Standard Specifications, and approved by the Town Engineer. Proof rolling of the subgrade shall be required.

SECTION 3.2 UTILITIES INSTALLED

Any water and sewer mains including house laterals to the property lines, storm sewers and all other underground utilities and services shall be compacted in accordance with NYSDOT Standard Specifications.

SECTION 3.3 CONSTRUCTION

The subbase shall be furnished and installed in accordance with Section 304 of the NYSDOT Standard Specifications, as amended from time to time, except as noted below. The thickness of the subbase shall be a minimum of 12" thickness. Woven geotextile will be required on all roadway prior to placement of subbase.

A subbase in excess of 18" may be required for special conditions as determined by the Town Engineer, including, but not limited to high volume traffic.

The subbase shall cover the entire area of the subgrade as per the NYSDOT Standard Specifications.

After the subbase has been installed and approved by the Town Engineer, three 2 1/2 (3) inches of Type 1 Base - Asphalt Concrete should be installed in accordance with Section 403 of the Standard Specifications. The final wearing surface shall be one (1) inch of Type 6 or 6F Top-Asphalt Concrete installed in accordance with Section 403 of the Standard Specifications.

SECTION 3.4 WIDTH OF PAVEMENT

The width of pavement shall be twenty (20) feet for minor streets and twenty-four (24) feet for all other streets. The Planning Board may require higher standards where appropriate. Paved shoulders may also be required.

SECTION 3.5 CURBS AND GUTTERS

Asphalt concrete curbs and gutters if deemed appropriate shall be installed in accordance with NYS Standard Specifications, as amended from time to time, and as shown on the typical section. The Town Planning Board, upon recommendation of the Town Engineer, shall have the right to rescind the necessity of curbs and/or gutters.

ARTICLE IV DRAINAGE

SECTION 4.1 DESIGN

Particular emphasis must be placed on adequate drainage. Excessive accumulation of surface water along the sides of the street shall be avoided. Storm sewers may be required if the length of the street accumulation exceeds five hundred (500) feet, or if the street grade exceeds five percent (5%), or if the street grade is less than one percent (1%). Storm water systems shall be designed to withstand a twenty-five (25) year storm and as per NYSDEC storm water management guidelines.

All storm sewer culverts and appurtenances shall be in accordance with NYSDOT Standard Specifications. Location and size of storm water systems shall be approved by the Town Engineer.

Erosion control shall be provided in accordance with NYSDEC guidelines. Foundation drains, sump pump lines, roof drains and other surface drains must be connected to storm sewer pipes, or discharge into a natural creek or stream. The above drains may not be allowed to discharge directly into a street ditch. Foundation drains will be permitted to connect in series to a smaller drain line, which may connect to a storm sewer at an accessible junction box. The subdivision plan shall show drainage lines which provide for foundation drainage for each lot.

Storm sewer catch basins shall be located as approved by the Town Engineer and directly opposite the subdivision property lines or at intersections to avoid conflict with driveways.

SECTION 4.2 EASEMENTS

The Developer or Owner laying out the street for acceptance by the Town must obtain all necessary easements or right-of-way to provide for any surface water caused by reason of the development of said street and/or by reason of the installation of culverts or surface drains. No street will be approved by the Town Engineer nor will it be taken over by the Town of Duanesburg before such necessary easement of right-of-ways have been obtained and approved by the Attorney for the Town of Duanesburg. Such permanent drainage easement shall enter from the outlet of any culvert or ditch to a natural water course and be not less than twenty-five (25) feet in width. At the discretion of the Town Engineer, wider easements or right-of-ways may be required.

ARTICLE V UTILITIES AND IMPROVEMENTS

SECTION 5.1 INSTALLATION

Utilities shall be installed prior to placement of subbase material.

SECTION 5.2 WATER MAINS

Where applicable, water mains are to be located as per the typical section and installed in accordance with all AWWA Standard Specifications and as approved by the Town Engineer. Water main layout is to be approved by the Town Engineer. House laterals for each planned lot are to be installed to the property line at approximately the center of same.

SECTION 5.3 SANITARY SEWER MAINS

Sanitary sewer mains, where required, are to be located as per the typical section and installed in accordance with Recommended Standards for Wastewater Facilities, latest edition by the Great Lakes-Upper Mississippi River Board (Ten State Standards) and as approved by the Town Engineer.

SECTION 5.4 STORM SEWER LINES

Storm sewer lines are to be located as per the typical section and as approved by the Town Engineer.

SECTION 5.5 OTHER UNDERGROUND UTILITIES

Gas mains are to be located five (5) feet from the property line and be installed on the same side as the water lines are located. Provision shall be made for service to the opposite side of the street. There shall be at least three (3) feet of earth cover without cutting the street.

All underground utilities including gas, electric, cable TV, and telephone shall be installed in accordance with National Utility Standards. All plans including overhead utilities shall be submitted to the Planning Board and the Town Engineer for approval. Installation of utilities shall be scheduled to prevent open cutting of Town roads.

Layout of mains and time of installation are subject to approval by the Planning Board and the Town Engineer.

SECTION 5.6 MONUMENTS

Sufficient monuments shall be placed to properly reproduce each street and should be shown on the subdivision drawing for approval by the Town Engineer. Existence of these monuments will be inspected by the Town Engineer. Monuments may be either granite with a cross cut in the top, or concrete with a metal pin in the top, 4" x 4" square and four (4) feet long.

SECTION 5.7 ADDITIONAL IMPROVEMENTS, DRIVEWAYS

Additional improvements, such as gutters and sidewalks, may be required by the Planning Board of the Town of Duanesburg. Complete plans and specifications covering proposed improvements should be submitted to the Town Planning Board and the Town Highway Superintendent for approval. No hedges, walls, trees or other obstructions shall be installed within thirty (30) feet of the center line of said street without the approval of the Town Planning Board.

Construction of driveways or entranceways shall be approved by and installed under the direction of the Town Engineer in order to conform to the established grade. Culvert pipe is to be a minimum of 12" in diameter and installed as shown on the plan. The cost of the culvert pipe and other material used shall be the responsibility of the Owner/Developer.

ARTICLE VI PERFORMANCE AND PERMISSION FOR OTHER AGENCIES

SECTION 6.1 EXPENSE AND NOTICE OF COMMENCEMENT DATE

All expense in connection with any engineering or inspecting for any work done pursuant to this Ordinance shall be at the sole cost and expense of the Owner or Developer laying out said street. The Owner/Developer will deposit funds to the Town to cover these expenses prior to final approval and before any work commences. Before any work of any nature is done by the Owner, Developer, or Agent of the Owner or Developer, written notice must be given at least five (5) days in advance to the Town Code Enforcement Officer advising the Town of the proposed date of commencement of work.

SECTION 6.2 PERMISSION FROM OTHER AGENCIES

Approval in writing shall be obtained by the Owners and/or Developers from the NYSDOT where proposed streets or highways intersect State roads for its permission to connect said streets with such roads.

Approval, in writing, shall be obtained by the Owners and/or Developers from the Schenectady County Superintendent of Highways where proposed streets or highways intersect County roads for his permission to connect said streets with such roads.

Approval, in writing, shall be obtained by the Owners and/or Developers from the Town Superintendent of Highways where proposed streets or highways intersect Town roads for his permission to connect said streets with such roads.

ARTICLE VII INSPECTION AND CERTIFICATION

SECTION 7.1 INSPECTION, GENERALLY

Adequate inspection shall be provided as required during all phases of construction, and shall be done under the direction of the Town Engineer.

SECTION 7.2 INSPECTION SERVICE

The inspection service shall be provided by the Town Engineer. The cost of the inspection shall be the responsibility of the Developer. Funds will be provided by the developer prior to final approval to cover the Town expenses for this service as noted in Section 6.1.

SECTION 7.3 WRITTEN CERTIFICATION

Written certification by a New York State Licensed Engineer, approved by the Town Board, will be required proving that subgrades are correct to established line and elevation, that all storm sewer catch basin rims, sanitary sewer manhole rims, water main valve box rims and any other service access devices are at established finish elevation, and upon completion of the road bed, prior to paving that established elevations of the bed are correct. The Town Engineer shall certify that the completed project was installed in accordance with the approved plans.

Written certification shall also be required for the gas company, telephone company, power company and any other utility company that their respective utilities have been installed in accordance with the provisions of the Ordinance.

SECTION 7.4 REGULATORY SIGNS

The Town Planning Board may require that the proposed street plan be reviewed by a qualified Traffic Safety Engineer, at the expense of the subdivision Owner/Developer, for required traffic regulatory and warning sign location and type. Such signage shall be in conformance with the NYSDOT "Manual of Uniform Traffic Control" and shall be furnished and installed by the subdivision Owner/Developer with prior approval of the Town Engineer.

SECTION 7.5 DEVELOPER CERTIFICATION

The Developer shall certify, in writing, under oath, that all requirements of this Ordinance have been complied with in the construction of a street offered to the Town for acceptance. The written certification shall be filed with the Town Clerk prior to such acceptance by the Town Board.

ARTICLE VIII VALIDITY, AUTHORIZATION, EFFECTIVE DATE

SECTION 8.1 VALIDITY

The invalidity of any section, clause, sentence, or provisions of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

SECTION 8.2 EFFECT ON PRIOR ORDINANCES AND LAWS

Upon taking effect, this Ordinance shall supersede and replace any and all previous Town Laws, Ordinances and/or Regulations dealing with the subject matter contained herein.

SECTION 8.3 AUTHORITY

This Ordinance is enacted pursuant to Section 130 of the Town Law of the State of New York.

SECTION 8.4 EFFECTIVE DATE

This Ordinance shall take effect in accordance with Section 133 of the Town Law for the State of New York.

Dated: September 12, 1996

BY ORDER OF THE TOWN BOARD OF THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK.

Resolution # 106-96

Town Clerk