

Appendix 4D

Conservation subdivision provisions in Town zoning regulations

31.56 CONSERVATION SUBDIVISION DEVELOPMENT

- A. Conservation Subdivision Development, as defined as Cluster Development in Section 278 of Town Law, is encouraged in order to preserve open space, recreation areas, scenic views, and forested areas while creating more efficient and livable neighborhoods.
- B. The Planning board is authorized to allow or require Conservation Subdivision Development.
- C. The maximum number of lots and dwelling units shall not exceed the number that would be permitted with conventional development. The following formula shall be utilized to determine the maximum number of lots allowed in the Conservation Subdivision Development:

$$\begin{aligned} &[(\text{Total acres in property outside existing road right-of-ways (hereinafter referred to as the total} \\ &\quad \text{property)}] \\ &\quad \text{Minus} \\ &\quad (\text{15\% of total property for roads, utilities, and sidewalks or trail systems}) \\ &\quad \text{minus} \\ &\quad (\text{5\% of total property for storm water systems (including swales, retainage, and detainage)}) \\ &\quad \text{minus} \\ &\quad (\text{all areas with slopes over 15\%}) \\ &\quad \text{minus} \\ &\quad (\text{30\% of total property for required set aside for permanent open space}) \\ &\quad \text{minus} \\ &\quad (\text{all areas within and within 100 feet of a DEC regulated wetland})] \\ &\quad \text{divided by (minimum lot size allowed in the zoning district)} \end{aligned}$$

Alternatively, the developer may prepare a conventional subdivision plan for the purpose of determining the maximum number of building lots to be allowed in the Conservation Subdivision Development.