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PART 1:

VILLAGE OF BERGEN – LAND DEVELOPMENT LAW

ARTICLE I **DECLARATION OF POLICY**

Pursuant to the provisions of the Municipal Home Rule Law and the Village Law of the State of New York, the Planning Board of the Village of Bergen is hereby authorized and empowered to approve preliminary and final plats of subdivisions showing lots, blocks or sites, with or without streets or highways, to approve the development of plats entirely or partially developed, which were filed in the Office of the Genesee County Clerk, within the limits of the incorporated Village of Bergen. It is declared to be the policy of the Planning Board to consider land subdivision plats as part of a plan for the orderly, efficient and economical development of the Village. This means, among other things, that 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 menace; that proper provision shall be made for drainage, water supply, sewerage and other needed improvements; that all proposed lots shall be so laid out and of such size as to be in harmony with the development pattern of the neighboring properties; that the proposed streets shall compose a convenient system conforming to the Official Map, if such exists, and shall be properly related to the proposals shown on the Master Plan, if such exists, and shall be of such width, grade and location as to accommodate the prospective traffic, to facilitate fire protection and to provide access of fire fighting equipment to buildings; and that proper provision shall be made for open spaces for parks and playgrounds. In order that land subdivisions may be made in accordance with this policy, this Local Law, which shall be known as, and may be cited as, the "Village of Bergen Land Subdivision Law", has been recommended by the Planning Board, and is hereby adopted by the Village Board of Trustees of the Village of Bergen, New York on August 14, 2003.

These regulations are hereby being enacted consistent with the provisions of Article VII of the Village Law of the State of New York as amended from time to time. Furthermore, the provisions of this Local Law shall be deemed to supersede any inconsistent provisions existing in Village Law, Article VII, as presently constituted including Section 7-716 thereof.

ARTICLE II **DEFINITIONS**

A. GENERAL INTERPRETATION:

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"; "watercourse" includes "drain," "ditch" and "stream". The words "shall" or "will" are mandatory; the word "may" is permissive.

Unless otherwise expressly stated, the following terms shall, for the purpose of these regulations, have the meaning indicated.

References made to "this Local Law" shall refer specifically to the "Village of Bergen Land Development Law and Public Works Specifications".

B. DEFINITIONS:

For the purpose of this Local Law, certain words and terms used herein are defined as follows:

ALLEY: 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 (2) or more properties.

ARTERIAL STREET: means a street which serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic generating areas.

AS-BUILT DRAWINGS: Drawings submitted upon the completion of subdivision and prior to dedication and Certificate of Occupancy.

BLOCK: An area bounded by streets.

BUILDER: A person who obtains a building permit for construction of a structure or an approved site.

BUILDING CODE AND FIRE OFFICIAL: An appointed official nominated by the Village Board to enforce the provisions of the New York State Uniform Fire Prevention and Building Code.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at a street intersection defined by lines of sight between points at a given distance from the intersection of street right-of-way lines.

CLERK OF THE PLANNING BOARD: The Village Clerk shall serve as the Clerk of the Planning Board for all filings required by this Local Law.

COLLECTOR STREET: A street which serves or is designed to serve as a traffic way for a neighborhood or as a feeder to a major street.

COMMERCIAL USE: means activity carried out for pecuniary gain.

CONDITIONAL APPROVAL OF A FINAL PLAT: Approval of a final plat subject to conditions set forth by the Planning Board in a resolution conditionally approving such plat. Such "conditional approval" does not qualify a final plat for recording nor authorize issuance of building permits prior to the signing of the plat by a duly authorized officer of the Planning Board and recording of the plat in the office of the County Clerk in accordance with provisions of this article.

CONTRACTOR: A person acting for the Developer to construct the required improvements of the project. The Contractor is responsible to perform the work in conformance with the approved plans subject to a review by Village officials.

CROSSWALK: A right-of-way, municipally or privately owned, at least 10 feet in width, which traverses an area to furnish access for pedestrians.

DEAD-END STREET (or CUL-DE-SAC): A street, or a portion of a street, with only one vehicular traffic outlet.

DEDICATION: The deliberate appropriation of land by its Owner for any general and public uses, reserving to the Owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the land has been devoted.

DEVELOPER: A person holding the right to a parcel of land to be developed or subdivided. Commitments and/or requirements for development are solely between the Village and the Developer.

DISTRIBUTION LINE: An electric line used to distribute electric energy, which shall provide service to more than one customer (also referred to as primary line).

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

EASEMENT: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of their property.

ENGINEER or LICENSED PROFESSIONAL ENGINEER: A person licensed as a professional engineer by the State of New York.

FINAL PLAT: A drawing, in final form, showing a proposed subdivision containing all information or detail required by this Local Law and any other applicable state and local law, ordinance, rule, regulation or resolution, to be presented to the Planning Board for approval, and which, if approved and signed by the Planning Board Chairperson, or his designated representative, may be duly filed or recorded by the applicant in the Genesee County Clerk's Office.

FLOOD LIMITS: That area identified on the FEMA Flood Hazard Boundary Map as being subject to flood and/or mudslide hazards, and for which special flood plain management requirements and criteria are enumerated herein.

FRESHWATER WETLANDS: Areas within the Village of Bergen as defined on the Freshwater Wetlands Map prepared pursuant to Article 24 of the Environmental

Conservation Law and filed in the Village Offices. Formal determination of freshwater wetlands is subject to review and approval by the New York State Department of Environmental Conservation and/or U.S. Army Corp of Engineers.

GRADING PLAN: A plan showing all present and proposed elevations for storm water drainage and disposal.

INDUSTRIAL: means those fields of economic activity including forestry, fishing, hunting, trapping; mining; construction, manufacturing; transportation, communication, electric, gas services; wholesale, trade and food processing.

IMPROVEMENTS: Those physical additions and changes to the land that may be necessary to produce usable and buildable land areas. This may include but is not limited to grading, water supply, sewage disposal, storm water disposal, lighting, landscaping, etc.

LETTER OF CREDIT: Financial security required to ensure the installation of improvements as shown on the approved plan subject to possible dedication to the Village.

LOCAL STREET: means a street intended to serve primarily as an access to abutting properties.

LOT: Land occupied or which may be occupied by a building and its accessory uses, together with required open spaces, having not less than minimum area, width and depth required for a lot in the district in which such land is situated; and having frontage on a street, or other means of access as may be determined by the Planning Board to be adequate as a condition for issuance of a zoning permit.

MAJOR STREET: A street which serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic generating areas.

MAJOR SUBDIVISION: Any subdivision not classified as a minor subdivision, including, but not limited to, subdivisions of five (5) or more lots, or any size subdivision requiring any new street or extension of municipal facilities.

MINOR STREET: A street intended to serve primarily as an access to abutting properties.

MINOR SUBDIVISION: Any subdivision containing not more than four (4) lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, if such exists, Zoning Law, or this Local Law.

MULTIPLE DWELLING: means four or more dwelling units.

MUNICIPAL FACILITY: Facilities operated by a municipality, government agency, or a public utility for the provision of electricity, potable water and/or the collection, treatment and disposal of wastewater.

OFFICIAL MAP: The map established by the Village Board pursuant to Section 7-724 of the Village Law, showing streets, highways, parks and drainage, both existing and proposed.

OPEN SPACE or OPEN AREA: Any space or area of undeveloped land. A variety of open space forms is encouraged and may include but is not limited to formal squares and parks, informal natural areas, passive and active recreation areas, treed and open fields, agricultural lands used in agricultural production.

PLANNING BOARD: The Planning Board of the Village of Bergen.

PRELIMINARY PLAT: A drawing or drawings clearly marked 'Preliminary Plat' showing the layout of a proposed subdivision including the salient features of the proposed subdivision, as specified in Article V/Section 3, of the Local Law, submitted to the Planning Board for consideration prior to submission of the plat in final form.

PRELIMINARY PLAT APPROVAL: The approval of the layout of a proposed subdivision as set forth in the preliminary plat but subject to the approval of the plat in final form in accordance with this Local Law.

PUBLIC WORKS SPECIFICATIONS: The text contained within these Regulations including Articles IX through Article XIV, and includes those amendments, additions or deletions, which the Village Board shall adopt from time to time by resolution.

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, with front setbacks and other necessary lot measurements being measured from the future right-of-way line. Where there is no requirement for a "reservation for highway purposes," the front lot 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.

RE-SUBDIVISION: A change in a map of an approved or filed subdivision plat if such change affects any street layout or any change of a lot line. The same procedures shall be followed for a re-subdivision as for a subdivision.

SEQR: State Environmental Quality Review - part of the Environmental Conservation Law applicable to land development per 6NYCRR Part 617.

SERVICE LINE: An electric line used to connect a distribution line to an individual customer's meter or point of attachment. At the Village's discretion, a service line may be connected to two or more meters at a single premise (also referred to as secondary line).

SETBACK OR BUILDING LINE: The right angle distance within a property defining the required minimum distances between any structure and the street or the side or rear property lines of a parcel right-of-way.

SIGHT DISTANCE: The distance of visual sight available for access to a dedicated right-of-way from any parcel of land to be developed.

SITE PLAN: A plan of a lot or subdivision on which is shown topography, location of all buildings, structures, roads, rights-of-way, boundaries, all essential dimensions and bearings and any other information deemed necessary by the Planning Board.

SKETCH PLAN: A sketch of a proposed subdivision showing the information specified in Article V, Section 1, of this Local Law to enable the subdivider in reaching general agreement with the Planning Board as to the form of the layout and objectives of this Local Law.

SPDES: State Pollutant Discharge Elimination System - program authorized by the Environmental Conservation Law issuing permits for stormwater discharges from construction activities.

SPDES GENERAL PERMIT: SPDES General Permit for Construction Activities (GP-02-01) issued January 8, 2003 (or latest revision), pursuant to Article 17, Titles 7, 8 and Article 70 of the Environmental Conservation Law, authorizing stormwater discharges from construction activities.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP): A plan prepared by a licensed professional in conformance with the requirements of SPDES General Permit, for the control of erosion, sedimentation, water quality and water quantity of stormwater runoff during and after construction activities.

STREET: includes streets, roads, avenues, lanes, or other traffic ways, between right-of-way lines.

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

STREET WIDTH: The width of right-of-way, measured at right angles to the centerline of the street.

SUBDIVIDER: The owner of the property in question or the person, firm, corporation, partnership or association working in their behalf, who shall layout any subdivision or part thereof as defined herein.

SUBDIVISION: The division of any parcel of land into two (2) or more lots, blocks or sites, with or without streets or highways for the purpose of sale, transfer of ownership, or development. The term "subdivision" shall also include any alteration of lot lines or dimensions of any lots or sites shown on a plat previously approved and filed in the Office of the Genesee County Clerk.

SUPPLY LINE: A part of a distribution line that is installed between an existing electric distribution system and an underground distribution line within a residential subdivision

SURVEYOR: A person licensed as a land surveyor by the State of New York.

TOTAL HOLDINGS MAP: A map of the contiguous parcels, including the land to be developed, owned by a person applying for development approval.

VILLAGE ATTORNEY: A person or firm duly licensed to practice Law in the State of New York, engaged by the Village to review and prepare necessary documentation as required for districts, easements, letters of credit, dedication, surety or other legal matters.

VILLAGE BOARD OF TRUSTEES: The Village Board of the Village of Bergen.

VILLAGE CLERK: The Village Clerk of the Village of Bergen.

VILLAGE COMPREHENSIVE PLAN: means the materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the Village.

VILLAGE ENGINEER: A person or firm duly licensed to practice professional engineering in the State of New York designated by the Village to review and approve engineering plans and provide construction observation of facilities to be dedicated to the Village.

VILLAGE DPW SUPERVISOR: The Supervisor of Public Works of the Village of Bergen.

WATER USAGE UNIT: means one residential living quarters for one family unit; or a commercial or industrial usage of sixty thousand (60,000) gallons per year.

ZONING LAW: The officially adopted Zoning Law of the Village *of Bergen* with all amendments thereto.

Any terms used in these regulations which are not defined herein shall have the meaning accorded to them by the Village of Bergen Zoning Law.

C. REFERENCES:

Throughout these regulations one will find reference to publications of other agencies or testing methods such as:

AASHTO - American Association of State Highway and Transportation Officials.

ANSI - American National Standards Institute, Inc.

ASTM - American Society for Testing and Materials.

AWWA - American Water Works Association.

NYSDEC - New York State Department of Environmental Conservation.

NYSDOH - New York State Department of Health.

NYSDOT - New York State Department of Transportation.

Reference for these designations are widely accepted and readily available for the specifics and details that may be required for a design situation.

ARTICLE III PROCEDURE IN FILING SUBDIVISION APPLICATIONS

Whenever any subdivision of land, or re-subdivision of land is proposed to be made, and before any contract for the sale of, or any offer to sell any lots in such subdivision or any part thereof is made, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or his/her duly authorized agent shall apply in writing for approval of such proposed subdivision in accordance with the following procedures:

SECTION 1. SKETCH PLAN

A. SUBMISSION OF SKETCH PLAN

Any owner of land shall, prior to subdividing or re-subdividing land, submit to the Office of the Village Clerk at least ten (10) days prior to the regular meeting of the Board twelve (12) copies of a Sketch Plan of the proposed subdivision, which shall comply with the requirements of Article V, Section 1, for the purposes of classification and preliminary discussion.

B. DISCUSSION OF REQUIREMENTS AND CLASSIFICATION

The subdivider, or his/her duly authorized representative, shall attend the meeting of the Planning Board to discuss the requirements of this Local Law for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects as well as the availability of existing services and other pertinent information.

Classification of the Sketch Plan is to be made at this time by the Planning Board as to whether it is a Minor or Major Subdivision as defined in this Local Law. If necessary the Planning Board may seek input from the Village Engineer in regards to the classification. The cost of such Engineer review is the responsibility of the subdivider. The Board may require, however, when it deems it necessary for protection of the public health, safety and welfare, that a Minor Subdivision comply with all or some of the requirements specified for Major Subdivisions. If the Sketch Plan is classified as a Minor Subdivision, the subdivider shall then comply with the procedure outlined in Article III, Section 2 of this Local Law. If it is classified as a Major Subdivision, the subdivider shall then comply with the procedures outlined in Article III, Section 3, Section 4, and Section 5.

C. STUDY OF SKETCH PLAN

The Planning Board shall determine whether the Sketch Plan meets the purposes of this Local Law and shall, where it deems it necessary, make specific recommendations including compliance with SEQR requirements in writing to be incorporated by the applicant in the next submission to the Planning Board.

SECTION 2. APPROVAL OF MINOR SUBDIVISION

A. APPLICATION AND FEE

Within six (6) months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the subdivider shall submit an application for approval of a Subdivision Final Plat. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for re-classification. The Final Plat shall conform to the layout shown on the Sketch Plan plus any recommendations by the Planning Board. Said application shall also conform to the requirements listed in Article V, Section 2.

All applications for Plat approval for Minor Subdivisions shall be accompanied by the appropriate fee as specified in a fee schedule established by separate resolution of the Village Board. The amount of the fee is on file at the Village office.

All professional fees required for the review and approval of subdivisions, including but not limited to those of the Village Engineer, Village Attorney, and any other consulting services required by the Planning Board, shall be paid for by the Subdivider.

B. NUMBER OF COPIES

Sixteen (16) copies of the Subdivision Plat shall be presented to the Office of the Village Clerk at least ten (10) days prior to a scheduled monthly meeting of the Planning Board. One (1) reproducible copy and one (1) CADD digital copy shall also be provided on CD media format. The Village Clerk's office shall immediately notify the Chairperson of the Planning Board, or if he requests, the Clerk of the Planning Board. If applicable, one (1) copy will be forwarded by the Planning Board Chairperson, or his designated representative to each of the following: Genesee County Health Department, Monroe County Water Authority, Genesee County Planning Board, Fire Chief, Village DPW Supervisor, Village Building, Code and Fire Official and to the Village Engineer.

C. SUBDIVIDER TO ATTEND PLANNING BOARD MEETING

The subdivider, or his/her duly authorized representative, shall attend the meeting of the Planning Board to discuss the Subdivision Final Plat for a minor subdivision.

D. WHEN OFFICIALLY SUBMITTED

The time of submission of the Subdivision Plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for Plat approval, complete and accompanied by the required fee and all data required by Article V, Section 2, of this Local Law, has been filed with the Office of the Village Clerk.

Compliance with the State Environmental Quality Review Act (SEQR) may affect this "submission" date as it relates to a complete application.

E. REFERRAL TO COUNTY PLANNING BOARD

When required by Section 239n of General Municipal Law, the Planning Board shall refer the final plat to the Genesee County Planning Board for its review.

F. PUBLIC HEARING

A public hearing shall be held by the Planning Board within sixty-two (62) days from the time of submission of a minor Subdivision Plat for approval. Said hearing shall be advertised at least once in a newspaper of general circulation in the village at least five (5) days before such hearing. The newspaper shall be officially designated by the Village Board.

G. ACTION ON FINAL PLAT FOR A MINOR SUBDIVISION

The Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within sixty-two (62) days after the date of the public hearing. The grounds for modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. The time in which the Planning Board must take action on such final plat may be extended by mutual consent of the subdivider and the Planning Board.

SECTION 3. PRELIMINARY PLAT FOR MAJOR SUBDIVISION

A. APPLICATION AND FEE

Prior to the filing of an application for the approval of a Major Subdivision Plat, the subdivider shall file an application for the consideration of a Preliminary Plat of the proposed subdivision, in the form described in Article V, Section 3, hereof. The Preliminary Plat shall, in all respects, comply with the requirements set forth, in the provisions of the New York State Village Law as amended effective July 1, 1993 from time to time, and Article V, Section 3, of this Local Law, except where a waiver may be specifically authorized by the Planning Board. The scale of the plat shall be fifty (50) feet or one hundred (100) feet to one (1) inch as determined by the Planning Board. No application for a preliminary plat shall be complete until either a negative declaration has been prepared or a draft environmental impact statement has been accepted by the lead agency.

The application for conditional approval of the Preliminary Plat shall be accompanied by a fee, as specified in a fee schedule established and amended from time to time by

separate resolution of the Village Board. The application fee is available from the Village Office.

All professional fees required for the review and approval of subdivisions, including but not limited to those of the Village Engineer, Village Attorney, and any other consulting services required by the Planning Board, shall be paid for by the Subdivider.

B. NUMBER OF COPIES

Sixteen (16) copies of the Preliminary Plat shall be presented to the Office of the Village at least ten (10) days prior to the regular monthly meeting of the Planning Board. One (1) CADD digital copy shall also be provided on CD media format. At this time one (1) copy will be forwarded to each of the following: Genesee County Health Department, Monroe County Water Authority, Genesee County Planning Board, Fire Chief, Village DPW Supervisor, Village Building, Code and Fire Official and to the Village Engineer.

C. COORDINATION WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

Subdivider shall comply with State Environmental Quality Review Act (SEQRA) pursuant to the determination by the Planning Board.

D. RECEIPT OF A COMPLETE PRELIMINARY PLAT

A preliminary plat shall not be considered complete until sixteen (16) copies of the Preliminary Plat, accompanied by the required fee and all other data required by Article VI, Section 2 hereof, has been filed with the Office of the Village Clerk and a negative declaration has been filed by the lead agency or until a notice of completion of the draft environmental impact statement has been filed by the lead agency in accordance with the provisions of the State Environmental Quality Review Act. The time period for review of a preliminary plat shall begin upon filing of such negative declaration or such notice of completion.

E. SUBDIVIDER TO ATTEND PLANNING BOARD MEETING

The subdivider, or his/her duly authorized representative, shall attend the meeting of the Planning Board, to discuss the Preliminary Plat.

F. STUDY OF THE PRELIMINARY PLAT

The Planning Board shall study the practicability of the Preliminary Plat taking into consideration the requirements of SEQR, the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands

as yet unsubdivided, and the requirements of the Master Plan, the Official Map, and the Zoning Law, if such exist.

G. PLANNING BOARD AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; PUBLIC HEARING; NOTICE; DECISION

1. Public Hearing on Preliminary Plats - The time within which the Planning Board shall hold a public hearing on the preliminary plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act as follows:
 - a. If such board determines that the preparation of an environmental impact statement on the preliminary plat is not required, the public hearing on such plat shall be held within 62 days after receipt of a complete preliminary plat by the Office of the Village Clerk, or
 - b. If such board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the preliminary plat and the draft environmental impact statement shall be held jointly within 62 days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act.
2. Public Hearing; Notice, Length - The hearing on the preliminary plat shall be advertised at least once in the official newspaper so designated by the Village Board at least five (5) days before such hearing if no hearing is held on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board shall send, by regular mail, a copy of the notice of public hearing to all owners of property situated within five hundred (500) feet of the subject of the preliminary plat at least fourteen (14) days before the date of the hearing (for this purpose, the names and addresses of owners as shown on the latest official assessment records of the Village of Bergen shall be used). The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.
3. Decision - The Planning Board shall approve, with or without modification, or disapprove such preliminary plat as follows:
 - a. If the Planning Board determines that the preparation of an environmental impact statement on the preliminary plat is not required, such board shall

make its decision within sixty-two (62) days after the close of the public hearing, or

- b. 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 forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. Within thirty (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 preliminary plat.

4. Grounds For Decision - The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

H. PLANNING BOARD NOT AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; PUBLIC HEARING; DECISION

1. Public Hearing On Preliminary Plats - The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the preliminary plat jointly with their lead agency's hearing on the draft environmental impact statement. Failing such agreement, the Planning Board shall hold the public hearing on the preliminary plat within sixty-two (62) days after receipt of a complete preliminary plat by the Office of the Village Clerk.
2. Public Hearing; Notice, Length - The hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the Village at least five (5) days before such hearing is held independently of the hearing on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board shall send, by regular mail, a copy of the notice of public hearing to all owners of property situated within five hundred (500) feet of the subject of the preliminary plat at least fourteen (14) days before the date of the hearing (for this purpose, the names and addresses of owners as shown on the latest official assessment records of the Village of Bergen shall be used). The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat. The hearing on the preliminary plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.

3. Decision - The Planning Board shall by resolution approve with or without modification or disapprove the preliminary plat within sixty-two (62) days after the close of the public hearing on such preliminary plat.
 - a. If the preparation of an environmental impact statement on the preliminary plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing on the preliminary plat.
 - b. If an environmental impact statement is required, the Planning Board shall make its own findings and its decision on the preliminary plat within sixty-two (62) days after the close of the public hearing on such preliminary plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer.
4. Grounds For Decision - The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board. When so approving a preliminary plat, the Planning Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

I. CERTIFICATION AND FILING OF PRELIMINARY PLAT

Within five (5) business days of the adoption of the resolution granting approval of such preliminary Plat, such approved Plat shall be certified by the Chairperson of the Planning Board or his designated representative and a copy of the Plat and Resolution shall be filed with the Planning Board. A copy of the resolution shall be mailed to the Subdivider.

J. DEFAULT APPROVAL OF PRELIMINARY PLAT

The time periods herein within which a Planning Board must take action on a preliminary plat are specifically intended to provide the Planning Board and the public adequate time for review and to minimize delays in the processing of subdivision applications. Such periods may be extended only by mutual consent of the Subdivider and the Planning Board. In the event a Planning Board fails to take action on a preliminary plat within the time prescribed therefore after completion of all requirements under the state environmental quality review act, or within such extended period as may have been established by the mutual consent of the Subdivider and the Planning Board, such preliminary plat shall be deemed granted approval. The Subdivider may request a letter from the Chairperson of the Planning Board or his designated representative stating the date of submission of the preliminary plat and the failure of the Planning Board to take action within the prescribed time. Such letter shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

K. FILING OF DECISION ON PRELIMINARY PLAT

Within five (5) business days from the date of the adoption of the resolution approving the preliminary plat, the chairman or other duly authorized member of the Planning Board shall cause a copy of such resolution to be filed in the office of the Village Clerk.

L. REVOCATION OF APPROVAL OF PRELIMINARY PLAT

Within six (6) months of the approval of the preliminary plat the Subdivider must submit the plat in final form. If the final plat is not submitted within six (6) months, approval of the preliminary plat may be revoked by the Planning Board.

M. ADDITIONAL CONSIDERATIONS FOR APPROVAL OF PRELIMINARY PLAT

When granting approval of the preliminary plat, the Planning Board shall state the terms of such approval, if any, with respect to (1) the modifications to the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, morals, and general welfare; (2) The character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, morals, and general welfare; (3) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the subdivision plat. Approval of a preliminary plat shall not constitute approval of the subdivision plat, but rather it shall be deemed an expression of approval of the design submitted on the preliminary plat as a guide to the preparation of the plat, which will be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these regulations. Prior to approval of the subdivision plat, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at the public hearing.

SECTION 4. FINAL PLAT FOR MAJOR SUBDIVISION

A. APPLICATION FOR FINAL APPROVAL AND FEE

The subdivider shall, within six (6) months after the conditional approval of the Preliminary Plat, file with the Planning Board an application for approval of the Subdivision Plat in final form, using the approved application. All applications for final Plat approval for Major Subdivisions shall be accompanied by a fee, as specified in a fee schedule established and amended from time to time by separate resolution of the Village Board. The appropriate fee schedule is on file at the Village office. If the final plat is not submitted within six (6) months after the conditional approval of the Preliminary Plat, the Planning Board may refuse to approve the final plat and require re-submission of the Preliminary Plat. Final plats may require further review under the State Environmental Quality Review Act.

All professional fees required for the review and approval of subdivisions, including but not limited to those of the Village Engineer, Village Attorney, and any other consulting services required by the Planning Board, shall be paid for by the Subdivider.

B. NUMBER OF COPIES

A subdivider intending to submit a proposed Final Subdivision Plat for the approval of the Planning Board shall provide the Office of the Village Clerk with a copy of the Application and twenty-five (25) copies (one copy in ink) of the Plat, the original and three (3) true copies of all offers of cession, covenants, and agreements, and two (2) prints of all construction drawings, at least ten (10) days in advance of the regular monthly Planning Board meeting at which it is to be officially submitted. One (1) CADD digital copy shall also be provided on CD media format. The Final Subdivision Plat must address all changes and comments raised in the conditional approval. Prior to the next Planning Board meeting, the Planning Board Chairperson or his designated representative shall verify that the Village Building, Code and Fire Official, Fire Chief, Village DPW Supervisor have signed off that their concerns have been addressed.

C. WHEN OFFICIALLY SUBMITTED

The time of submission of the Final Subdivision Plat shall be considered to be the date of the regular monthly meeting of the Planning Board at least ten (10) days prior to which the application for approval of the Final Subdivision Plat, complete and all data required by Article V, Section 4, of this Local Law, has been filed with the Office of the Village Clerk. In addition, if the applicant elects to construct any or all required improvements (as specified in Article III, Section 5-A), the Village Engineer, at the expense of the subdivider, must file a certificate with the Planning Board stating that these improvements have been satisfactorily installed before the Final Subdivision Plat shall be considered officially submitted.

E. ENDORSEMENT OF VILLAGE, COUNTY AND STATE AGENCIES/INDIVIDUALS

Sewer and Electric facility proposals contained in the Subdivision Plat shall be properly endorsed and approved by the Village Board of Trustees. Applications for approval of plans for sewer or electric facilities will be filed by the subdivider with all necessary Village, County and State agencies. Water facility proposals contained in the Subdivision Plat shall be endorsed and approved by the Monroe County Water Authority. Endorsement and approval by the Genesee County Department of Health, and Monroe County Water Authority shall be secured by the Subdivider before official submission of Final Subdivision Plat. Endorsement and approval by the Genesee County Planning Board, Fire Chief, Village Building, Code and Fire Official, Village DPW Supervisor and the Village Engineer shall be secured by the Planning Board.

F. FINAL PLATS WHICH ARE IN SUBSTANTIAL AGREEMENT WITH APPROVED PRELIMINARY PLATS

When a final plat is submitted which the Planning Board deems to be in substantial agreement with a preliminary plat approved pursuant to this section, the Planning Board shall by resolution conditionally approve with or without modification, disapprove, or grant final approval and authorize the signing of such plat, within sixty-two (62) days of its receipt by the Office of the Village Clerk.

G. RECEIPT OF COMPLETE FINAL PLAT; WHEN NO PRELIMINARY PLAT IS REQUIRED TO BE SUBMITTED

When no preliminary plat is required to be submitted, a final plat application shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft Environmental Impact Statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of such plat shall begin upon filing of such Negative Declaration or such notice of completion.

H. FINAL PLATS; NOT IN SUBSTANTIAL AGREEMENT WITH APPROVED PRELIMINARY PLATS OR WHEN NO PRELIMINARY PLAT IS REQUIRED TO BE SUBMITTED

When a final plat is submitted which the Planning Board deems not to be in substantial conformity with a preliminary plat approved pursuant to this section, or when no preliminary plat is required to be submitted and a final plat clearly marked "final plat" is submitted conforming to the definition provided by this section the following shall apply:

1. Planning Board As Lead Agency; Public Hearing; Notice; Decision

a. Public Hearing on Final Plats - The time within which the Planning Board shall hold a public hearing on such final plat shall be coordinated with any hearings the Planning Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

- (1) If such board determines that the preparation of an environmental impact statement is not required, the public hearing on a final plat not in substantial conformity with a preliminary plat, or on a final plat when no preliminary plat is required to be submitted, shall be held within sixty-two (62) days after the receipt of a complete final plat by the Office of the Village Clerk; or
- (2) If such board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the final plat and the draft environmental impact statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such

draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act.

- b. Public Hearing; Notice Length - The hearing on the final plat shall be advertised at least once in the official newspaper so designated by the Village Board at least fourteen (14) days before a hearing held jointly therewith. The Planning Board shall send, by regular mail, a copy of the notice of public hearing to all owners of property situated within five hundred (500) feet which is the subject of the preliminary plat at least fourteen (14) days before the date of the hearing (for this purpose, the names and addresses of owners as shown on the latest official assessment records of the Village of Bergen shall be used). The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat. The hearing on the final plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.
- c. Decision - The Planning Board shall make its decision on the final plat as follows:
 - (1) If such board determines that the preparation of an environmental impact statement on the final plat is not required, the Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat within sixty-two (62) days after the date of the public hearing; or
 - (2) If such 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 forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. Within thirty (30) days of the filing of the final environmental impact statement, the Planning Board shall issue findings on such final environmental impact statement and shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of the such plat.
- d. Grounds for Decision - The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.

2. Planning Board Not As Lead Agency; Public Hearing; Notice; Decision

- a. Public Hearing On Final Plat - The Planning Board shall, with the agreement of the lead agency, hold the public hearing on the final 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 final plat within sixty-two (62) days after the receipt of a complete final plat by the Office of the Village Clerk.
- b. Public Hearing; Notice; Length - The hearing on the final plat shall be advertised at least once in the official newspaper so designated by the Village Board at least five (5) days before such hearing is held independently of the hearing on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Planning Board shall send, by regular mail, a copy of the notice of public hearing to all owners of property situated within five hundred (500) feet which is the subject of the preliminary plat at least fourteen (14) days before the date of the hearing (for this purpose, the names and addresses of owners as shown on the latest official assessment records of the Village of Bergen shall be used). The Planning Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat. The hearing on the final plat shall be closed upon motion of the Planning Board within one hundred twenty (120) days after it has been opened.
- c. Decision - The Planning Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat within sixty-two (62) days after the close of the public hearing on such final plat. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.
 - (1) If the preparation of an environmental impact statement on the final plat is not required, the Planning Board shall make its decision within sixty-two (62) days after the close of the public hearing on the final plat.
 - (2) If an environmental impact statement is required, the Planning Board shall make its own findings and its decision on the final plat within sixty-two (62) days after the close of the public hearing on such final plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Planning Board.

I. APPROVAL AND CERTIFICATION OF FINAL PLATS

1. Certification of Plat - Within five (5) business days of the adoption of the resolution granting conditional or final approval of the final plat, such plat shall be certified by the Chairperson of the Planning Board or his designated representative that conditional or final approval has been granted. A copy of such resolution and plat shall be filed with the Planning Board. A copy of the resolution shall be mailed to the Subdivider. In the case of a conditionally approved plat, such resolution shall include a statement of the requirements which when completed will authorize the signing thereof. Upon completion of such requirements the plat shall be signed by said duly authorized officer of the Planning Board and a copy of such signed plat shall be filed in the office of the Village Clerk.
2. Approval of Plat in Sections - In granting conditional or final approval of a plat in final form, the Planning Board may permit the plat to be subdivided and developed in two (2) or more sections and may in its resolution granting conditional or final approval state that such requirements as it deems necessary to ensure the orderly development of the plat be completed before said sections may be signed by the duly authorized officer of the Planning Board. Conditional or final approval of the sections of a final plat may be granted concurrently with conditional or final approval of the entire plat, subject to any requirements imposed by the Planning Board.
3. Duration of Conditional Approval of Final Plat - Conditional approval of the final plat shall expire within one hundred eighty (180) days after the resolution granting such approval unless all requirements stated in such resolution have been certified as completed. The Planning Board may extend by not more than two (2) additional periods of ninety (90) days each the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances.

J. DEFAULT APPROVAL OF FINAL PLAT

The time periods herein within which the Planning Board must take action on a final plat are specifically intended to provide the Planning Board and the public adequate time for review and to minimize delays in the processing of subdivision applications. Such periods may be extended only by the Planning Board if such extension is appropriate to permit the public adequate time to review the Final Plat. In the event a Planning Board fails to take action on a final plat within the time prescribed therefore after completion of all requirements under the state environmental quality review act, or within such extended period as may have been established by the mutual consent of the Subdivider and the Planning Board, such final plat shall be deemed granted approval. The certificate of the Village Clerk as to the date of submission of the final plat and the failure of the Planning Board to take action within the prescribed time shall be issued on demand and

shall be sufficient in lieu of written endorsement or other evidence of approval herein required.

K. FILING OF DECISION ON FINAL PLAT

Within five (5) business days from the date of the adoption of the resolution approving the final plat, the Chairperson or other duly authorized member of the Planning Board shall cause a copy of such resolution to be filed in the office of the Village Clerk.

L. NOTICE TO GENESEE COUNTY PLANNING BOARD

The Chairperson of the Planning Board, or his designated representative, shall refer all applicable preliminary and final plats to the Genesee County Planning Board as *provided* for in Section 239 of the General Municipal Law and authorized by the Genesee County Legislature.

M. EXPIRATION OF APPROVAL

The Subdivider shall file in the Office of the Genesee County Clerk such approved final plat or a section of such plat within sixty-two (62) days from the date of final approval, or such approval shall expire. The following shall constitute final approval: the signature of the Chairperson or other duly authorized officer of the Planning Board following final approval by the Planning Board of a plat as herein provided; or the approval by such board of the development of a plat or plats already filed in the Office of the Genesee County Clerk, if such plats are entirely or partially undeveloped; or the certificate of the Village Clerk as to the date of the submission of the final plat and the failure of the Planning Board to take action within the time herein provided. In the event the Subdivider shall file only a section of such approved plat in the Office of the Genesee County Clerk, the entire approved plat shall be filed within thirty (30) days of the filing of such section with the Village 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 2 of Section 265-a of NYS Village Law.

N. SUBDIVISION ABANDONMENT

The owner of an approved subdivision may abandon such subdivision pursuant to the provisions of Section 560 of the Real Property Tax Law.

SECTION 5. REQUIRED IMPROVEMENTS

A. IMPROVEMENTS AND PERFORMANCE BOND OR OTHER SECURITY

1. Improvements - Before the Planning Board grants final approval of the final plat, the subdivider shall complete all required improvements to the satisfaction of the Village Planning Board, who shall file with the Planning Board a letter signifying the satisfactory completion of all improvements required by the Planning Board and these regulations or provide a performance bond or other security as provide in Subsection 2 of this Section.
2. Performance Bond or other Security
 - a. Furnishing of Performance Bond - As an alternative to the installation of infrastructure and improvements, as above provided, prior to Planning Board approval, a performance bond or other security sufficient to cover the full cost of the same, as estimated by the Planning Board or a Village department designated by the Planning Board to make such estimate, where such departmental estimate is deemed acceptable by the Planning Board, shall be furnished to the Village by the subdivider.
 - b. Security where plat approved in sections - In the event that the subdivider shall be authorized to file the approved plat in sections, as provided in Section 4, Subsection I.2, approval of the plat may be granted upon the installation of the required improvements in the section of the plat filed in the Office of the Genesee County Clerk or the furnishing of security covering the costs of such improvements. The subdivider shall not be permitted to begin construction of buildings in any sections until such section has been filed in the office of the Genesee County Clerk and the required improvements have been installed in such section or a security covering the cost of such improvements is provided.
 - c. Form of security - Any such security must be provided pursuant to a written security agreement with the Village, approved by the Village Board of Trustees and also approved by the Village Attorney as to form, sufficiency and manner of execution, and shall be limited to: (i) a performance bond issued by a bonding or surety company; (ii) the deposit of funds in or a certificate of deposit issued by a bank or trust company located and authorized to do business in this State; (iii) an irrevocable letter of credit from a bank located and authorized to do business in this State; (iv) obligations of the United States of America; or (v) any obligations fully guaranteed as to interest and principal by the United States of America, having a market value at least equal to the full cost of such improvements. If not delivered to the Village, such security shall be

held in a Village account at a bank or trust company.

- d. Term of security agreement - Any such performance bond or security agreement shall run for a term to be fixed by the Planning Board, but in no case for a longer term than three (3) years, provided, however, that the term of such performance bond or security agreement may be extended by the Planning Board with consent of the parties thereto. If the Planning Board shall decide at any time during the term of the performance bond or security agreement that the extent of building development that has taken place in the subdivision is not sufficient to warrant all the improvements which have been installed as provided in this Section and by the Planning Board in sufficient amount to warrant reduction in the amount of said security, and upon approval by the Village Board of Trustees, the Planning Board may modify its requirements for any or all such improvements, and the amount of such security shall thereupon be reduced by an appropriate amount so that the new amount will cover the cost in full of the amended list of improvements required by the Planning Board.
- e. Default of security agreement - In the event that any required improvements have not been installed as provided in this Section within the term of such security agreement, the Village Board of Trustees may thereupon declare the said performance bond or security agreement to be in default and collect the sum remaining payable thereunder, and upon the receipt of the proceeds thereof, the Village shall install such improvements as are covered by such security and as commensurate with the extent of building development that has taken place in the subdivision but not exceeding in cost the amount of such proceeds.

B. MODIFICATION OF DESIGN IMPROVEMENTS

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Village Engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Village Engineer may, upon approval by a previously delegated member of the Planning Board, authorize modifications provided these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The Village Engineer shall issue any authorization under this Section in writing and shall transmit a copy of such authorization to the Planning Board at the next regular meeting.

C. INSPECTIONS OF IMPROVEMENTS

At least five (5) days prior to commencing construction of required improvements, the subdivider shall pay to the Village Clerk the inspection fee required by the Village Board

and shall notify the Village Building/Code and Fire Official in writing of the time when he/she proposes to commence construction of such improvements so that the inspection can be made to assure that all Village specifications and requirements have been met during the construction of the required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

D. PROPER INSTALLATION OF IMPROVEMENTS

If the Village Engineer shall find, upon inspection of the improvements performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Village Board, Building/Code and Fire Official, and Planning Board. The Village Board then shall notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the Village's rights under the bond.

E. DEFAULT UNDER PREVIOUS FINAL PLAT

No pending final plat shall be approved by the Planning Board as long as the subdivider is in default on a previously approved final plat.

SECTION 6. FILING OF APPROVED SUBDIVISION PLAT

A. FINAL APPROVAL AND FILING

Upon completion of the requirements in Sections 4 and 5 above, and notation to that effect upon the Final Subdivision Plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Planning Board (Chairperson or Acting Chairperson) and may be filed by the subdivider in the Office of the County Clerk. Any Final Subdivision Plat not so filed or recorded within sixty (60) days of the date upon which such Plat is approved or considered approved, by reason of the failure of the Planning Board to act, shall become null and void, unless the particular circumstances of said applicant warrant the Planning Board to grant an extension, which shall not exceed two (2) additional periods of ninety (90) days each. Evidence of filing or recording shall be presented to the Chairperson of the Planning Board or his designated representative.

B. PLAT VOID IF REVISED AFTER APPROVAL

No change, erasure, modification, or revision shall be made in any Final Subdivision Plat after approval by the Planning Board endorsed in writing on the Plat, unless the Plat is resubmitted to the Planning Board and such Board approves any modification. In the event that any Final Subdivision Plat is recorded without complying with this requirement, the same shall be null and void and the Board shall institute proceedings to have such a Plat stricken from the records of the County Clerk.

SECTION 7. PUBLIC STREETS, RECREATION AREAS

A. PUBLIC ACCEPTANCE OF STREETS

The approval by the Planning Board of a Final Subdivision Plat shall not be deemed to constitute or be evidence of any acceptance by the Village of any street, easement, or other open space shown on such Subdivision Plat.

B. OWNERSHIP AND MAINTENANCE OF RECREATION AREAS

When a park, playground, or other recreation area shall have been shown on a Plat, the approval of the Plat shall not constitute an acceptance by the Village of such area. The Planning Board shall require the Plat to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Village Board covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

SECTION 8. APPLICATION OF SECTION 7-738 OF VILLAGE LAW

The Planning Board is empowered to modify applicable provisions of the Zoning Law in accordance with Section 7-738 of Village Law 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 provision of streets and utilities, and to preserve the natural and scenic qualities of open lands, the procedures and standards to be applied in such instances are as follows.

A. REQUEST BY SUBDIVIDER

A subdivider may request the use of Section 7-738 simultaneously with or subsequent to presentation of the sketch plan as provided in Article 111, Section 1. However, any submission subsequent to preliminary plat approval shall require a reapplication for sketch plan review.

B. SKETCH PLAN

A subdivider shall present, along with a Section 7-738 proposal, a standard sketch plan consistent with the criteria established by this Local Law in Article V, Section 1.

C. PARK, RECREATION, OPEN SPACE OR OTHER MUNICIPAL PURPOSES

If the application of this procedure results in a subdivision plan showing land available for park, recreation, open space, or other municipal purposes, directly related to the sketch plan, then conditions as to ownership, use and maintenance of such lands

necessary to assure the preservation of such lands for their intended purposes shall be made by the Planning Board.

D. PRELIMINARY AND FINAL PLAT SUBMISSION

Upon determination that such sketch plan is suitable for the procedures under Section 7-738, a preliminary plat meeting the requirements of Article III, Section 2 and the Village Board enabling resolution shall be presented to the Planning Board and thereafter the Planning Board shall proceed in accordance with this Local Law.

E. FILING, NOTATION ON ZONING MAP

On the filing of a final plat at the office of the Genesee County Clerk where Section 7-738 has been used, the subdivider shall file a copy with the Office of the Village Clerk. The Planning Board Chairperson, or his designated representative, shall make appropriate notations and reference thereto on the Village Zoning Law map, and notify the Village Building, Code and Fire Official when such a final plat is filed.

ARTICLE IV GENERAL REQUIREMENTS AND DESIGN STANDARDS

In considering applications for all major or minor subdivision of land, the Planning Board shall be guided by the standards set forth in this section and the Village of Bergen Public Works Specifications hereinafter. The said standards shall be considered to be minimum requirements and shall be waived by the Board only under circumstances set forth in Article VI herein.

SECTION 1. GENERAL

A. 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 menace. Land shall be suited for the purpose for which it is to be developed and the developer's Engineer shall certify to such on the plans submitted for approval. The Planning Board shall review proposed developments on their individual merit, including preservation of rural/agricultural land and their contribution to the Village. The subdivider shall strive to comply with standards of good planning and environmental conservation and adhere to the specification codes and ordinances or laws of the Village as well as those rules of agencies having jurisdiction over any particular phase of a development.

B. CONFORMITY TO OFFICIAL MAP AND MASTER PLAN

Subdivisions shall conform to the Official Map of the Village and shall be in harmony with the Master Plan.

C. SPECIFICATIONS FOR REQUIRED IMPROVEMENTS

All required improvements shall be constructed or installed to conform to the Village of Bergen Public Works Specifications, copies of which may be obtained from the Village Clerk upon payment of the required deposit.

SECTION 2. STREET LAYOUT

A. WIDTH, LOCATION AND CONSTRUCTION

Streets shall be of sufficient width, suitably located, and adequately constructed to conform to the Master Plan and to accommodate the prospective traffic and afford access for fire fighting, snow removal and other road maintenance equipment. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties and shall be coordinated so as to compose a convenient system.

B. ARRANGEMENT

The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. Where, in the opinion of the Planning Board, topographic or other conditions make such continuance undesirable or impracticable, the above conditions may be modified.

C. MINOR STREETS

Minor streets shall be so laid out that their use by through traffic will be discouraged.

D. SPECIAL TREATMENT ALONG MAJOR ARTERIAL STREETS

When a subdivision abuts or contains an existing or proposed major arterial street, the Board may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

E. PROVISION FOR FUTURE RE-SUBDIVISION

Where a tract is subdivided into lots substantially larger than the minimum size required in the zoning district in which the subdivision is located, the Board may require that streets and lots be laid out so as to permit future re-subdivision in accordance with the requirements contained in this Local Law.

F. DEAD-END STREETS

The creation of dead-end or loop residential streets will be encouraged wherever the Board finds that such type of developmental will not interfere with normal traffic circulation in the area. In the case of dead-end streets, where needed or desirable, the Board may require the reservation of a 20-foot-wide easement to provide for construction of pedestrian traffic and utilities to the next street. Subdivisions containing twenty (20) lots or more shall have at least two (2) street connections with existing public streets, or streets on an approved Subdivision Plat for which a bond has been filed.

G. BLOCK SIZE

Blocks generally shall not be less than four hundred (400) feet or more than twelve hundred (1200) feet in length. In general, no block width shall be less than twice the normal lot depth. In blocks exceeding eight hundred (800) feet in length, the Planning

Board may require the reservation of a 20-foot-wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic where needed or desirable, and may further specify, at its discretion, that a 4-foot-wide paved foot path be included.

H. INTERSECTIONS WITH COLLECTOR OR MAJOR ARTERIAL STREETS

Minor or secondary street openings into such roads shall, in general, be at least five hundred (500) feet apart.

I. STREET JOGS

Street jogs with center line offsets of less than one hundred and twenty-five (125) feet shall be avoided.

J. ANGLE OF INTERSECTION

In general, all streets shall join each other so that for a distance of at least one hundred (100) feet the street is approximately at right angles to the street it joins.

K. RELATION TO TOPOGRAPHY

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets. Grades of streets shall conform as closely as possible to the original topography.

L. OTHER REQUIRED STREETS

Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land (as for park purposes in residential districts; for commercial or industrial purposes in appropriate districts). Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

SECTION 3. STREETS

A. WIDTHS OF RIGHTS-OF-WAY

Streets shall have the following widths (when not indicated on the Master Plan or Official Map, the classification of streets shall be determined by the Board):

	Minimum Right-of-way
Private & Local Streets	60 feet
Residential Streets	60 feet
Collector & Arterial Streets	66 feet
Commercial / Industrial Streets	66 feet

B. IMPROVEMENTS

Streets shall be graded and improved with pavements, curbs or gutters, sidewalks, storm drainage facilities, water mains, sewers, street lights and signs, street trees, and fire hydrants, except where waivers may be requested, and the Planning Board may waive, subject to appropriate conditions, such improvements as it considers may be omitted without jeopardy to the public health, safety and general welfare. Pedestrian easements shall be improved as required by the Village Engineer. Such grading and improvements shall be approved as to design and specifications by the Village Engineer. In areas of new development, the Planning Board may require the placement of trees on individual lots rather than the provision of street trees. All such improvements will be at the expense of the subdivider.

C. UTILITIES IN STREETS

In the areas of new development, the Planning Board shall require subject to sub-section D below, that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of lines when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved. When a previously developed area is further subdivided, the Planning Board may require placement of utilities in conformance with the surrounding area.

D. UTILITY EASEMENTS

Where topography is such as to make impractical the inclusion of utilities within the street rights-of-way, perpetual unobstructed easements at least twenty (20) feet in width shall be otherwise provided with satisfactory access to the street. Wherever possible, easements shall be continuous from block to block and shall present as few irregularities as possible to eliminate "dead end" water or sewer lines. Such easements shall be cleared and graded where required. No structures shall have its foundation built less than five (5) feet from the edge of any easement line.

A permanent easement for all facilities connected to the Village sewer system, including the lateral and septic tank shall be provided.

E. GRADES

Grades of all streets shall conform in general to the terrain, and shall not be less than one-half percent (0.5%) or more than six percent (6%) for major or collector streets, or ten percent (10%) for minor streets in residential zones, but in no case more than three percent (3%) within fifty (50) feet of any intersection.

F. CHANGES IN GRADE

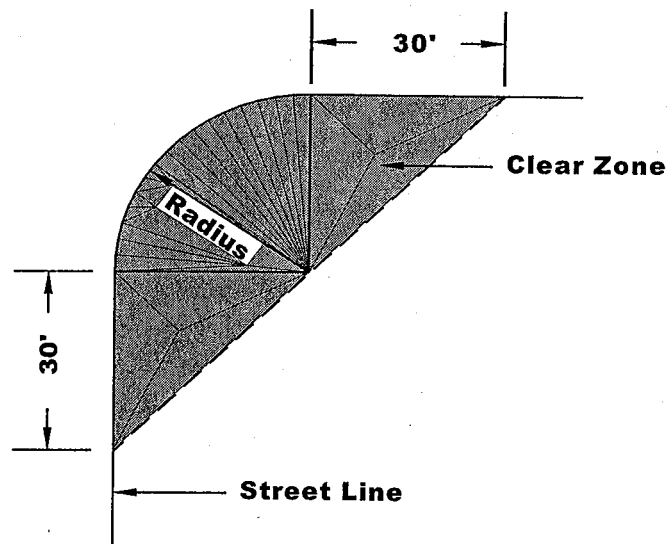
All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Village Engineer so that clear visibility shall be provided for a safe distance.

G. CURVE RADII AT STREET INTERSECTIONS

All street right-of-way lines at intersections shall be rounded curves of at least thirty (30) feet radius and curbs or gutters shall be adjusted accordingly.

H. STEEP GRADES AND CURVES; VISIBILITY AT INTERSECTIONS

A combination of steep grades and curves shall be avoided. In order to provide visibility for traffic safety, that portion of any corner lot (whether at an intersection entirely within the subdivision or of a new street with an existing street) which is shown shaded in Sketch A, shall be cleared of all growth (except isolated trees) and obstructions above the level of three (3) feet higher than the center line of the street. If directed, ground shall be excavated to achieve visibility.



SKETCH A

I. DEAD-END STREETS (CUL-DE-SACS)

Where dead-end streets are designed to be so permanently, they should, in general, not exceed five hundred (500) feet in length, and shall terminate in a turn-around conforming with the Village of Bergen Public Works Specifications, unless the Planning Board approves an alternate arrangement.

J. WATERCOURSES

Where a watercourse separates a proposed street from abutting property, provision shall be made for access to all lots by means of culverts or other structures of design approved by the Village Engineer.

Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way as required by the Village Engineer, conforming substantially with the line of such watercourse and of such width as will be adequate to preserve natural drainage and maintain the same, and in no case less than twenty (20) feet in width.

K. CURVE RADII

In general, street lines within a block, deflecting from each other at any one point by more than ten (10) degrees, shall be connected with a curve, the radius of which for the center line of the street shall conform with the Village of Bergen Public Works Specifications.

L. SERVICE STREETS OR LOADING SPACE IN COMMERCIAL DEVELOPMENT

Paved rear service streets of not less than twenty (20) feet in width, or in lieu thereof, adequate off-street loading space; suitably surfaced, shall be provided in connection with lots designed for commercial use.

M. FREE FLOW OF VEHICULAR TRAFFIC ABUTTING COMMERCIAL DEVELOPMENTS

In front of areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial use is contemplated, the street widths shall be increased by such amount on each side as may be deemed necessary by the Planning Board to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district.

N. STREET NAMES

All street names shown on a Final Preliminary Plat or Subdivision Plat shall be approved by the Planning Board. In general, streets shall have names and not numbers or letters.

Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name. Generally, no street should change direction by more than ninety (90) degrees without a change in street name. In considering street names, the Planning Board shall consult with the Genesee County Emergency Dispatch Center, State and County Law Enforcement Agencies.

O. STREET SIGNS

Street signs shall be provided by the developer at all intersections and other locations deemed necessary, and shall be of a type approved by the Village DPW Supervisor.

P. STREET LIGHTING FACILITIES

Lighting facilities shall be in conformance with the lighting system of the Village. Such lighting standards and fixtures shall be installed by the Subdivider after approval by the Village DPW Supervisor. Such a system shall be designed to keep light from illuminating areas outside of the developed site.

Q. SIDEWALKS

Sidewalks shall be provided in all subdivisions on both sides of all residential streets to be dedicated to the Village of Bergen. Sidewalks shall be provided on one side of all commercial/industrial streets. At the discretion of the Planning Board, additional sidewalks may be required to connect cul-de-sacs to other streets to provide maximum pedestrian mobility and access to the pedestrian walks within the Village of Bergen. In all instances where sidewalks are proposed outside of the public right-of-way, a pedestrian easement shall be provided to the Village of Bergen of at least twenty (20) feet in width. Grading and other improvements shall be made to provide its use as a pedestrian way.

SECTION 4. LOTS

A. LOTS TO BE BUILDABLE

The lot arrangement shall be such that in constructing a building in compliance with the Zoning Law there will be no foreseeable difficulties for reasons of topography or other natural conditions. Sizes of lots shall be in conformance with the Village Zoning Law.

Plats reviewed under provisions of Section 7-738 of the Village Law shall result in a number of lots which shall not exceed the number which could be permitted, in the Planning Board's judgment, if the land were subdivided into lots conforming to the minimum lot size and density requirements of the Village Zoning Law. In the effect that the application of this procedure results in a plat showing lands available for park,

recreation, open space, or other municipal purposes directly related to the plat, then the Planning Board may establish such conditions on the ownership, use and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

B. SIDE LINES

All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street or lot plan.

C. CORNER LOTS

In general, corner lots should be larger than interior lots to provide for proper building setback from each street and provide a desirable building site.

D. DRIVEWAY ACCESS

Driveway access and grades shall conform to specifications of the Village as directed by the Planning Board. Driveway grades between the street and the setback line shall not exceed ten percent (10%). Driveways with a grade in excess of three (3%) percent shall have an area suitable for parking two automobiles at a grade not exceeding one (1%) percent at the end away from the street.

The installation of driveway culverts may require the approval and a permit for culvert location, size and material from the State, County or Village having jurisdiction over a given road. New driveway culvert installation shall be the responsibility of the Subdivider following receipt of a permit.

E. ACCESS FROM PRIVATE STREETS

Access from private streets shall be deemed acceptable only if such streets are designed and improved in accordance with this Local Law.

F. MONUMENTS AND LOT CORNER MARKERS

Permanent monuments as detailed in the Village of Bergen Public Works Specifications as to size, type and installation, shall be set at such block corners, angle points, points of curves in streets and other points as the Village Engineer may require, and their location shall be shown on the Subdivision Plat. A letter from a New York State licensed land surveyor shall be provided by the subdivider to the Village Engineer certifying all monuments are installed as shown on the approved final plat.

SECTION 5. ELECTRICAL DISTRIBUTION

Electrical distribution systems shall comply with policies outlined in the Village of Bergen Public Service Commission Tariff, the Village of Bergen Public Works Specifications, and any additional requirements of the Village DPW Supervisor.

A. LOCATION

Location of proposed utilities shall be indicated on the plans. Electric, telephone and cable TV installation shall be underground for all major subdivisions, and all commercial and industrial subdivisions.

Electrical systems shall be installed in front yards wherever possible.

SECTION 6. WATER SUPPLY AND SANITARY SEWER

All water supply and sanitary sewer improvements shall be designed and installed in accordance with the Village of Bergen Public Works Specifications and Monroe County Water Authority after consultation with the Planning Board and Village Engineer as well as the specifications of the Genesee County Health Department.

A. WATER SUPPLY

Connection is mandatory. Where driveway is proposed to be in excess of 1,000 feet in length, the Subdivider is required to install a reference marker provided by the Fire Department at each 1,000 foot interval.

Installation of fire hydrants and guard valves shall be in conformity with all requirements of the Bergen Fire Department and the Village DPW Supervisor, subject to the standard specifications of the Monroe County Water Authority and approvals of the Genesee County Health Department.

Isolation valves shall be provided at each street intersection and at such additional locations as maybe required by the Village Board. "Dead end" lines shall not be allowed unless specifically approved by the Village Board and Monroe County Water Authority.

B. SANITARY SEWER

Connection is mandatory. All septic tanks shall be located in the front yard for access, unless approved by the Village DPW Supervisor.

SECTION 7. STORM WATER DRAINAGE, EROSION AND SEDIMENT CONTROL MEASURES

The Planning board shall refer all subdivision proposals to the Village Engineer, for their review of acceptability of proposed drainage, erosion and sediment control measures both during construction phases and after completion. Such review shall be based upon the SPDES General Permit. All easements deemed necessary to maintain either natural, or man made, storm water drainage, erosion and/or sediment control measures shall be provided and plotted on the final plat.

In general, complete street storm sewers, suitable for road and yard drainage, and available for sump pump or cellar drain connection from each building without crossing other owner's property, are required. Surface drainage by swales shall cross no more than two (2) lots without being intercepted by storm sewers. Main ditches will be permitted for pre-existing streams provided easements are dedicated as shown on the Village Master Drainage Plan or as designated by Village Engineer. All drainage plats or plans shall show the flow route to the nearest stream designated on the Master Drainage Plan or as designated by Village Engineer, even if it is off the development site. Plans shall show pipe sizes and grades, ditch cross-sections and grades, and be accompanied by engineer's computations showing the adequacy of the pipes and channels.

A. REMOVAL OF SPRING AND SURFACE WATER

The Subdivider may be required by the Planning Board to carry away by pipe or open ditch any spring or surface water that may exist either previous to, or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width. Any drainage ditch or water course, deemed significant by the Village or its agents as an important factor in maintaining or improving local storm water management conditions, shall be cleared of brush and debris and regraded (if necessary) to assure positive drainage.

B. DRAINAGE FACILITY TO ACCOMMODATE POTENTIAL DEVELOPMENT UPSTREAM

A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from the entire upstream drainage area, whether inside or outside the subdivision. The Village Engineer shall approve the design and size of facility based on procedures outlined in the Public Works Specifications and SPDES General Permit. Where conditions downstream warrant, the Planning Board at its sole discretion may require design and size of facility based on anticipated runoff from up to one hundred (100) year storm.

C. RESPONSIBILITY FOR DRAINAGE DOWNSTREAM

The subdivider's engineer shall also study the effect of each subdivision on the existing downstream drainage facilities outside the area of the subdivision; this study shall be reviewed by the Village Engineer. Where it is anticipated that the additional runoff

incident to the development of the subdivision will overload an existing downstream drainage facility during a two (2) year storm, the Planning Board shall notify the Village Board of such potential condition. In such case, the Planning Board shall not approve the subdivision until provision has been made for the correction of said condition.

D. LAND SUBJECT TO FLOODING

Land subject to flooding or land deemed by the Planning Board to be uninhabitable shall not be platted for residential occupancy, or for such other uses as may increase danger to health, life or property, or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or improved in a manner satisfactory to the Planning Board to remedy said hazardous conditions.

E. EROSION AND SEDIMENT CONTROL:

It is the Village's intent to control soil movement by employing effective erosion and sediment control measures before, during and after site disturbance.

Erosion and sediment control measures, both temporary and permanent, must be designed and presented for approval to the Planning Board prior to any site development or soil disturbance. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared for all subdivisions which include construction resulting in soil disturbance exceeding one (1) acre. At a minimum, the SWPPP shall include erosion and sediment controls. The SWPPP shall also include water quality and quantity controls (post-construction stormwater control practices) except in the case where soil disturbance is between one (1) and five (5) acres of land for the construction of single-family residences and construction activities at agricultural properties.

The Planning Board and its designated representatives will evaluate submitted erosion and sediment control design plans against the most current edition of "New York State Standards and Specifications for Erosion and Sediment Control".

SECTION 8. PARKS, OPEN SPACES AND NATURAL FEATURES

A. OPEN DEVELOPMENT AREAS

The Village Board may, by resolution, establish an open development area or areas within the Village, wherein permits may be issued for the erection of structures to which access is given by right of way or easement, upon such conditions and subject to such limitations as may be prescribed by general or special rule of the Planning Board.

Open development areas are to be authorized only in landlocked conditions where there is no other means of access and where in the judgment of the Planning Board the open

development area is deemed in the interest of public health, safety and general welfare of the neighborhood as well as for the open development area. Open development areas are for residential purposes. For the purposes of this section the word "access" shall mean that the Plot on which such structure is proposed to be erected directly abuts on such street or highway and has sufficient frontage thereon to allow the ingress and egress of fire trucks, ambulances, police cars and other emergency vehicles, and, a frontage of sixty (60) feet shall presumptively be sufficient for that purpose.

B. RECREATION AREAS SHOWN ON VILLAGE PLAN

Where a proposed park, playground or open space shown on the Village Plan is located in whole or in part in a subdivision, the Village shall require that such areas be shown on the Plat in accordance with the requirements specified in paragraph D below. Such area or areas may be dedicated to the Village, Town, or County by the subdivider if the Village Board approves such dedication.

C. PARKS AND PLAYGROUNDS NOT SHOWN ON VILLAGE PLAN

The Planning Board shall require that the Plat show sites of a character, extent, and location suitable for the development of a park, playground, or other recreation purpose. The Planning Board shall require that the developer satisfactorily grade any such areas shown on the Plat.

The Planning Board shall require that not less than three (3) acres of recreation space be provided per one hundred (100) dwelling units shown on the plat. However, in no case shall the amount be more than ten percent (10%) of the total area of the subdivision. Such area or areas may be dedicated to the Village, Town, or County by the subdivider if the Village Board, and the respective unit of government approves such dedication.

D. INFORMATION TO BE SUBMITTED

In the event that an area to be used for a park or playground is required to be so shown, the subdivider shall submit, prior to final approval, to the Office of the Village Clerk, three (3) prints (one on mylar), drawn in ink showing, at a scale of not less than thirty (30) feet to the inch. One (1) CADD digital copy shall also be provided on CD media format. Drawings shall include the following features thereof:

1. The boundaries of the said area, giving lengths and bearings of all straight lines; radii, lengths, central angles and tangent distances of all curves.
2. Existing features such as brooks, ponds, clusters of trees, rock out- crops, structures.
3. Existing and, if applicable, proposed changes in grade and contours of the said area and of area immediately adjacent.

4. Plan of the proposed development of recreation area, the equipment and facilities to be provided and constructed by the developer, the final ownership of and maintenance responsibility for the area, and the time schedule for completion of improvements.
5. Prior to such lands being dedicated to the Village, a Phase I Environmental Site Assessment shall be completed by the applicant using generally accepted practices at their expense.

E. WAIVER OF PLAT DESIGNATION OF AREA FOR PARKS AND PLAYGROUNDS

In the event the Planning Board makes a finding pursuant to Subsection B of this Section that the proposed subdivision plat presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but that a suitable parks or parks of adequate size to meet the requirement cannot be properly located on such subdivision plat, the Planning Board shall require a sum of money in lieu thereof in an amount specified in a fee schedule established by separate resolution of the Village Board per gross acre of land which otherwise would have been acceptable as a recreation site. In making such determination of suitability, the Planning Board shall assess the size and suitability of land shown on the subdivision plat which could be possible locations for park or recreational facilities, as well as practical factors including whether there is a need for additional facilities in the immediate neighborhood. Any money required by the Planning Board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this Section, shall be deposited into a trust fund to be used by the Village exclusively for park, playground or other recreational purposes, including but not limited to the acquisition of land.

F. RESERVE STRIPS PROHIBITED

Reserve strips of land, which might be used to control access from the proposed subdivision to any neighboring property, or to any land within the subdivision itself, shall be prohibited.

G. PRESERVATION OF NATURAL FEATURES

The Planning Board shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses and falls, beaches, historic spots, vistas and similar irreplaceable assets. No tree with a diameter of eight (8) inches or more, as measured three (3) feet above the base of the trunk, shall be removed unless such tree is within the right-of-way of a street as shown on the final Subdivision Plat. Removal of additional trees shall be subject to the approval of the Planning Board. In no case, however, shall a tree with a diameter of eight (8) inches or more, as measured three (3) feet above the base of the trunk, be removed without prior approval by the Planning Board. The Plat plan should show all trees, and control removal of trees and soil.

While it is understood that areas for roads and buildings must be clear cut, the Owner or Developer shall not clear-cut the remaining portions of the lots in their subdivision. Where clear-cutting is necessary, it shall be indicated on the site plan and no clearing shall be accomplished until the plan is approved.

There shall be no clear-cutting permitted on slopes greater than fifteen (15) percent in grade. However, selective cutting or trimming is permitted consistent with silviculture standards.

SECTION 9. ADDITIONAL REQUIREMENTS

Land to be developed into mobile home parks, multiple family dwellings, commercial, and industrial areas have special design requirements. In addition to the requirements of the Zoning Law, the Village of Bergen Public Works Specifications, the Subdivision Regulations, and this section, the Planning Board and the Village Engineer may specify additional requirements which they find are reasonably prudent and desirable due to the proposed use, location, and nature of the development.

1. **Mobile Home Parks.** The streets in a mobile home park providing access to mobile home sites, and to conventional buildings within the mobile home park shall be built to Village Subdivisions standards.

Each lot shall have a driveway with enough space for off-street parking for two (2) automobiles. In addition, for each group not exceeding six (6) mobile homes, paved visitors parking area suitable for three (3) automobiles per six (6) mobile homes shall be provided. The visitors parking may be within the street right-of-way outside the pavement limits. Along all property lines abutting lands used for purposes other than mobile home parks, there shall be a strip of land at least thirty (30) feet wide which shall be maintained as a landscaped buffer zone. Along all sides fronting on a street shown on the official map or proposed on the Road Master Plan, a landscaped buffer strip one hundred (100) feet in width shall be maintained.

At least ten percent (10%) of the area of the mobile home park shall be permanently provided and maintained for use as playground, park or recreational area.

Each mobile home shall have an individual sanitary sewer lateral, connected to a sewer of a size conforming to local sewer laws. Storm sewer will generally be required throughout. Sufficient inlets shall be provided so that water shall not run over more than 250 feet of pavement or ground. If drainage in open ditches is allowed, the area of such ditches shall not be included in the area of any lots.

Electric, telephone, and cable lines shall be underground. These lines, as well as

all water, sanitary sewer, drainage facilities, and sidewalks which are not in the street, shall be placed in easements, which shall be shown on the final subdivision plat.

2. Multiple Residential Developments. In developments of multiple family residences any street leading to twenty (20) or more dwelling units shall be public. Sufficient off-street parking, including garages, shall be provided for five (5) cars per two (2) dwelling units, and sidewalks shall be provided along streets, as well as between buildings, connecting all buildings to recreation, parking office, and any permitted commercial areas. At least ten percent (10%) of the area of the land in the development shall be permanently provided and maintained for use as playground, park or recreation area. This shall be conveniently located, and shall have appropriate sound buffers between active recreation areas and dwelling areas. Along all property lines abutting lands used for purposes other than multiple family residences, there shall be a strip of land thirty (30) feet wide, which shall be maintained as a landscaped buffer zone. Buffer areas shall be in addition to the required recreation areas.
3. Commercial Developments. Streets and sidewalks in commercial developments shall be located where needed for vehicular and pedestrian traffic respectively. Sidewalks to the commercial area shall be available within 100 feet of any parking space. Sufficient off-street parking shall be provided so that there is one (1) off-street parking space for every one hundred (100) square feet of commercial area, plus other parking requirement detailed in the Zoning Law.

Along all property lines abutting lands used for purposes other than commercial, there shall be a strip of land thirty (30) feet wide which shall be maintained as a landscaped buffer zone. Similar lawn and landscaped buffers shall be provided wherever the public has a view of the commercial buildings or parking.

4. Industrial Developments. Streets and sidewalks in industrial developments shall be semi-public, and shall be located where needed for vehicular and pedestrian traffic respectively. Sufficient off-street parking shall be provided for all motor vehicles used in the business, all employees' cars, and all visitors' cars.

Along all property lines abutting lands used for purposes other than industrial, there shall be a strip of land one hundred (100) feet wide which shall be maintained as a landscaped buffer zone. Lawn and landscaped buffers shall be provided wherever the public has a view of the industrial buildings or parking.

SECTION 10. HARDSHIPS/LARGE SCALE DEVELOPMENTS

A. HARDSHIPS:

Where the Planning Board finds that because of unusual circumstances of shape, topography or other physical features of a proposed development extraordinary hardship may result from strict compliance with these regulations, the Planning Board may specifically waive portions of these regulations with Village Board approval so that substantial justice may be done and the public interest secured; provided that no such waiver shall be granted which will have the effect of nullifying the intent and purpose of these regulations or any other pertinent rules, regulations or ordinances of the Village of Bergen.

B. LARGE SCALE DEVELOPMENT:

The standards and requirements of these regulations may be modified by the Planning Board with Village Board approval in the case of a plan and program for a new community or a neighborhood unit, which in the judgment of the Planning Board provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will assure conformity to the achievement of the plan.

C. CONDITIONS:

In granting modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

D. AMENDMENTS:

The rules and regulations as set forth above may be amended, altered or revised by the Planning Board from time to time, after public hearing and subject to the adoption of the Village Board per Section 7-708 of the Village Law.

SECTION 11. FEE SCHEDULE

A. FEE SCHEDULE:

The Village of Bergen has a Fee Schedule on file at the Village Clerk's Office. Copies of this Schedule are available and any fees due the Village must be paid in full before approvals are considered.

ARTICLE V DOCUMENTS TO BE SUBMITTED

SECTION 1. SKETCH PLAN

The Sketch Plan initially submitted to the Planning Board shall be based on tax map information or some other similarly accurate base map at a scale (preferably not less than one hundred (100) feet to the inch) to enable the entire tract to be shown on one sheet. The Sketch Plan shall be submitted showing the following information:

1. The location of that portion which is to be subdivided in relation to the entire tract, and the distance to the nearest existing street intersection.
2. All existing structures, wooded areas, streams and other significant physical features within the portion to be subdivided and within two hundred (200) feet thereof. If topographical conditions are significant, contours shall also be indicated at intervals of not more than ten (10) feet.
3. The name of the record owner and record owners of all adjoining properties as disclosed by the most recent municipal tax records.
4. The tax map sheet, block and lot numbers, if available.
5. All the utilities available and/or proposed, including easements therefore, and all streets which are either existing, proposed, or shown on the Official Map, if any.
6. The proposed pattern of lots (including lot width and depth), street layout, recreation areas, systems of drainage, sewerage, and water supply (see Section 2-A-3) within the subdivided area.
7. All existing and proposed restrictions on the use of land including easements, covenants, or zoning lines.
8. Appropriate location of all regulated flood plain areas, together with all State and Federal regulated wetlands areas.

SECTION 2. MINOR SUBDIVISION PLAT

In the case of Minor Subdivision ONLY, the Final Subdivision Plat application shall include the following information.

1. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

2. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of tract shall also be located on the ground and marked by monuments as approved by the Village Engineer, and shall be referenced and shown on the Plat.
3. All on-site sanitation and water supply facilities shall be designed to meet the minimum specification of the Village, the Monroe County Water Authority and the Genesee County Department of Health, and a note to this effect shall be stated on the Plat and signed by a licensed engineer.
4. Proposed subdivision name, name of the Town, Village, and County in which it is located.
5. The date, true north point, map scale, name and address-of -record of owner and subdivider.
6. The delineations of all regulated flood plain areas, together with all State and Federal regulated wetlands areas.
7. The plat to be filed with the Genesee County Clerk shall be printed upon mylar or other base material acceptable to the Planning Board and Genesee County Clerk. The size of the sheet shall be fifteen (15) by twenty-two (22) inches, or thirty (30) by forty-four (44) inches including a margin for binding of two (2) inches, outside of the border, along the left side, and a margin of one (1) inch outside of the border along the remaining sides. The plat shall be drawn to a scale of no more than one hundred (100) feet to the inch and oriented with the true north point at the top of the map. When more than one (1) sheet is required, an additional index sheet of the same size shall be filed showing to scale the entire sub-division with lot and block numbers clearly legible.
8. Every subdivision plat submitted to the Board for it's approval shall carry the following endorsement:

"Approved by resolution of the Planning Board of the Village of Bergen, New York, on the _____ day of _____, 20__, subject to all requirements and conditions of said resolution. Any changes, erasure modification or revision of this plat, as approved, shall void this approval.

Signed this _____ day of _____ 20__ by

Chairperson

NOTE: In the absence of the Chairperson, the Acting Chairperson respectfully may sign in his/her place."

9. The Stormwater Pollution Prevention Plan.

SECTION 3. MAJOR SUBDIVISION PRELIMINARY PLAT AND ACCOMPANYING DATA

In the case of major subdivision the preliminary plat application and accompanying data shall include the following information for conditional approval:

- A. Twenty-five (25) copies of the Preliminary Plat prepared to a scale of not more than one hundred (100) but preferably not less than fifty (50) feet to the inch, showing:
1. Proposed subdivision name, name of Village and County in which it is located, date, true north point, scale, name and address-of-record of owner, subdivider and engineer or surveyor, including license number and seal.
 2. The name of all subdivisions immediately adjacent and the names of the owners of record of all adjacent property.
 3. Zoning District, including exact boundary lines of district, if more than one district, and any proposed change in the zoning district lines and/or the zoning ordinance text applicable to the area to be subdivided.
 4. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
 5. Location and existing property lines, easements, buildings, watercourses, marshes, rock outcrops, wooded areas, single trees with a diameter of eight (8) inches or more, as measured three (3) feet above the base of the trunk, and other significant existing features for the proposed subdivision and adjacent property.
 6. Location of existing sewers, water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.
 7. Contours with intervals of five (5) feet or less as required by the Board, including elevations on existing roads. Approximate grading plan if natural contours are to be changed more than two (2) feet.
 8. The width and location of all streets or public ways or places shown on the official Map or the Master Plan, if such exists, within the area to be subdivided, and the width, location, grades and street profiles of all streets or public ways proposed by the subdivider.
 9. The approximate location and size of all proposed water lines, valves, hydrants and sewer lines, and fire alarm boxes. Connection to existing lines or alternate means of water supply or sewage disposal and treatment as provided in the Public Health Law. Profiles of all proposed water and sewer lines.

10. Storm water drainage, erosion and sediment control plan indicating the approximate location and size of proposed lines, their profiles and other improvements and/or actions. Connection to existing lines or alternate means handling this water/material.
11. Stormwater Pollution Prevention Plan indicating proposed erosion and sediment controls, water quality and quantity controls, mitigation measures, construction sequencing and post-construction maintenance schedule.
12. Locations of lands subject to flooding and any freshwater wetlands as determined by FEMA maps, and any freshwater wetlands as determined by NYSDEC and/or the U.S. Army Corp of Engineers.
13. Plans and cross-sections showing the proposed location and type of sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, and the size and type thereof, the character, width and depth of pavements and sub-base, the location of manholes, basins and underground conduits.
14. Preliminary designs of any bridge or culvert which may be required.
15. The proposed lot lines with approximate dimensions and area of each lot.
16. Where the topography is such as to make difficult the inclusion of any of the required facilities within the public areas as laid out, the Preliminary Plat shall show the boundaries of proposed permanent easements over or under private property, which permanent easements shall not be less than twenty (20) feet in width and which shall provide satisfactory access to an existing public highway or other public highway or public open space shown on the Subdivision or the Official Map.
17. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract also shall be located on the ground and marked by substantial monuments of such size and type as approved by the Village Engineer, and shall be referenced and shown on the Plat.

18. Every subdivision plat submitted to the Board for its approval shall carry the following endorsement:

"Approved by resolution of the Planning Board of the Village of Bergen, New York, on the _____ day of _____, 20__, subject to all requirements and conditions of said resolution. Any changes, erasure modification or revision of this plat, as approved, shall void this approval.

Signed this _____ day of _____, 20__ by:

Chairperson

NOTE: In the absence of the Chairperson, the Acting Chairperson, respectfully may sign in his/her place."

- B. If the application covers only a part of the subdivider's entire holding, a map of the entire tract, drawn to a scale of not less than two hundred (200) feet to the inch, showing an outline of the platted area with its proposed streets and indication of the probable future street system with its grades and drainage in the remaining portion of the tract and the probable future drainage layout of the entire tract shall be submitted. The part of the subdivider's entire holding submitted shall be considered in the light of the entire holding.
- C. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.

SECTION 4. MAJOR SUBDIVISION PLAT AND ACCOMPANYING DATA

The following documents shall be submitted for final Plat approval:

- A. The Plat to be filed with the County Clerk shall be printed, upon mylar or other base material acceptable to the Planning Board and Genesee County Clerk. The size of the sheets shall be fifteen (15) by twenty-two (22) inches or thirty(30) by forty-four (44) inches, including a margin for binding of two (2) inches, outside of the border, along the left side, and a margin of one (1) inch outside of the border along the remaining sides. The Plat shall be drawn to a scale of no more than one hundred (100) feet to the inch and oriented with the true north point at the top of the map. When more than one (1) sheet is required, an additional index sheet of the same size shall be filed showing to scale the entire subdivision with lot and block numbers clearly legible.

The Plat shall show:

1. Proposed subdivision name or identifying title and the name of the Village, Town and County in which the subdivision is located, the name and address-of-record of owner and subdivider, name, license number and seal of the licensed land

surveyor.

2. Street lines, pedestrian ways, lots, reservations, easements and areas to be dedicated to public use.
3. Sufficient data acceptable to the Village Engineer to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where applicable, these should be referenced to monuments included in the State system of Plane coordinates, and in any event should be tied to reference points previously established by a public authority.
4. The length and bearing of all straight lines, radii, length of curves and central angles of all curves, tangent bearings shall be given for each street. All dimensions, and angles of the lines of each lot shall also be given. All dimensions shall be shown in feet and decimals of a foot. The Plat shall show boundaries of the property, location, graphic scale and true north point.
5. The Plat shall also show, by proper designation thereon, all public open spaces for which deeds are included and those spaces to which title is reserved by the subdivider. For any of the latter, there shall be submitted with the Subdivision Plat copies of agreements or other documents showing the manner in which such areas are to be maintained and the provisions made therefore.
6. All offers of cession and covenants governing the maintenance of uncaded open space shall bear the certificate of approval of the Village Attorney as to their legal sufficiency.
7. Lots and blocks within a subdivision shall be numbered and lettered in alphabetical order in accordance with the prevailing Village practice.
8. Permanent reference monuments shall be shown, and shall be constructed in accordance with specifications of the Village Engineer. When referenced to the State system of plane coordinates, they shall also conform to the applicable requirements of New York State. They shall be placed as required by the Village Engineer and their location noted and referenced upon the Plat.
9. All lot corner markers shall be permanently located satisfactorily to the Village Engineer, at least three-quarter ($3/4$) inches (if metal) in diameter and at least forty-two (42) inches in length, and located in the ground to existing grade.
10. Monuments of a type approved by the Village Engineer shall be set at all corners and angle points of the boundaries of the original tract to be subdivided; and at all street intersections, angle points in street lines, points of curve and such intermediate points as shall be required by the Village Engineer.

11. A map shall be submitted to the satisfaction of the Planning Board, indicating the location of monuments marking all underground utilities as actually installed. If the subdivider completes all required improvements according to Article III, Section 5(A.1), then said map shall be submitted prior to final approval of the Subdivision Plat. However, if the subdivider elects to provide a bond or certified check for all required improvements, as specified in Article III, Section 5(A.2), such bond shall not be released until such map is submitted in a form satisfactory to the Planning Board.
12. Every subdivision plat submitted to the Board for its approval shall carry the following endorsement:

"Approved by resolution of the Planning Board of the Village of Bergen, New York, on the _____ day of _____, 20____, subject to all requirements and conditions of said resolution. Any changes, erasure modification; or revision of this plat, as approved, shall void this approval.

Signed this _____ day of _____ 20__ by:

Chairperson

NOTE: In the absence of the Chairperson, the Acting Chairperson, respectfully may sign in his/her place."

- B. Construction drawings including plans, profiles and typical cross-sections, as required, showing the proposed location, size and type of streets, sidewalks, street lighting standards, street trees, curbs, water mains, sanitary sewers and storm drains, pavements and subbase, manholes, catch basins and other facilities.

ARTICLE VI VARIANCES AND WAIVERS

A. APPLICATION FOR AREA VARIANCE

Notwithstanding any provision of law to the contrary, where a plat contains one or more lots which do not comply with the Zoning Law regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to Section 7-712-b of Village Law, without the necessity of a decision or determination of an administrative official charged with the enforcement of the zoning regulations. In reviewing such application the Zoning Board of Appeals shall request the Planning Board to provide a written recommendation concerning the proposed variance.

B. WAIVER OF REQUIREMENTS

The Planning Board may waive, when reasonable, any requirements or improvements for the approval, approval with modifications or disapproval of subdivisions submitted for its approval. Any such waiver, which shall be subject to appropriate conditions, may be exercised in the event any such requirements or improvements are found not to be requisite in the interest of the public health, safety, and general welfare or inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

PART 2:
VILLAGE OF BERGEN - PUBLIC WORKS
SPECIFICATIONS

ARTICLE VII GENERAL PROVISIONS

SECTION 1. PURPOSE

The purpose of these Specifications is to provide minimum criteria for the design and construction of improvements within the Village, which, upon the satisfactory completion thereof, may be offered for dedication to the Village of Bergen for perpetual operation and maintenance. The information contained in Subdivision Regulations Section is to be used in conjunction with the Criteria for Design and Construction section.

The criteria established is intended to provide minimum standards, which may be upgraded to serve the best interests of the Village. The information in this booklet is provided to aid in the submission of material in a uniform manner and attempt to expedite the various review and approval procedures.

These criteria shall govern in all areas of private, public, industrial and commercial development and/or areas that will involve the connections to existing municipal systems in the Village.

SECTION 2. RESPONSIBILITY

It is the responsibility of the Developer to ensure preparation of Plans sufficient to meet the standards and requirements herein incorporated. Said Plans shall be prepared by a professional, licensed in the State of New York, who shall have experience in design of land development.

It is the responsibility of the Developer to comply with the requirements of the SPDES General Permit, including but not limited to the preparation of a Stormwater Pollution Prevention Plan by a licensed professional, the filing of a Notice of Intent (NOI) with NYSDEC and the Village of Bergen, the certification and inspection of erosion and sediment controls during construction, and the filing of a Notice of Termination (NOT) with NYSDEC and the Village of Bergen when the site is finally stabilized and coverage under the General Permit is terminated.

The Village and/or its representatives shall review the proposed Plans as to their compliance with the standards and conditions encountered while meeting the best interests of the Village.

It is the responsibility of the Contractor, acting for the Developer, to construct the facilities in conformance with the approved Plans and the Village standards.

Construction observation shall be provided by the Village or its designated representative to review construction as it is being performed.

The final results of the project remain the prime responsibility of the Developer and until the development is satisfactorily approved by the Village and/or its representatives, said development shall not be accepted.

SECTION 3. ELECTRICAL SYSTEM FOR MAJOR SUBDIVISIONS & MULTIPLE DWELLINGS

A. INSTALLATION WITHIN PUBLIC RIGHT-OF-WAY:

The Village DPW Supervisor shall determine the number of trench feet of primary distribution and supply line within the public right-of-way required to service all dwellings within the subdivision. Facilities shall be measured from the Village's riser pole for overhead to the underground service connection. The costs for installation shall be allocated as follows:

The total trench feet shall be divided by the number of dwelling units. The applicant shall be responsible for all trenching, excavation and backfill. Upon acceptance of the electric facilities by the Village of Bergen, the Village shall reimburse the Developer for trenching and backfill up to 300-feet per dwelling unit at a rate set forth in the Village Fee Schedule or the Village's proportional share for jointly occupied utility trenches, whichever is less. The Village is responsible for the installation cost (wire, fixtures and labor to install in an open trench) for up to 300-feet per dwelling unit. The developer is responsible for all costs in excess of 300-feet per dwelling unit at the average rate determined by the Village DPW Supervisor.

B. INSTALLATION OUTSIDE OF PUBLIC RIGHT-OF-WAY:

The Village DPW Supervisor shall determine the number of trench feet of primary distribution and service line and secondary service lateral line beyond the public right-of-way required to service all dwellings within the subdivision. Facilities shall be measured from the underground service connection at the edge of the public right-of-way to the point of attachment of the meter on the structure. The cost for installation shall be allocated as follows:

The total trench feet shall be divided by the number of dwelling units. The applicant is responsible for the trenching, bedding and backfilling, or if other utilities share the trench, for the Village's proportional share for the cost of trenching, bedding and backfill. The Village is responsible for the installation cost (wire, fixtures, and labor to install these in an open trench) of up to 100-feet per dwelling unit. The applicant is responsible for all costs in excess of 100-feet per dwelling unit. Should the Village DPW Supervisor, or Village Engineer shall determine that conduit is necessary under acceptable utility and construction practice, the costs of conduit shall be paid for by developer. The conduit installation shall be performed by the Village of Bergen.

SECTION 4. CONSTRUCTION OBSERVATION

Before any construction begins on a subdivision or facilities to be dedicated to the Village, a pre-construction meeting must be held with the Village Engineer, Village Building/Code and Fire

Official, and Village DPW Supervisor to address the plans and intended improvements. The installation of improvements and development of any land shall be subject to construction observation at all stages by representatives of the Village. For such purposes free access shall be accorded and requested information shall be promptly submitted. All costs of construction observation, including but not limited to services in connection with the proposed development by the Village Engineer, Village Attorneys, any Village employees or any other costs and expenses incurred by the Village in connection with this Construction project, all at the discretion of the Village DPW Supervisor, shall be paid for solely by the Developer. Construction observation / inspection services shall be provided by the Village Engineer or Village Employees at the discretion of the Village DPW Supervisor. Full time inspection of all improvements to be dedicated to or maintained by the Village shall be mandatory unless otherwise directed by the Village DPW Supervisor. A sufficient sum shall be provided by the Developer in either the Letter of Credit or cash for the project observation costs.

Construction Observation by the Village of Bergen as described above does not include the certification and inspection of an approved Stormwater Pollution Prevention Plan (SWPPP) related to construction activities. Compliance with the SPDES General Permit shall be the sole responsibility of the developer. The Notice of Intent (NOI), SWPPP, contractor and/or subcontractor certifications, inspection reports and other required documentation shall be available at the construction site, and an additional copy submitted for review by the Village of Bergen. Final acceptance of stormwater facilities shall not occur until site stabilization is complete to the satisfaction of the Village Engineer and Village DPW Supervisor and the submission of a Notice of Termination (NOT) with the Village of Bergen.

The construction or modification to any stormwater facilities to be maintained by or dedicated upon completion of a project to the Village of Bergen, or are currently operated by the Village of Bergen, shall at the discretion of Village DPW Supervisor, require that continuous inspections in compliance with the SPDES General Permit be performed by the Village Engineer. All inspections shall be paid for by the developer. Copies of the approved SWPPP, NOI, contractor and/or subcontractor certifications shall be submitted to the Village Engineer prior to the start of construction activities. The Village Engineer shall submit copies of the initial site assessment, site inspections to the developer for posting at the construction site. Final acceptance of stormwater facilities shall not occur until site stabilization is complete to the satisfaction of the Village Engineer and Village DPW Supervisor and the submission of a Notice of Termination (NOT) with the Village of Bergen.

SECTION 5. METHODS OF RELEASE OF FINANCING SECURITY

A. LETTERS OF CREDIT

The procedure required for the release of funds is as follows:

1. Submission of periodic construction estimates by the Contractor to the Developer

and the Design Engineer.

2. The site shall be reviewed by the Village's and Developer's agents to review the comparison of the work complete to the monetary value of the requested release of funds.
3. Site assessment and inspections related to compliance with the SPDES General Permit have been performed, reports have been submitted and found acceptable to the Village Engineer and Village DPW Supervisor.
4. The Developer's Engineer, Developer, and Village Engineer shall approve in writing up to ninety (90) percent of the total amount of an item. (See the Appendix for typical example of release form.)
5. The Village Engineer shall then submit the proposed estimate to the Village's Fiscal Officer for the final authorization of release of funds from the Letter of Credit. Approval by the Village officials for authorized periodic payments is not to be construed as acceptance of the work completed to date.
6. Partial release from the Letter of Credit may be granted by the Village Board as individual components of the subdivision development are completed. This shall not be construed as final acceptance of the work by the Village.
7. If the required improvements are not completely installed within the period fixed or extended by the Planning Board, the Village Board may declare the Letter of Credit in default and collect the amount payable there under. Upon receipt of such amount, the Village shall cause to install such improvements as were covered by the Letter and as commensurate with the extent of building development that has taken place in the subdivision, not exceeding in cost, however, the amount collected upon the Letter of Credit.
8. If there is a default declared and the amount received under the Letter of Credit is less than the sum required to complete the development or the improvements, the Village Board may, at its sole discretion, complete the improvements and bill the developer for the expense in excess of the receipts from the Letter of Credit. The Village has the option not to complete the improvements.

B. INTEREST EARNED

Any interest earned on the financial security deposited with the Village shall remain the property of the Village of Bergen.

C. RELEASE OF RETAINAGE

Retainage release shall be considered by the Village Board after all systems have been tested and found acceptable, and that final site stabilization and the Notice of Termination has been completed and approved by the Village's representatives.

D. RELEASE OF MAINTENANCE BOND

Release of Maintenance Bond shall be authorized in writing by the Village's Fiscal Officer upon final review of the project site by Village authorities. This review will be completed at least one (1) month before the expiration of the Bond.

SECTION 6. BUILDING PERMITS

Building permits shall not be granted until:

- A. An approved subdivision plat is filed in the office of the Genesee County Clerk.
- B. A Stormwater Pollution Prevention Plan has been completed, certification by all contractors and/or subcontractors identified in said plan to comply with its terms and conditions, and submission of the Notice of Intent in compliance with the SPDES General Permit.
- C. Drainage improvements are completed as shown on such plat and certified by the design engineer to the Village Building Department.
- D. Easements affecting the development of a parcel are filed in the office of the Genesee County Clerk and notification of such received by the Village.
- E. A site plan has received final approval of the Planning Board and Items B and C above are addressed.
- F. All fees, including but not limited to site plan, subdivision, district, inspection, and others must be paid.

ARTICLE VIII DESIGN CRITERIA

SECTION 1. PUBLIC SANITARY SEWERS

Minimum requirements shall be as established by the New York State Department of Environmental Conservation and Genesee County Health Department, where applicable.

A. GRAVITY SEWERS - EXPANDED INFORMATION

1. Sewer mains shall be a minimum of 8-inch diameter except in those areas where the sewer shall be of the diameter outlined in a Comprehensive Plan.
2. Manhole spacing, maximum of 300 lineal feet.
3. The sewer shall be designed at such a depth to provide basement drainage. If site conditions are such that basement drainage cannot be provided to all units, a specific note to that effect shall be placed on the plan.
4. All necessary mains and laterals required to connect to the public sewage system as shown on the final approved plan shall be installed by the Developer.
5. Elevations - Where other utilities parallel or cross the sanitary system, vertical clearance between the systems shall be provided to permit the satisfactory installation of all services.
6. Laterals for each individual lot shall be:
 - a. Minimum of 4 inches in diameter.
 - b. Minimum of slope 1/4"/l.f. (2%).
 - c. Cleanouts shall be provided at a maximum distance of 85 feet and one shall be located on the right-of-way or easement line. All cleanouts shall include a cast iron cover per Appendix.

B. PRESSURE SEWERS

1. Pressure sewer systems shall be laid out in a configuration that is hydraulically efficient.
2. Access shall be provided at the upstream end of each forcemain branch.
3. All appurtenances and fittings shall be compatible with the piping system designed and shall be full bore with smooth interior surfaces.

4. Building service connections shall have a minimum diameter of 1-1/2 inches saddle tapped with stainless steel bands and shall tap into the forcemain with a corporation stop. A check valve shall be provided near the service pump.

C. SEWAGE LIFT STATIONS

In all cases, the use of gravity systems are encouraged over pump stations. Specific geographic and/or topographic areas may require the use of sewage lift stations to transmit contributory flows to the trunk sewer system.

1. Before sewage-pumping stations are designed they will be discussed with the Village to provide compatible equipment to that already in use.
2. Compliance with Design Criteria of the New York State Department of Environmental Conservation recommended standards for Wastewater Facilities (1990).
3. Provision of an audible and visual high-water alarm system, battery back-up operated.
4. Provision to operate pumps on supplied auxiliary power equipment.
5. Pump stations shall be designed to have the controls and motors above ground as manufactured by Gorman Rupp or approved equal.
6. Elapsed time meters shall be provided on the motors to determine quantity of flow being pumped from the station.

SECTION 2. STORM DRAINAGE SYSTEMS

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. Storm sewer 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 based on the Village's Comprehensive Plan.

All development projects shall be required to obtain coverage with the SPDES General Permit. Where conditions imposed by the SPDES General Permit are more restrictive than comparable restrictions imposed by these regulations, or any other Village ordinances, the provisions which are more restrictive shall govern.

A. STORMWATER SIZING CRITERIA

All stormwater sizing shall be in conformance with methods outlined in the "New York State Stormwater Management Design Manual".

B. STORMWATER MANAGEMENT PRACTICES (SMPs)

The "New York State Stormwater Management Design Manual" outlines acceptable stormwater management practices (SMPs) to meet water quantity and water quality treatment goals. The Planning Board shall, upon recommendation from the Village Engineer, approve the SMP(s) implemented on a particular development. Where conditions warrant, the Planning Board may require specific or additional SMP(s) to be implemented.

C. STORM SEWER SYSTEM

1. Inlets

a. Catch Basins

- (1) Catch basins shall be placed at all low points and intersections with maximum spacing of 300 feet. Catch basin leads shall only be connected to the storm sewers at manholes.

b. Storm Sewer Manholes

- (1) Storm sewer manholes shall be designed to accommodate the pipes entering and exiting the structures.
- (2) A schedule of manhole diameters shall be provided on the final plan.

2. Conveyance

a. Natural Channels and Open Swales

- (1) 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. The channels may require special invert or side design to properly convey water while keeping the maintenance cost minimal.
- (2) Backyard swales shall be designed with minimum side slopes of 1 on 4 and a minimum longitudinal slope of 1.0 percent. Field inlets

shall be generally provided every 300 lineal feet at all low points and where swales intersect.

b. Storm Sewers

- (1) Minimum pipe size - 12 inch diameter
- (2) Minimum velocity when flowing full - 3 fps
- (3) Maximum manhole and catch basin spacing - 300 lineal feet.
- (4) In general, street drainage shall be in closed conduit. When gradient and tributary runoff require conduit greater than 36 inches in diameter, then open channel design may be considered.
- (5) 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 complications. Headwater and/or tailwater calculations will be required to determine ponding that 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 riprap, headwalls, energy dissipaters, etc.

c. Storm Laterals

- (1) Gravity laterals shall be a minimum of six (6) inches in diameter. Sump pumps with check valves 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 shall be permitted to tie into the storm laterals directly or to discharge to splash pads at the discretion of the Village DPW Supervisor.

3. Outfalls

- a. Points of discharge shall be recognized U.S.G.S. drainage courses, which may require the Developer to acquire downstream easements for dedication to the Village.

4. Stormwater Management Facilities

- a. All facilities shall be designed in accordance the "New York State Stormwater Management Design Manual".

D. DRAINAGE EASEMENTS

The minimum easement width shall be 20 feet, but the actual width acceptable to the Village will consider all those factors previously listed.

SECTION 3. WATER MAINS

All work performed and materials furnished for the purpose of supplying the development with potable water shall comply with the specifications of the Monroe County Water Authority.

A. DESIGN

Water supply system shall be designed to provide adequate domestic usage and fire protection. Where public water supply is not accessible, an alternate private supply shall be furnished, which conforms to the New York State Health Department regulations.

All main and service sizing shall be substantiated by the Design Engineer using updated flow data provided by the Monroe County Water Authority.

All water mains shall be located in an easement adjacent to the highway right-of-way.

All water mains shall be a minimum of eight (8) inches except:

1. Where mains are part of a major transmission distribution network, the Village may require a larger size main.
2. Where project demands allow a smaller main while still providing adequate fire and domestic flows. In no case will the Village accept for dedication a main smaller than 6 inches in diameter.

B. HYDRANTS

Hydrants shall be spaced at a maximum 500-foot intervals.

C. VALVES

Valves shall be located such that no more than 20 dwelling units and no more than two hydrants need be out of service for repair of a water main. Valves shall generally be provided at intersections and shall be no more than 1,000 feet apart along the water main.

Additional valves shall be required at creek and/or railroad crossings depending on network configuration and permit requirements.

D. DEAD END MAINS

Provide a hydrant unit; gate valve and 2-inch blow-off units at the end of all "dead end" mains.

E. WATER SERVICES

Provide minimum of 1-inch water service to the right-of-way line of all individual lots or where an easement is provided, the service shall extend to the easement line. All services under dedicated roads shall be Type K virgin copper without line couplings. All direct services from the water main to the curb box shall be Type K copper.

F. METER PITS (FOR INDIVIDUAL SERVICES)

Meter pits may be installed when the water service length is greater than 250 feet from the centerline of a given road. All services from the water main to the meter pit shall be Type K copper, PVC may be utilized from the meter pit to the unit. Remote read receptions shall be placed outside the pit area.

SECTION 4. ELECTRICAL DISTRIBUTION SYSTEM

A. GENERAL

All work performed and materials furnished for the purpose of supplying the development with electrical distribution systems shall comply with the Village of Bergen Public Service Commission Tariff, the specifications contained herein, and any additional requirements of the Village DPW Supervisor.

The Village of Bergen shall own, operate and maintain electrical distribution systems in all residential, commercial, or industrial subdivisions. The Developer may be responsible for additional costs and installation required for underground distribution systems as mandated by the Village Planning Board as a condition of Subdivision approval, according to the policies outlined in the Village of Bergen Public Service Commission Tariff. Electrical distribution within all major subdivisions shall be underground.

B. DESIGN

The developer shall provide the Village DPW Supervisor with six (6) copies of final plans, details and maps of the electrical distribution system and all other underground utilities for the proposed development and shall indicate the approximate start of construction and the phases of construction if the project is scheduled to be built over a period of years. This information shall be provided to the Village of Bergen six (6)

months prior to the date that electric service is required. All electrical distribution plans shall be reviewed and approved by the Village Engineer.

The developer shall enter into an agreement with the Village of Bergen which will describe the proposed system, shall pay any additional cost for the underground installation, and shall provide the Village with a blanket easement to construct and maintain the underground system in the Subdivision.

Upon receipt of the signed agreement, properly executed blanket easement and payment of any costs involved, including but not limited to all labor, equipment, and materials, as well as inspection fees necessary for proper completion of the work, the Village of Bergen shall issue a Notice to Proceed.

SECTION 5. 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 percent 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.
2. Easements are provided for access and/or maintenance where necessary.
3. Finish grade at right-of-way line shall be not more than 2 feet above finish grade at centerline and the driveway slope within the lot shall not be greater than 12 percent. A leveling area of 3 percent maximum grade adjacent to the right-of-way shall be provided which is a minimum of 30 feet in length from the edge of the street pavement.
4. Where multi-lot grading is proposed, all swales required for positive drainage will be installed prior to the issuance of a building permit.

B. GRADING PLAN

A Grading Plan shall be submitted, with the final plan for any development, showing at a minimum the following items:

1. Existing contours.
2. Proposed finish contours.
3. Spot elevations of proposed finish grades at key locations.
4. Garage floor elevations.
5. Minimum elevations of any architectural opening where flood hazard areas exist.
6. Culvert invert elevations.
7. All elevations shall be established from U.S.G.S. datum and the plan shall show a site benchmark.

SECTION 6. ROADS

The following designations will be used by the Village to classify roads and their respective design criteria:

1. Private
2. Residential
3. Commercial / Industrial

The basic considerations of each road classification are as follows:

A. PRIVATE

1. Design speeds of 10 MPH or less
2. Very low volume of traffic

B. RESIDENTIAL

1. Densities as permitted by the zoning ordinance
2. Design speeds of 30 MPH or less
3. Low volume of traffic
4. Individual driveways at regular intervals

5. Usually no effect on overall Village traffic pattern

C. COMMERCIAL / INDUSTRIAL

1. Provides connections to major roads and represents major traffic pattern throughout the Village. Provides access to established industrial zoned areas
2. High volume truck / tractor trailer traffic
3. Provides access to local roads
4. Relatively low density of development abutting such a road

Each of these roads has basic characteristics, which may be varied 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 roads shall comply with the typical cross sections shown on Appendices O and P.

SECTION 7. GENERAL ROAD DESIGN CONSIDERATIONS

A. RIGHT-OF-WAY

1. Minimum width of 40 feet for private roads, 66 feet for residential dedicated roads, and for commercial / industrial dedicated roads.
2. Private underground utilities shall 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 must conform to minimum safe stopping sight distance per "Geometric Design of Highways and Streets" AASHTO Latest Edition.
2. Clear sight at intersections
3. Centerline intersection angles shall be 90 degrees whenever possible. No centerline intersection angles shall be less than 75 degrees.
4. Minimum centerline radius of 150 feet.
5. Road pavement intersections shall have a minimum of 35-foot radius.

6. Cul-de-sacs should not exceed 500 feet in length and end with a turnaround.
7. Access to future developments will be provided to property lines.
8. Tangent sections shall be used between curves to maintain the proper flow of traffic at design speeds.

C. VERTICAL ALIGNMENT

The minimum length of vertical curves shall be based upon current AASHTO policy covering selection of vertical curve length based upon stopping sight distance, passing sight distance, riding comfort, and headlight sight distance. Vertical curves are required whenever changes in grade exceed one percent (1%).

D. ROAD GRADES (DEDICATED)

1. Minimum - 0.7 percent with shoulders; 0.5 percent with gutters.
2. Maximum - 6 percent - Maximum grade may exceed 6 percent for short distances with engineering justification and Village approval.

E. LEVELING AREAS

Leveling areas shall be incorporated at all intersections for a minimum distance of 100 feet from the edge of the pavement and the grade shall not exceed 3 percent (3%).

F. ROAD WIDTHS

<u>Class</u>	<u>Pavement Width</u>	<u>Edge Treatment</u>	<u>Drainage</u>
Private	15' min.		Roadside swales
Residential Dedicated Road	22' min.	30" concrete gutters or concrete curb or 4' shoulders	Underground conduit or roadside swales
Commercial Industrial Dedicated Road	24' min.	30" concrete gutters or 5' shoulders or concrete curb	Underground conduit or roadside swales

G. SPECIAL CONSIDERATIONS

1. Roadside Swale - Where grades exceed five percent (5%) and/or unstable soil

conditions warrant, the swales shall be designed to control flow velocities.

2. Underdrains - Required under all curbs and gutters - The Developer will be required to install underdrains. The method used shall be subject to the review and approval of the Village Engineer and the Village DPW Supervisor.
3. Clearances – Immovable fixed objects shall be set back from the edge of travel lane a minimum of 30 feet.

SECTION 8. 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 capable of supporting HS-25 loading to the sites. All roads shall require the installation of underdrains. The method used shall be subject to review and approval of the Village Engineer and Village DPW Supervisor.

The Village DPW Supervisor reserves the right to order changes in the design, materials and depths due to any unforeseen or unusual ground conditions.

B. MINIMUM DESIGN STANDARDS

1. Private

- a. Mirafi 500X soil stabilization fabric in all areas of unstable subgrade as required by the Village Engineer.
- b. One 6-inch lift of No. 2 and No. 3 crushed stone mixed equally.
- c. One 3-inch lift of crusher run stone, Type 1 subbase course (NYSDOT Specification 304.02).
- d. Top dressing - No. 0 and No. 1 crushed stone, or No. 1 crushed stone and stone dust, compacted to produce a smooth and uniform surface

2. Residential

- a. Mirafi 500X soil stabilization fabric or equal as required by Village Engineer or Village DPW Supervisor.
- b. Three 6-inch lifts of crusher run stone, Type 2 subbase course (18 inch

- compacted thickness) (NYSDOT Specification 304.03).
- c. Three and one-half inch compacted thickness asphalt concrete binder course Type 3 (NYSDOT Specification 403.130001M).
- d. One and one-half inch compacted thickness asphalt concrete top course Type 7F (NYSDOT Specification 403.190001M).

3. Commercial / Industrial

- a. Mirafi 500X soil stabilization fabric or equal as required by Village Engineer or Village DPW Supervisor.
- b. Three 6-inch lifts of crusher run stone, Type 2 subbase course (18 inch compacted thickness) (NYSDOT Specification 304.03).
- c. Four-inch compacted thickness asphalt concrete base course Type 1 (NYSDOT Specification 403.110001M).
- d. Three-inch compacted thickness asphalt concrete binder course Type 3 (NYSDOT Specification 403.130001M).
- e. One and one-half inch compacted thickness asphalt concrete top course Type 7F (NYSDOT Specification 403.190001M).

Note: All depths are compacted thicknesses.

Driveways: All driveway aprons shall match the type of construction from the edge of the pavement to the R.O.W. line.

SECTION 9. DRIVEWAY CULVERTS

- A. Shall be provided along existing road frontage lots to properly convey roadside drainage. The culverts shall be installed to the proper grade to allow the natural flow of water. All culverts installed shall be subject to the review of the Village DPW Supervisor having jurisdiction on the road.
- B. Minimum of 12 inch 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 5 feet beyond the edge of the access driveway and be provided with end sections. Culverts shall have a minimum length of 30 feet. The slope from the driveway to the culvert end section shall be graded and seeded to maintain the slope stability.

- D. Elevations to be set by U.S.G.S. datum.
- E. Culverts shall have a minimum of 12 inches of cover.

SECTION 10. SIDEWALKS

Where required by the Planning Board, sidewalks shall be concrete per the Appendix.

SECTION 11. MONUMENTS

Monuments per shall be located at:

- A. Point of Curvature (P.C.) and Point of Tangency (P.T.) of all horizontal curves along one side of the right-of-way.
- B. Maximum of 1,000 feet along one side of right-of-way line.

SECTION 12. RESERVED LAND FOR FUTURE USE

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.

ARTICLE IX MATERIAL SPECIFICATIONS

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 Village. 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 Village, they shall be removed and replaced with those herein called for at no expense to the Village.

SECTION 1. SANITARY SEWERS

A. POLYVINYL CHLORIDE (PVC) PIPE FOR GRAVITY SEWER

Shall meet the requirements of ASTM D-3034 for Sewer Pipe and Fittings, minimum wall thickness SDR-35. The joints shall be bell and spigot conforming to ASTM D-3212 with elastomeric gasket conforming to ASTM F-477. All pipe and fittings shall be made from PVC components as defined and described in ASTM D-1784.

B. POLYVINYL CHLORIDE (PVC) PIPE FOR SEWAGE FORCE MAINS

Shall meet the requirements of ASTM D-2241 for PVC plastic pipe. Pipe and fittings shall be 160 psi, minimum SDR-26 extruded from clean, virgin, resin compound conforming to ASTM D-1784. Bell and spigot joints are required with elastomeric gaskets conforming to ASTM D-3139.

C. DUCTILE IRON (DIP) PIPE FOR SEWAGE FORCE MAINS

Shall conform to AWWA C-151, minimum allowable thickness shall be Class 51. Rubber gasket push on joints shall be used in accordance to AWWA C-111. All ductile iron pipes shall be cement-mortar lined in accordance with AWWA C-104.

D. SEWER CONNECTIONS FOR GRAVITY SEWER

Sewer connections on new sewer main installations shall be made with wye fabricated or injection molded fittings. The minimum strength classifications of these fittings shall be equal to that of the pipe and the fitting shall be compatible with the pipe.

Connections to an existing sewer shall be made with GENCO strap-on saddles with double stainless steel straps and stainless steel or bronze bolts for sewers up to 14 inches in diameter and GENCO bolt-on saddles for sewers greater than 14 inches in diameter.

Connections to mains must be separated by a minimum of 10 feet.

E. SEWER LATERAL PIPE FOR GRAVITY SEWER

1. Cast iron sewer pipe shall be extra heavy class with rubber gasket joints and maximum lengths equal to 5'-0" per ASTM A-74.
2. PVC pipe shall be of a minimum wall thickness SDR 28 with elastomeric gasket joints, supplied in standard lengths and conform to ASTM D-3034 (#10 gauge copper tracer wire from right-of-way or easement line to the structure shall be included).

F. SEWER LATERAL PIPE FOR PRESSURE SEWER

Polyvinyl chloride (PVC) pipe and fittings shall meet the same requirements as PVC force mains.

SECTION 2. STORM SEWERS

A. REINFORCED CONCRETE PIPE

Shall be supplied in conformance with ASTM C-76 Class II. Joints shall be of the bell and spigot type with compression type joint ASTM C-443.

B. POLYVINYL CHLORIDE (PVC) PIPE

All storm sewers up to 18 inches shall be smooth bore P.V.C. Shall meet the requirements of ASTM D-3034 or ASTM F-679, minimum wall thickness SDR 28 with elastomeric gasket joint, ASTM D-3212 or ASTM F-794 for ribbed gravity pipe.

C. CORRUGATED STEEL PIPE

All pipes shall be coated inside and outside and have joints made with connecting bands. Thickness gauge will be dependent on the load conditions, except that 16 gauge shall be the minimum allowable thickness.

D. CORRUGATED POLYETHYLENE TUBING (HDPE)

Pipe shall be smooth lined (smooth bore) and shall conform to the requirements of ASTM F-405 or ASTM F-667.

E. STORM LATERALS

PVC conforming to ASTM D-3034, minimum 6 inches in diameter with fabricated tees and wyes SDR-28.

F. CATCH BASIN LEADS

Shall be a minimum of 12 inches in diameter.

1. Reinforced Concrete Pipe.
2. Polyvinyl Chloride Pipe.
3. Corrugated Steel Pipe.
4. High Density Polyethylene Pipe (smooth bore).

SECTION 3. MANHOLES AND MANHOLE LADDERS

A. MANHOLES

Precast reinforced concrete sections shall be manufactured in accordance with ASTM Specification 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 precast structural concrete, reinforced for H-20 loading and 30 percent impact loading. A 24-inch diameter hole shall be eccentrically located in the roof slab. In place of preformed openings in base sections, flexible manhole sleeves may be cast directly into the base walls may be used with compatible pipe material.

All storm sewer manholes shall be sealed inside and outside completely with two coats of heavy-duty water repellent protective coating which complies with ASTM Specification D-450, Type B. All sanitary sewer manholes shall be coated with minimum thickness of ½ inch of a cementitious coating, such as Sewpercoat 2000 or approved equal, on all interior surfaces in place of bitumastic coating.

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 materials.

B. MANHOLE LADDERS AND STEPS

Manhole ladders or steps shall be provided in all sanitary and storm manholes and shall be constructed of one of the following materials.

1. Copolymer polypropylene or non-corrodible, aluminum magnesium alloy ladders, with intermediate supports at 5-foot intervals.

2. Forged aluminum with drop front design and grooved tread surface.
 - a. Steps shall be cast into the walls of riser sections and shall be aligned in each section to form a continuous ladder with rugs equally spaced vertically in the assembled manhole at a distance of 12 inches apart.

SECTION 4. FRAMES AND COVERS

A. SANITARY MANHOLE FRAMES AND COVERS

Shall be Neenah R-1726-A, Woodward M-138, Syracuse Castings 1009 or other approved equal. The word "Sanitary" shall be cast into the top of the cover. The inside diameter for clearance shall be a minimum of 22 inches.

B. SANITARY CLEANOUT COVERS

Cast iron covers per Kistner Concrete Products C1-SV-6, or equal.

C. STORM MANHOLE FRAMES AND COVERS

Shall be Neenah R-1723, Woodward M-318, Syracuse Castings 1009 with a vented cover or other approved equal. The inside diameter for clearance shall be a minimum of 23 inches.

D. CATCH BASIN FRAMES AND GRATES

Shall be reticuline, galvanized (ASTM A-123) and sized to fit gutter inlets or field inlets. The gutter grates shall be NYSDOT size no. 11 to fit the catch basin inside minimum dimensions of 24" x 24".

Catch basin manholes shall be set to allow a NYSDOT size no. 11 grate to be installed.

Frames and grates shall be as specified in NYSDOT Specification Drawing 655-6R1 and Section 655 of the NYSDOT Standard Specification Manual. All grates shall be bolted to the frames.

SECTION 5. EROSION AND SEDIMENTS CONTROL DEVICES

Shall meet the standard details and specifications in the latest version of the "New York State Standards and Specifications for Erosion and Sediment Control".

SECTION 6. WATER MAINS

All watermains and services shall be constructed in conformance with the most recent Materials and Performance Specifications of the Monroe County Water Authority and any additional requirements of the Genesee County Health Department.

SECTION 7. CONCRETE GUTTERS AND SIDEWALKS

A. CONCRETE

1. Shall be a minimum of 4000 psi (28-day strength) Class A concrete conforming to NYSDOT Specification 608 and 609 with fiber mesh added. The Village of Bergen reserves the right to approve the proposed concrete mix design.
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 C-309, Type I, Class B for curing and sealing.
5. A slump test for each truckload of concrete shall be performed. Additionally, three test cylinders for every 15 cubic yards of concrete placed shall be sampled for structural testing. All tests to be completed shall be performed by a certified laboratory.

SECTION 8. ELECTRICAL DISTRIBUTION SYSTEM

A. PRIMARY UNDERGROUND ELECTRIC SERVICE

1. Service Trench

Shall be uniform to the required thirty-six inch (36") conductor depth and shall be a minimum of twenty-four inches (24") wide. If joint trench construction is used with other systems (RGE, Frontier and Time Warner Communications) the trench width shall be adequate to permit a minimum of twelve inches (12") separation from other utilities.

2. Conductor

1/0 A.W.G. 15 KV Primary URD conductor, 19 strand EC grade aluminum conductor, conductor strand shielding, 175 mils cross linked polyethylene or EPR insulation, 30 mils conducting polyethylene layer, 16 #14 or 10 #12 solid coated

copper wires uniformly spaced around the conductor. A conductor jacket is highly recommended. Intended for use on single-phase distribution system suitable for direct burial with an ampacity rating of 218 amps, as furnished in accordance with AEIC-5 specifications. Conductor must meet IPCEA and NEMA standards. A two (2) foot piece of the conductor or conductor cut sheet must be delivered to the Village of Bergen DPW for approval a minimum of twenty four hours in advance of the wire being pulled into conduit or direct buried.

3. Conduit

In most installations, PVC conduit will be required. Conduit must be UL approved schedule 40 PVC for all sections underground and UL approved schedule 80 PVC for all sections above ground or under any paved surface.

4. Underground Service Laterals from Overhead Distribution

Customer shall install a ten foot (10') length of UL approved schedule 80 PVC or galvanized steel conduit at the pole and sufficient cable to extend from the top of the riser conduit to the primary conductors plus 10 feet (10'). The Village of Bergen will provide and install the protective covering, necessary cable supports and will connect the cable to the primary system.

5. Meter Sockets

Village of Bergen will furnish and the customer shall install all meter mounting equipment such as meter sockets, current transformers, potential transformers, and current/potential transformer enclosures for three phase installations. Meter heights from the center of the box to final grade shall be a minimum of 42" and a maximum of 60".

6. Transformer Pad / Vault

- a. Customer shall furnish and install a transformer vault on bed of compacted material of bank run gravel or equivalent in a location approved by the Village DPW Supervisor. (Refer to Appendix for Pad/Vault details)

- (1) Single Phase Service:
FIBERGLASS VAULT
- (2) Three Phase Service, 500 KVA transformer or smaller:
CONCRETE VAULT & PAD
- (3) Three Phase Service, Transformer larger than 500 KVA:
CONCRETE VAULT & PAD

Developer shall furnish a minimum of two (2) ground rods at pad location placed inside vault.

7. Connections

- a. Developer to supply and make all secondary connections in the transformer.
- b. Village of Bergen to provide all high voltage connections at the pole and transformer.

B. SECONDARY UNDERGROUND ELECTRIC SERVICE

1. Service Trench

Shall be uniform to the required thirty-six inch (36") depth and shall be a minimum of twenty-four inches (24") wide. If joint trench construction is used with other systems (RG&E, RTC and Time Warner) the trench width shall be adequate to permit a minimum of twelve inches (12") separation from other utilities.

2. Conduit

Conduit must be two and one half inch (2 ½") minimum pipe size UL approved schedule 40 PVC for all sections under ground and UL approved schedule 80 PVC for all sections above ground or under any paved surface. Galvanized rigid steel conduit can be used in place of PVC. Conduit shall be installed the continuous length of the service and must be inspected prior to backfill. A frost expansion joint is to be provided at the bottom of the meter box for all 200 AMP or smaller services.

3. Expansion Joint

A frost slip joint of two and one half inches (2 ½") is to be provided at the bottom of the meter box for all 200 AMP or smaller services. UL approved schedule 80 PVC must be used for all sections above ground or under any paved surface.

4. Grounding

Shall be per the National Electric Code, grounding will NOT be allowed inside meter enclosures.

5. Underground Service Laterals from Overhead Distribution Developer shall install a ten-foot (10') length of two and one half (2 ½") minimum UL approved schedule 80 PVC or galvanized steel conduit, at the pole and sufficient cable to

extend from the top of the riser conduit to the secondary conductors plus 5 feet (5'). The Village of Bergen will provide and install, the protective covering, necessary cable supports and will connect the cable to the secondary system.

6. Meter Sockets

The Village of Bergen shall furnish meter socket and meter. The developer shall install all meter mounting equipment such as meter sockets. Meters are to be located within a five (5) foot radius of the corner of the house that fronts to the nearest distribution point. All meters are to be located outdoors at a minimum height of 42" and a maximum height of 60". These measurements are to be taken from the center of the meter box to final grade. A fused disconnect must be provided at the meter box if any part of the customers service is buried under any part of the dwelling including the garage if not installed in conduit. Meter socket specifications are available from the Village DPW Supervisor. A copy of the building permit and applicable compliance forms on upgrades is required.

C. SECONDARY OVERHEAD ELECTRIC SERVICE

1. Conduit

If conduit is used, it must be UL approved galvanized steel or PVC conduit two-inch minimum (2") pipe size, or PVC.

2. Grounding

Shall be per the National Electric Code, grounding will NOT be allowed inside meter enclosures.

3. Meter Sockets

The Village of Bergen shall furnish meter socket and meter. The developer shall furnish and shall install all meter mounting equipment such as meter sockets. Meters are to be located within a five (5) foot radius of the corner of the house that fronts to the nearest distribution point. All meters are to be located outdoors at a minimum height of 42" and a maximum height of 60". These measurements are to be taken from the center of the meter box to final grade. A fused disconnect must be provided at the meter box if any part of the customers service is buried under any part of the dwelling including the garage if not installed in conduit. Meter socket specifications are available from the Village DPW Supervisor. A copy of the building permit and applicable compliance forms on upgrades is required.

4. Weatherhead

A rain tight weatherhead must be furnished and mounted above the house knob. Twenty-four (24") inches of wire must be left exposed for a drip loop and power company connections.

SECTION 9. ROAD MATERIALS

A. SUB-BASE AND BASE COURSES

1. Crusher run stone shall conform to NYSDOT Specification Section 304-2.02.
2. Aggregate shall conform to NYSDOT Gradation Table 703-4, size as specified.

B. BITUMINOUS PAVEMENT

1. Residential Road:

- a. Asphalt binder course shall conform to NYSDOT Specification Section 403, Type 3 Item No.403.130001M.
- b. Asphalt top course shall conform to NYSDOT Specification Section 403, Type 7F Item No. 403.190001M.

2. Commercial/Industrial Roads:

- a. Asphalt base course shall conform to NYSDOT Specification Section 403, Type 1 Item No. 403.110001M.
- b. Asphalt binder course shall conform to NYSDOT Specification Section 403, Type 3 Item No.403.130001M.
- c. Asphalt top course shall conform to NYSDOT Specification Section 403, Type 7F Item No. 403.190001M.
- d. Liquid Materials – Commercial/Industrial Roads Only

The materials and composition for the mixtures shall meet the requirements specified in Subsection 401.2.01 through 401-2.05, except as noted herein.

The Performance Grade of asphalt binder used in the production of these mixes shall be either PG 64-28L, or PG70-28L with Latex Polymer additive meeting current NYSDOT Specifications in addition to the

following Requirements:

A minimum elastic recovery of 52.5% at 10°C; 20-cm elongation at 5-cm/minute; hold five minutes then cut in half; wait one hour and calculate the elastic recovery (ASTM D6084-97-modified).

C. TACK COAT

Shall conform to NYSDOT Specification Section 01407.0196M. The grade shall depend on the specific use intended.

D. PREMOLDED BITUMINOUS JOINT FILLER

Shall conform to NYSDOT Specification Section 705-07.

E. UNDERDRAINS

Shall be 6 inch perforated SDR-35 PVC per NYSDOT 706-15 or High Density Polyethylene Tubing per AASHTO M-252.

SECTION 10. MONUMENTS

Monuments shall be constructed as shown in the attached Appendix.

SECTION 11. EQUIVALENTS

The mention of apparatus, articles or materials by name and such specific description of same as is made herein is intended to convey to the Developer and his/her Contractor an understanding of the degree of excellence required. The Village shall be the sole judge of the qualifications of the offerings and will determine all questions regarding the conformance of any offer outside the specifications.

For any project it will be assumed that the Developer will furnish the exact materials specified on the plans and specifications unless the Developer files with the Village of Bergen prior to any use in the development, the names and complete description of each article that he/she proposes to substitute for approval by the Village Board.

Any costs incurred by the Village or its representatives associated with the verification of substitute equipment and materials will be the responsibility of the Developer

ARTICLE X INSTALLATION OF IMPROVEMENTS

SECTION 1. GENERAL INFORMATION

A. PRE-CONSTRUCTION MEETING

A pre-construction meeting shall be requested by the Developer and scheduled through the Village Building/Code and Fire Official prior to the start of construction of a development. The Developer, his/her Contractor and Design Engineer shall meet with all private utility representatives, Village Department Heads and project observers to discuss the overall project, its impacts and schedules. A schedule of construction shall be presented in writing at this meeting by the site contractor.

The Stormwater Pollution Prevention Plan (SWPPP) shall be completed and signed by both the design engineer and the contractor prior to commencement of the work.

Prior to scheduling a preconstruction meeting, the Developer shall obtain a checklist from the Village Engineer, identifying all items that the Developer must bring to the meeting.

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/her duty to immediately notify the Developer's Engineer, in writing, and to thereafter proceed only upon written order of the Village.

C. PROTECTION OF PROPERTY AND WORK

1. The Contractor shall conduct his/her operations to prevent damage to 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/her operations that at no time shall the work or such structures be endangered.
2. Responsibility and damage - the Developer shall be responsible for all parts of his/her work, temporary or permanent, until the project is complete and 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 Village 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/her operations and shall provide all necessary guards, rails, night-lights, etc.

D. CONSTRUCTION SCHEDULE

The Developer shall provide a construction schedule showing the order in which work will be completed at the preconstruction meeting. The construction schedule shall include the implementation of erosion and sediment controls, site assessment, inspections, and post-construction maintenance as outlined in the SWPPP. The schedule shall be reviewed at the preconstruction meeting and revised if necessary. No work will begin until a schedule acceptable to the Village is on file with the Village.

E. PERMITS

The Developer shall secure all necessary permits from the Village Department of Public Works and/or any other agency who may have authority 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/her intention and their instructions as to the protection of their property 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 or onto streets near the site.

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 by the Contractor so as to ensure an acceptable repair and/or replacement.

G. FACILITIES FOR OBSERVATION

The Contractor shall furnish all reasonable facilities and aid to the construction observers for safe and convenient footways, scaffolds, ladders, etc., that may be needed for the examination and review of any part of the work. The Village of Bergen may stop work when the Contractor has no responsible agent on the project or if the Village feels that the Contractor is not performing the work in the best interests of the municipality. Disorderly, intemperate and incompetent persons shall not be allowed on the project. The employees who neglect or refuse to follow the construction observer's instructions shall be permanently removed from the project by the Contractor. Failure to conform to these controls may warrant refusal of the municipality to consider 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. APPROVAL OF MATERIALS

The Contractor shall provide shop drawings and/or material description from suppliers, verifying that all items meet or exceed Village standards.

J. DEFECTIVE WORK

The review of the work shall not relieve the Developer of any of his/her obligations to comply with the specifications. Any defective work shall be made good and any unsuitable materials, which have been previously overlooked by the Village or its representatives, shall be removed and replaced. If the work or any part thereof shall be found defective at any time before the final acceptance of the project, the Developer shall make good such defect in a manner satisfactory to the Village.

Nonconformance with the SWPPP may result in citations and fines from the New York State Department of Environmental Conservation.

SECTION 2. GRADING

Completion of grading per the grading plan to within 1 foot of design grade shall precede any trench excavation. Such grading shall include house "pads", removal of enough material to form "box" for road base, surface drainage channels, required temporary siltation basins, etc.

Construction brush and debris will not be buried on the site. Wood materials shall be cut, chipped, mulched or removed from the site and deposited in a permitted construction/demolition landfill.

A. TOPSOIL:

It is the policy of the Village of Bergen that all topsoil remain onsite during construction disturbance activities. Developer shall designate an area to stockpile topsoil on the site and provide erosion and sediment control during all site disturbance activity. Following the completion of all work and final site stabilization, any excess topsoil may be removed only as approved by the Village Engineer and Village DPW Supervisor.

B. EROSION AND SEDIMENT CONTROLS:

Installation of the erosion controls shall occur prior to earthwork on the site. The SWPPP shall be followed to ensure the reduction or elimination of erosion and sediment loading to downstream parcels and waterbodies during construction activities.

C. SITE STABILIZATION:

Vegetative, temporary and permanent structural measures shall be used to promote overall soil and site stabilization. The site shall be stabilized as soon as possible after disturbance to prevent erosion, and shall be inspected and maintained throughout construction activities, in accordance with the SWPPP.

SECTION 3. WATER AND SEWER TRENCHES

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 water, sewers, conduits, culverts, drainage ditches or water courses, or for any other incidental work that may be required or ordered by the Village or its representative.

It is the Contractor's sole responsibility to make sure that all work shall be conducted in strict accordance with the Federal Safety Standards of OSHA.

B. WIDTH OF TRENCHES

The trenches shall be of such width as may be required by the Design Engineer to ensure proper laying and handling of the pipes and appurtenances, and proper tamping and backfilling operations. 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/her 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 as to properly install utilities to the grade established in the field by the Design Engineer. The depth of the excavation shall allow the proper bedding material to be placed under the pipe.

Any extra-excavated depth by the Contractor shall be filled with compacted crushed stone to the proper grade required.

Utilities shall be designed to prevent damage from frost penetration or surface forces. Water mains and services shall be generally buried with 4'-6" of cover in fields but at least 6'-0" when they cross-existing or proposed roads.

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 design details approved by the Village.

E. BLASTING

Whenever necessary to resort to blasting for making the excavations, the trench shall be covered in a form to prevent fragments of rock from being thrown out. Only experienced, licensed workmen shall be employed in the handling and uses of explosives. All blasting operations shall be conducted in strict accordance with existing ordinances, regulations and specifications relative to rock blasting, storage and use of explosives.

F. BAILING AND DRAINING

The Contractor shall furnish a sufficient pumping plant and shall provide and maintain, at his/her 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 or flow on adjacent lands. All water pumped or bailed from the trench or other excavation shall be conveyed in a proper manner to a suitable point of discharge in required temporary siltation traps.

G. BOTTOM OF TRENCH

The bottom of the trench shall be carefully graded and formed according to the directions of the Design Engineer, before any structures are laid thereon. When other instructions or design are not indicated, all trenches shall be excavated in a straight line. In hard pan, boulder formations or rock, the excavation shall extend at least 6 inches below the bottom of the pipe and a carefully compacted bed of crushed stone screenings placed in the bottom of the trench up to the level of the spring line of the pipe.

It is the intention of this specification to achieve not less than Class "B" pipe bedding.

H. 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 unless crossing an existing or proposed road. 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/she shall provide the following materials, if so ordered by the Village.

Sand, stone or concrete cradle when the trench bottom does not provide sufficient bearing capacity or when specification requires specific bedding for certain utilities.

#1 stone encasement shall be ordered by the Village 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. SEWER INSTALLATION

A. LINE AND GRADE

All pipes and appurtenances of whatever character shall, when set, conform to the alignments and grades required by the Design 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 AND CASTINGS

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 ends of the pipes shall be watertight capped to exclude water and debris from entering the pipes.

Sewers shall be built to the lines and grades between manholes as shown 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 thoroughly compacted 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 to hold the pipe in position.

C. CUTTING PIPE

Whenever it may be necessary to cut any straight pipe it shall be completed by skilled workmen with proper tools, in such manner as will not cause any cracking of the pipe.

D. CATCH BASINS

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

E. MANHOLES

Manholes shall be constructed of the size, type and at the locations shown on the Plans, or as designated by the Design Engineer in the field.

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

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

Eccentric cone sections may be used on the top of manhole riser sections if the inside height dimension from the bench wall to the bottom of the eccentric section exceeds 8 feet.

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

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.

All openings and joints in the manhole sections shall be completely filled once the sections are set, with non-shrink grout* and after initial set, waterproofed on the inside and outside with a coal tar coating.

Note: When PVC is used all openings around pipes shall be completely filled with 100 percent 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 30 inches below finished grade and continue to the top of the bench wall.

All manholes shall be sealed with two 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 coats by the Contractor. Covers and other exposed surfaces shall also be coated in the field.

All sanitary sewer manholes shall be coated with minimum thickness of ½ inch of a cementitious coating, such as Sewpercoat 2000 or approved equal, on all interior surfaces in place of bitumastic coating. Installation shall be by manufacturer's recommendations. Improper materials or mil thickness shall be cause for rejection of manhole sections.

1. Frames and Covers

The frames shall be firmly set in a bed of not less than one full inch 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, precast concrete spacers or bricks shall be mortared to the roof slab to raise the frame to the proper grade. A maximum of three courses of spacers or bricks shall be used to adjust the frames and grates to the proper grade.

2. 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 percent epoxy non-shrink grout.

3. Drop Manholes

Wherever the invert of the entering sewer is more than 2 feet above the invert of the outlet sewer, it shall be connected with a vertical outside drop with a clean-out pipe half bricked up. When drops are placed, the entire excavation around the drop pipe shall be filled with 3,000-psi concrete extending not less than 2 feet 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.

4. Shallow Sewer Manholes

Where any manhole is less than 4 feet from invert to bottom of roof slab, the Contractor is to provide a manhole as shown in the Appendix. The roof slab shall be precast structural concrete reinforced to withstand a concentrated HS-25 load plus 30 percent impact. The slab shall be formed to fit into the ends of the vertical pipe and shall have a full bearing for its entire circumference.

F. SEWER LATERALS:

Sewer laterals shall be installed to the right-of-way (or easement) line for all lots. Each service shall be located with a stake color coded in conformance with Industrial Code 53 to denote the type of service they represent.

SECTION 5. WATER SUPPLY

A. HYDRANTS:

A hydrant unit shall consist of a hydrant, guard valve, mechanical joint anchor 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 3 inches above the finished grade. Hydrant weeps shall be surrounded by at least 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.

B. VALVES:

Valve boxes shall be placed plumb over the operating nut of the valve and adjusted to the final grade. If the valves are buried deep they must have an extension stem that can be reached with a 6 foot valve box key.

C. SERVICES:

Water services shall be installed to the right-of-way (or easement) line for all lots. Each service shall be located with a stake color coded in conformance with Industrial Code 53 to denote the type of service they represent.

SECTION 6. STORMWATER FACILITIES

Stormwater facilities shall be constructed once the rough grading has been completed in order to prevent direct discharge from de-watering pumps and surface run-off from the construction site to storm sewers, culverts, streams or ditches.

All surface run-off and discharge from dewatering pumps shall be intercepted and directed to siltation ponds before entering the stormwater facilities. The stormwater facilities shall be utilized to help maintain water quality treatment throughout construction by providing additional pollutant removal as the water flows through the facility. The stormwater facilities will need to be constructed and maintained in accordance with the SWPPP and the "New York State Standards and Specifications for Erosion and Sediment Control".

A. STORMWATER MANAGEMENT INSPECTIONS:

Stormwater erosion and sediment controls are to be inspected by a qualified professional

before construction commences, every 7 days throughout construction, and within 24 hours of every rain storm 0.5 inch or greater in accordance with the SPDES General Permit.

SECTION 7. ELECTRICAL DISTRIBUTION SYSTEM

A. GENERAL

The developer shall have completed the installation of other utilities including, but not limited to, water mains and services, storm sewers and laterals, and sanitary sewers and laterals prior to the installation of any underground electric distribution. In addition, the aforementioned utilities shall be installed complete in all locations where they pass under the proposed electric system. The developer shall have all grading completed within a +6-inch tolerance in those areas where the electric distribution is to be constructed prior to requesting installation. Grade stakes and property easement or right-of-way line stakes shall be installed by the developer prior to any installation of the electrical system.

B. EXCAVATION

In addition to the above requirements, the developer shall dig all trenches in the locations shown on design plans and/or as directed by the Village DPW Supervisor in the field. The trenches shall be three feet deep and a minimum of two feet wide if electric conduits and cable only is to be installed, and two and one-half feet wide if gas or telephone is to be installed in the same trench with the electric cable. Trenches shall in all cases be wide enough to permit a minimum horizontal separation of one foot between utilities.

Trenches shall be clean and dry. In the event stones, rock or a hardpan condition are encountered and/or exist in the trench bottom, the developer shall provide a clean, dry bedding material of soil or sand as directed by the Village DPW Supervisor prior to any installation of conduits and electric cables.

Trenches shall be kept free of all building materials and under no circumstances shall cable be installed where any construction, debris or building materials are visible in the excavation.

The developer is advised that excavation for electric distribution systems in the winter must be very closely coordinated with the Village DPW Supervisor and that sand bedding and backfill a minimum of one foot over the cable shall be installed by the developer in order to preclude conduit and cable damage by frozen chunks of earth.

C. INSTALLATION

Underground conduit shall be supplied by the developer and installed by the Village of Bergen DPW. All electrical cable shall be provided by the Village of Bergen and installed by the Village of Bergen DPW.

D. BACKFILL

The developer shall backfill the trench when requested by and in such a manner as directed by the Village DPW Supervisor. The first one foot of backfill shall be sand or select earth placed by hand to avoid damage to the cable. The remainder of the trench may be machine backfilled with excavated materials providing no stones, rock, debris, building materials or other foreign matter with any dimension over two (2) inches is included.

The trench may be mounded to provide for settlement; however, proper-trench maintenance shall be performed by the developer to prevent any damage or degradation of the installation.

E. UNDERGROUND ELECTRICAL TRENCH INSPECTION

When the trench is ready for backfill it will be necessary to contact the Village DPW Supervisor and request a trench inspection. A minimum of 24 hours notice must be given to schedule an appointment for a trench inspection. If we receive an underwriter's approval and find that the trench has already been backfilled, without a trench inspection by the Village of Bergen, the service will be rejected and will not be connected until it has be re-touched and inspected in the manner stated above.

F. APPURTENANCES

The Village DPW Supervisor shall furnish and install and or cause to be installed all appurtenances of the distribution system including but not limited to transformers and switches, and power pedestals. Road crossing conduits shall be provided and installed by the developer. Transformer pads shall be provided and installed by the developer. The developer shall provide the Village DPW Supervisor with accurate maps and stakes indicating lot or easement lines, utility locations and finished grades at the location of these appurtenances.

The Village DPW Supervisor shall furnish and install pad mount transformers only and it shall be at the Village DPW Supervisor's discretion to use either buried or above-ground pedestals.

Residential meters shall be installed out of doors so that it is visible and easily accessible to the Village of Bergen DPW.

The Village of Bergen shall install all equipment at such locations and elevations such that transformers and other equipment will be installed to preclude silting around or water damage from ponding.

In the event the developer for any reason changes the grading in the areas of this equipment following installation of same, such that damage or degradation of the equipment could occur, or such that an unsightly installation is caused, the developer shall reimburse the Village of Bergen at cost plus 15% for re-constructing said equipment to the proper elevations.

G. DISTRIBUTION SYSTEM MAINTENANCE

The developer shall provide the Village DPW Supervisor a complete as-built map of the development prior to dedication of the utilities and/or prior to requesting service connections to the units.

The as-built map shall be reproducible and shall show all right-of-way lines, easement lines and as-constructed locations of all water lines and services, storm sewers and laterals, sanitary sewers and laterals, gas mains and services and telephone cables and services and electric distribution lines, transformers, pedestals and services.

Prior to dedication or connection of services in undedicated areas, the developer shall be responsible for all damage or degradation of the distribution system and appurtenances, caused by construction activity or any other actions on the part of the developer.

The Village of Bergen shall make necessary repairs and/or replacement of the cables and equipment damaged by the developer during this period and shall be reimbursed at cost by the developer for said repairs.

Following dedication and/or connection of all services, the Village DPW Supervisor assumes responsibility for the distribution system within the limits of its agreements with the developer and/or such clauses and contingencies which may exist on easement documents or other rights-of-way which may exist.

H. SERVICES

The service laterals between the Village of Bergen's underground distribution system and the developer's point(s) of entrance, regardless of occupancy shall be furnished and installed by the developer.

The service(s) shall be located as directed by the Village DPW Supervisor and/or as shown on plans previously approved by the Village of Bergen and in accordance with the as-constructed locations of pedestals and appurtenances already installed. Meters shall be installed on the outside of buildings in locations approved by the Village DPW Supervisor

If the developer desires an inside meter location, he shall so indicate and pay a fee per meter, as determined by the Village Clerk, for a remote reading dial extension.

The service(s) shall be of adequate capacity and acceptable to the Village DPW Supervisor in regard to shielding, insulation level and general quality, and in all respects shall be in accordance with the latest revision of the National Electrical Code and/or any other authorities claiming jurisdiction.

The service trench(s) shall be excavated, the cables installed, and the trenches backfilled as specified herein.

All service installations shall be subject to the inspection and approval of the Village DPW Superintendent.

The Village of Bergen shall provide the following fixtures for each service:

1. meter
2. meter socket
3. meter enclosure
4. instrument transformer
5. transformer enclosure
6. test switch

Where seven (7) or more meters are required for a multiple dwelling, the developer shall be responsible for the cost of approved multiple metering socket units, disconnect device, and their installation. The Village of Bergen will provide meter, transformer enclosures, test switches, and meter enclosures which developer shall install at his expense, subject to inspection. The Village of Bergen shall supply and install the transformer and meter. All meter sockets shall be mounted in a true vertical and such that their centers are between four (4) to six and one half (6 ½) feet above final grade.

On completion of the installation of the service by the developer, and the receipt of the Underwriter's Approval of the occupancy electrical wiring, the Village DPW Supervisor will make the final connection at the distribution system pedestal and install the meter and/or metering devices for the developer.

The service lateral(s) shall be so located and so arranged so that the lateral(s) will always be owned and maintained by the developer and/or subsequent purchasers of the occupancy being served by same.

SECTION 8. BACKFILLING AND FINISHING

A. GENERAL

Trenches shall be immediately backfilled following the installation of utilities unless specifically changed in writing by the Design Engineer and approved by the Village. The roadways and sidewalks shall be left unobstructed, with their surface in a safe passable condition. The trench shall be tamped sufficiently to prevent settlement of or damage to existing or newly installed structures.

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 12 inches above the pipe. This earth shall be thoroughly tamped as it is being placed so as to fill the lower portion of the trench thoroughly to give utilities a Class B bed for their entire length.

C. RESTRICTIONS AS TO MATERIALS

No rock or frozen materials shall be placed in trenches within existing or proposed streets. Such material may be used in fields where immediate compaction is not necessary and at least 2 feet of select fill has been placed over the pipe.

D. BACKFILLING PAVEMENT CROSSINGS

All utility lines or laterals that cross existing or proposed streets shall be backfilled with crusher run stone conforming to NYSDOT Specification Section 304-2.02 Gradation Type 2.

Material shall be compacted in lifts of 6 inch maximum to the elevation of the road subgrade. From there the backfill shall conform to the material specifications for individual road sections.

E. CLEANING UP

As the work progresses or as directed by the Design 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.

Erosion control measures must be maintained throughout the construction process and removed only upon the approval of the Village.

In all cases, the project site shall be restored to a condition equal to or better than that, which previously existed.

SECTION 9. 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 AASHTO Standard T-10, Rodded Unit Weight. Field density tests shall be made in accordance with AASHTO Standard T-238.

Each layer of backfill shall be moistened or dried as required and shall be compacted to the following densities, unless otherwise specified.

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 Village. 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 Village at the expense of the Developer.

C. TESTING

1. Field density tests may be ordered by the Village 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/her operations to allow adequate time for laboratory tests and to permit taking of field density tests during compaction.

Any areas found to be below required compaction densities shall be removed and

replaced with new material at the Developer's expense. The methods of operation and/or the backfill materials shall be changed to meet required compactions.

Inadequate compaction shall be cause for the Village to issue a stop work order on a project.

SECTION 10. 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. All utilities shall be pretested by the contractor before the Village is to witness the final tests. No test will be accepted unless witnessed by the Village. Records and date of these tests shall be submitted to the municipality as part of the record drawing information.

Water or test required of the Developer during any procedures will be paid for by the Developer. All hydrants for water supply or testing use shall be operated only by the Monroe County Water Authority.

B. SANITARY GRAVITY SEWERS

1. All sewers shall be flushed clean by the Contractor and the lines shall be lamped with the Village. All sewers shall be video taped and submitted to the Village after 30 days backfilled.
2. All flexible pipe shall be tested for deflection. The deflection test shall be conducted after the final backfill has been in place at least 30 calendar days to permit stabilization of the soil-pipe system.
 - a. No pipe shall exceed a deflection of 5 percent. If deflection exceeds 5 percent, replacement of the defective sewer shall be required.
 - b. A rigid ball or mandrel having a diameter of not less than 95 percent of the base inside diameter of the specified pipe shall be used for the deflection test. The test shall be performed without mechanical pulling devices.
3. Leakage test shall also be conducted on the sewer. This test shall be by low-pressure air testing. The Village under specific circumstances may require the contractor to infiltrate a sewer system depending on ground water levels.
4. Manholes
 - a. Each manhole shall be subjected to testing as follows:

- b. Vacuum Testing - Each manhole shall be subjected to a vacuum of 10 inches of Hg for one minute with an allowable loss of 1 inch of Hg.

C. SANITARY PRESSURE SEWER

Pressure tests shall be made only after the completion of backfilling operations and at least 36 hours after the concrete thrust blocks have been cast.

The duration of pressure tests shall be one hour, unless otherwise directed by the Village. Test pressure shall be 60-psi minimum or a pressure of 2-1/2 times the maximum system operating pressure, whichever is greater.

The pipeline shall be slowly filled with water. The specified pressure, measured at the highest point of elevation, shall be applied by means of a pump connected to the pipe in a manner satisfactory to the Village.

During the filling of the pipe and before applying the specified pressure, all air shall be expelled from the pipeline by making taps at the point of highest elevation. After completion of the test, the taps shall be tightly plugged at the main.

D. STORM SEWERS

All storm sewers shall be flushed clean by the Contractor and the lines shall be lamped with the Village.

E. WATER MAINS

1. Pressure Tests

The entire system, including services to the curb stops, shall be pressure tested at a minimum 1.5 times the working pressure or 150 psi whichever is greater for a period of one hour. There shall be no variance allowed in the pressure during the test period. No high-pressure test will be allowed when temperature is less than 32-35 degrees, unless a heated shelter is provided for test equipment. A leakage test at operating line pressure shall be conducted for 24 hours in addition to the pressure test. These tests shall be performed in accordance with AWWA C600. The pressures at the point of testing shall be related to the highest elevation of the main.

Note: No leakage allowed.

2. Disinfection

Upon completion of the pressure testing the main shall be disinfected in accordance with AWWA C651 as applicable.

3. Samples

After flushing of the newly disinfected main, the Genesee County Health Department shall obtain samples of water and does the testing and certifications. Upon the receipt of a satisfactory laboratory report, this information together with the Village Engineer's Certificate of Construction shall be submitted to the Genesee County Health Department for approval. Upon receipt of the Approval of Completed Work from the Health Department, the water system shall be considered complete and may be accepted for service by the Village.

F. ELECTRIC DISTRIBUTION SYSTEM

All trenching and backfilling operations shall be subject to the inspections and approval of the Village DPW Supervisor prior to installation and/or operation of the distribution systems.

Should a fault occur when the system is energized, the Village DPW Supervisor shall locate and excavate same and make necessary repairs or replacement.

In the event it is found that said fault was caused by any rock or foreign object in contact with the cable as a result of improper bedding or backfill, the Village DPW Supervisor shall back-charge the developer at direct cost plus 15% for repair or replacement of same.

G. DEFECTIVE AREAS

In any areas where satisfactory results of applied tests cannot be obtained, the defective portion of the system shall be located and replaced with new material.

That portion of the system shall then be retested until satisfactory results are obtained. Use of repair clamps will not be permitted by the Village.

SECTION 11. ROADS

A. GENERAL INFORMATION

The Contractor shall not proceed to construct any surface improvements until the underground system has been installed, tested and approved by the Village.

Careful attention shall be given by the Contractor to obtain the necessary compaction densities as specified. All surface improvements shall be constructed to the shape and dimensions as shown on the typical sections or on the approved plans. A greater road width and base may be required in those areas where particular soil conditions or traffic patterns require special considerations.

B. 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 proper subgrade. Where ground water or poor soil conditions exist, the Developer shall be required to install perforated underdrain and crushed stone weeps to drain the base. The entire subgrade surface shall be thoroughly compacted according to NYSDOT Specification 203-3.12.

Fabric filter material may be required by the Village to stabilize the base or subbase before the Contractor proceeds to install same.

When the subgrade is completed, the Contractor shall so notify the Village DPW Supervisor and the Village Engineer for a base determination (proof roll). Upon the review and written approval of the subgrade by the Village DPW Supervisor and the Village Engineer, the base material may be placed.

C. 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 16 feet in length, any bump or depression over 1/4 inch from the theoretical grade line shall be satisfactorily eliminated. When the base has been prepared to the satisfaction of the Village DPW Supervisor, the Developer may place the binder course. If base conditions are changed as determined by the Village DPW Supervisor before the binder is placed, he/she may order the Developer to seal the stone with a rapid sealing liquid asphalt emulsion as specified in NYSDOT Section 702-10 or 702-11 with 0.5 gallons per square yard as determined by the conditions and not more than 24 hours prior to placement of binder asphalt.

If the compaction of the base is questionable by the Village DPW Supervisor, it may require re-rolling or stone replacement by the Developer.

D. BITUMINOUS PAVEMENT

1. Binder shall be placed and compacted to a minimum finished layer thickness of 3 inches with a self-propelled asphalt spreader and rolled according to NYSDOT Specifications 401-3.06 and 401-3.12. 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 for inspection by

the Village DPW Supervisor 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.

3. Surface Course shall be placed and compacted to a minimum finished layer thickness of 1-1/2 inch with a self-propelled asphalt spreader and rolled in accordance with NYSDOT Specifications 401-3.06 and 401.3.12.

E. TEMPORARY ROAD CONSTRUCTION

Where construction sequences preclude the specified road construction items and these requirements for Certificates of Occupancy, a temporary road consisting of the specified road section less top surface course may be constructed.

This temporary road shall be reviewed by the Village DPW Supervisor and approved in writing prior to the issuance of any Certificate of Occupancy.

F. CONTINUATION OF EXISTING ROAD

When construction of a road is continued from an existing road or previous developed section, the pavements shall be joined with a triangular cut of at least 15 feet from edge of the pavement to the centerline of the old 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.

G. STABILIZED SHOULDERS

Stabilized shoulders shall be constructed to the dimensions shown on the typical sections. Construction methods shall conform to NYSDOT Specification 410-3.01. The base course shall consist of a wedge of crusher run stone with a single surface treatment.

H. UNDERDRAINS

Underdrains shall be installed under all concrete gutters in conformance with NYSDOT Specification 605 and underdrain filter Type 1 per NYSDOT Specification 605-2.02. The underdrain shall be installed per the Appendix. Fabric material to be placed over all underdrain stone.

SECTION 12. CONCRETE GUTTERS AND SIDEWALKS

A. CONCRETE GUTTERS

1. Concrete gutters shall be a minimum of 6 inches in depth and constructed true to

the shape, line and grade on a thoroughly compacted base. The gutters may be constructed using a slip form method or in-place formwork.

2. Joints between sections shall be placed every 10 feet at right angles to the flow line and must be "wet struck" 1/8 inch wide and 3/4 inch deep. Full depth bituminous expansion joints shall be placed every 50 feet and at all structures or inlets.
3. Gutters shall be broom finished before the joints are struck and the finish shall be consistent throughout the project.
4. Gutters shall be cured and sealed by spraying with an approved curing and sealing compound at the rate recommended by the manufacturer.
5. One coat of curing and sealing compound shall be applied when the work is complete and another coat after the gutters have set for 48 hours.
6. The use of burlap or coverings for curing or protection is not acceptable until after the concrete has been sprayed and set.
7. 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 Village DPW Supervisor, they shall be removed and replaced.
8. Gutter replacements shall conform to the existing gutter regarding finish and color.

B. CONCRETE SIDEWALKS

1. Minimum 4 inches in depth and constructed true to shape, line and grade. Sidewalks installed through driveways shall be 8 inches in depth and be reinforced with 6" x 6" wire mesh (10 gauge).
2. Minimum width shall be 5 feet or to match existing.
3. The base shall be thoroughly compacted crusher run stone with a thickness of 4 inches. The base material shall extend 6 inches outside each edge of the concrete sidewalk.
4. A cross slope of 1/4 inch per foot shall be maintained for positive drainage.
5. Construction joints shall be wet struck at 5 foot increments and be 3/4 inch deep. Full depth bituminous expansion joints shall be placed every 50 feet and at all castings.

6. Sidewalks shall be broom finished and have troweled edges with a corner radius of 1/4 inch. The finish shall be consistent throughout the project.
7. Two coats of approved curing and sealing compound shall be applied. One coat immediately following the finish work and the second coat 48 hours later.

C. TESTING

1. The Contractor shall obtain in accordance with ASTM C-31 two (2) samples from every other truck delivering concrete to the site and have the samples compression tested by an independent testing laboratory. Trucks transporting more than 8 cubic yards shall require two (2) samples from each delivery to the site.
2. Results of these tests shall be submitted to the Village DPW Supervisor.
3. The Developer shall bear the cost of all testing.

SECTION 13. MONUMENTS

The monuments shall be installed at those locations shown on the approved final plan and as located in the field by a Licensed Land Surveyor. They shall be installed to a depth of at least 30 inches below finished grade with the top surface to be flush with finished grade. Upon the installation of the monuments the location shall be certified to the Village by a Licensed Land Surveyor as to their accuracy.

SECTION 14. FINAL GRADING

Upon satisfactory completion of the utilities and roads, the entire area within the right-of-way shall be raked and graded to the approved plans.

The Site Contractor shall be responsible to fine grade the edge of road and maintain erosion control. In those areas where home building has started, clean up and site maintenance will then become the responsibility of the builder.

Upon completion of road/gutter installation of a 20-foot grass buffer on either side of the road shall be required. This will help reduce silt runoff into the gutter/storm sewer network.

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 material shall be allowed on approved or proposed building lots.

SECTION 15. FINAL CLEANING

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

SECTION 16. SIGNS

Street and traffic signs shall be supplied and installed by the Department of Public Works in accordance with standards outlined in the Manual of Uniform Traffic Control Devices (State of New York, Department of Transportation, Division of Traffic and Safety).

Signs and posts shall be ordered by the Department of Public Works for consistency throughout the Village. Upon receipt of signs, they shall be placed in the field by the Department of Public Works. Sign, post and installation cost is the responsibility of the Developer.

ARTICLE XI REQUIREMENTS FOR DEDICATION AND PROJECT ACCEPTANCE

SECTION 1. GENERAL

All construction within the right-of-way or lands to be dedicated to the Village shall be complete with final site reviews and written approvals of the construction by the following:

1. Building Department
2. Village DPW Supervisor
3. Village Engineer

In addition to the field review, the Village Attorney shall notify the Village in writing that all legal aspects of the project have been satisfied.

SECTION 2. MONUMENTS

Monuments shall have been set in their required locations and certified to the Village.

SECTION 3. GRADING

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

SECTION 4. SITE STABILIZATION

The site soils shall be stabilized as soon as possible after disturbance. Final acceptance of stormwater facilities shall not occur until site stabilization is complete to the satisfaction of the Village Engineer and Village DPW Supervisor and the submission of a Notice of Termination (NOT) with the Village of Bergen.

SECTION 5. STREET SIGNS

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

SECTION 6. RECORD DRAWINGS

Record drawings and all testing results shall be supplied to the Village and are subject to their review and approval at least 15 calendar days prior to any dedication procedures.

Record maps shall be prepared by a licensed professional and eight (8) prints, one (1) reproducible (mylar), and one (1) CADD digital copy shall be submitted to the Office of the Village Clerk. The record drawings shall contain, at a minimum, the following information:

- A. The locations, sizes, elevations, lengths, slopes and invert and top elevations of all structures in sanitary and storm sewer systems including material specifications.
- B. The elevations of any drainage swales and drainage structures to be dedicated and/or maintained by the Village.
- C. The locations, sizes of conduit and wire, street lighting, including material specifications for the electrical distribution system, as described herein.
- D. Maintenance procedures for the stormwater facilities.
- E. The locations including ties to all valves, curb boxes and hydrants to permanent structures.
- F. The locations at the property or easement line of each individual lot
 - 1. Sanitary Lateral Cleanouts
 - 2. Storm Lateral
 - 3. Water Service Curb Box
- G. Any other significant details affecting the operation or maintenance of any system by the Village.
- H. The location of all facilities shall be tied to visible and reproducible objects.

SECTION 7. MAINTENANCE BONDS

The submission and acceptance of the two year Maintenance Bonds for all improvements to be offered to the Village 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 10 percent of the final construction cost. A final construction cost estimate, prepared by the developer's engineer, shall be approved by the Village Engineer prior to determination of final construction cost. Bonds shall be approved as to form and content by the Village Attorney prior to any dedication procedure. Formal acceptance of a maintenance bond by the Village on any aspect of a project constitutes the beginning of the two (2) years.

SECTION 8. FINAL RELEASE OF FUNDS

The Village Board, upon signature recommendation of the Design Engineer, Owner, Village Engineer, receipt of the Village Attorney's written opinion of legal status, receipt of two year Maintenance Bond, record drawings accepted by the Village Departments and a final field review report, shall then authorize release of monies retained in the Letter of Credit.

ARTICLE XII REPEALER, TIME LIMITATION, CONFLICT & SEVERABILITY

SECTION 1. REPEALER

All previous subdivision regulations for the Village of Bergen are hereby replaced by the regulations of this Local Law.

SECTION 2. TIME LIMITATION

The time limitations set forth in these regulations and the corresponding provisions of Village Law may be varied when required for the purpose of complying with the provisions of the State Environmental Quality Review Act (SEQR) (Part 617 of Article 8 of the Environmental Conservation Law).

SECTION 3. CONFLICT WITH PUBLICS WORKS SPECIFICATION

In the event of any conflict or inconsistency between Land Subdivision Regulations and the Village of Bergen Public Works Specifications, it is the responsibility of the subdivider 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 4. INTERPRETATION

Where the conditions imposed by any provision of these regulations are more restrictive than comparable conditions imposed by any other provisions of these regulations, or of any other ordinance, resolution or regulation, the provisions which are more restrictive shall govern.

SECTION 5. SAVING CLAUSE

The adoption of these regulations shall not affect or impair any act done, offense committed or right incurred or acquired or liability, penalty, forfeiture or punishment that was incurred prior to the time these regulations take effect under the regulations relative to subdivision in said Village.

SECTION 6. SEVERABILITY

If any clause, sentence, paragraph, section, or any part of these Regulations shall be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, paragraph, section, or part directly involved in the controversy in which such judgment shall have been rendered.

APPENDIX:

STANDARD DETAILS

Project Name: _____

Based on Engineer's Estimate Dated: _____

Earthwork	\$	_____	
Contingency (10%)	\$	_____	
TOTAL EARTHWORK	\$		_____
Erosion Control Measures	\$	_____	
Contingency (10%)	\$	_____	
TOTAL EROSION CONTROL	\$		_____
Sewage Disposal Systems	\$	_____	
Contingency (10%)	\$	_____	
TOTAL SEWAGE DISPOSAL SYSTEMS	\$		_____
Drainage Systems	\$	_____	
Contingency (10%)	\$	_____	
TOTAL DRAINAGE SYSTEMS	\$		_____
Water Supply	\$	_____	
Contingency (10%)	\$	_____	
TOTAL WATER SUPPLY	\$		_____
Roadways	\$	_____	
Contingency (10%)	\$	_____	
TOTAL ROADWAYS	\$		_____
Misc.(sidewalks, landscaping, etc.)	\$	_____	
Contingency (10%)	\$	_____	
TOTAL MISCELLANEOUS	\$		_____
Sub Total Construction Cost	\$		_____
Construction Observation	\$		_____
Road Signs & Clean Up	\$		_____
Design Engineering & Surveying Fees	\$		_____
TOTAL LETTER OF CREDIT	\$		_____

LETTER OF CREDIT
SUMMARY SHEET

MRB | *group*

Engineering, Architecture, Surveying, P.C.
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Village of Bergen

Date:
2003

Appendix:
A

PROJECT NAME _____

ESTIMATE NO. _____

DATE _____

PROJECT NO. _____

Total Construction
To Date

\$ _____

Less Retainage

\$ _____

A. Construction
Value To Be
Released

\$ _____

B. Engineering
Costs

\$ _____

C. Construction
Observation
Costs

\$ _____

D. Other Costs

\$ _____

Amount Previously
Released Through
Estimate No. _____

\$ _____

Amount Authorized
For Release

\$ _____

LETTER OF CREDIT INFORMATION

1) Original Amount

\$ _____

2) Authorized For Release
Per Estimate Nos.

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Subtotal \$ _____

* 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.

Project Engineer

Date

Owner

Date

Village Engineer

Date

Village Mayor

Date

LETTER OF CREDIT EXPIRES _____

**LETTER OF CREDIT
RELEASE FORM**

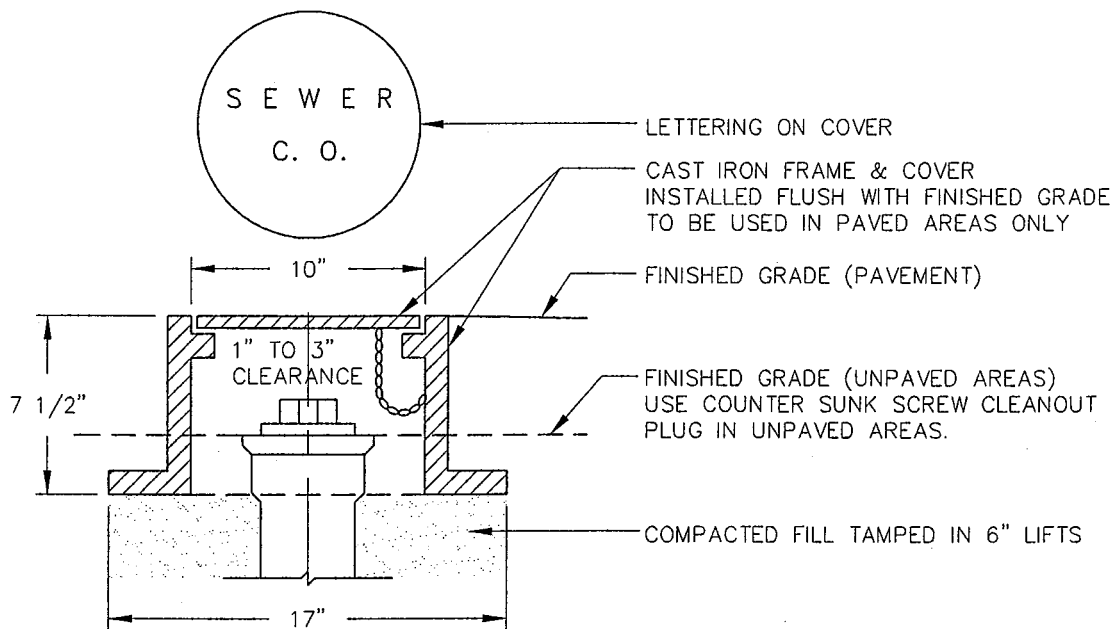
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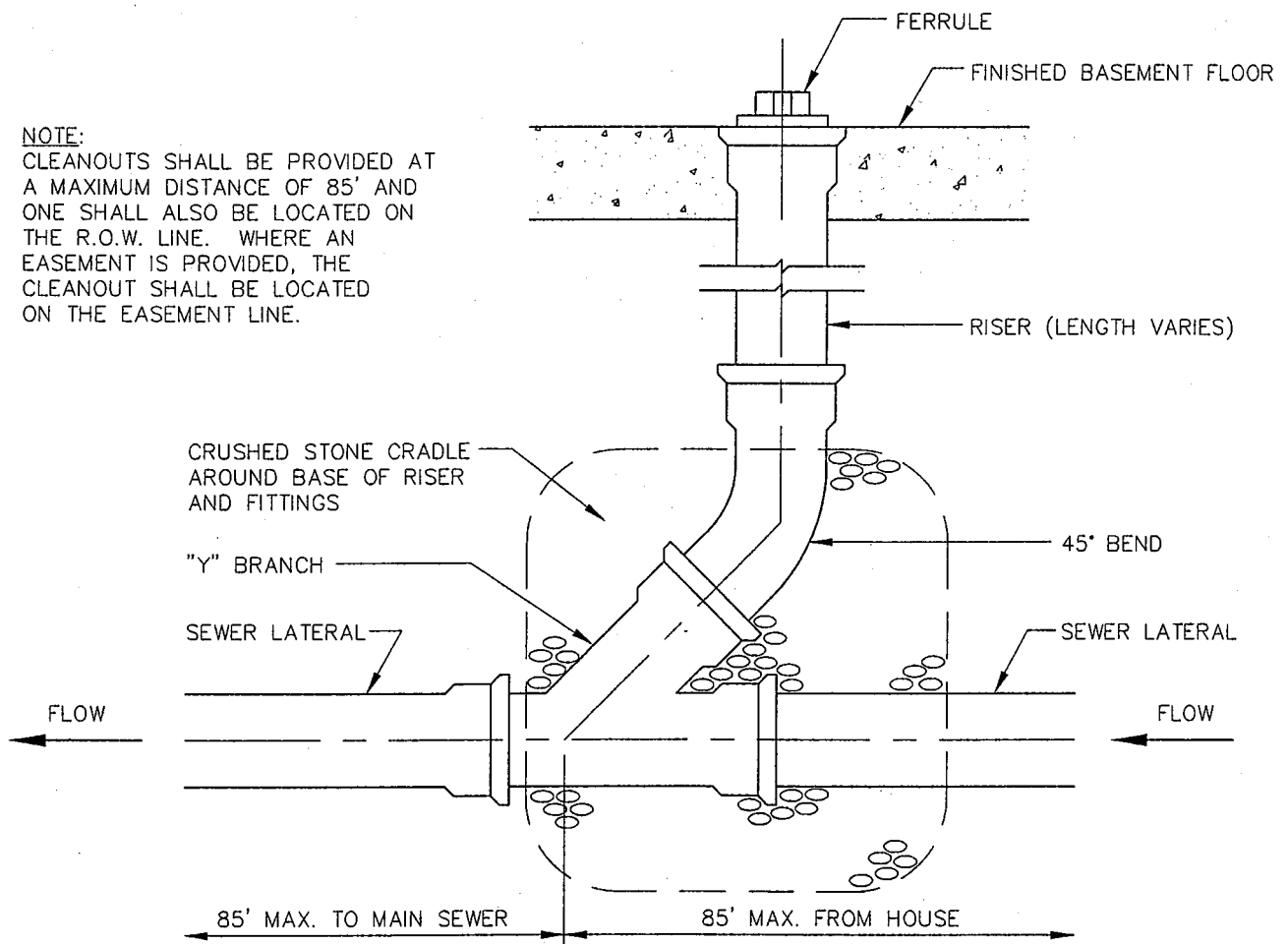
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Appendix:
B



NOTE:
CLEANOUTS SHALL BE PROVIDED AT
A MAXIMUM DISTANCE OF 85' AND
ONE SHALL ALSO BE LOCATED ON
THE R.O.W. LINE. WHERE AN
EASEMENT IS PROVIDED, THE
CLEANOUT SHALL BE LOCATED
ON THE EASEMENT LINE.



TYPICAL SANITARY SEWER CLEAN-OUT DETAIL

NOT TO SCALE

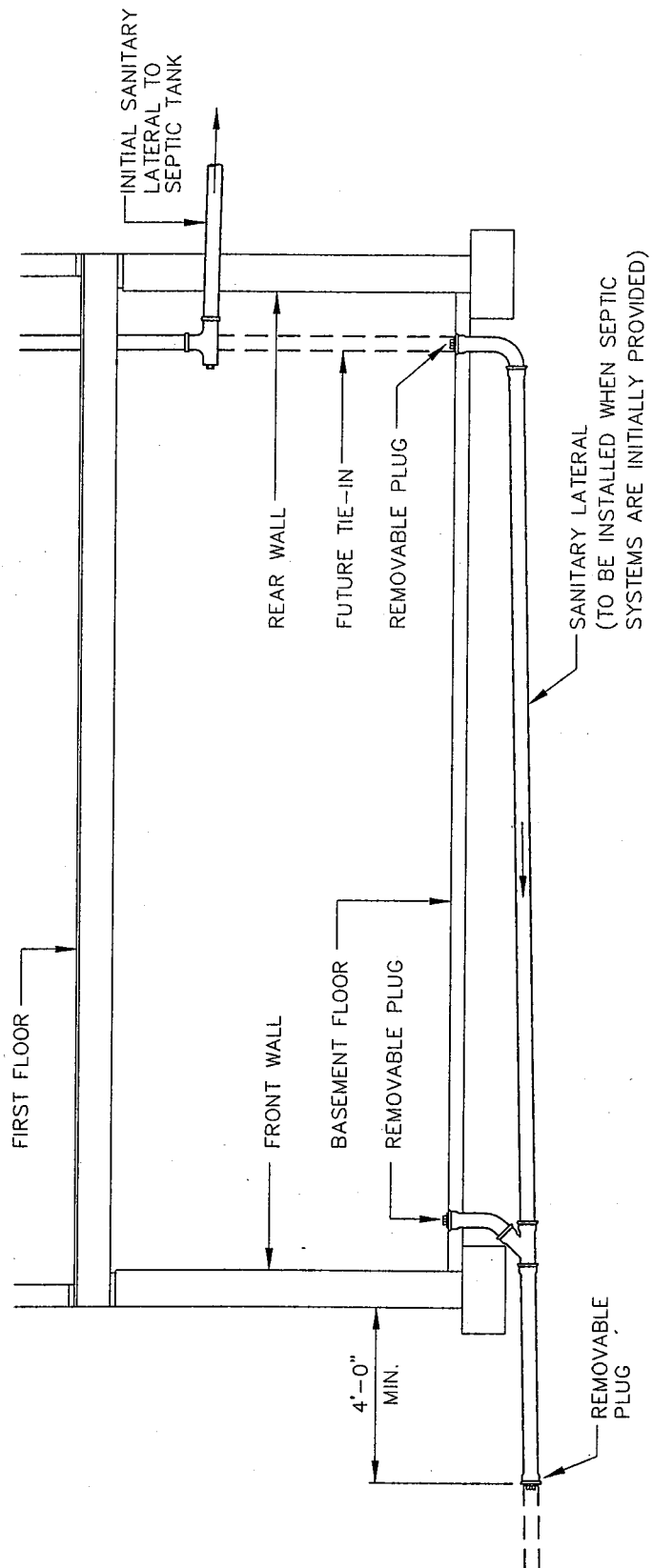
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Appendix:
C



THIS REQUIREMENT MAY BE WAIVED BY THE VILLAGE

FUTURE SANITARY SEWER CONNECTION

NOT TO SCALE

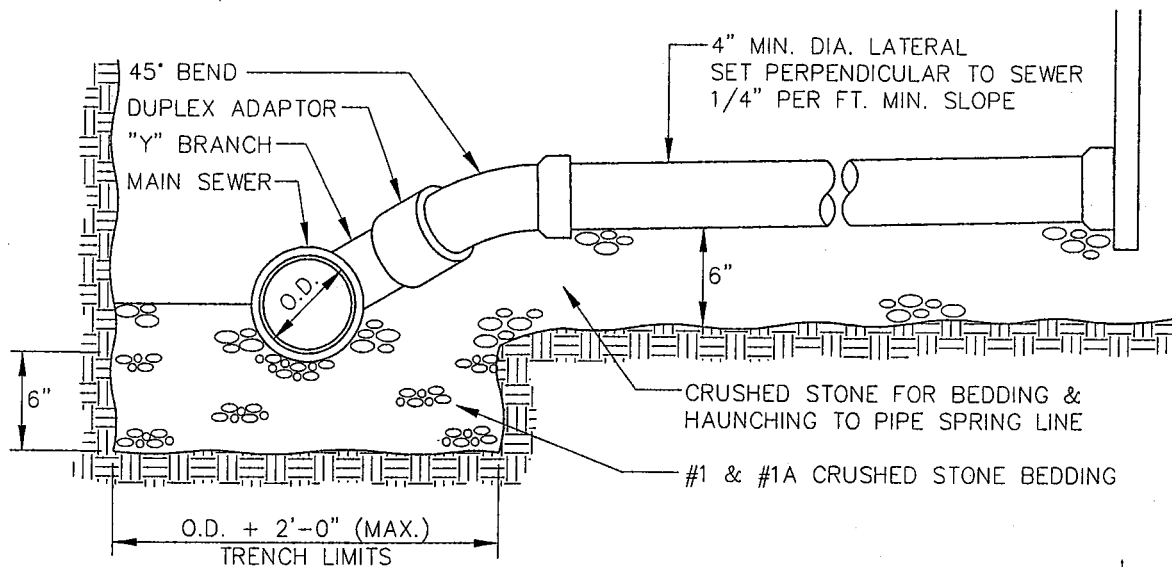
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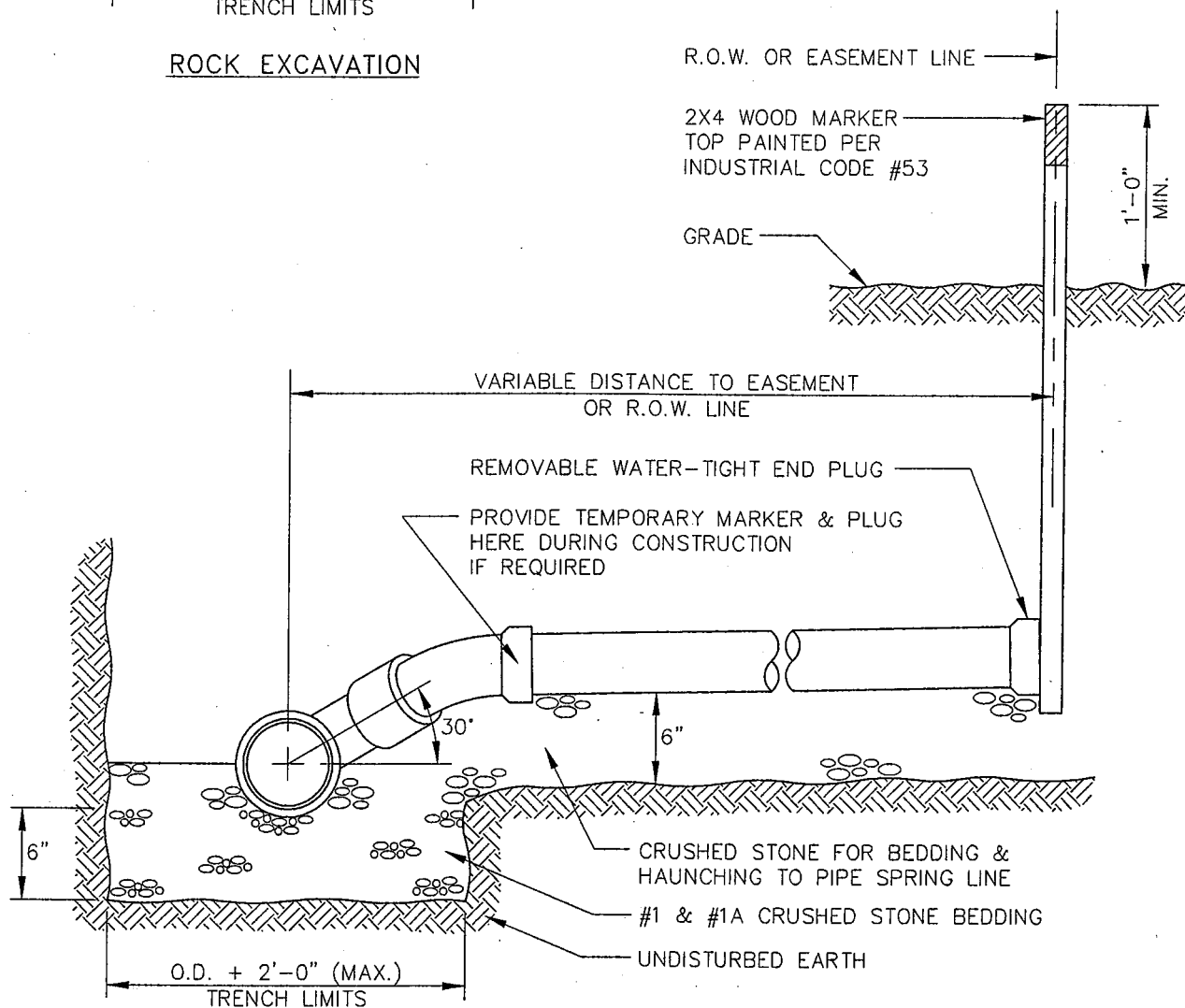
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D



ROCK EXCAVATION



EARTH EXCAVATION

TYPICAL SANITARY SEWER LATERAL DETAIL

NOT TO SCALE

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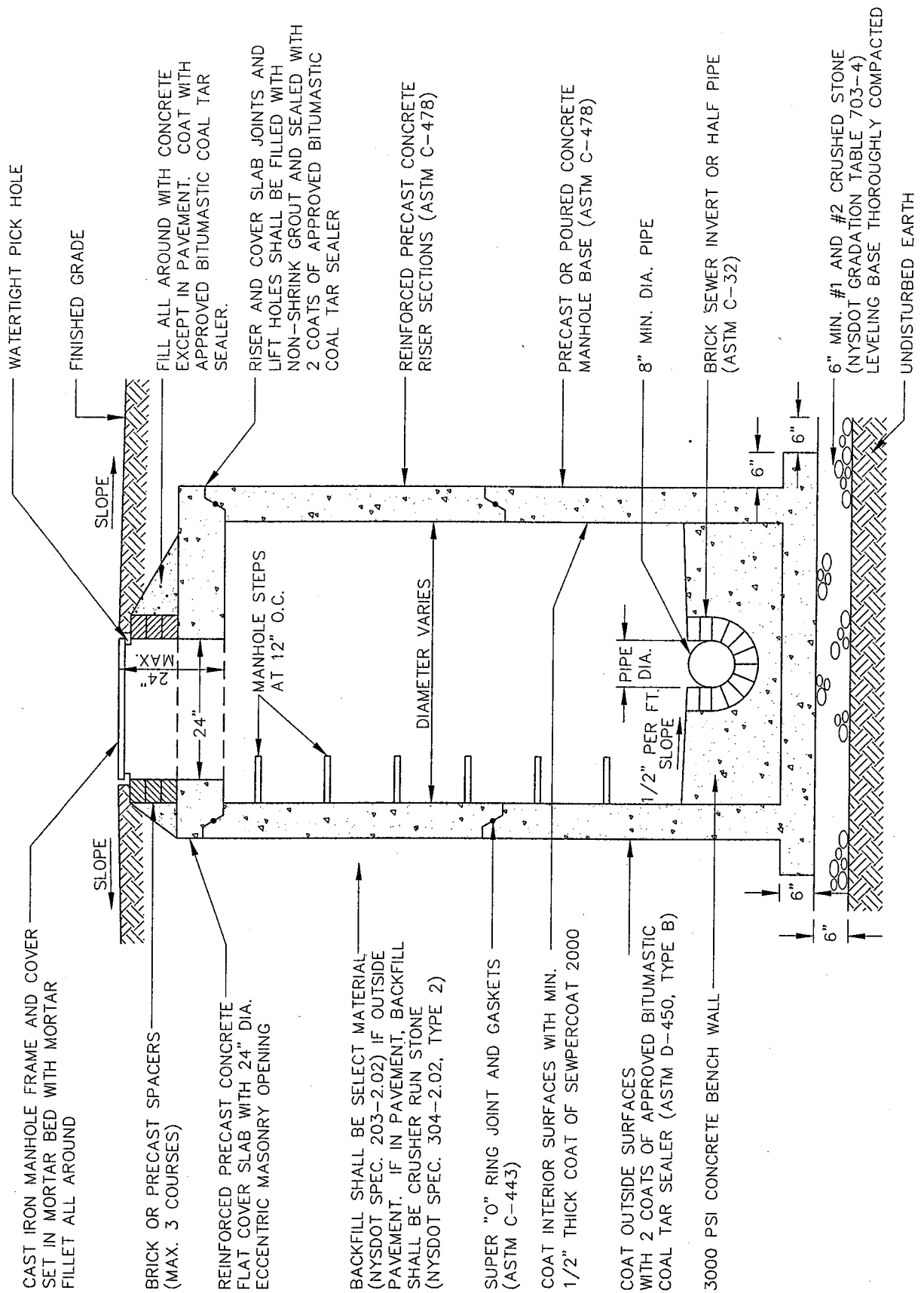
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TYPICAL SANITARY SEWER MANHOLE DETAIL

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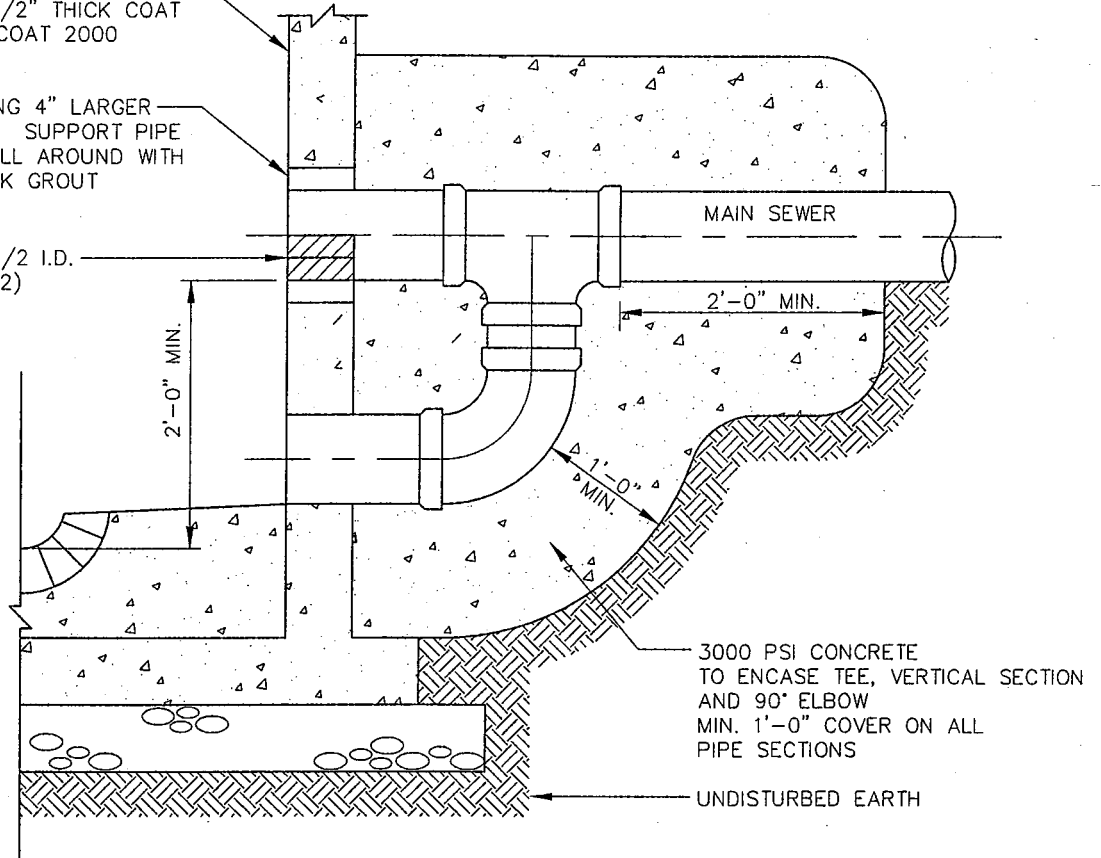
Appendix:

F

COAT INTERIOR SURFACES
WITH MIN. 1/2" THICK COAT
OF SEWPERCOAT 2000

CUT OPENING 4" LARGER
THAN PIPE. SUPPORT PIPE
AND FILL ALL AROUND WITH
NON-SHRINK GROUT

BRICK TO 1/2 I.D.
(ASTM C-32)



NOTE:

1. SEWER MAIN, TEE AND DROP PIPE SHALL ALL BE THE SAME SIZE.
2. SEE SANITARY SEWER MANHOLE DETAIL FOR ALL OTHER CONSTRUCTION FEATURES NOT SHOWN.

TYPICAL SANITARY SEWER DROP CONNECTION DETAIL

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H

GENERAL

All testing of gravity sewers shall be completed under the observation of the Village. The Contractor shall furnish all labor and testing equipment including hoses, pumps, plugs, temporary connections, gauges, etc. necessary to perform the required tests. Water for cleaning and testing shall be furnished by the Contractor.

CLEANING

Each section of gravity sewer shall be flushed to remove all silt, sand, gravel and other debris prior to testing. If any sections of pipe cannot be flushed clean, mechanical methods shall be used to dislodge any deposits in the pipe.

TESTING GRAVITY SEWERS

- I. Air testing may be the method used for the final acceptance of each section of gravity sewer unless otherwise designated by the Village. Gravity sewers shall be tested in sections not exceeding 1,000 feet in length. Any section of gravity sewer which does not give satisfactory test results must be replaced and retested until a satisfactory test is completed.

AIR TEST: Low pressure air test may be used to test a section of sewer pipe or locate areas requiring replacement. The following procedures shall be used for low pressure air test.

1. The test shall be conducted between two (2) consecutive manholes.
2. The test section of the sewer line shall be plugged at each end. One of the plugs used at the manhole must be tapped and equipped for the air inlet connection for filling the line from the air compressor.
3. All service laterals, stubs and fittings into the sewer test section shall be properly capped or plugged and carefully braced against the internal pressure to prevent air leakage by slippage and blowouts.

CLEANING AND TESTING OF SANITARY SEWERS (1)

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Date:
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Appendix:
I (1)

4. Supply air to the test section slowly, filling the pipe line until a constant pressure of 4.0 PSIG is maintained. The air pressure shall be regulated to prevent the pressure inside the pipe from exceeding 5.0 PSIG.
5. When constant pressure of 4.0 PSIG is reached, throttle the air supply to maintain the internal pressure above 3.5 PSIG for at least five (5) minutes. This time permits the temperature of the entering air to equalize with the temperature of the pipe wall.
6. After the stabilization period, the air pressure shall be adjusted to 4.0 PSIG and the air supply disconnected. At 4.0 PSIG commence timing with a stop watch which is allowed to run until the line pressure drops to 3.5 PSIG at which time the stop watch shall be stopped. The time required for a pressure loss of 0.5 PSIG shall be compared to the following chart.

**CLEANING AND TESTING OF
SANITARY SEWERS (2)**

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Any time which is less than shown in the following table shall be cause for rejection:

TIME REQUIREMENTS FOR AIR TESTING

PIPE SIZE (Inches)	TIME	
	(Minutes)	(Seconds)
4	2	32
6	3	50
8	5	6
10	6	22
12	7	39
14	8	56
15	9	35
16	10	12
18	11	34
20	12	45
21	13	30

For larger diameter pipe: Minimum time in seconds =
462 x pipe diameter in feet

7. An air pressure correction shall be required when the prevailing ground water is above the sewer line being tested. Under this condition, the air test pressure shall be increased to 0.433 PSIG for each foot the ground water level is above the invert of the pipe.

II. Water Tests

Leakage or infiltration shall not exceed 100 gallons per inch diameter per mile per day for any section tested. Leakage tests shall be conducted with a positive head of 10 ft. over the pipe invert for a period of 24 hours.

**CLEANING AND TESTING OF
SANITARY SEWERS (3)**

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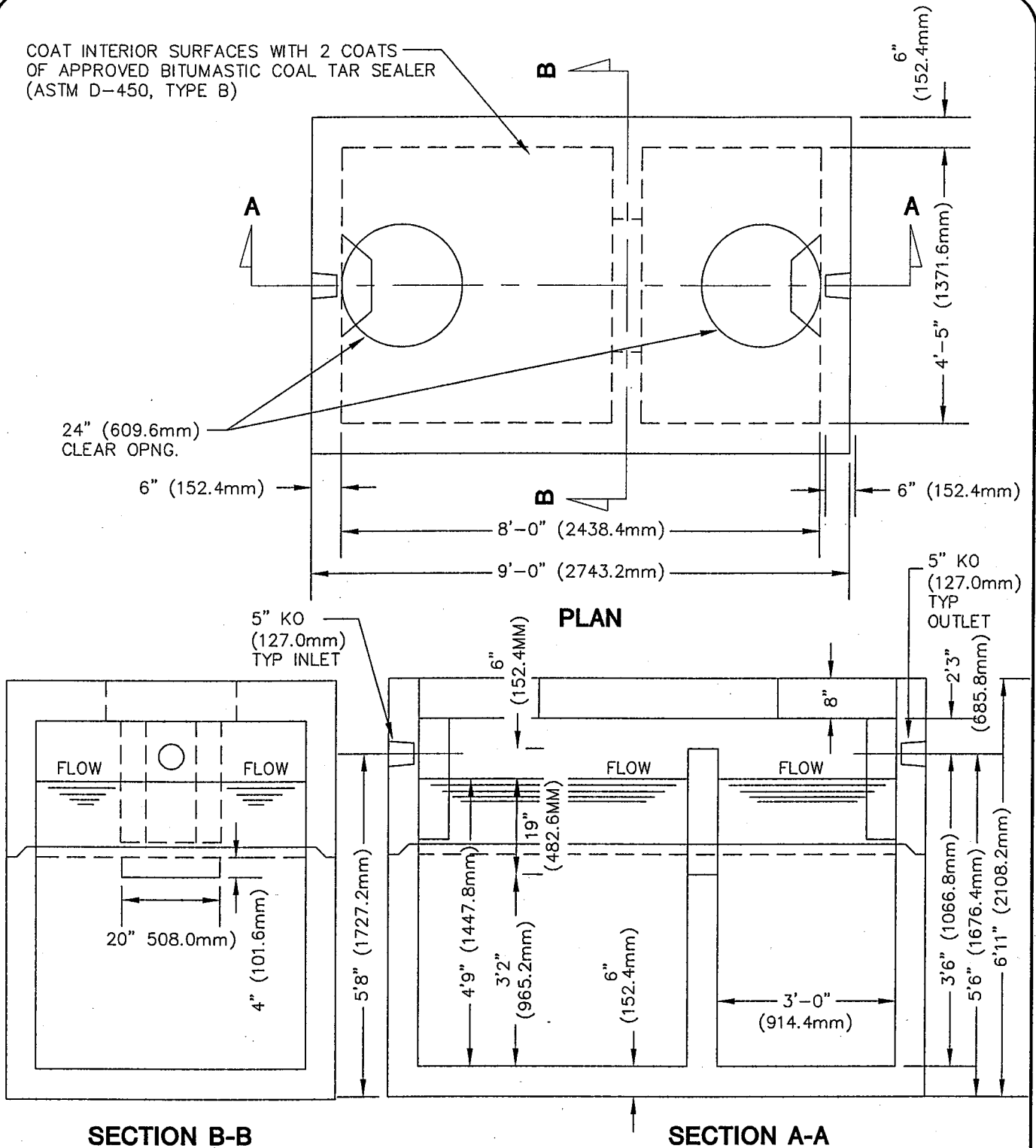
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Village of Bergen

Date:
2003

Appendix:
I (3)

COAT INTERIOR SURFACES WITH 2 COATS
OF APPROVED BITUMASTIC COAL TAR SEALER
(ASTM D-450, TYPE B)



SPECIFICATIONS:

CONCRETE: 4,000 PSI @ 28 DAYS

ENTRAINED AIR : 5% - 9%

STEEL: A.S.T.M. A496-A615

GRADE 60-60 KSI

DESIGN LOADING: A.S.S.H.T.O. HS-20-44

WITH 30% IMPACT AND EQUIVALENT SOIL PRESSURE OF
130 (PFS) FLOTATION FORCES NOT ACCOUNTED FOR.

WEIGHT:

TOP SECTION : 10,262 LBS.

BOTTOM SECTION 11,793 LBS.

TOTAL: 22,055 LBS

EFFECTIVE GALLON CAPACITY:

7.5' x 3.75' x 4.75' = 134 CU FT

134 CU. FT. x 7.48 GAL./CU FT. = 1000 GAL.

(2.286m x 1.143m x 1.4478m = 3.783 cu. m.)

(3.783 cu. m. x 264.02 GAL./cu.m. = 1000 GAL.

1000 GALLON SEPTIC TANK

N.T.S.

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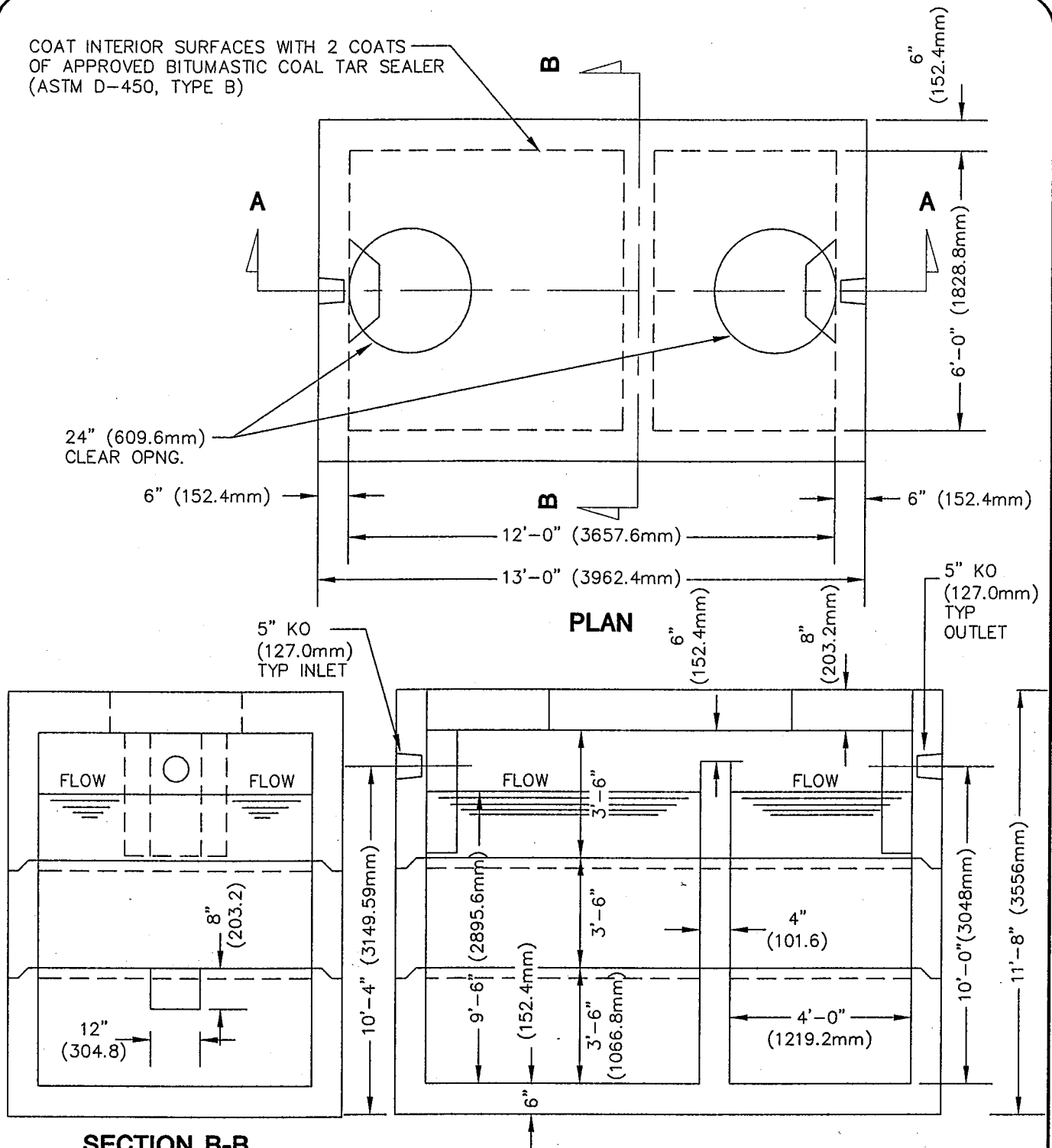
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COAT INTERIOR SURFACES WITH 2 COATS
OF APPROVED BITUMASTIC COAL TAR SEALER
(ASTM D-450, TYPE B)



SPECIFICATIONS:
 CONCRETE: 4,000 PSI @ 28 DAYS
 ENTRAINED AIR : 5% - 9%
 STEEL: A.S.T.M. A496-A615
 GRADE 60-60 KSI
 DESIGN LOADING: A.S.S.H.T.O. HS-20-44
 WITH 30% IMPACT AND EQUIVALENT SOIL PRESSURE OF
 130 (PFS) FLOTATION FORCES NOT ACCOUNTED FOR.

WEIGHT:
 TOP SECTION : 18,840 LBS.
 MID-SECTION: 9,852 LBS.
 BOTTOM SECTION 16,593 LBS.
 TOTAL: 45,285 LBS

5000 GALLON SEPTIC TANK

N.T.S.

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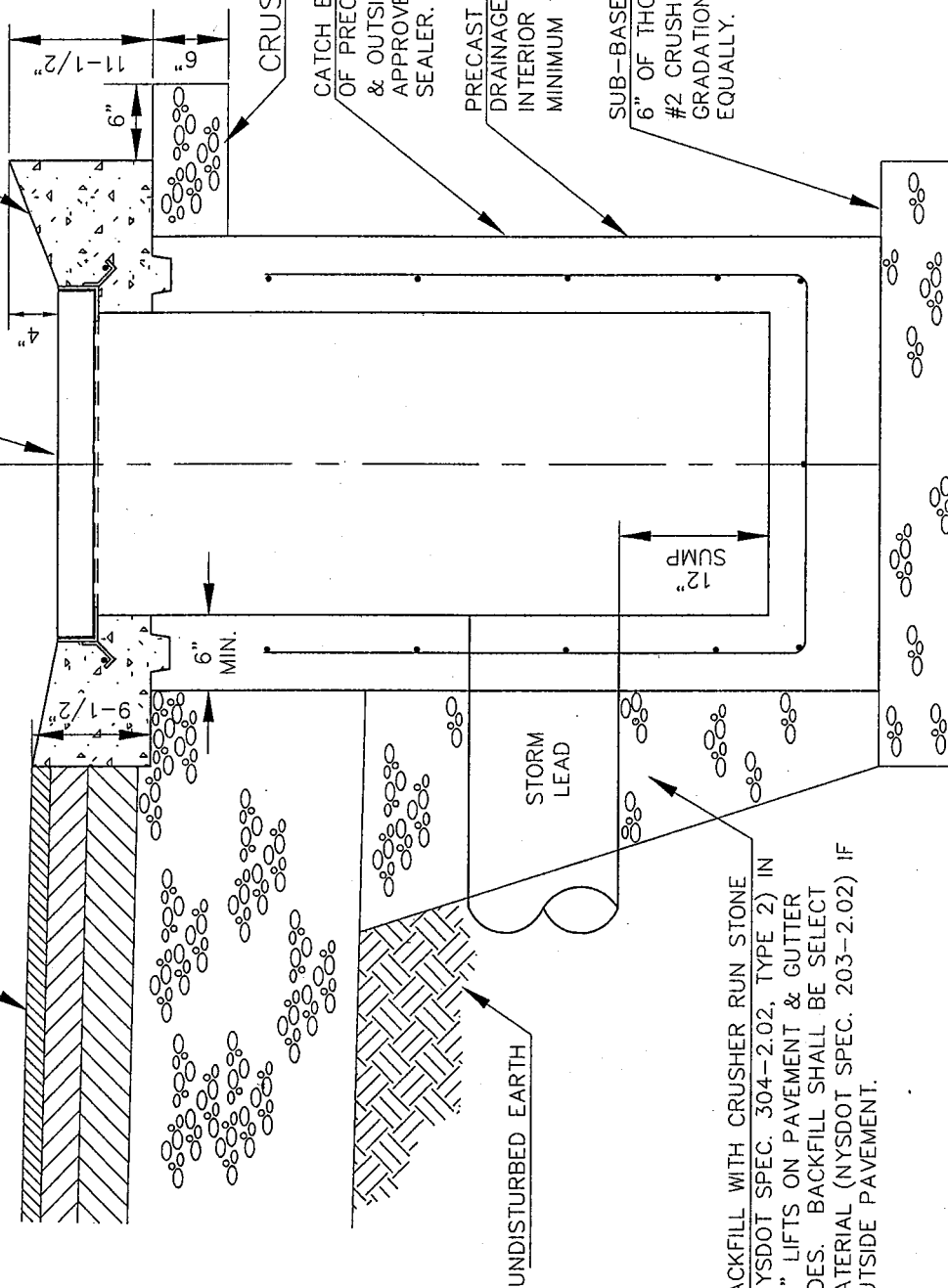
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K

FOR ADDITIONAL DATA AND DETAILS OF
RECTANGULAR TYPES OF FRAMES AND GRATE,
SEE N.Y.S.D.O.T. STANDARD SHEET M655-6

FOR PRECAST CONCRETE DROP INLET, TYPE S
ITEM 604.301911M SEE N.Y.S.D.O.T. STANDARD
SHEET 604-8

PAVEMENT
SECTION



GALVANIZED RECTANGULAR FRAME
AND GRATE (NYSDOT SIZE # 11)
SET 1/2" BELOW NORMAL GUTTER INVERT

CONCRETE APRON
CAST-IN-PLACE
4000 PSI MIN.

CRUSHED STONE

CATCH BASIN TO BE CONSTRUCTED
OF PRECAST CONCRETE. COAT INSIDE
& OUTSIDE WITH (2) COATS OF
APPROVED BITUMASTIC COAL TAR
SEALER.

PRECAST CONCRETE RECTANGULAR
DRAINAGE STRUCTURE TYPE S,
INTERIOR DIMENSIONS 24"X32" WITH A
MINIMUM 12" SUMP

SUB-BASE FOR CATCH BASIN SHALL BE
6" OF THOROUGHLY COMPACTED #1 &
#2 CRUSHED STONE (NYSDOT
GRADATION TABLE 703-4) MIXED
EQUALLY.

12"
SUMP

STORM
LEAD

UNDISTURBED EARTH

BACKFILL WITH CRUSHER RUN STONE
(NYSDOT SPEC. 304-2.02, TYPE 2) IN
12" LIFTS ON PAVEMENT & GUTTER
SIDES. BACKFILL SHALL BE SELECT
MATERIAL (NYSDOT SPEC. 203-2.02) IF
OUTSIDE PAVEMENT.

TYPICAL CATCH BASIN

DETAIL

NOT TO SCALE

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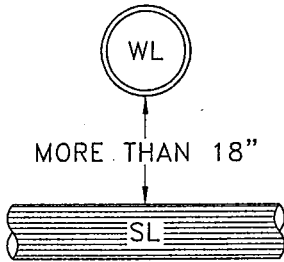
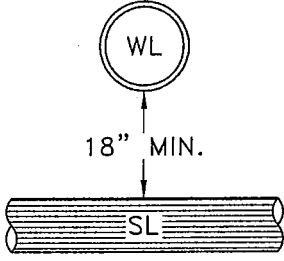
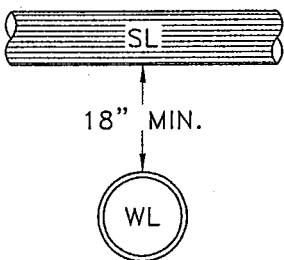
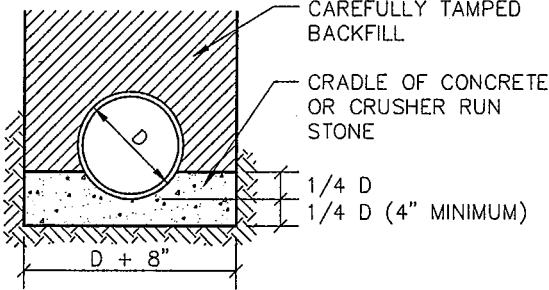
2003

Appendix:

L

NOT TO SCALE

M

CONDITION	SCHEMATIC	REQUIREMENTS
I WATER LINE ABOVE SEWER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM. B) BACKFILL WITH COMPACTED CRUSHER RUN STONE.
II WATER LINE ABOVE SEWER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM. B) WHEN BOTH WATER LINE AND SEWER LINE ARE NEW, SLEEVE SEWER LINE WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING. WHEN ONE LINE IS EXISTING, SLEEVE PIPE BEING INSTALLED WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING. C) BACKFILL WITH COMPACTED CRUSHER RUN STONE.
III SEWER LINE ABOVE WATER LINE		A) WATER LINE AND SEWER LINE PIPE LENGTHS TO BE CENTERED AT CROSSING. EACH LENGTH OF PIPE TO BE 10 FT. MINIMUM. B) SLEEVE SEWER LINE WITH STEEL CASING FOR 10 FT. EACH SIDE OF CROSSING. C) PROVIDE CRADLE OF CONCRETE OR CRUSHER RUN STONE (SEE TRENCH DETAIL BELOW) FOR WATER LINE AND SEWER LINE FOR 10 FT. EACH SIDE OF CROSSING.
<p align="center">NOTES</p> <p>WL (WATER LINE)</p> <p>SL (SEWER LINE)</p> <p>D (OUTSIDE DIAMETER OF PIPE)</p> <p>IN NO CASE SHALL PIPES BE CLOSER THAN 18" APART. DISTANCES ARE MEASURED BETWEEN OUTSIDES OF PIPE.</p>		 <p>CAREFULLY TAMPED BACKFILL</p> <p>CRADLE OF CONCRETE OR CRUSHER RUN STONE</p> <p>1/4 D</p> <p>1/4 D (4" MINIMUM)</p> <p>D + 8"</p>

TYPICAL WATERMAIN / SEWER CROSSING DETAIL

NOT TO SCALE

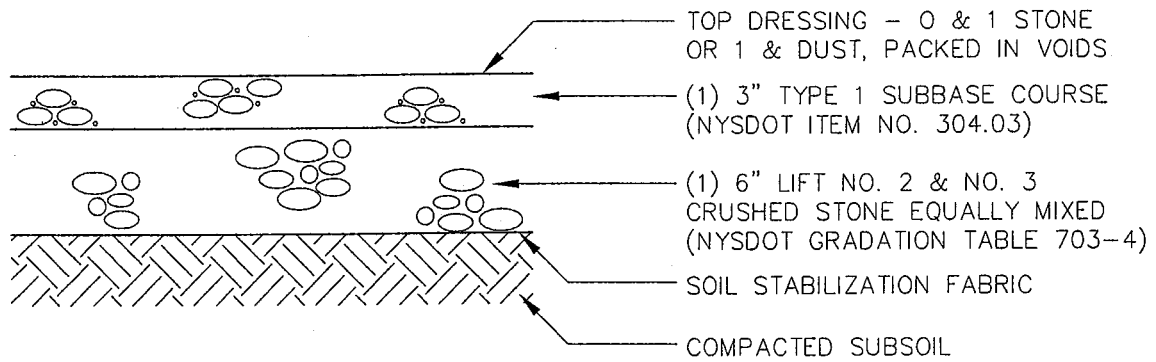
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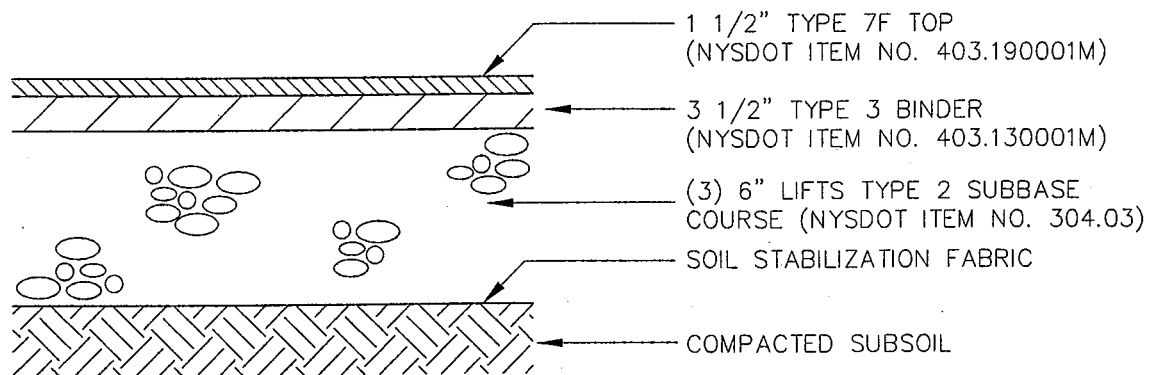
Village of Bergen

Date:
2003

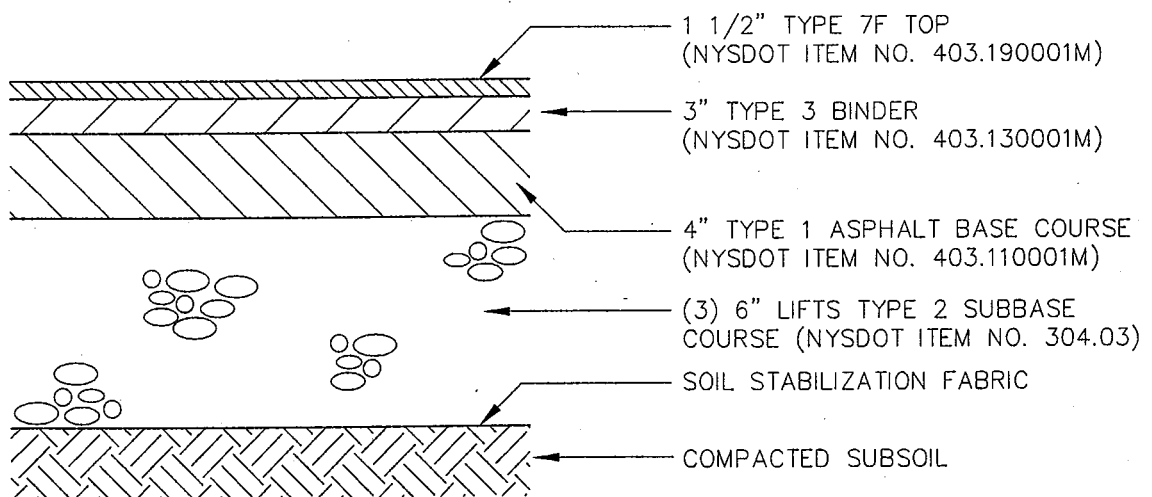
Appendix:
N



PRIVATE STREET



RESIDENTIAL STREET



COMMERCIAL / INDUSTRIAL STREET

NOTE: ALL DEPTHS ARE COMPACTED THICKNESSES

TYPICAL PAVEMENT CROSS-SECTIONS

NOT TO SCALE

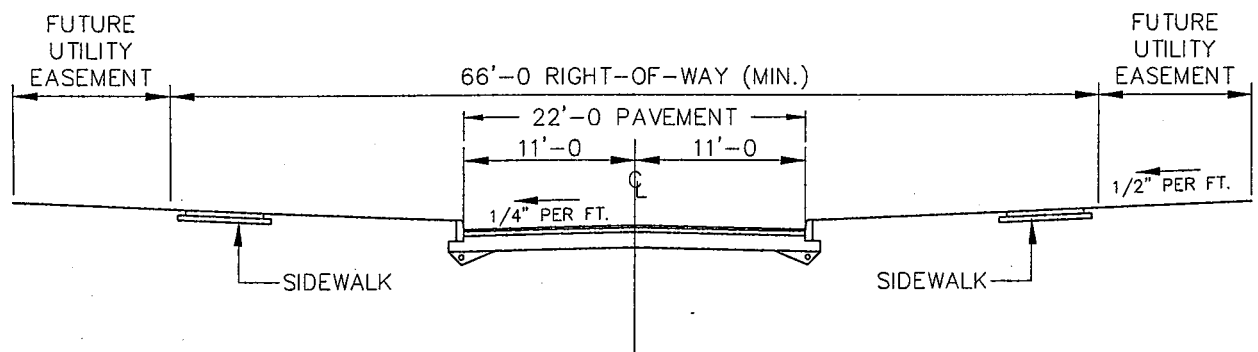
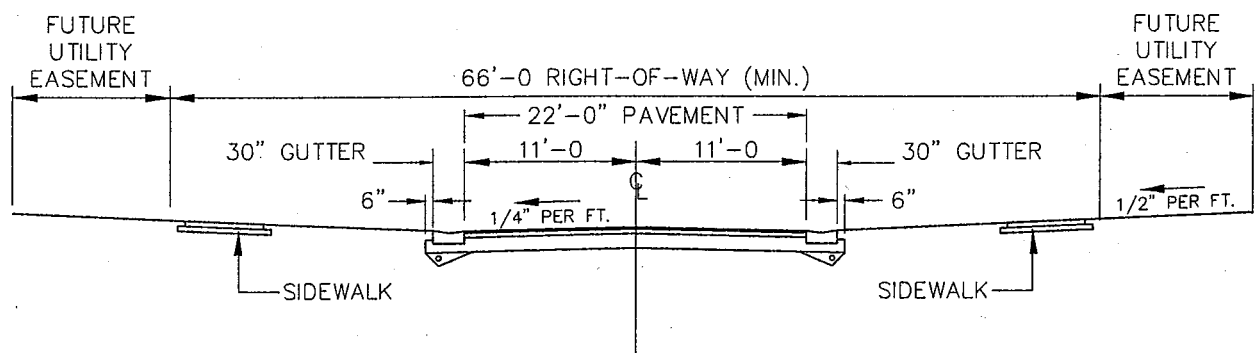
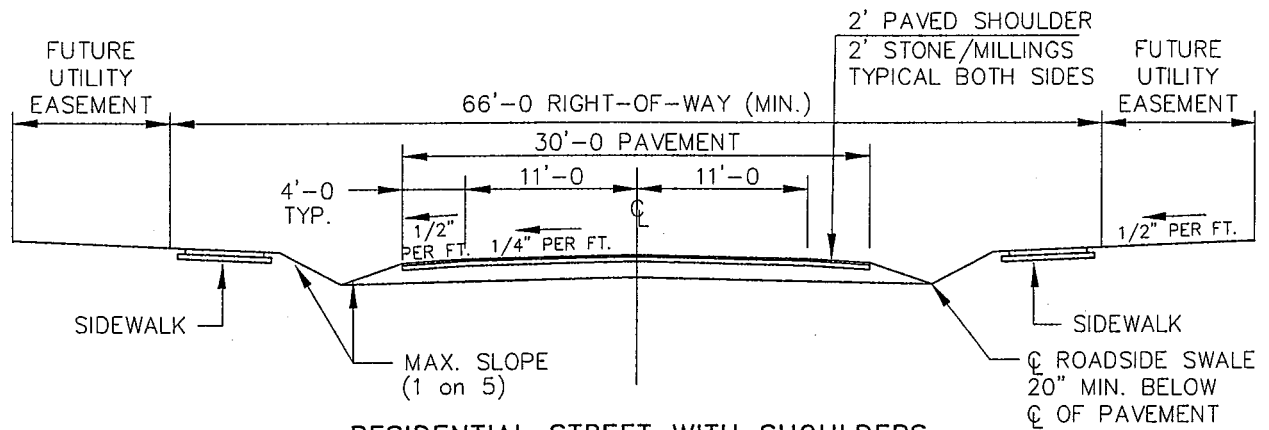
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TYPICAL RESIDENTIAL STREET CROSS-SECTIONS

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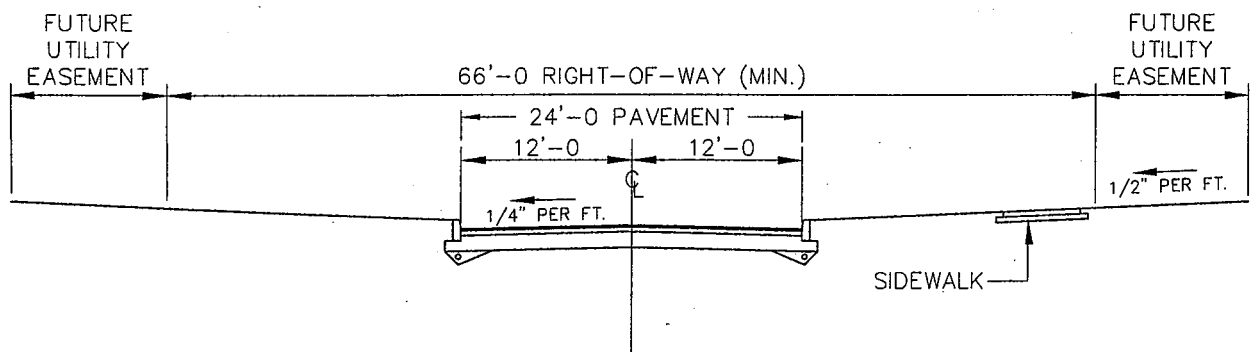
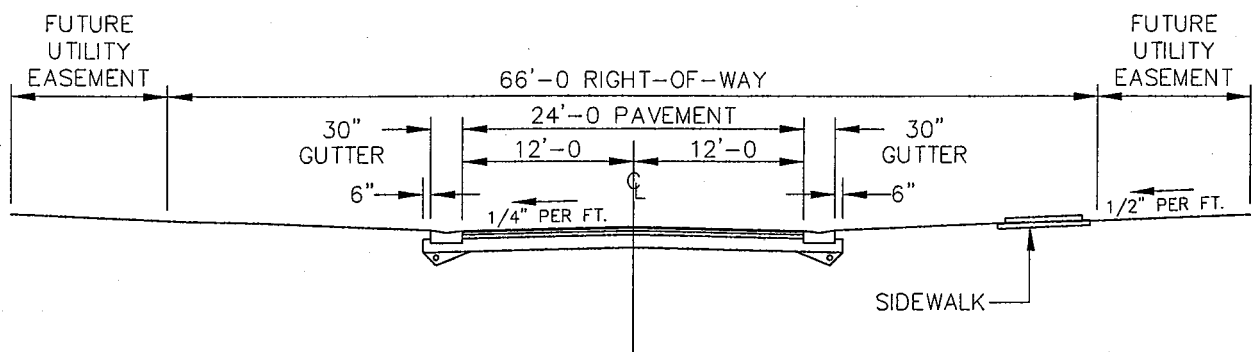
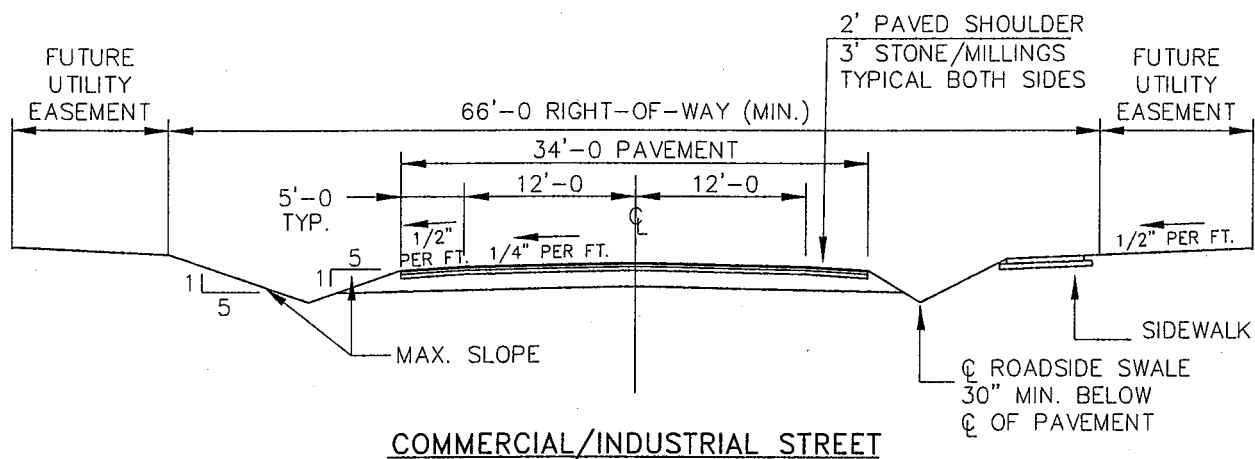
Village of Bergen

Date: _____

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P (1)



TYPICAL COMM. / INDUST. STREET CROSS-SECTIONS

NOT TO SCALE

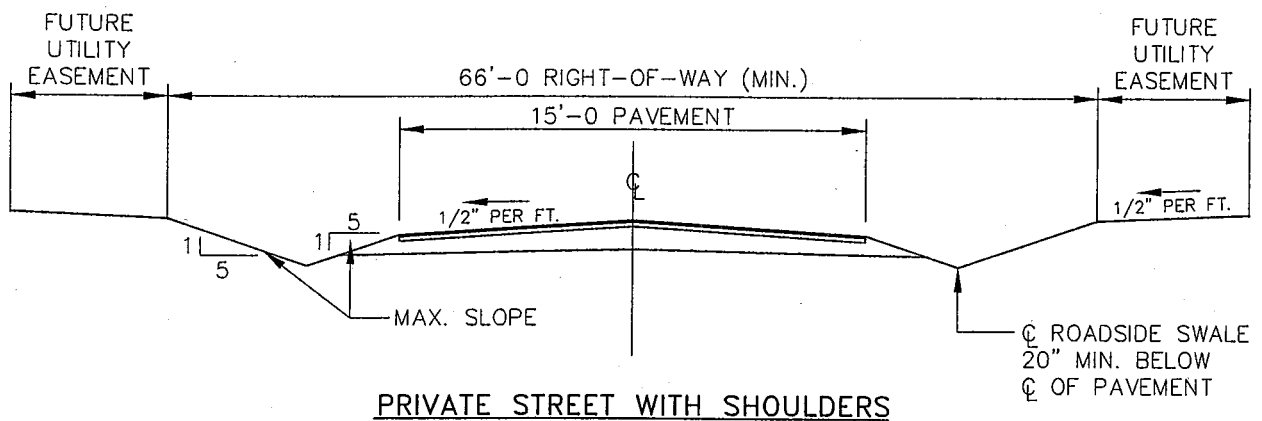
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Appendix:
P (2)



TYPICAL PRIVATE STREET CROSS-SECTIONS

NOT TO SCALE

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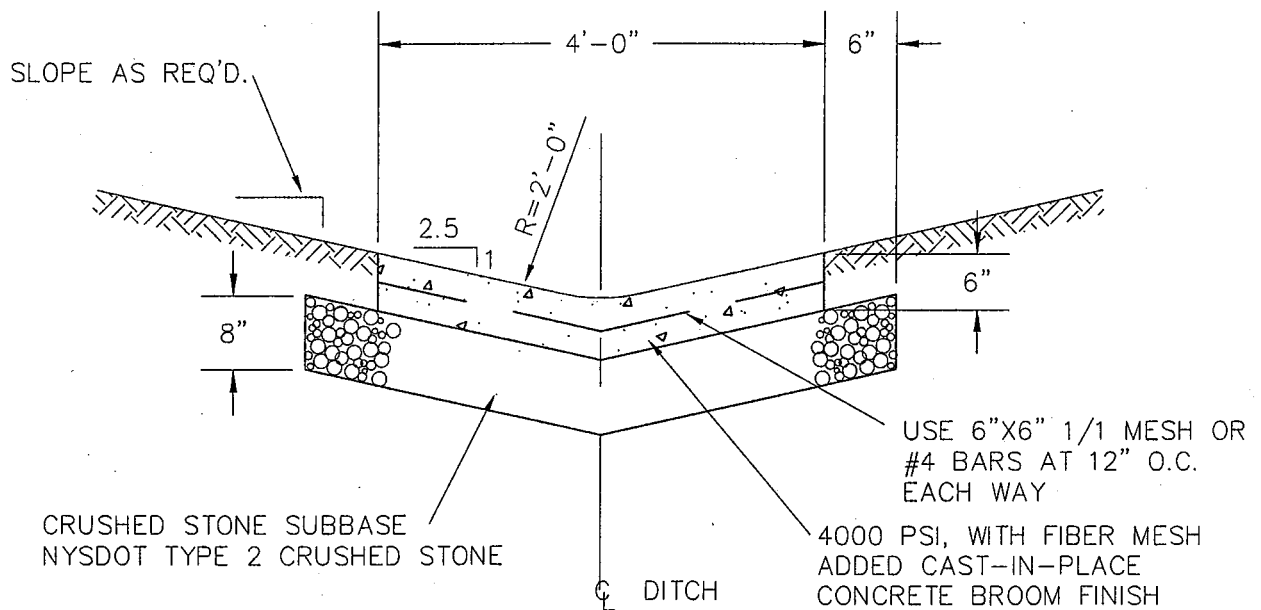
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2003

Appendix:

P (3)



TYPICAL CONCRETE FIELD GUTTER

NOT TO SCALE

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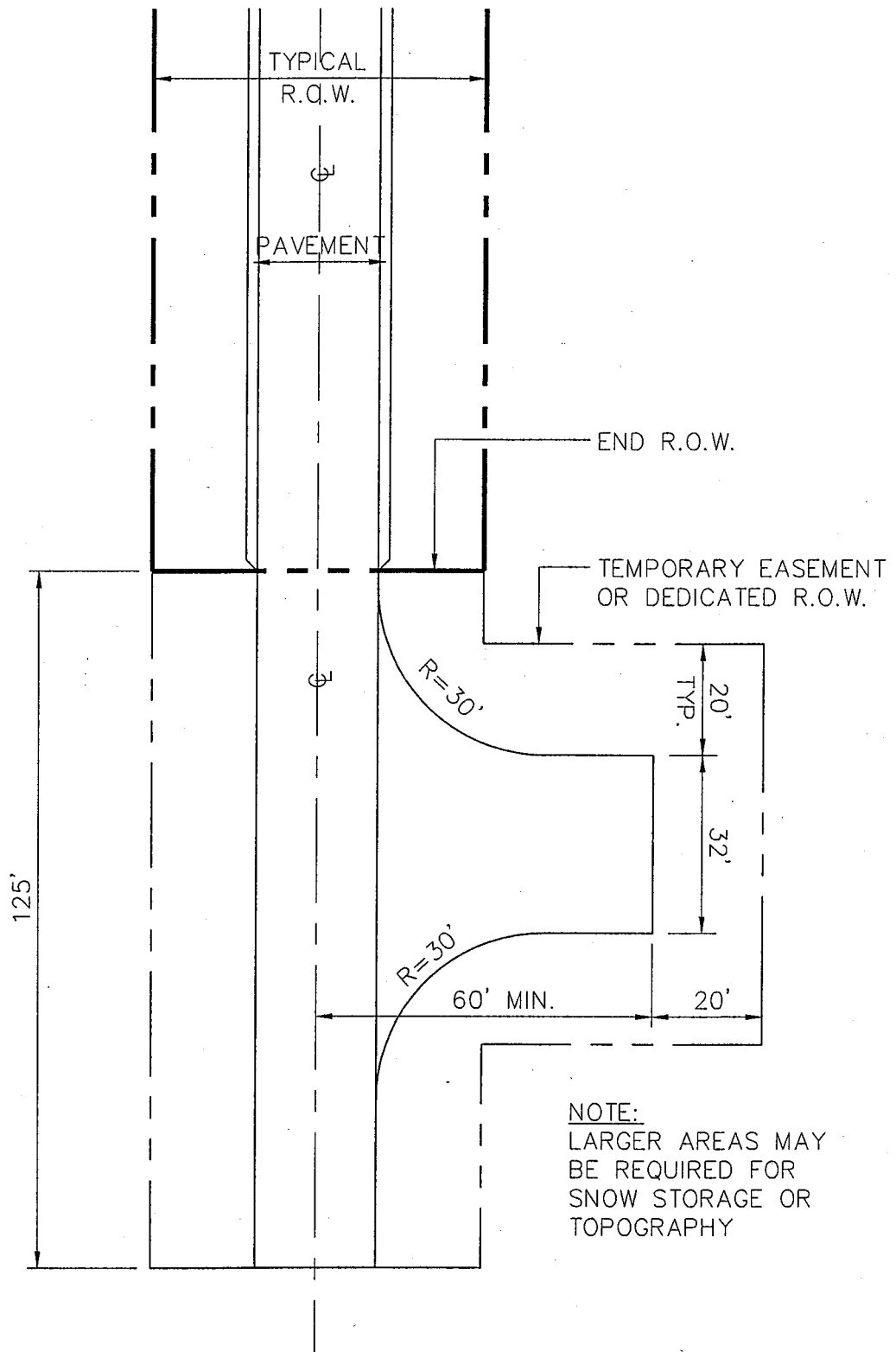
Village of Bergen

Date:

2003

Appendix:

Q



NOTE:
LARGER AREAS MAY
BE REQUIRED FOR
SNOW STORAGE OR
TOPOGRAPHY

TYPICAL OFFSET-TEE TURN-AROUND

NOT TO SCALE

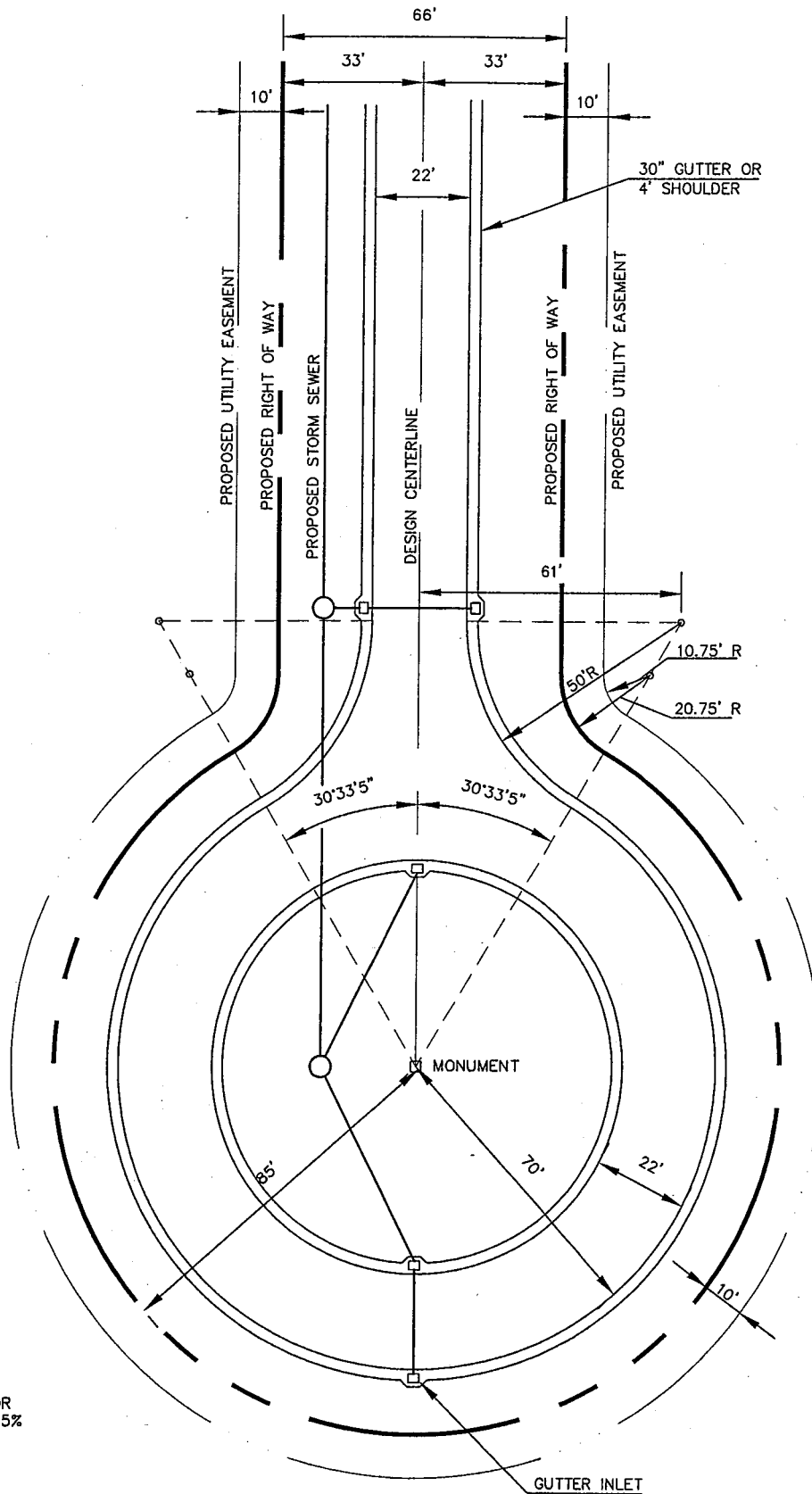
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MINIMUM GRADE FOR
OUTER GUTTER - 0.5%

TYPICAL RESIDENTIAL CUL-DE-SAC PLAN

NOT TO SCALE

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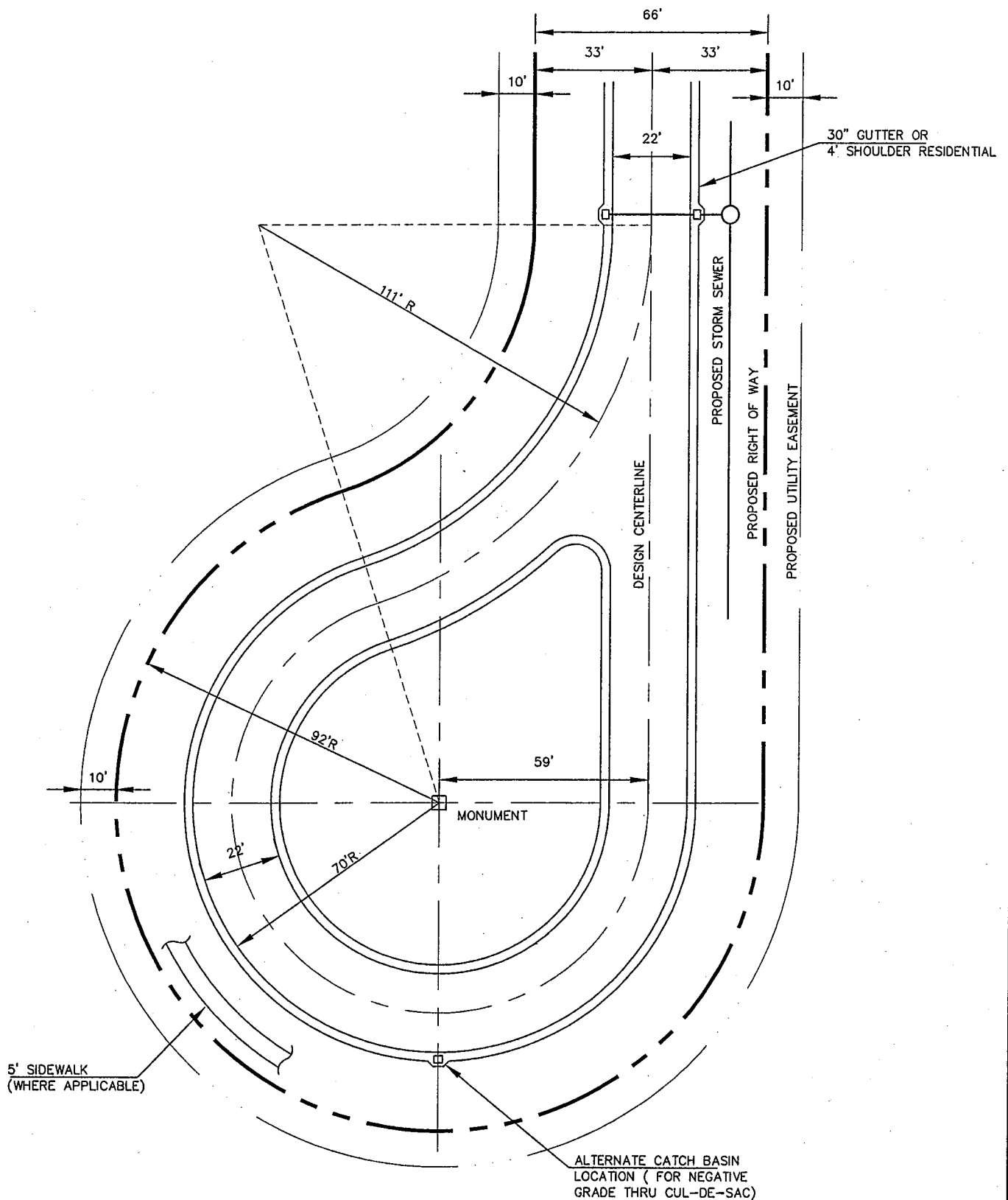
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TYPICAL RESIDENTIAL OFFSET CUL-DE-SAC PLAN

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Appendix: T

1. THE DEVELOPER OR CONTRACTOR SHALL PLACE TREES AT LOCATIONS SHOWN ON THE LANDSCAPING PLAN OR AS DIRECTED BY THE PLANNING BOARD. TREES SHOULD TYPICALLY BE A MINIMUM OF ONE AND ONE HALF (1 1/2) INCHES DBH* AND PLACED AT APPROXIMATELY SEVENTY FIVE (75) FOOT INTERVALS ON BOTH SIDES OF NEW SUBDIVISION STREETS, OR ALONG THE ROAD FRONT ON SINGLE LOT SUBDIVISIONS. SUGGESTED PLACEMENT TO BE SHOWN ON THE LANDSCAPE PLAN SHALL BE APPROXIMATELY TEN (10) FEET OUTSIDE THE RIGHT-OF-WAY LINE.
2. ACCEPTABLE TREE SPECIES INCLUDE AUSTRIAN PINE, BLACK CHERRY, EUROPEAN WHITE BIRCH, NORWAY SPRUCE, RED MAPLE, RED OAK, SUGAR MAPLE, WHITE OAK, WHITE PINE, WHITE SPRUCE OR OTHER SPECIES APPROVED BY THE PLANNING BOARD.
3. ALL TREES SHALL HAVE A NORMAL HABIT OF GROWTH AND SHALL BE SOUND, HEALTHY VIGOROUS PLANTS WITH WELL DEVELOPED ROOT SYSTEMS. PLANTS SHALL BE FREE FROM DISEASE, INSECT PESTS, EGGS OR LARVAE. TREES SHALL NOT BE PRUNED BEFORE DELIVERY. TREES WHICH HAVE A DAMAGED OR CROOKED LEADER, OR MULTIPLE LEADERS, UNLESS SPECIFIED, WILL BE REJECTED. TREES WITH ABRASION OF THE BARK, SUNSCLADS, DISFIGURING KNOTS OR FRESH CUTS ON LIMBS OVER ONE AND ONE HALF (1 1/2) INCHES WHICH HAVE NOT BEEN COMPLETELY CALLOUSED WILL BE REJECTED. PLANTS SHALL BE FRESHLY DUG. NO HEELED IN PLANTS OR PLANTS FROM COLD STORAGE WILL BE ACCEPTED.
4. TREE ROOTS SHALL BE ADEQUATELY BALLED WITH FIRM NATURAL BALLS OF EARTH OF DIAMETER AND DEPTH NOT LESS THAN THAT RECOMMENDED BY THE AMERICAN STANDARD FOR NURSERY STOCK. BALLS SHALL BE FIRMLY WRAPPED WITH BURLAP. ROOT BALLS OF ALL PLANTS SHALL BE ADEQUATELY PROTECTED AT ALL TIMES FROM SUN AND FROM DRYING WINDS. ALL BALLED AND BURLAPPED PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY UPON DELIVERY SHALL BE SET ON THE GROUND AND SHALL BE WELL PROTECTD WITH SOIL, OR ANOTHER ACCEPTABLE MATERIAL. PLANTS SHALL NOT REMAIN UNPLANTED FOR LONGER THAN TWO DAYS AFTER DELIVERY.
5. TREES SHALL BE SET AT THE SAME RELATIONSHIP TO FINISHED GRADE AS THEY BORE TO THE GROUND FROM WHICH THEY WERE DUG. PLANTING SOIL SHALL BE USED TO BACKFILL APPROXIMATELY TWO THIRDS (2/3) FULL. THE OWNER OR DEVELOPER SHALL WATER THOROUGHLY BEFORE INSTALLING THE REMAINDER OF THE PLANTING SOIL TO THE TOP OF THE PIT, ELIMINATING AIR POCKETS. A FOUR (4) INCH DEEP SAUCER SHALL BE FORMED AROUND TREE PITS. THE OWNER OR DEVELOPER SHALL MULCH ALL PLANTING AREAS AND BEDS TWO (2) INCHES DEEP IMMEDIATELY AFTER PLANTING.
6. THE OWNER OR DEVELOPER SHALL REPLACE, WITHOUT COST TO THE VILLAGE, AND AS SOON AS WEATHER CONDITIONS PERMIT AND WITHIN A SPECIFIED PLANTING PERIOD, ALL DEAD PLANTS, AND ALL PLANTS NOT IN VIGOROUS, THRIVING CONDITION. THE PLANTS SHALL BE FREE FROM DEAD OR DYING BRANCHES AND BRANCH TIPS, AND SHALL BEAR FOLIAGE OF A NORMAL DENSITY, SIZE AND COLOR. REPLACEMENTS SHALL CLOSELY MATCH ADJACENT SPECIMENS OF THE SAME SPECIES. REPLACEMENTS SHALL BE SUBJECT TO ALL THE REQUIREMENTS STATED ABOVE.

* DBH: DIAMETER AT BREAST HEIGHT

GUIDELINES TO LANDSCAPING

NOT TO SCALE

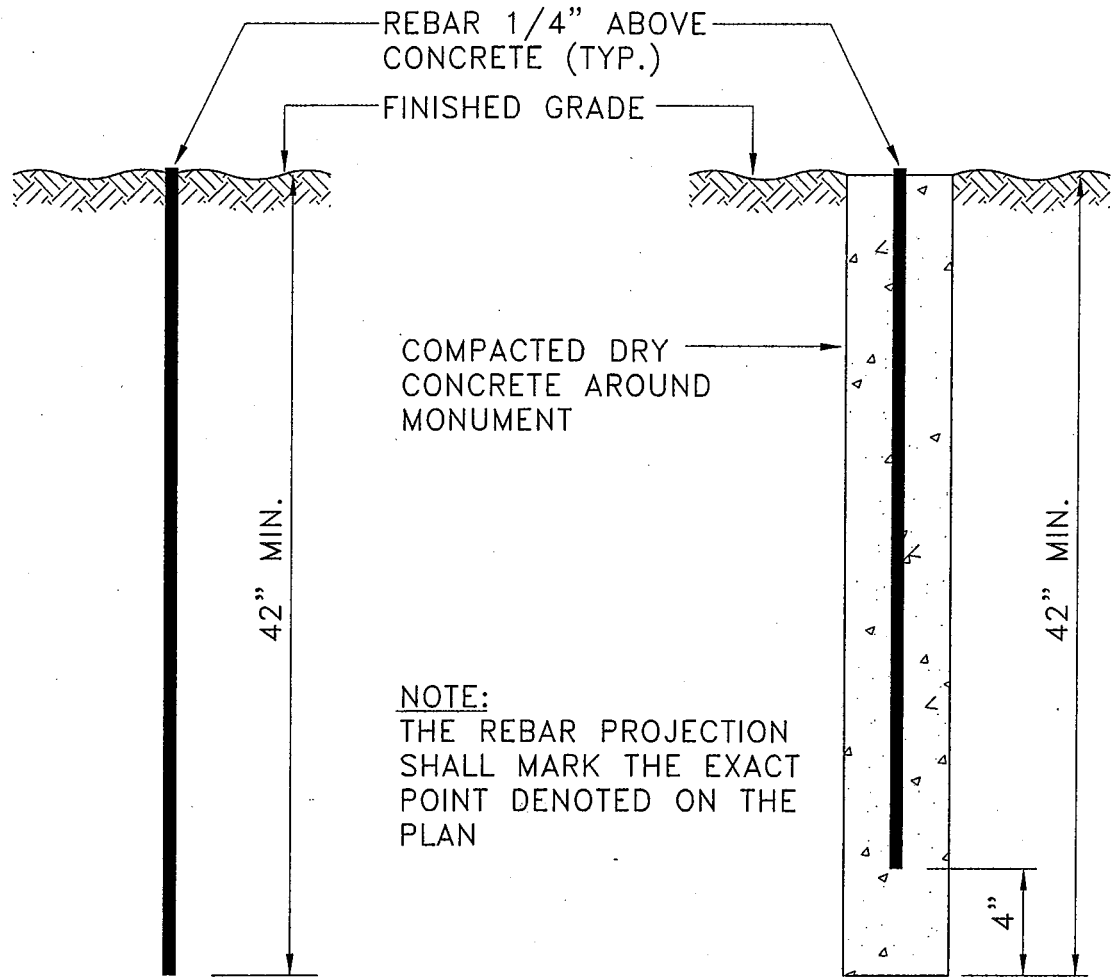
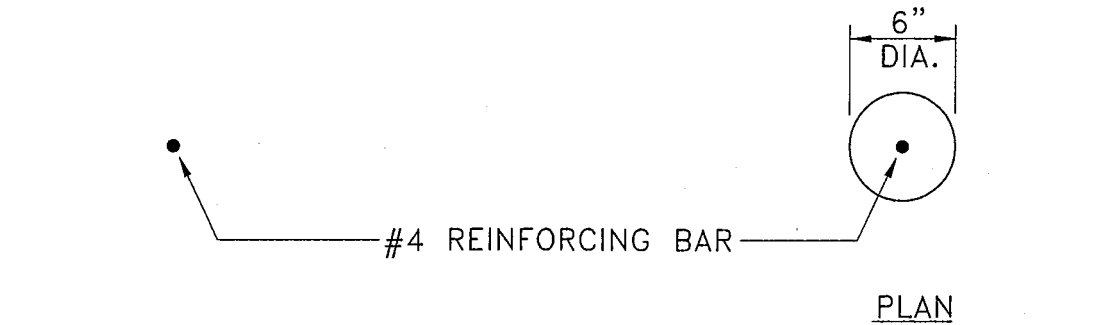
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Appendix:
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SECTION

LOT BOUNDARY MARKER

SECTION

PROPERTY BOUNDARY MONUMENT

TYPICAL MONUMENT

DETAIL

NOT TO SCALE

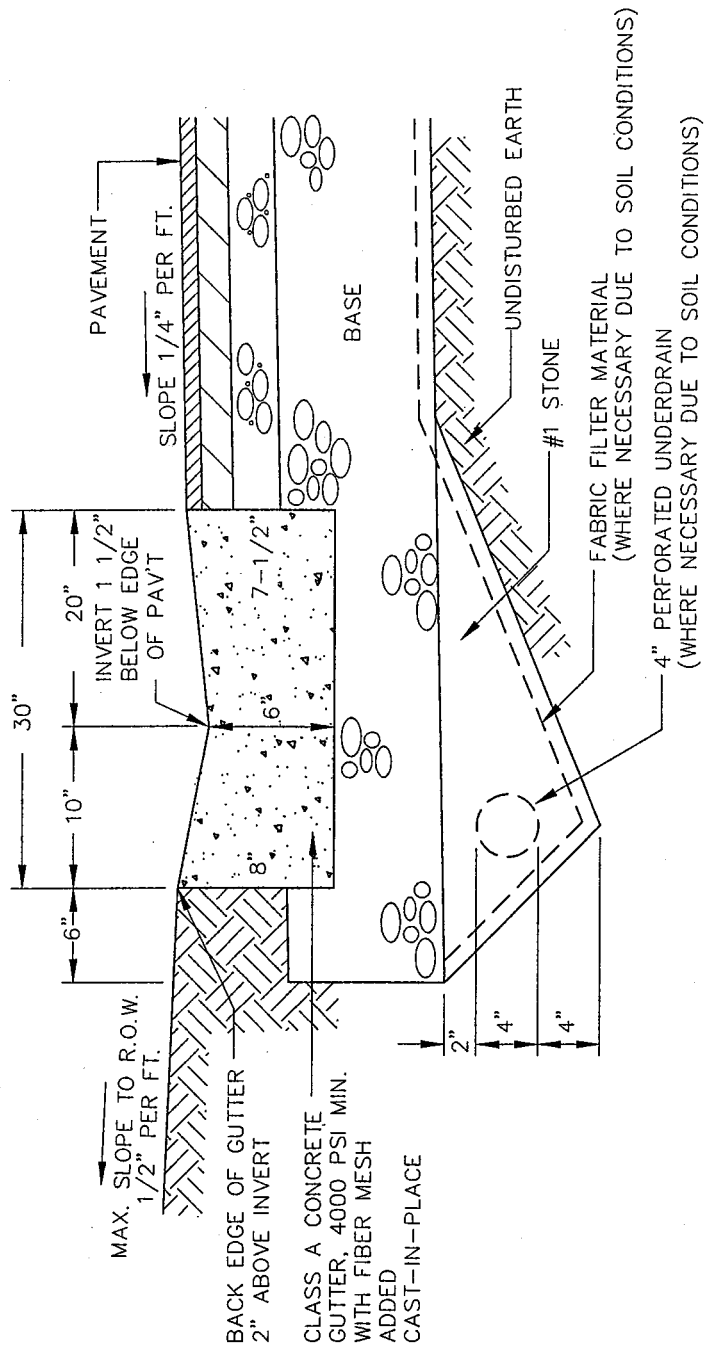
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TYPICAL CONCRETE GUTTER

DETAIL

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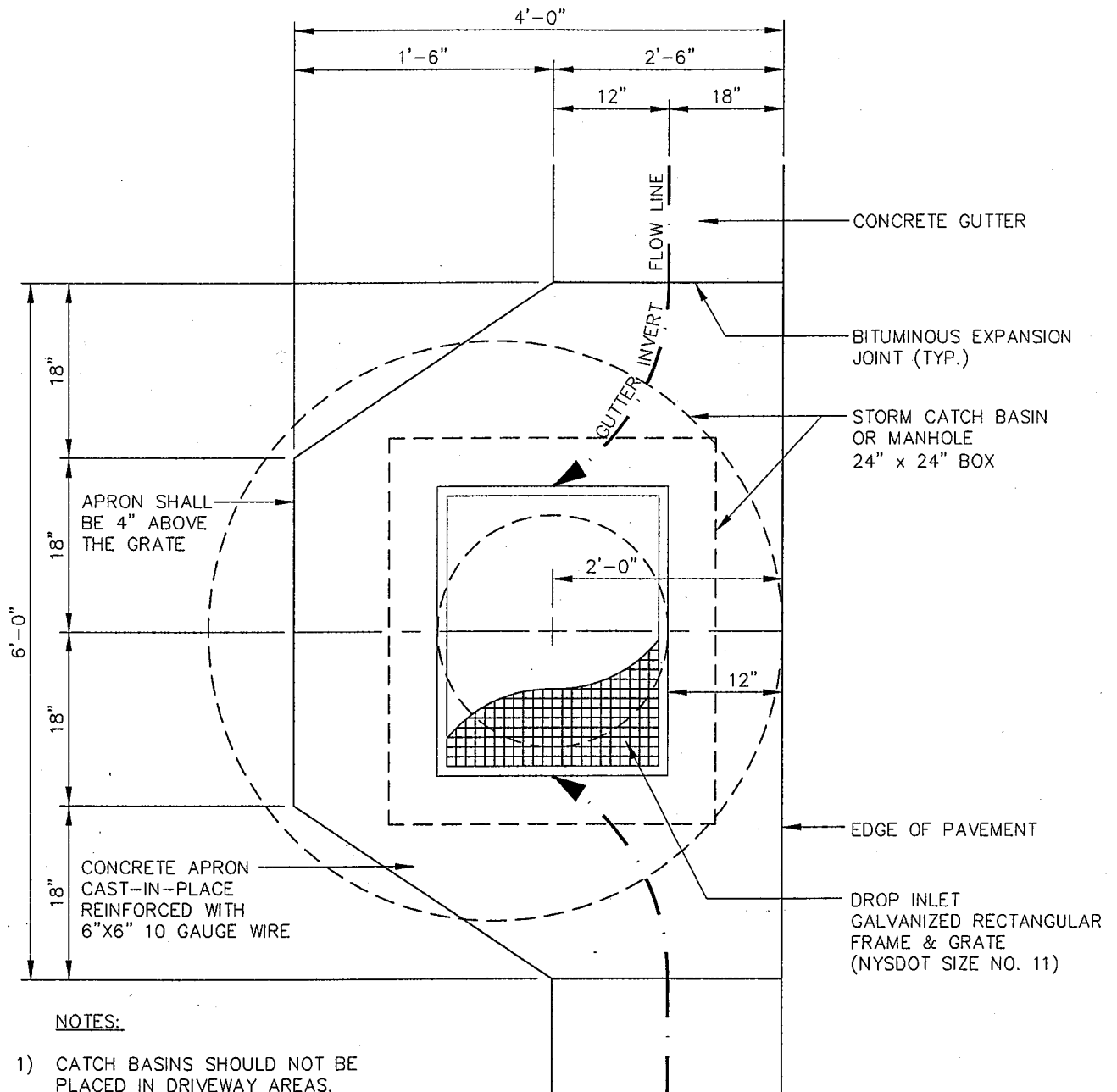
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Appendix:
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NOTES:

- 1) CATCH BASINS SHOULD NOT BE PLACED IN DRIVEWAY AREAS.
- 2) SPECIAL DESIGN MAY BE REQUIRED FOR STEEP GRADE SECTIONS.

TYPICAL GUTTER AND CATCH BASIN APRON DETAIL

NOT TO SCALE

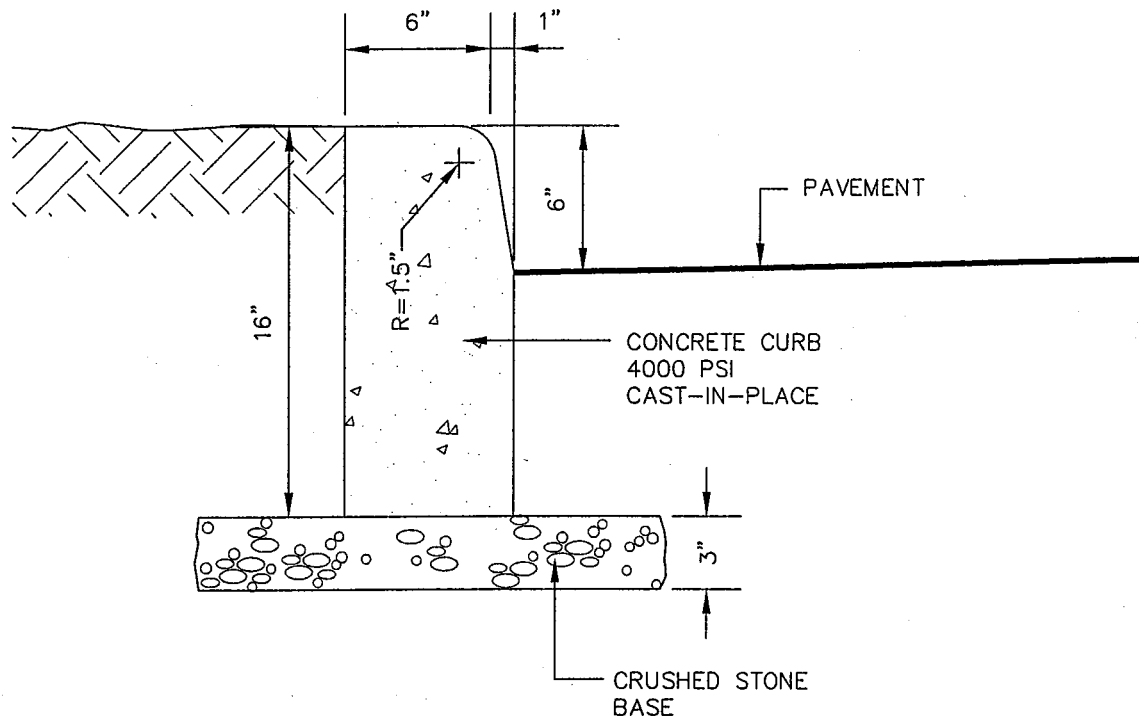
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TYPICAL CONCRETE CURB

DETAIL

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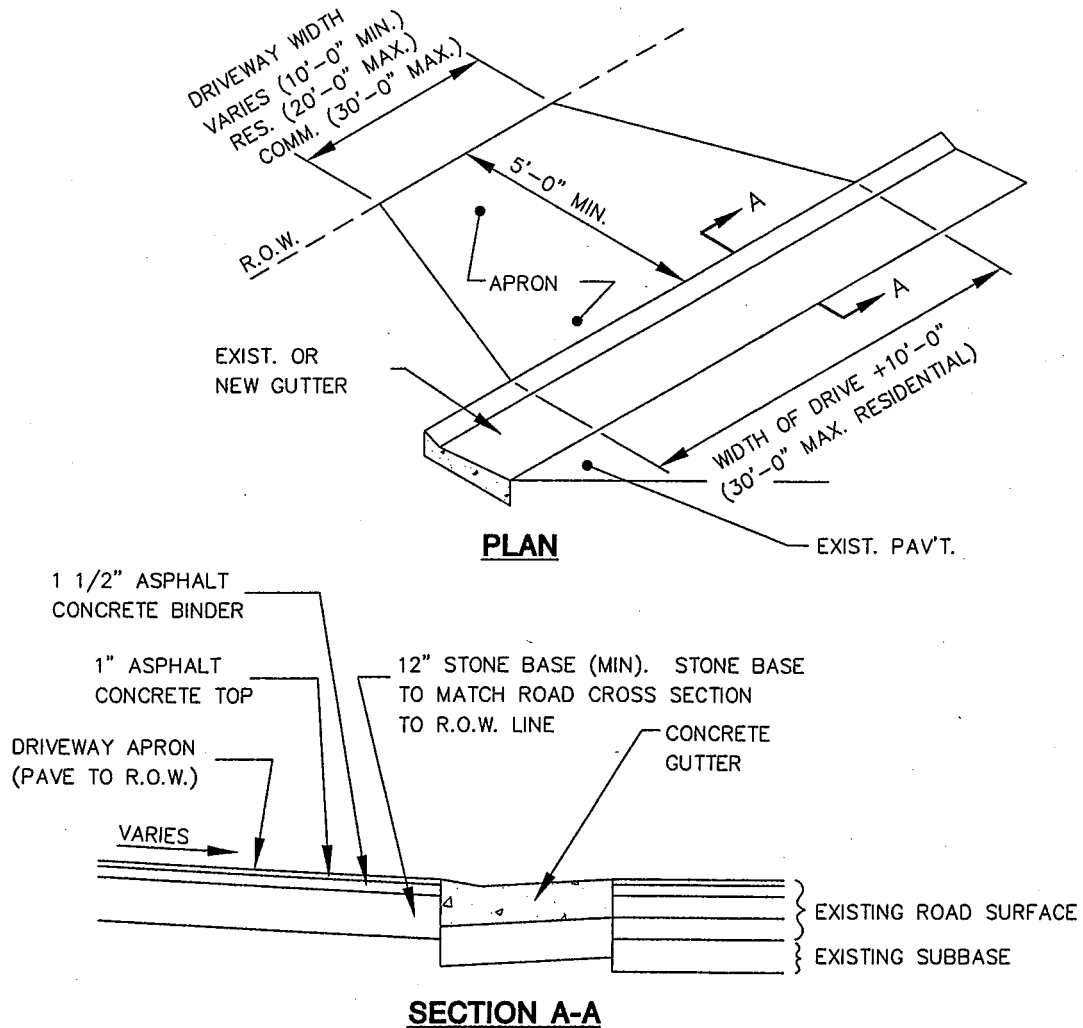
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Appendix:

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NOTES:

1. EXISTING PAVEMENT SHALL BE SAWCUT PRIOR TO GUTTER REPLACEMENT. ALL PAVEMENT JOINTS SHALL BE TACK COATED AND SEALED WITH BITUMINOUS SEALER.
2. THE CONTRACTOR SHALL PROVIDE MAINTENANCE AND PROTECTION OF TRAFFIC. TWO-WAY TRAFFIC SHALL BE PROVIDED DURING WORKING HOURS. EXCAVATIONS IN DRIVING LANES AND PAVED SHOULDERS SHALL BE BACKFILLED, PATCHED OR PLATED OVERNIGHT. EXCAVATIONS OUTSIDE THE DRIVING LANES AND PAVED SHOULDERS MUST BE FENCED AND BARRICADED. WARNING LIGHTS, SIGNS AND FLAGMEN ARE REQUIRED AS DIRECTED BY THE N.Y.S. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. THE CONTRACTOR IS TO NOTIFY THE VILLAGE DPW SUPERVISOR AT LEAST 48 HOURS PRIOR TO INSTALLATION.



TYPICAL DRIVEWAY APRON DETAIL (GUTTER)

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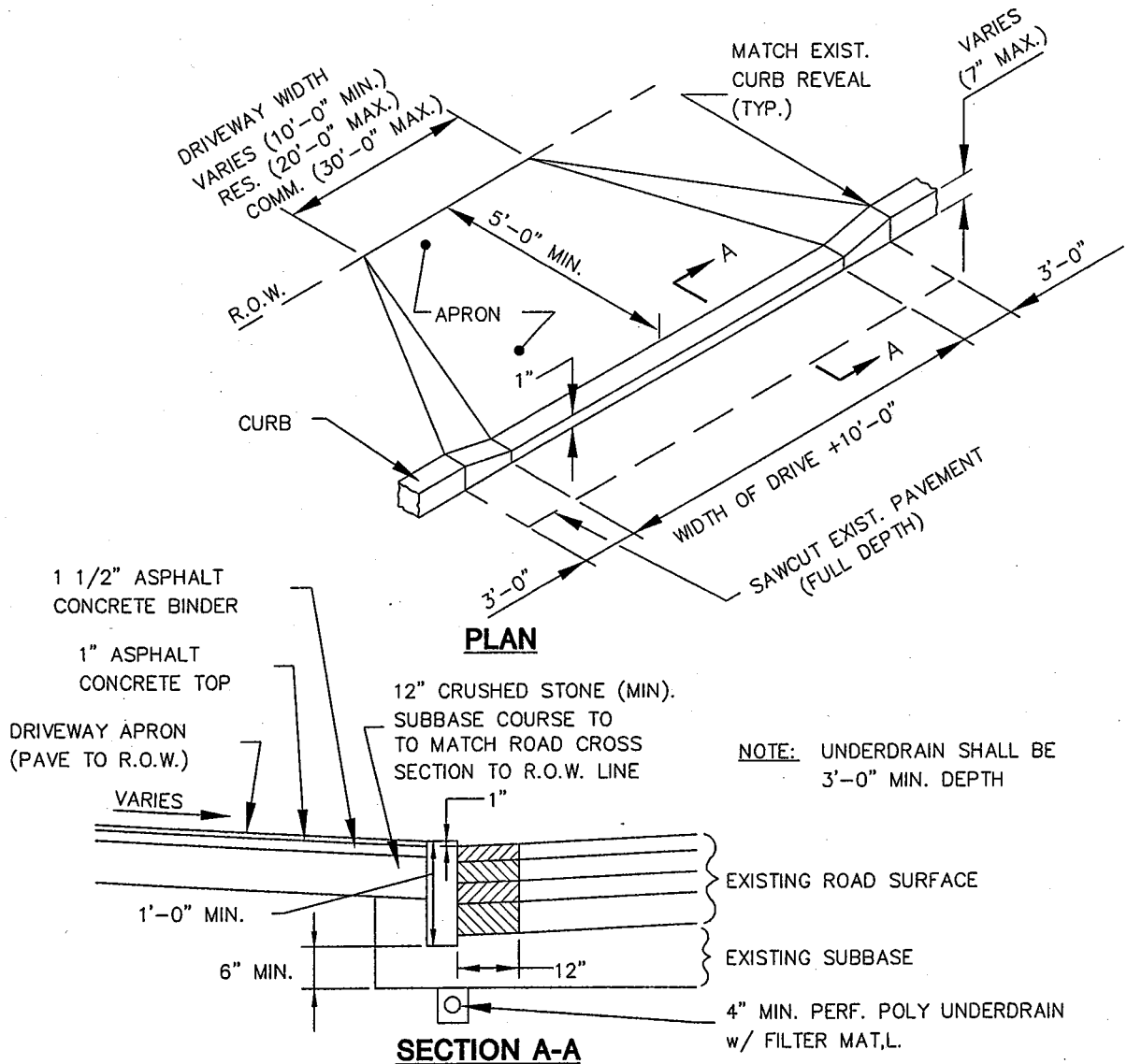
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NOTES:

1. EXISTING PAVEMENT SHALL BE SAWCUT PRIOR TO GUTTER REPLACEMENT. ALL PAVEMENT JOINTS SHALL BE TACK COATED AND SEALED WITH BITUMINOUS SEALER.
2. THE CONTRACTOR SHALL PROVIDE MAINTENANCE AND PROTECTION OF TRAFFIC. TWO-WAY TRAFFIC SHALL BE PROVIDED DURING WORKING HOURS. EXCAVATIONS IN DRIVING LANES AND PAVED SHOULDERS SHALL BE BACKFILLED, PATCHED OR PLATED OVERNIGHT. EXCAVATIONS OUTSIDE THE DRIVING LANES AND PAVED SHOULDERS MUST BE FENCED AND BARRICADED. WARNING LIGHTS, SIGNS AND FLAGMEN ARE REQUIRED AS DIRECTED BY THE N.Y.S. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. THE CONTRACTOR IS TO NOTIFY THE VILLAGE DPW SUPERVISOR AT LEAST 48 HOURS PRIOR TO INSTALLATION.



**TYPICAL DRIVEWAY APRON
DETAIL (CURB)**

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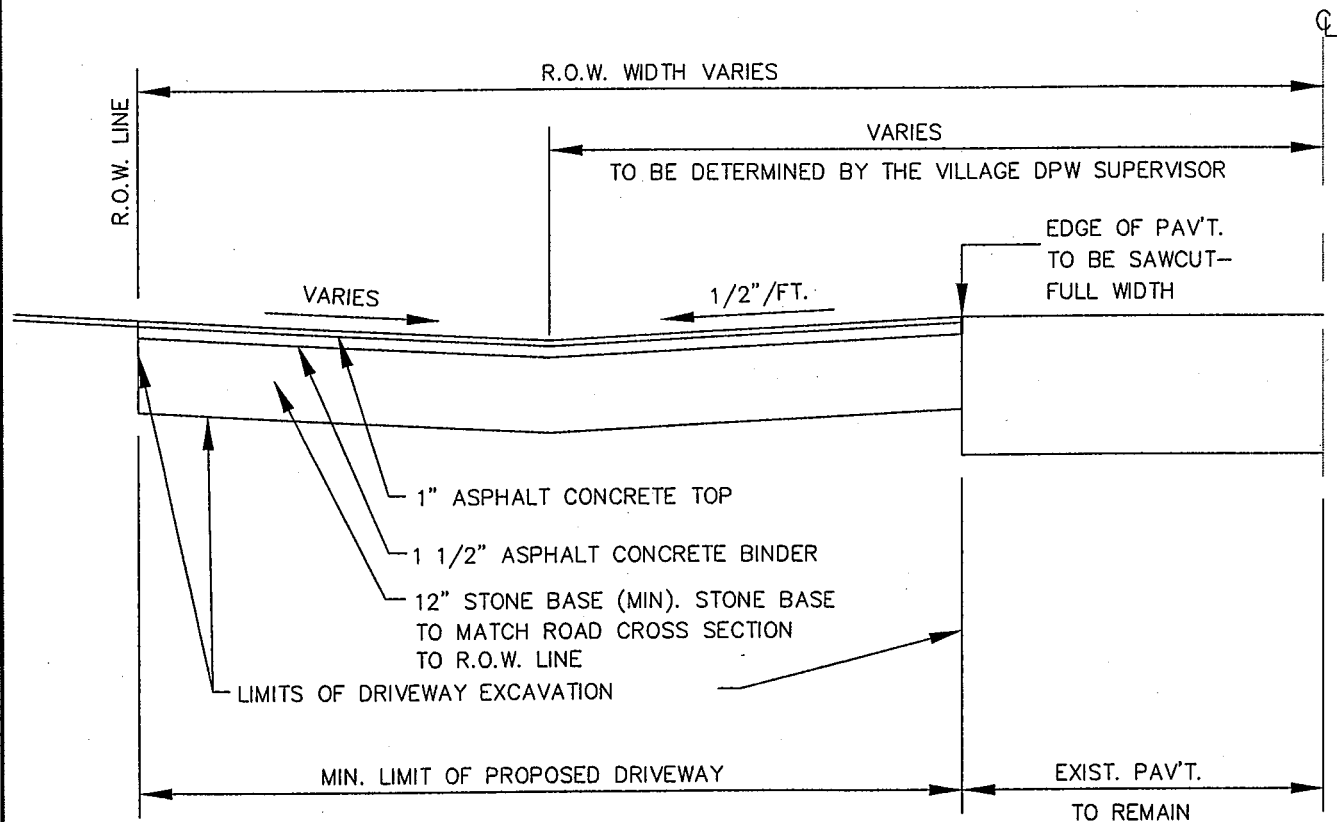
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NOTES:

1. THE PROPOSED DRIVEWAY SHALL NOT EXCEED 20 FEET (30 FEET COMMERCIAL) IN WIDTH. DRIVEWAY FRONTING ON VILLAGE STREETS SHALL BE PAVED TO THE RIGHT-OF-WAY-LINE. THE DRIVEWAY GRADE SHALL FALL AWAY FROM THE OUTSIDE EDGE OF THE SHOULDER AT A MINIMUM OF 1/2 INCH PER FOOT.
2. THE APPLICANT SHALL NOTIFY THE VILLAGE DPW SUPERVISOR AT LEAST 48 HOURS PRIOR TO PERFORMING THE WORK TO SCHEDULE FIELD INSPECTION.



**TYPICAL DRIVEWAY WITHIN
R.O.W.**

NOT TO SCALE

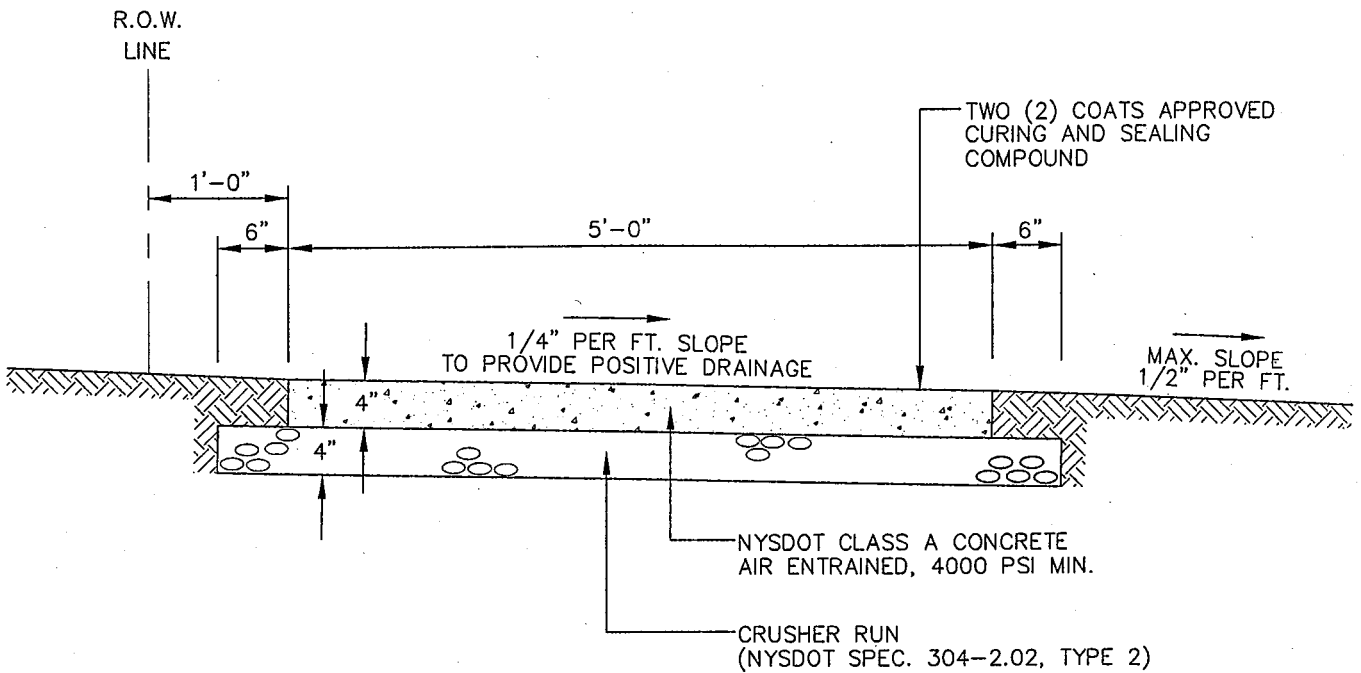
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NOTE:

CONCRETE SIDEWALKS THROUGH DRIVEWAYS SHALL BE INCREASED TO AN 8" THICKNESS AND SHALL INCLUDE 6"X6" WIRE MESH (10 GAUGE) REINFORCEMENT.

TYPICAL SIDEWALK

DETAIL

NOT TO SCALE

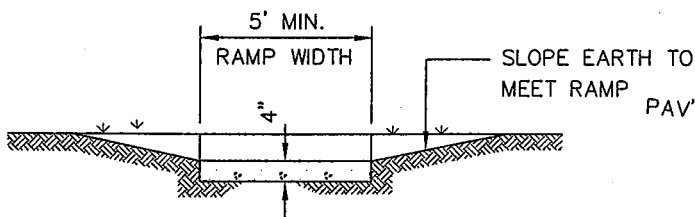
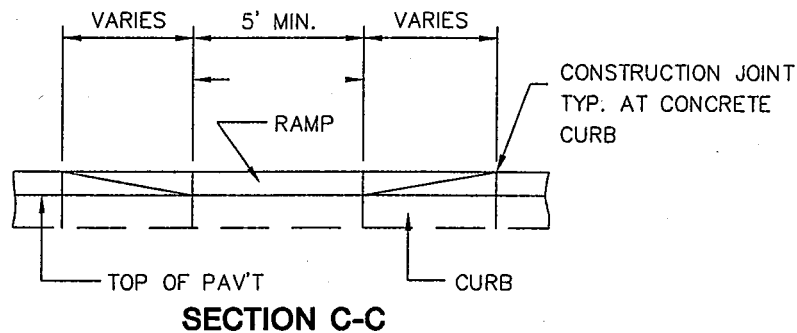
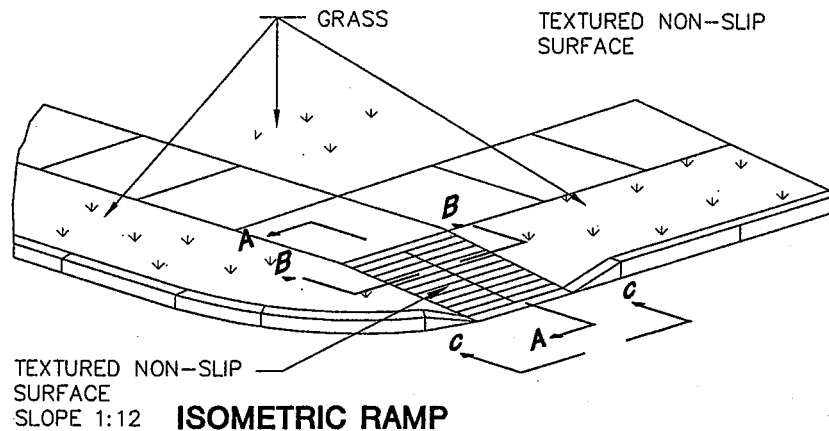
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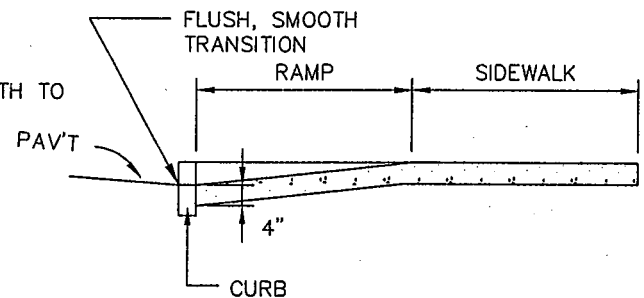
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SECTION B-B



SECTION A-A

TYPICAL SIDEWALK RAMP
DETAIL
 NOT TO SCALE

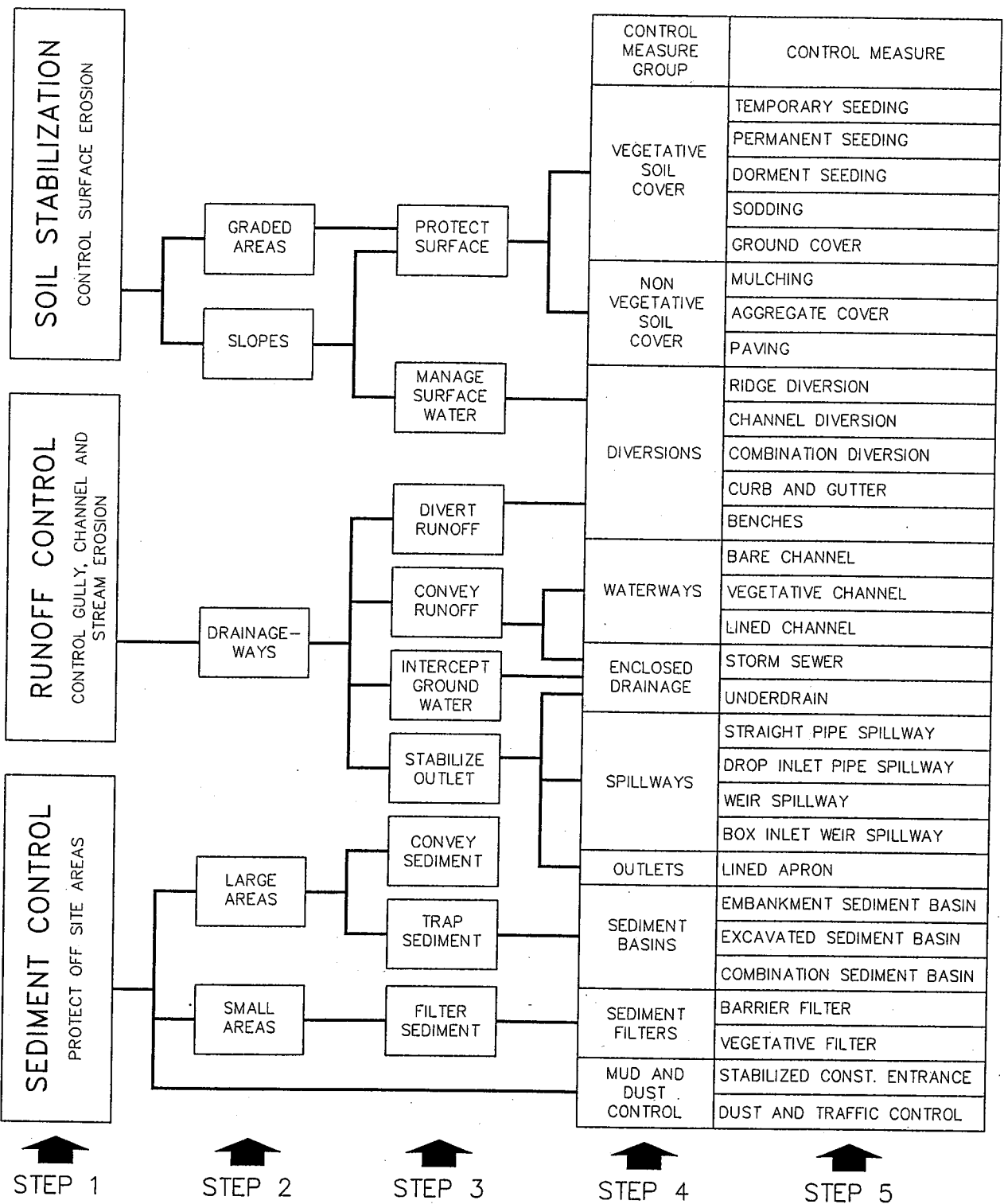
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EROSION CONTROL OPTIONS

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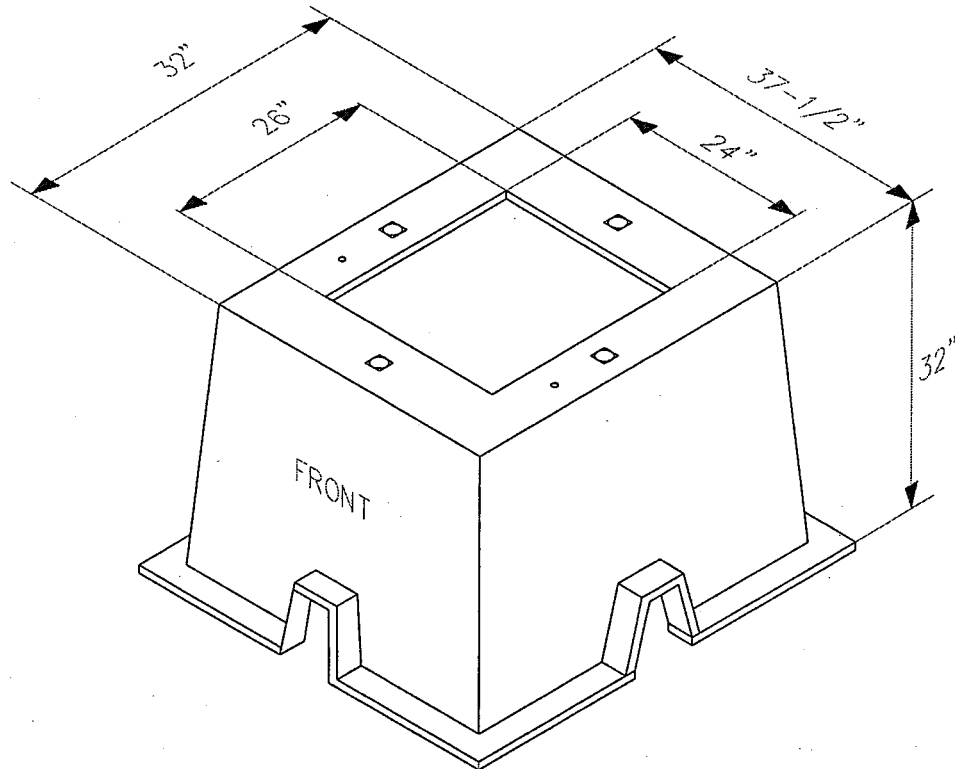
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Appendix:

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FOR ALL SINGLE PHASE MOUNTED TRANSFORMERS:

TMC STOCK PAD 5

MANUFACTURES NUMBER :

FIBERGLASS FABRICATORS 374332SOSHP
ELECTROMOLD INC. EBPT-3743-32A

ALL UNITS SHALL HAVE FOUR OPENINGS FOR CONDUIT,
ONE ON EACH SIDE CENTERED.

ALL UNITS SHALL HAVE FOUR 3/8"x 16 THREADED
INSERTS FOR ANCHOR POINTS.

**TYPICAL SINGLE PHASE PAD
MOUNTED TRANSFORMER**

NOT TO SCALE

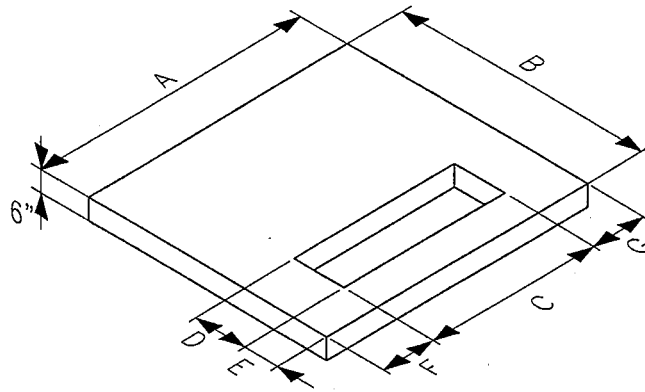
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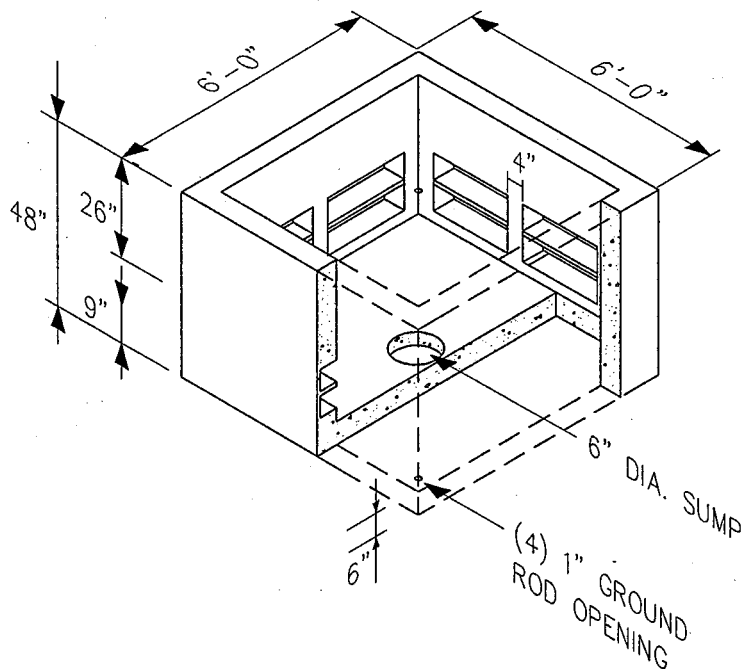
Appendix:
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FOR ALL THREE PHASE PAD MOUNTED TRANSFORMERS SHALL USE A PAD ATOP A VAULT OF THE FOLLOWING DIMENSIONS.

KVA	A	B	C	D	E	F	G	WEIGHT	FMC#	LAKELANDS
75-500 KVA	78"	72"	48"	15"	10"	15"	15"	2700	PAD 3	FMC-P33
750-2500 KVA	89"	75"	50"	17"	10"	19.5"	19.5"	3100	N/A	FMC-P34

REINFORCED WITH GRADE 60 - #4 RODS ON 6" CENTERS
 CHAMFER STRIP 3/4" ALL TOP EDGES INCLUDING OPENING
 TOP TO BE PARALLEL WITH BOTTOM
 TOP AND BOTTOM TO BE SMOOTH FINISH
 4000 PSI CONCRETE AT 28 DAYS



FOR ALL THREE PHASE PAD MOUNTED TRANSFORMERS SHALL USE A CONCRETE VAULT .

FMC STOCK NUMBER : PAD 7

MANUFACTURES NUMBER : LAKELANDS CONCRETE # FMC-U20

4000 PSI CONCRETE AT 28 DAYS USE WITH FLAT PADS LARGER THAN 6'x 6'. KNOCKOUTS 7"x 2'
 FOUR (4) PER SIDE, 4 SIDES TO BE SUPPLIED WITH 4 LIFTING HOOKS

TYPICAL THREE PHASE PAD MOUNTED TRANSFORMER CONCRETE VAULT

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HH

PART 3:

VILLAGE OF BERGEN – VILLAGE FORMS

IMPORTANT CONTACTS

Utility Billing Matters:

Sharon Lehmann
P.O Box 100
Bergen, NY 14416

494-1513 Phone
494-1730 Fax
Slehmann@villageofbergen.com

Village Building and Sewer Inspections:

Thomas F. Williamson, CEO/ZEO
P.O Box 100
Bergen, NY 14416

494-1513 Phone
494-1730 Fax
Twilliamson@villageofbergen.com
746-0975 Cell

Utility Installation Related Issues:

Marty Krause, DPW Supervisor
P.O Box 100
Bergen, NY 14416

494-1048 Phone
494-1892 Fax
330-4661 Cell

Electric:

Joe Chimino
P.O Box 100
Bergen, NY 14416

494-1048 Phone
494-1892 Fax
329-5717 Cell

Sewer:

Bruce Partridge
P.O Box 100
Bergen, NY 14416

494-2018 Phone
494-2018 Fax
330-8929 Cell

Village Engineer:

Carl Schoenthal, MRB Group
2480 Browncroft Blvd.
Rochester, NY 14625

381-9250 Phone
381-1008 Fax
Cschoenthal@mrbgroup.com
1-716-560-0903 Cell

Sewer District: Town of Bergen:

John Specht, Town Supervisor,
13 South Lake Street
Bergen, NY 14416

494-1121 Phone
494-1488 Fax

Other Questions:

The Village of Bergen Office
P.O Box 100
Bergen, NY 14416

494-1513 Phone
www.villageofbergen.com

VILLAGE OF BERGEN
Official Fee Schedule – General Fees

Photocopy	.25 cents per page
Facsimile (send or receive)	\$ 1.00 per page
Park permits	Free
• with alcohol permit	Free
• with electric request	\$ 10.00
• with large gathering request actual cost to the Village (requiring special services such as police, traffic, clean up, etc...)	
Bounced check fee	\$ 20.00
Copy of zoning law	\$ 15.00
Extra zoning hearing posters	\$ 5.00 each (2 free)
Copy of large map (2' X 3')	\$ 20.00
Tax search	\$ 5.00

Garbage Bags:

Small \$1.00	Vendor's box of small \$ 725.00
Large \$2.00	Vendor's box of large \$ 487.50

Refuse Tags:

\$ 2.00	25 # bundle
\$ 10.00	furniture/appliance
\$ 20.00	appliance with freon (air conditioner/refrigerator/dehumidifiers, etc...)
\$ 2.00	tires

MISCELLANEOUS PERMITS

Pole attachment permit-	\$ 25.00 if revenue generating (ex. garage sale, chicken BBQ, etc)
Highway work permit	\$ 50.00 plus bond (\$100.00 penalty if work commenced without permit)
Connection to municipal sewer -	
• Hook up fee-	\$ 150.00
• Capital facility fee	\$ 1,250.00 per 1,000 gallons septic tank
• Inspection fee	\$ 50.00
New service installation and connection to municipal electric	\$ 250.00 (plus any installation fees under the tariff)

BUILDING / ZONING FEES

(All fees to include the required zoning and building permits)

Penalty for commencing work without a permit	\$50.00
<u>Inspections:</u> (No building permit)	
Residential safety inspection	\$25.00
Commercial safety or fire inspection	\$60.00
Plumbing inspection	\$35.00
Residential Fire Inspection	\$35.00
Re-inspections (each visit)	\$15.00
Sewer inspections (new)	\$150.00
<u>Signs:</u>	
Signs without electric under 12-sq. ft.	\$30.00
Electric signs under 12 sq. ft.	\$40.00
Signs over 12.1 sq. ft. without electric	\$40.00
Electric signs over 12.1 sq. ft.	\$50.00
<u>Demolition:</u>	
Residential	\$10.00
Commercial	\$150.00
<u>Flood Plain:</u>	
Any application concerning property in a flood plain	\$10.00 surcharge
<u>Fuel Burning:</u>	
Woodstove	\$25.00
Fireplace	\$25.00
Chimney	\$25.00
<u>Accessory and Related Structures: "RESIDENTIAL"</u>	
Breezeway	\$40.00
Dormer	\$40.00
Gazebo	\$40.00
Greenhouse	\$40.00
Fence	\$15.00
Deck 150 sq. ft. or smaller	\$25.00
Deck 151 sq. ft. or larger	\$40.00
Roof over deck (if enclosed see alterations)	\$50.00
Satellite dish (if not attached to building)	\$15.00
Driveway paving	\$10.00
Shed/building 150 sq. ft. or smaller	\$15.00
shed/building 151 to 1,000 sq. ft.	\$40.00
shed/building larger than 1,000 sq. ft.	\$150.00
one car garage (w/o electric or plumbing)	\$50.00
two car garage (w/o electric or plumbing)	\$100.00
three car garage or larger	\$150.00

Pools: (does not include deck, fence or electric)

above-ground under 19 ft. diameter or longest side	\$50.00
above-ground over 20 ft diameter or longest side	\$75.00
in-ground under 19 ft. diameter or longest side	\$50.00
in-ground over 20 ft. diameter or longest side	\$75.00

Change of Use:

Residential	\$30.00
Commercial	\$250.00

Structural Alteration (without adding square footage):

Residential	\$100.00
Commercial	\$200.00

Additions (adds square footage, does not include electric or plumbing)

Residential	\$100.00
Commercial up to 500 sq. ft.	\$100.00
500-999 sq. ft.	\$150.00
1,000-1,500 sq. ft.	\$200.00
1,500-1,999 sq. ft.	\$400.00
2,000 sq. ft. or larger (apply fees for new construction)	
Commercial accessory building or related structure	\$100.00

New One-Family (includes plumbing) \$250.00

New Commercial (includes plumbing)

up to 3,500 sq. ft.	\$1,500.00
3,500-4,999 sq. ft.	\$2,000.00
5,000 sq. ft. or more	\$2,500.00

New Two-Family or Multiple Dwelling (includes plumbing)

Two Family	\$300.00
Three or more dwelling units	\$350.00 plus \$50.00 per dwelling unit over three units (ex: three units = \$350.00 / four units = \$400.00, etc...)
5,000 sq. ft. or more	\$400.00 plus \$100.00 per dwelling unit

PLANNING AND ZONING BOARD

short form SEQR	\$20.00
flood plain property	\$10.00 surcharge
long form SEQR	actual cost
variance	\$300.00
minor subdivision	\$200.00
major subdivision	\$450.00
site plan review	\$200.00
special use permit	\$400.00
public informational mtg. necessary	\$100.00 surcharge
recreation fee for new construction or subdivision	\$100.00 per parcel created
merger of properties	\$300.00
special meeting necessary	50.00

GENERAL INFORMATION CONCERNING ELECTRIC

The Village is responsible for these costs:

One service pole, if necessary
First 100 feet of above- ground wire from distribution pole
Pole-top transformer, meter and meter socket

The Customer is responsible for these costs:

- Additional service poles required
- Additional wire & materials necessary
(if the meter is over 100 ft. from distribution pole)
- Electric inspection
(customers arranges with inspector of own choice)
- All internal wiring and installation
- Additional costs for underground service

Underground lines:

Available upon request, however, customer pays cost of underground installation and extra cost of underground transformers & wire.

Customer is responsible for the cost of digging in the event of repair of underground lines.

Customer charges:

A commercial customer served under rate classification 3 may own poles & transformers and be responsible for maintenance & replacement.

Alternatively, the customer may opt to be served under rate classification 2 and the Village will own and maintain the facilities.

Location of meter box:

Location of the meter box must be accessible to effectuate meter reading and must be kept clear of brush and foliage.

VILLAGE WILL SPECIFY AND APPROVE LOCATION.

Customer must supply:

1. Voltage & Amperage requirements with application
2. Work easement
3. Permanent utility easement

VILLAGE OF BERGEN PPAC HISTORY

	<u>2003</u>	<u>2002</u>	<u>2001</u>	<u>2000</u>	<u>1999</u>
Jan.	0.035594	0.010628	0.017396	0.014644	0.010046
Feb.	0.037850	0.011156	0.013789	0.020926	0.013504
March	0.028426	0.012556	0.021063	0.012323	0.008389
April		0.013132	0.014677	0.010824	0.011301
May		0.010793	0.007328	0.009523	0.008349
June		0.039727	0.038763	0.007045	0.005541
July		0.039416	0.031227	0.033799	0.029203
Aug.		0.033158	0.045126	0.025055	0.031846
Sept.		0.035118	0.021066	0.031207	0.002541
Oct.		0.034190	0.024194	0.030811	0.022808
Nov.		0.034051	0.022563	0.041800	0.025173
Dec.		0.034051	0.011243	0.039355	0.027845

ELECTRIC RATE DISCLOSURE

Hook up fee \$250:

(includes meter, meter socket, service pole and overhead transform)

There may be other charges applicable under tariff- speak with DPW supervisor

Rate Class 1 (Residential rate)	\$0.440 kwh	0479
Rate Class 2 (Commercial rate)	\$0.420 kwh	0461
Rate Class 3 (industrial rate)	\$0.000 kwh & Demand	\$2700 kw
Rate Class 4 (Security light rate)	\$0.44	2.72

A. Lamp and fixture charge, per lamp:

Rate	PPAC Based on kwh as follows:
175 Watt Mercury	8.70 8.34 63 kwh
240 Watt Mercury	10.55 10.17 87 kwh
400 Watt Mercury	15.02 14.62 144 kwh
1000 Watt Mercury	26.26 26.35 360 kwh

B. Pole rental charge:

When suitable wood poles are available on Village existing distribution circuits or customer's existing service lateral, no additional charge will be made for attachment of lamps served under this Service Classification. A maximum of one additional wood pole for each lamp served will be installed, owned, and maintained by the Village for a monthly rental of ~~\$1.76~~ per pole.

1.60

Note:

All rate classes are subject to a meter/pole (customer) charge, PPAC and applicable sales tax. Customer charges are ~~\$1.76~~ for non-industrial accounts and ~~\$5,313.00~~ for industrial accounts.

1.60

3201.51

Residential, industrial and not-for-profit tax exempt entitles may be exempt from sales tax

1000000

1000000

1000000

1000000

1000000

1000000

1000000

1000000

1000000

1000000

1000000

1000000

VILLAGE OF BERGEN APPLICATION FOR ELECTRIC SERVICE

In order that the municipality may keep aware of electrical demands the following information is required for all new requests for electrical service.

Electrician's Name: _____

Address of Service: _____

Location of Service: _____

Size of Service: _____

☐ Single Family

☐ 2 Family

☐ Multiple Dwelling

Commercial: _____ Type of Business: _____

Industrial: _____

Amount of Deposit (if applicable): _____

Please check if the following are connected:

☐ Electric Heat (Total Watts _____)

☐ Electric Hot Water Heater (Total Watts _____)

☐ Air Conditioning (Total Watts _____)

☐ Electric Dryer (Total Watts _____)

☐ Electric Range & Oven (Total Watts _____)

☐ Dishwasher (Total Watts _____)

Note: Horsepower x 750 = kilowatts

Any other single load in excess of 2000 watts: _____

The Municipality is hereby requested to furnish the undersigned with electric service as indicated at the above address; such service is to be supplied by the Municipality in accordance with the rules and regulations as filed with the New York Power Authority and available for inspection at the office of the municipality will be paid for by the undersigned in accordance with applicable service classifications.

Applicant's Signature: _____

Date: _____

Application Received By: _____

Date: _____

BUSINESS APPLICATION FOR ELECTRIC SERVICE

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

LIST ALL PARTNERS OR CORPORATE OWNERS/SHAREHOLDERS:
(INCLUDE NAME/ADDRESS/TELEPHONE No.)

PERSON WHO WILL BE RESPONSIBLE FOR BILL:

NAME: _____

HOME ADDRESS _____

SOCIAL SECURITY NUMBER: _____

BANKS: _____

SIGNATURE OF PERSON PERSONALLY RESPONSIBLE FOR BILL

ACCT. No. _____

DEPOSIT PAID _____

Date: _____

ELECTRIC UTILITY EASEMENT

THIS INDENTURE, made this day of _____, 2003, between _____ or residence at _____, party of the first part, and the Village of Bergen, a municipal corporation of the State of New York, with its place of business at 11 Buffalo Street, in the Village of Bergen, Town of Bergen, County of Genesee, and State of New York, party of the second part,

WITNESSETH:

That the party of the first part, in consideration of ONE DOLLAR AND MORE (\$1.00 & More) lawful money of the United States to be paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever, the perpetual right, privilege and easement to construct, reconstruct, replace, renew, repair, maintain, operate and remove electric lines, including such towers, poles and/or supporting structures, cross arms, insulators, transformers, poles, cables, conduits, guys, stubs, anchor, appliances, and all other appurtenances incident to said electric lines for the transmission and distribution of electric energy as the party of the second part, its successors and assigns, units, or their own sole discretion, may now and at any time and from time to time in the future, deem necessary or proper, upon, over, across and under a parcel of land situate in the Town of Bergen, County of Genesee, State of New York, and more particularly described on Schedule "A" attached hereto and made a part hereof (the "Easement Area").

Together with the perpetual right, privilege and easement to place, replace, renew, repair, maintain, operate and remove any supporting structures such as guys, stubs, anchors, span guys, and any other appurtenant structures beyond the bonds of the Easement Area which the party of the second part may from time to time deem necessary.

Together with the perpetual right, privilege and easement to trim, cut and remove any and all trees and brush within the bounds of the Easement Area, also any and all trees and brush beyond the bounds of the Easement Area which in the sole judgment of the party of the second part may from time to time deem necessary.

It is agreed and understood that no vegetation will ever be planted or permitted to grow within the above-described Easement Area that will exceed 14 feet in height or spread or grow into electric lines and equipment.

The said party of the first part, as an undertaking and covenant running with the land for themselves, their heirs, representatives, successors and assigns, hereby covenant and agree with respect to the Easement that:

- (a) No permanent structures or buildings shall ever be erected, or placed upon said Easement Area.

- (b) No materials or equipment shall be stored or permitted to be stored upon said Easement Area.

TO HAVE AND TO HOLD the premises and rights herein granted unto the party of the second part, its successors and assigns forever.

Said party of the first part further covenants with respect to the premises heretofore designated at the Easement Area, the following:

1. That the said party of the first part is seized of said premises in fee simple and have good right to grant and convey the above-described rights, privileges and easements.
2. That the said premises are free from encumbrances other than those disclosed in the records of the County Clerk.
3. That the party of the second part shall quietly enjoy the said premises.
4. That the party of the first part will execute or procure any further necessary assurance of the title to said premises.

IN WITNESS WHEREOF, the party of the first part have hereunto set their hands and seals the day and year first above written.

GRANTOR: _____

By: _____

STATE OF NEW YORK)
COUNTY OF _____) SS:

On this _____ day of _____, 2003, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on a basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individuals(s) or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

SCHEDULE "A"

ELECTRIC UTILITY EASEMENT

ALL THAT TRACT OR PARCEL OF LAND, situate in _____
Town of Bergen, County of Genesee, State of New York, more commonly known as tax
map # _____ on the tax map of the Genesee County Clerk, bounded and
described as follows:

The easement area hereby conveyed is a strip of land _____ feet in width,
abutting and depicted on the drawing designated as Schedule B.

SCHEDULE "B"

(Drawing depicting easement area)

VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

First Revised Leaf No. 96 Superceding
Original Leaf No. 96

**SERVICE CLASSIFICATION NO. 1
RESIDENTIAL**

APPLICABLE TO USE OF SERVICE FOR:

Single-phase residential purposes, in an individual residence and in an individual flat or individual apartment in a multiple family dwelling; residential purposes in a rooming house where not more than four rooms are available for rent; use exclusively in connection with religious purposes by corporations or associations organized and conducted in good faith for religious purposes, and including the operation by such corporation or association of a school, notwithstanding that secular subjects are taught at such school, single-phase farm service when supplied through the farm residence meter; and for single-phase service exclusively in connection with a community residences as defined in subdivision twenty-eight-a and twenty-eight-b of section 1.03 of the Hygiene Law, provided that such residence is operated by a not-for-profit corporation and if supervisory staff is on site on a twenty-four hour per day basis, that the residence provides living accommodations for fourteen or fewer residents. Available from Village facilities adequate capacity adjacent to the premises and at appropriate character.

CHARACTER OF SERVICE:

Continuous. Single-phase alternating current, approximately 60 hertz, at one standard secondary voltage approximately 120 volt 2 wire, 120/240 volt 3 wire, or 120/208 volt 3 wire (Network).

MONTHLY RATE: (Per Meter)

RATE

Customer Charge
Energy Charge, per kWh

~~\$1.76~~ 1.60
~~\$0.149~~ .0479

MINIMUM CHARGE:

The minimum monthly charge for electric service is ~~\$1.76~~ 1.60

TERMS OF PAYMENT:

All bills are due when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one-half percent (1-1/2%) pursuant to Rule 3.B.7.C.

Date of Issue March 14, 2003
Issued By Village of Bergen

Date Effective August 1, 2003
Village Office Bergen, NY 14416

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VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

Revised Leaf No. 97 superceding

Original Leaf No. 97

SERVICE CLASSIFICATION NO.1
RESIDENTIAL (Cont'd)

PURCHASE POWER ADJUSTMENT (PPA):

The charges set forth herein shall be subject to PPA per kWh billed hereunder when charges in the base cost of power occur as described in General Information Rule 7.

TERM OF PAYMENT:

All bills are due when rendered. Full payment must be received on or before the date shown on the bill to avoid a late charge of one and one-half percent (1-1/2%) pursuant to rule 3.B.7.C.

TERM:

Customer agrees to take service on a monthly basis, however, Customer may terminate service after three days' written notice to the Village.

Date of Issue March 14, 2003
Issued By Village of Bergen

Date Effective August 1, 2003
Village Office Bergen, NY 14416

VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

Revised Leaf No.98 Superceding
Original Leaf No. 98

SERVICE CLASSIFICATION NO. 2

APPLICABLE TO USE OF SERVICE FOR:

For all purposes by commercial business, professional and small industrial power installations at one point of delivery through one meter.

CHARACTER OF SERVICE:

Continuous: 60 cycle alternating current, 120/240 volts single phase or 240 **three phase.**

MONTHLY RATE: (Per Meter)

RATE

(OLD RATE)

Customer Charge
Energy Charge, per kWh

1.66
64/61

~~\$1.76~~
~~\$0.429~~

~~(\$1.17)~~
~~(\$0.0006)~~

MINIMUM CHARGE:

The minimum monthly charge for electric service is Plus ~~\$1.76~~ ^{1.66} ~~(\$1.17)~~

Total motor horsepower connected Less one horse power connected ~~(\$1.00)~~ ^{1.00}

The total charge for a period of less than one year will not be less than 12 times the highest monthly minimum charge which has been applicable.

PURCHASE POWER ADJUSTMENT (PPA):

The charge set forth herein shall be subject to PPA per kWh billed hereunder when changes in the base cost of power occur as described in General Information Rule 7.

TERMS OF PAYMENT:

All bills are due when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one half percent (1-1/2%) pursuant to rule 3.B.7.C.

TERM:

Customer agrees to take service on a monthly basis, however, customer may terminate service after three-days' written notice to the Village.

Date of Issue March 14, 2003

Date Effective August 1, 2003

Issued By Village of Bergen

Village of Bergen Bergen, NY 14416

VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

Revised Leaf No. 99 superceding

Original Leaf No. 99

SERVICE CLASSIFICATION NO. 3

APPLICABLE TO USE OF SERVICE FOR:

For all purposes by commercial business, professional and large industrial power installations at one point of delivery through one meter.

CHARACTER OF SERVICE:

Continuous. Three-phase alternating current approximately 60 hertz, at primary voltage. The Village will indicate upon application, the type or types of service available and appropriate to the Customer's Requirements. Secondary service will be provided for payment of a facilities charge.

MONTHLY RATE:

Total fixed monthly charge for all meters:	\$3,512.00	3201.51
All Kw per Kw	\$2.00	2.72
All Kw per Kwh	\$.014	.0193
Minimum Charge per month	\$3,512.00	3201.51

MINIMUM CHARGE:

The minimum monthly charge shall be computed under rate.

PURCHASE POWER ADJUSTMENT CHARGE

The charge set forth herein shall be subject to PPA per Kwh billed hereunder when changes in the base cost of power occur as described in General Information Rule 7.

TERMS OF PAYMENT:

All bills are due when rendered . Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one half percent (1-1/2%) pursuant to rule 3.B.7.C.

TERM:

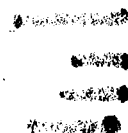
Customer agrees to take service on a monthly basis, however, customer may terminate service after three days' written notice to the Village.

Date of Issue March 14, 2003

Issued By Village of Bergen

Date Effective August 1, 2003

Village Office Bergen, NY 14416



VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

Revised Leaf No. 100 superceding

Original Leaf No. 100

SERVICE CLASSIFICATION NO. 4

APPLICABLE TO USE OF SERVICE FOR:

Private outdoor lighting from multiple circuits.

CHARACTER OF SERVICE:

Unmetered service for a limited period, approximately 4000 hours per year, approximately 60 cycles alternating current at approximately 120/240 volts.

MONTHLY RATE:

A. Lamp and Fixture Charge, per lamp:

	<u>Rate</u>	
175 Watt Mercury	\$8.70	8.34
240 Watt Mercury	\$10.55	10.17
400 Watt Mercury	\$15.02	14.62
1000 Watt Mercury	\$26.36	26.35

B. Pole Rental Charge:

When suitable wood poles are available on Village existing distribution circuits or Customer's existing service lateral, no additional charge will be made for attachment of lamps service under this Service Classification. A maximum of one additional wood pole for each lamp served will be installed, owned, and maintained by the Village for a monthly rental of ~~\$1.76~~ per pole.

1.60

MINIMUM CHARGE:

The minimum monthly charge shall be computed under rate.

PURCHASE POWER ADJUSTMENT CHARGE:

The charge set forth herein shall be subject to PPA per Kwh billed hereunder when changes in the base cost of power occur as described in General Information Rule 7.

Date of Issue March 14, 2003

Issued By Village of Bergen

Date Effective August 1, 2003

Village Office Bergen, NY 14416

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VILLAGE OF BERGEN

P.S.C. No. 1 ELECTRICITY

Revised Leaf No. 101 superceding

Original Leaf No. 101

SERVICE CLASSIFICATION NO. 4
PRIVATE AREA LIGHTING (Cont'd.)

TERMS OF PAYMENT:

All bills are due when rendered. Full payment must be received on or before the date shown on the bill to avoid a late payment charge of one and one half percent (1-1/2%) pursuant to rule 3.B.7.C.

TERM:

Customer agrees to take service on a monthly basis, however, customer may terminate service after three days' written notice to the Village.

Date of Issue March 14, 2003
Issued By Village of Bergen

Date Effective August 1, 2003
Village Office Bergen, NY 14416

SEWER RATE DISCLOSURE

SEWER: These are payable when application is filed:

Application fee	\$150.00 (includes multiple tanks)
Inspection fee	\$ 50.00 (includes multiple tanks)
Sewer capital facilities charge	\$1,250.00-\$1,500.00 per 1,000 gallons of tank

CONSUMPTION RATES:

0-5,000 gallons	\$30.00 minimum charge
each 1,000 gallons over	\$ 5.00

25% surcharge for out of district users.

DEBT CHARGE:

Base charge:

\$68.00 single residence, or business in a structure,
using up to 60,000 gallons per year

25% surcharge for out of district users.

ADDITIONAL DEBT CHARGE:

\$34.00 per additional apartment or business in a structure or for each 60,000 additional
gallons used per year

BILLING:

Sewer bills are issued quarterly
on the 1st of May, August, November and February.

Late penalty is 10%.

All unpaid sewer bills are levied onto property taxes.

**APPLICATION FOR COMMERCIAL AND INDUSTRIAL SEWER CONNECTION
to
Village of Bergen Sewer System**

Applicant must provide drawings or engineering plans & special for building to be reviewed by the Village Code Enforcement Official or the Superintendent of Sewers.

Name & address of Owner:

Phone _____

Name & address of architect or engineer:

Phone: _____ Fax: _____

Email: _____

Tax map number of property where sewer is being constructed _____

Square ft. of building _____

Number of toilet rooms: Employee _____ Public _____

Kitchen facilities ☐ Yes ☐ No

If yes, is there a garbage disposal being installed? ☐ Yes ☐ No

Will there be a grease trap? ☐ YES ☐ NO

Projected water usage per day _____

Number of separate businesses operating in the premises _____

Signature of applicant _____

Date _____

TO BE COMPLETED BY VILLAGE

Size of septic tank required _____

Number of units for Inspection, connection and capital facility fees _____

TO CLERK'S OFFICE:

Number of units for capital facility, connection, and inspection fee _____

FEES:

Inspection fee _____ units x \$50 = \$ _____ Received _____

Connection fee _____ units x \$150 = \$ _____ Received _____

TO UTILITY BILLING OFFICE

Number of units for debt sewer charge billing purposes _____
(refer to section 2 OF Local Law #6 of 1985)

Action

Signature of official and date

Easement received and approved

Plans reviewed and approved

Inspection completed

Date of hook-up

Sets of as built drawings received _____

Certificate of occupancy issued _____

TOWN OF BERGEN SEWER DISTRICT

Application for Connection to the Town of Bergen Sewer District

Any new construction within the boundaries of the Town of Bergen sewer district will be installed in accordance with Local Law #5 of 1985 of the Village of Bergen and all amendments there to.

POLICIES

- 1. No unauthorized person shall uncover, make any connection to, open into, use, alter or disturb any public sewer or part thereof without first obtaining written permission from the sewer district or the Village of Bergen .**
- 2. All cost and expense incident to the installation, connection and maintenance of the building drain, septic tank, building sewer and all necessary piping to the property line to enable the sewer district to connect to the sewer shall be borne by the owner. The owner shall indemnify the sewer district from any loss or damage that may directly or indirectly be occasioned by the installation of the building drain, septic tank or building sewer and all necessary piping to the property line. The sewer district or the Village Superintendent of Sewers must approve all materials used in construction.**

PERMITS, APPLICATIONS AND FEES

- 1. The owner or developer shall make application on a form provided by the sewer district. Attached to the application shall be plans, specifications or other information, which the sewer district may require. Each 1,000 gallons of septic tank capacity will be one unit. All commercial or industrial applications must include architect or engineer stamped plans.**
- 2. A permit and inspection fee of \$50.00 per unit for a building sewer permit is to be paid at the same time the application is filed.**
- 3. An inspection and connection fee of \$150 per unit is paid at the at the time the application is filed.**
- 4. A capital facilities fee is to be paid to the Village prior to connection to the sewer district. The amount of this fee is currently \$1,250.00 per unit. In the tier structure of this fee, It will raise to \$1,500.00 per unit when a specified number of units have been added and then to \$1,750.00, etc.**

Note: All fees are subject to change

CONSTRUCTION

The size, slope, alignment, and materials of construction of the building drain, septic tank, building sewer and all necessary piping to the property line as well as the method used in excavating, placing the pipe, joining, testing and back filling the trench must conform to the requirements of the building and plumbing codes, and all other applicable rules and regulations of the sewer district, Village of Bergen, Genesee County and the State of New York (e.g. Department of Environmental Conservation). For details on construction refer to Local Law of 1985 Sections 5,6,7,8,9 and 10, as amended.

EASEMENT

Prior to issuance of a Certificate of Compliance, the owner is required to grant a permanent easement to the Village of Bergen and Town of Bergen sewer district providing access to and control of the septic tank and building sewer as necessary for the operation of the sewage work. Such permanent easement shall be conveyed to the Village for one dollar (\$1.00) in consideration of permitting the construction of connection services.

INSPECTION/CONNECTION

1. The sewer district Village Building Code Enforcement Officer, the Superintendent of Sewers or other authorized Village representative shall be allowed to inspect the construction at any stage.
2. The owner is required to notify the Village sewer department when the building drain, septic tank and building sewer is ready for inspection and connection. In no case shall any underground portion of the building drain, septic tank or building sewer be covered or connected be made without the written approval of the Town and the Village sewer department.
3. Prior to the final inspection and approval by the Village of the connection of a building sewer to the collection sewer, the owner must provide the sewer district and the Village with an as-built plan delineating the location of the septic tank and building sewer as installed. This plan needs to be of a suitable scale and shall provide the location of the septic tank and any clean outs by designating the distances from two (2) permanent locations such as the foundation corner of a building.
4. No roof drains, sump pumps, floor drains, stormwater drains, eaves troughs or any other effluent whatsoever shall be hooked into the sanitary wastewater systems.
5. Two sets of as built plans signed by the engineer responsible for construction, shall be presented to the sewer district and the Village before final hook-up.

BILLING

1. Sewer bills are issued quarterly by the Village of Bergen on or about February 1st, May 1st, August 1st and November 1st. There is a 25% surcharge for out-of-district users.

2. Sewer bills are due at the end of the month issued. A late penalty of 10% will be added to all bills not postmarked or received prior to the due date. This penalty is cumulative each quarter.
3. Outstanding sewer bills are a lien on real property. Outstanding bills will be rolled over to property taxes for collection on December. Sewer bills are comprised of a debt sewer charge and water consumption charge.
 - a. Debt sewer charge is calculated as follows:

Debt service charges shall be made on a building unit basis. Each residential or commercial structure and each condominium in a condominium project in the sewer district shall constitute one unit. Additionally, each living unit, and each professional or business office or commercial operation in excess of one in each structure shall constitute and additional one-half unit.

Additionally, commercial users consuming in excess of 60,000 gallons of water in a year shall be charged for an additional one-half unit for each 60,000 gallons consumed, not including the first 60,000 gallons consumed. The number of units existing in the sewer district shall be calculated, and each unit shall bear an equal portion of the debt service charge. (For the purposes of this section, a commercial user will be deemed to have consumed in excess of 60,000 gallons at any time that the water consumption for that use exceeds 60,000 gallons of water during any consecutive four-quarter period.)
 - b. *Residential and commercial water consumption charge is based upon consumption as reflected on Monroe County Water Authority water meter billing is calculate as follows:*
 - 0-5,000 gallons = \$37.50 minimum charge*
 - each 1,000 gallons over = \$6.25*

SEWER UTILITY EASEMENT

THIS INDENTURE, made this day of _____, 2003, between _____ or residence at _____, party of the first part, and The Village of Bergen, a municipal corporation of the State of New York, with its place of business at 11 Buffalo Street, in the Village of Bergen, Town of Bergen, County of Genesee, and State of New York, party of the second part,

WITNESSETH:

That the party of the first part, in consideration of ONE DOLLAR AND MORE (\$1.00 & More) lawful money of the United States to be paid by the party of the second part, does hereby grant and release unto the party of the second part, its successors and assigns forever, the perpetual right, privilege and easement to construct, reconstruct, replace, renew, repair, maintain, operate and remove sewer lines, including such pipes, tanks, conduits, manholes, clean-outs and all other appurtenances incident to said sewer lines as the party of the second part, its successors and assigns, units, or their own sole discretion, may now and at any time and from time to time in the future, deem necessary or proper, upon, over, across and under a parcel of land situate in the Town of Bergen, County of Genesee, State of New York, and more particularly described on Schedule "A" attached hereto and made a part hereof (the "Easement Area").

Together with the perpetual right, privilege and easement to place, replace, renew, repair, maintain, operate and remove any supporting structures such as and any other appurtenant structures beyond the bonds of the Easement Area which the party of the second part may from time to time deem necessary.

Together with the perpetual right, privilege and easement to trim, cut and remove any and all trees and brush within the bounds of the Easement Area, also any and all trees and brush beyond the bounds of the Easement Area which in the sole judgment of the party of the second part may from time to time deem necessary.

It is agreed and understood that no vegetation will ever be planted or permitted to grow within the above-described Easement Area over the septic tank in order to make regular pumping practicable.

The said party of the first part, as an undertaking and covenant running with the land for themselves, their heirs, representatives, successors and assigns, hereby covenant and agree with respect to the Easement that:

- (c) No permanent structures or buildings shall ever be erected, or placed upon said Easement Area.
- (d) No materials or equipment shall be stored or permitted to be stored upon said Easement Area.

TO HAVE AND TO HOLD the premises and rights herein granted unto the party of the second part, its successors and assigns forever.

Said party of the first part further covenants with respect to the premises heretofore designated at the Easement Area, the following:

5. That the said party of the first part is seized of said premises in fee simple and have good right to grant and convey the above-described rights, privileges and easements.
6. That the said premises are free from encumbrances other than those disclosed in the records of the County Clerk.
7. That the party of the second part shall quietly enjoy the said premises.
8. That the party of the first part will execute or procure any further necessary assurance of the title to said premises.

IN WITNESS WHEREOF, the party of the first part have hereunto set their hands and seals the day and year first above written.

GRANTOR: _____

By: _____

STATE OF NEW YORK)
COUNTY OF _____) SS:

On this ____ day of _____, 2003, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on a basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individuals(s) or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

SCHEDULE "A"

SEWER UTILITY EASEMENT

ALL THAT TRACT OR PARCEL OF LAND, situate in _____
Town of Bergen, County of Genesee, State of New York, more commonly known as tax
map # _____ on the tax map of the Genesee County Clerk, bounded and
described as follows:

The easement area hereby conveyed is a strip of land _____ feet in width,
abutting and depicted on the drawing designated as Schedule B.

RIGHT OF ENTRY AGREEMENT

I/We _____
the owners of the property commonly identified as _____

do hereby grant and give freely and without coercion, the right of access and entry to said property to the Village of Bergen, its agencies, contractors, and subcontractors thereof for the purpose as stated herein:

The undersigned agrees and warrants to hold harmless the Village of Bergen, their agencies, contractors, and subcontractors, for any damage of any type, whatsoever, either to the above described property or persons situated thereon and hereby release, discharge and waive any action, either legal or equitable which might arise out of any activities on the above described property. The property owner(s) will mark any water and /or other utility lines located on the described property.

Village Supervisor Dept. of Public Works

Date

Owner

Date

Owner

Date

Address of above property

Phone Number

SPECIAL CONDITIONS:

transmission and distribution of gas or the underground transmission of sewer by the First Company for any purpose by First and Second Companies, the easement premises therefore being more particularly described hereinafter. However, manhole, valves, cabinets and stacks may be at or above ground within said easement premises.

The easement premises for all of the foregoing are more particularly described as follows:

The Companies, by their employees, servants, agents, and contractors, shall have the right to enter upon the easement premises, and to utilize the same, whenever necessary for the exercise of the rights and privileges granted hereunder.

Together with the right, but not the duty, to trim, cut, and remove at any time such growth or objects, of any nature, as, in the reasonable opinion of said Companies, may interfere with, obstruct, or endanger the rights and privileges granted herein to, or the facilities of, such Companies.

This grant is made and accepted upon the express conditions that after any exercise of the rights and privileges granted hereunder, the Companies shall leave the premises in as good condition as found, and that the Companies shall make reasonable compensation to the Grantor for any damage (except as permitted specifically hereunder) to the property of Grantor caused by their exercise of the rights and privileges granted hereunder.

It is agreed and understood that no vegetation will ever be planted or permitted to grow within the above-described Easement Area that will exceed 14 feet in height or spread or grow into electric lines and equipment.

The said party of the first part, as an undertaking and covenant running with the land for themselves, their heirs, representatives, successors and assigns, hereby covenant and agree with respect to the Easement that:

- (a) No permanent structures or buildings shall ever be erected or placed upon said Easement Area.
- (b) No materials or equipment shall be stored or permitted to be stored upon said Easement Area.

TO HAVE AND TO HOLD the premises and rights herein granted unto the party of the second part, its successors and assigns forever.

Said party of the first part further covenants with respect to the premises heretofore designated at the Easement Area, the following:

1. That the said party of the first part is seized of said premises in fee simple and have good right to grant and convey the above-described rights, privileges and easements.
2. That the said premises are free from encumbrances other than those disclosed in the records of the County Clerk.
3. That the party of the second part shall quietly enjoy the said premises.
4. That the party of the first part will execute or procure any further necessary assurance of the title to said premises.

