

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

City of SHAWANGUNK

Town

~~Village~~

Local Law No. 1 of the year 2005

A local law entitled "TOWN STREET AND ROAD SPECIFICATIONS."
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

~~County~~

City of SHAWANGUNK

Town

~~Village~~

as follows:

The Code of the Town of Shawangunk hereby is amended to repeal Section 152-18 of Chapter 152, SUBDIVISION OF LAND, ARTICLE V, "Design Standards" and to add a new Chapter 153, entitled, TOWN STREET and ROAD SPECIFICATIONS, to read as follows:

Section 153-1. Public Roads or Streets in the Town of Shawangunk

A. PURPOSES.

It is the purpose of this local law to establish minimum acceptable standards for public road or street construction for subdivisions or other developments in the Town of Shawangunk. It is in the public interest that the dedication of the proposed street or road shall will not be accepted until the developer's professional engineer, the Town Superintendent of Highways and the Town's consulting engineer all shall have certified to the Town Board in writing that the construction of the street or road has been completed in accordance with the approved plans and specifications and in a workmanlike manner.

It is a secondary purpose of this local law to maintain the rural character of the Town of Shawangunk and its roads while protecting the health and safety of its citizens and of the traveling public. Therefore, it is a further purpose of this local law that the rural character of the Town Shawangunk will be maintained by designing and maintaining roads, where possible, to avoid the destruction of stone walls and existing large, specimen trees (diameter at breast height - dbh - minimum 18") and incorporating their placement in to the design of the route, keeping in mind the health and safety of the public.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

The words "road" and "street" and "highway" shall have the same meaning whenever used in this chapter.

B. GENERAL REQUIREMENTS

1. Location, Width and Improvement of Streets

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

2. New York State Highway Law Requirements

None of the provisions of this Chapter are intended to supersede any of the relevant provisions of the Highway Law of the State of New York as amended from time to time.

3. Conformity to Official Map and Town Comprehensive Plan

Streets and roads shall conform to the streets shown on the Official Map, as it may be adopted, and shall be in conformity with the Comprehensive Plan of the Town, as adopted by the Town Board and as the Official Map and Plan of the Town may be amended from time to time.

4. Certification by Project Engineer

In his or her written certification, as required above, the developer's professional and licensed engineer shall certify that he or she has inspected all phases of the street construction and drainage systems and that all work has been completed in accordance with the approved plans and specifications. It is the developer's responsibility to ensure that its own licensed engineer is present on the site at all times necessary to observe all phases of construction.

5. Specifications for New Town Roads – Detailed Construction Specifications on File and Must be Reviewed.

The Town Superintendent of Highways and the Town Engineer will not recommend, and the Town Board will not accept or establish any new Town Road which does not meet the minimum requirements and standards contained in this Chapter. Roads also must conform to the written Detailed Construction Specifications as approved by the Town Board and as amended from time-to-time by the Town Board.

6. Acceptance of Streets or Roads as Public Highways

The decision to accept a road as a Town Highway is a policy determination within the sole discretion of both the Town Board of the Town of Shawangunk and its Highway Superintendent. Nothing in this Chapter shall require that such determination and acceptance occur unless both the Town Board and the Highway Superintendent determine that it is in the public interest to do so. No landowner in the Town shall enjoy the right to or have a property interest in having any of its

lands accepted as a public highway in the Town.

7. Building Permits for Lots on Proposed Streets

No Building Permit shall be issued by the Town Building Department for a lot which fronts upon a proposed Town Street unless and until all construction up to and including the binder asphalt course has been installed by the developer and approved by the Town Highway Superintendent in accordance with the approved plans.

Section 153-2 Detailed Construction Specifications, Detail Sheets and Street Plans

A. Detailed Construction Specifications

Detailed Construction Specifications shall exist and may be amended from time to time at the request of the Superintendent of Highways and only upon the approval of the Town Board with the advice of the Engineer for the Town. The Planning Board of the Town shall have the opportunity to make advisory recommendations as to such specifications, including any amendments thereto. The Detailed Construction Specifications, and any amendments thereof, at all times shall be on file with the Town Clerk, Superintendent of Highways, Town Planning Board and Town Building Department.

B. Construction Detail Sheets

Plans for proposed streets also shall include Construction Detail Sheets.

Construction Detail Sheets shall show the following information, except where requirements have been waived in writing by the Superintendent of Highways for good cause:

- 1.) Profiles showing existing and proposed elevations along the center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets, within 100 feet of the intersection, shall be shown. All elevations must refer to established US Government or approved local bench marks, where they exist within one-half mile of the boundary of the proposed road.
- 2.) Where steep slopes exist, present elevations of all proposed streets shall be shown every 100 feet at five points on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, and points 30 feet inside each property line.
- 3.) Plans and profiles showing the location and a typical section of street pavements, including curbs and gutters, sidewalks, manholes and catch basins; the location of street trees, street lighting standards and street signs; the location, size and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants; and the exact locations and size of all water, gas or other underground utilities or structures. The present and proposed location of each pole or overhead (or buried) wire or other conduit or pipe of any utility shall be shown. Proposed street monuments also shall be shown.

- 4.) All other items as required by the "Detailed Construction Specifications".

C. Preparation and Submission of Street Plans

1.) A plan of the proposed street shall be prepared by a licensed professional engineer and qualified land surveyor licensed by the State of New York. The plan shall clearly define the limits of the proposed right of way by metes and bounds and shall include the location, widths, profiles and grades of the proposed roadway, including the length, radius, point of curve and point of tangency of all curves therein, storm drainage including culverts and other drainage structures and the location of all easements and utilities. The plans shall also indicate owner of property and name of developer if other than owner. The map shall also have a location plan showing the road location in the Town. One copy of each of the plans shall be submitted to the Town Superintendent of Highways and the Town Engineer at the time of application to make such road a town road, and to the Ulster County Commissioner of Public Works when said proposed street drains toward, intersects or may otherwise affect a County highway. The Plan also shall be submitted to the Town Planning Board for review and approval under the applicable regulations and laws of the Town. Such roadway must not be subject to any right or easement which will in any way interfere with its use as a road at all times. Such roadway must be granted to the Town by a deed acceptable to the Attorney for the Town and containing the correct metes and bounds description as shown on the approved map, which deed must be in such form as may be required to entitle the same to be recorded in the Office of the County Clerk of Ulster County, and the filing fees must be paid by the applicant. Acceptable Title insurance with coverage of at least \$30,000 must be approved by the Attorney for the Town. All expenses of Title insurance acquisition shall be borne by the applicant.

2.) Permanent and temporary easements must be furnished in said deed or by separate recorded document granting to the Town or to its designee the right to maintain all outlets and courses for surface water or other drainage per the approved plans. A minimum of 20 feet width of easement shall be required for the maintenance of said drainage way but the Superintendent of Highways may require up to 30' feet of width exclusive of detention and/or retention areas.

3.) The proposed roadway must be constructed to conform with detailed construction specifications and also to conform with the minimum requirements and standards set forth in this Chapter. The minimum width to be cleared shall include all scrub trees, rock formations, buildings, walls and any such things that would endanger those using such roadway, excepting existing stone walls and large specimen trees which do not create a hazard to the traveling public. The removal of such obstructions together with all related costs shall be borne by the applicant.

4.) All of the Town's reasonable and necessary expenses relative to the acceptance of Town roads and related improvements and drainage areas shall be borne by the applicant.

D. Alteration of Approved Plans

1. Plans submitted shall not be altered or amended after having been approved by the Town, unless amended plans are resubmitted and approved by all agencies required by law. If an

alteration changes anything depicted on an approved Subdivision Map, such map shall be reviewed by the Town of Shawangunk Planning Board and the Planning Board shall have the discretion to approve, approve with modification or to deny such application for an amendment of such approved subdivision plans.

2. The developer, at it's own expense, shall provide additional storm drainage facilities or utilities as may be ordered by the Town Superintendent of Highways, if during the course of construction, in the opinion of the Town Superintendent of Highways, the Town Engineer, and/or the County Commissioner of Public Works, such additional structures or facilities are necessary to prevent any reasonably projected need for future installations of utilities or culverts within the pavement area.

3. If construction of said road has not been started within one year from the date of final approval by the Town Planning Board or Ulster County Subdivision Map filing, whichever later occurs, plans shall be resubmitted and approved as above.

Section 153-3. PERFORMANCE and MAINTENANCE SECURITY AND ESCROW ACCOUNTS.

A. Performance Security

If a developer has not completed all required performance prior to a land-use approval, or, if a subdivision, prior to the filing of the Subdivision Map with the Ulster County Clerk, the developer shall deposit with the Town Clerk, a performance security consisting of an Irrevocable Letter of Credit or shall deposit with the Town Clerk acceptable negotiable government bonds, cash or a certified check drawn upon a banking institution acceptable to the Town guaranteeing:

- 1.) That prior to issuance of any building permit for construction utilizing the new street, the binder asphalt course shall be inspected and approved by the Highway Superintendent after consultation with the Town Engineer.
- 2.) That within eighteen (18) months the developer will complete all the construction per the approved plans including roadway, shoulders, curbs, if any, gutters, storm drainage, utilities, including hydrants and house connections for each lot in accordance with the approved plans and these specifications and all other required improvements; and that all claims for labor and materials, in connection with said construction, have been paid in full prior to requesting said road dedication by the Town.
- 3.) That, upon certification by the developer's professional engineer and by the Town Superintendent of Highways and Town Engineer that the construction of the street and all related improvements and drainage areas have been completed in accordance with the approved plans and specifications, the developer will dedicate the completed street and all related improvements to the Town for use as a public highway free and clear of all liens and encumbrances. This guarantee of dedication shall apply to the owner of the property as well as the developer, where the two are not synonymous.

A-1 Performance Security – Amount

As a guarantee for the above performance, the developer shall deposit as hereto set forth negotiable government bonds, cash, an Irrevocable Letter of Credit or certified check in an amount as determined by the Town Superintendent of Highways and the Town Engineer and as approved by the Town Board and, if a subdivision, also as approved by the Planning Board per the provisions of Article 16 of the Town Law for the State of New York, as amended.

A-2 Performance Security – Reduction

Upon completion of the placement of the subbase over the entire length of the roadway and after all drainage structures and other required utilities have been installed, the developer may request that a portion of the performance bond be released or reduced. Such release or reduction shall occur only upon the approval of the Town Board upon the recommendation of the Highway Superintendent and Town Engineer and, if a subdivision, with the recommendation of the Planning Board; all as per Town Law Article 16; as amended.

B. Escrow Account

1.) In addition to and separate from the performance security, an escrow account shall be established by the developer to cover the costs of municipal inspections, legal work and other municipal services associated with dedication of the road and related improvements to the Town. The escrow account shall be maintained by the Supervisor of the Town or his/ her designee. Interest shall not follow the fund. All payments from the escrow shall be by voucher and available for public inspection upon reasonable notice. Any unexpended balance shall be returned upon completion of the two (2) year maintenance term. (see below) The amount of the escrow shall be determined by the Town Board and may be amended from time to time by the Town Board.

C. Maintenance Security:

1.) Prior to acceptance by the Town of the dedication of the street and related improvements as guaranteed by under "Performance Security" above, the developer shall deposit with the Town Clerk a maintenance surety consisting of acceptable negotiable government bonds, an Irrevocable Letter of Credit, cash or certified check drawn upon a banking institution acceptable to the Town guaranteeing that for a period of two (2) years from the date of acceptance of the dedication of the street by the Town, the developer will maintain the street and related drainage areas to the standard of construction set by these specifications, normal wear and tear accepted. This shall be interpreted to mean that the developer will, at its own expense, repair and make good any defects or damage which may develop during this maintenance period as a result of faulty construction and/or defective materials within or without the right of way. During the maintenance period the Town shall be responsible for snow and ice control, street cleaning, cleaning of culverts and catch basins and other work of similar routine nature, provided such work has not been caused by defective materials, defective construction or unworkmanlike practices.

- 2.) The amount of the maintenance bond shall be at least equal to 10% of the original amount of the total construction costs as determined by the Town Board.
- 3.) Subsequent to the dedication and acceptance by the Town of the street and related improvements and after receipt of the maintenance security and any additional escrow account deposits as reasonably may be required, the Town Board shall release the performance security.

D. Requirement of Written Agreements

The developer shall enter into a written PERFORMANCE / CONSTRUCTION / MAINTENANCE AGREEMENT with the Town and acceptable to the Municipal Attorney. Additionally, Irrevocable Offers of Dedication for all roads and related easements and Deeds and Easements with related recording documents must be delivered to the Town.

E. Land Disturbance and/or Construction Prior to a Final Land-Use Approval

Nothing in this local law shall prevent land disturbance and/or construction of proposed public improvements prior to the issuance of a final land-use approval provided the following conditions all have been met:

- 1.) The developer assumes all risks associated with its election to begin such land disturbance and/or construction activities prior to receipt of all final approvals from all regulatory authorities.
- 2.) No such land disturbance or construction activities shall commence unless and until a final determination as to the action has been issued pursuant to the State Environmental Quality Review Act (SEQRA) and the regulations thereunder. All such land disturbance and construction activities must be in accord with all mitigation measures contained in such SEQRA determination.
- 3.) No such land disturbance or construction activities shall commence unless and until an Erosion and Sediment Control Plan and/or a Stormwater Management Plan has been approved by the Town and/or the New York State Department of Environmental Conservation if either regulatory authority required the same.
- 4.) To ensure that the pre-approval phases of construction of proposed public improvements can be inspected by Town personnel, an initial escrow account must be established prior to any such land disturbance and/or construction. The amount of the initial escrow account shall be established by the Town Board upon application by the developer. Where relevant, all of the other provisions of Section 153-3(B) of this chapter shall apply.
- 5.) At least three (3) days prior notice, exclusive of weekends and holidays, must be provided to the Superintendent of Highways prior to the initiation of any land disturbance and/or construction activity involving a proposed public improvement.

Section 153-4. Utilities

A. Utility poles shall be set in such a location that they normally will be in back of the ditch line or between the curb line and the theoretical sidewalk line, if applicable.

B. Any sub-surface structure such as water, gas or sewer lines must be installed prior to the application for the acceptance of the road by the Town and shall be installed in compliance with good common practice and applicable codes. As Built drawings of all underground utilities shall be provided.

C. Where the Town of Shawangunk Planning Board requires or the developer proposes to install electrical, telephone, or other utilities underground, the following shall apply:

Easements for the necessary utilities must be granted and assurances in writing will be required from the utility companies that such easements have been granted and the installations necessary for the furnishing of their services will be made within a specified time in accordance with the approved Construction Detail Sheets. No poles, overhead wires or underground facilities of a utility company shall be located or re-located within the township on public property or in any subdivision until such utility shall be in receipt of Construction Detail Sheet, approved by the Planning Board and Superintendent of Highways, showing the proposed location or re-location of the facility.

D. The applicable utility companies and all other involved agencies, including the Town Board for water and sewer installations, must approve of the plans prior to final Planning Board approval of the Subdivision Map or, if there is no Subdivision, prior to the posting of Performance Security.

Section 153-5. Classification of Streets

The Town of Shawangunk hereby creates four (4) separate classifications of streets as follows:

- 1.) Rural road or street – regular access
- 2.) Rural road or street – loop or cluster plan
- 3.) Suburban street – residential or mixed use
- 4.) Commercial or industrial street

The specifications for such streets are set forth elsewhere in this Chapter and in the Detailed Construction Specifications.

Section 153-6 Widths of Rights-of-Way and Specifications

The widths of the proposed Town-owned rights of way and the improvements to be constructed therein shall be in accord with the Detailed Construction Specifications as approved by the Town Board and as on file with the Town Clerk, Superintendent of Highways and the Planning and Building Departments.

Wherever possible, clearing of rights of way should seek to preserve large specimen trees of at least 18 inches in diameter at breast height (dbh) as well as intact stonewalls and hedgerows.

Section 153-7. Permanent Dead End Streets

A. Where a street does not extend to the boundary of the subdivision and its continuation is not needed for access to adjoining property, as determined by the Planning Board, it shall be separated from such boundary by a distance of not less than the minimum lot depth prescribed by the zoning regulations for the zoning district in which the street may be located. Reserve strips of land shall not be left between the end of a proposed street and an adjacent piece of property unless required by the Town Board, Planning Board and Superintendent of Highways. The Planning Board may require the reservation of an easement of acceptable width to accommodate pedestrian traffic or utilities for access to the next property. Additionally, the Planning Board may require an Offer of Dedication to the Town for the area between the end of the street and the adjacent property line for future highway connection purposes. A circular turnaround of a minimum right-of-way radius of sixty-five (65) feet shall be provided at the end of a permanent dead end street. In the alternative, an alternative turnaround may be provided with the consent of the Superintendent of Highways. A permanent easement for snow storage also must be provided. Unless the subdivision is clustered, the permanent dead end streets shall not exceed 1000 feet in length.

Section 153-8. Continuation of Streets into Adjacent Property.

A. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties where such continuation is determined by the Planning Board to be necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities and particularly where such continuation is in accordance with the Town Plan as adopted and amended. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line by way of permanent easement with an Irrevocable Offer of Dedication to the Town for future highway purposes. A temporary circular turnaround of fifty (50) feet in radius shall be provided on all temporary dead-end streets, with the notation on the plat that land outside the street right-of-way shall revert to abutters whenever the street is continued. A temporary snow storage easement shall be provided. The Planning Board may limit temporary dead-end streets to a length not more than double the permitted length of permanent dead-end streets.

Section 153-9 SURFACE WATER

A. Drainage Network.

If, in the opinion of the Town Superintendent of Highways and Town Engineer, it is necessary to intercept and carry away surface water within the limits of the right-of-way, to protect the stability of the road bed, curb or sidewalk areas, the subdrainage required by the Town Superintendent of Highways shall be installed. Perforated pipe or porous wall pipe having a minimum diameter of 4", encased in 6" of 3/4" clean crushed stone or crushed gravel, shall be used for such purpose in amount deemed necessary by the Town Superintendent of Highways and

Town Engineer.

B. Municipal Separate Stormwater Systems (MS-4)

The New York State Department of Environmental Conservation requires regulated Municipal Separate Storm Sewer Systems (MS4) in certain areas of the Town. In accordance with the MS4 permit "Operators must develop, implement and enforce a Storm Water Management Plan (SWMP) designed to reduce the discharge of pollutants from small MS4s to the Maximum Extent Practicable (MEP) in order to protect water quality and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and Clean Water Act. The Town may require that a Storm Water Management plan be prepared by the applicant and approved by the Town regardless of whether or not the project is subject to MS4 requirements.

C. Drainage Districts

If, in the sole discretion of the Town Board, a Drainage District is required, the applicant shall so petition the Town Board per requirements of Town Law Article 12 prior to final approval of plans.

Section 153-9. STREET NAMES

All streets shall be named, and such names shall be subject to the approval of the Town Board. Names shall be sufficiently different in sound and spelling from other street names in the town so as not to cause confusion. A street which is a continuation of an existing street shall bear the same name. The Town Board shall establish and maintain a list of names associated with Town history and significant places or features. This list shall be the first source consulted in developing new names for town roads.

Section 153-10 SEVERABILITY

If any section of this local law or the application thereof to any person or circumstance shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any provision of any section of the application of any part thereof to any other person or circumstances, and to this end, the provisions of each section of this local law are hereby declared to be severable.

Section 153-11 REPEALOR

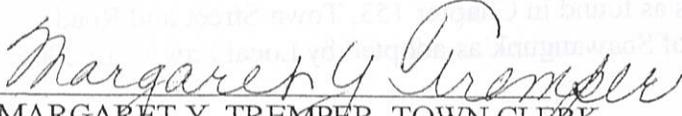
This local law repeals Town of Shawangunk Local Law #4 of 1989, Local Law #5 of 1992, Section 152-18 of Chapter 152 of the Code of the Town of Shawangunk and any other inconsistent provision of the Code, Zoning Laws and Ordinances of the Town of Shawangunk.

Section 153-12 Effective date.

This local law shall take effect immediately upon its filing with the Secretary of State.

BE IT ENACTED THIS 2nd DAY OF June, 2005 BY THE TOWN BOARD
OF THE TOWN OF SHAWANGUNK, COUNTY OF ULSTER, STATE OF NEW YORK.

JOHN VALK, JR., SUPERVISOR
INGRID MALLOY, COUNCILWOMAN
JOHN D. GARRISON, COUNCILMAN
ADRIAN M. DEWITT, COUNCILMAN
ROBERT T. MILLER, COUNCILMAN


MARGARET Y. TREMPER, TOWN CLERK
TOWN OF SHAWANGUNK

ATTEST:

TOWN SEAL:

TOWN OF SHAWANGUNK
DETAILED CONSTRUCTION SPECIFICATIONS FOR TOWN ROADS

Adopted by resolution of the Town Board dated June 2, 2005 per Local Law #1 of 2005.

These specifications are intended to provide guidance to applicants and Town officials regarding the procedures to be used in constructing public roads and related improvements to comply with the standards for Town Streets as found in Chapter 153, Town Street and Road Specifications from the Code of the Town of Shawangunk as adopted by Local Law #1 of 2005:

A. Inspection of Improvements

The Town Superintendent of Highways and the Engineer for the Town will inspect the construction of roads and improvements for the purpose of assuring the satisfactory completion of improvements in accordance with the approved plans and specifications. It is the responsibility of the developer to notify the Town Superintendent of Highways and the Engineer for the Town at least 48 hours prior to the completion of each phase of road construction described below.

Additionally, the developer's professional engineer also shall inspect all important aspects of construction and his or her certification of the same shall be provided to the Town upon request and upon dedication of the improvement.

The minimum inspection schedule shall be as follows:

- First Inspection: Upon completion of clearing the right-of-way of all brush, scrub trees, stumps and completion of rough grading (before subbase).
- Second Inspection: Upon completion of the required subbase and acceptable graded material complete except for the bituminous covering.
- Third Inspection: After base course of asphaltic concrete has been placed.
- Fourth Inspection: After surface course of asphaltic concrete has been placed.

Information pertaining to depth of subbase, graded aggregate, asphaltic concrete may be found on the attached road cross-section or in the detailed portion of these specifications.

Developers not complying with the above inspection schedule and requirements will be required to furnish cross sectional cuts of the road as requested by the Town Superintendent of Highways and the Town Engineer and repairs made at the developer's expense.

If, upon inspection, the Superintendent of Highways or the Town Engineer find

that any of the required improvements have not been constructed in accordance with the approved plans and specifications, the applicant will be liable for all of the costs of completing said improvements according to specifications.

The cost of inspection by the Town Engineer shall be paid by the developer and these costs shall be as follows:

Periodic inspections of installation of required improvements at the standard fee charged to the Town of Shawangunk by the Town Engineer, with a minimum fee based upon 2 ½ hours per inspection.

Inspection fees, if required, beyond the normal schedule due to poor workmanship and / or improper materials will be paid for by the Owner in full.

The Town shall not accept any roads for dedication during the months of December, January, February, March and April, unless extraordinary circumstances exist.

B. Construction Specifications

The pages immediately following (Figures 1, 2, 3, & 4) show the cross sections of each of the four classifications for streets. These give the required design, dimensions and construction details which are applicable to each classification. The classifications and corresponding Figure number are as follows:

- 1) Loop/Cluster Street Plan – (Rural Road or Street) – Figure 1
- 2) Access Road (Regular) Street Plan – (Rural Road or Street) – Figure 2
- 3) Suburban Street Plan – Figure 3
- 4) Commercial Street Plan – Figure 4

The general and more detailed specifications follow for design and construction which are applicable to all classifications of streets.

The developer shall design and construct streets which shall conform to both the general and specific specifications.

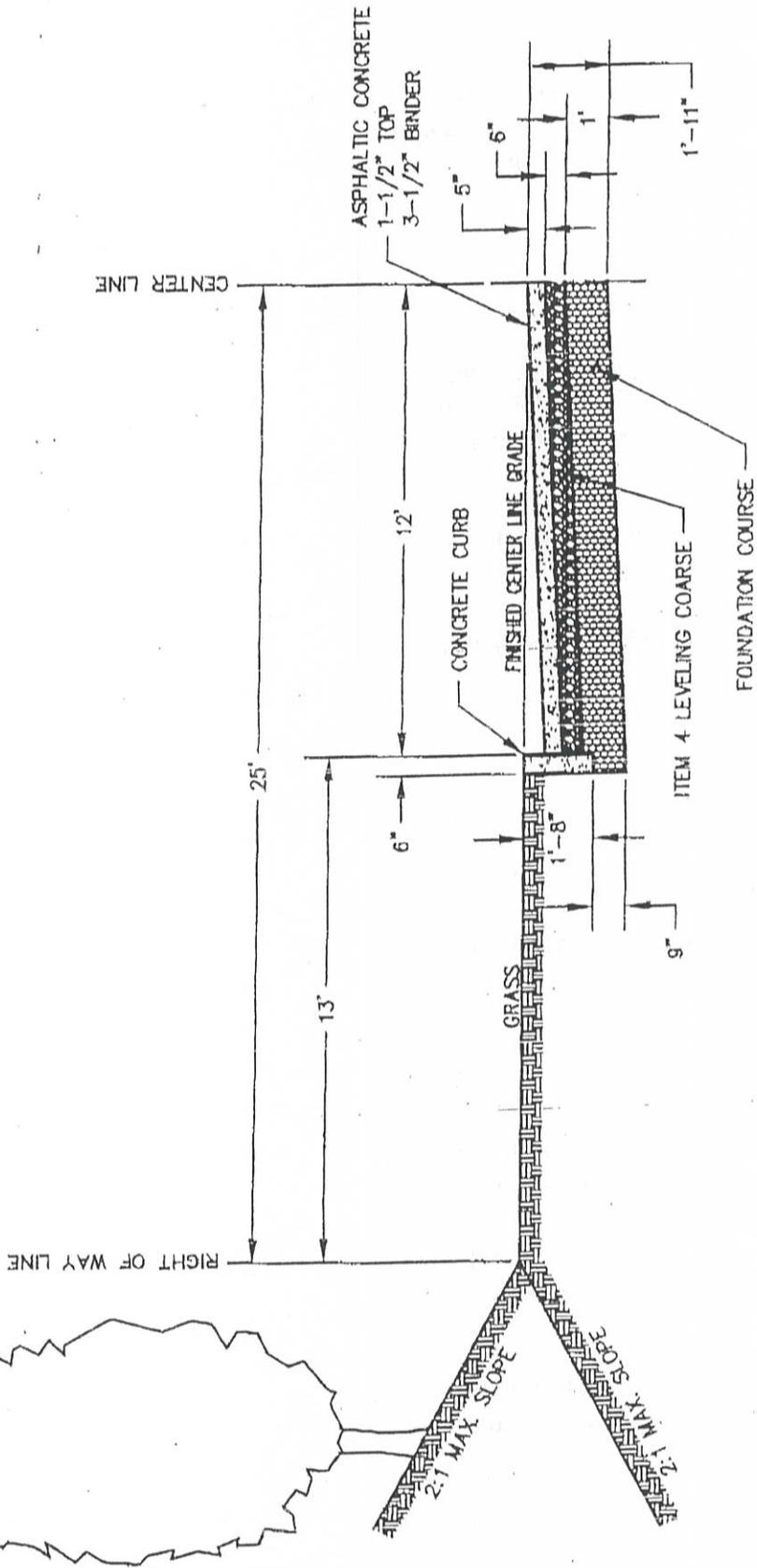
NOTE: The subbase and foundation course shall lay a minimum of three (3) months to allow complete settlement and proof rolled before pavement is laid. At the discretion of the Superintendent of Highways, this period may be reduced if weather conditions do not require a three (3) month settling period.

C. Development of Right of Way and Monuments

The developer shall establish and clearly mark with construction stakes on site the limits of road right of way and easements with concrete monuments; and the center line and grades of the finished road pavement and the location and elevations of drainage structures as shown on the approved plans. Such construction stakes shall be maintained at the developer's expense until the construction of road pavement, drainage structures, curbs, sidewalks and shoulders has

NOTES:

- 1) ALL TREES WITHIN 50' OF RIGHT OF WAY LINES SHALL BE REMOVED. (SELECT SPECIMEN TREES TO BE LEFT TO THE DISCRETION OF THE TOWN ENGINEER).
- 2) NEW TREES TO BE PLANTED 40' ON CENTER. BOTH SIDES OF ROADWAY OUTSIDE OF 50' RIGHT OF WAY LINE.

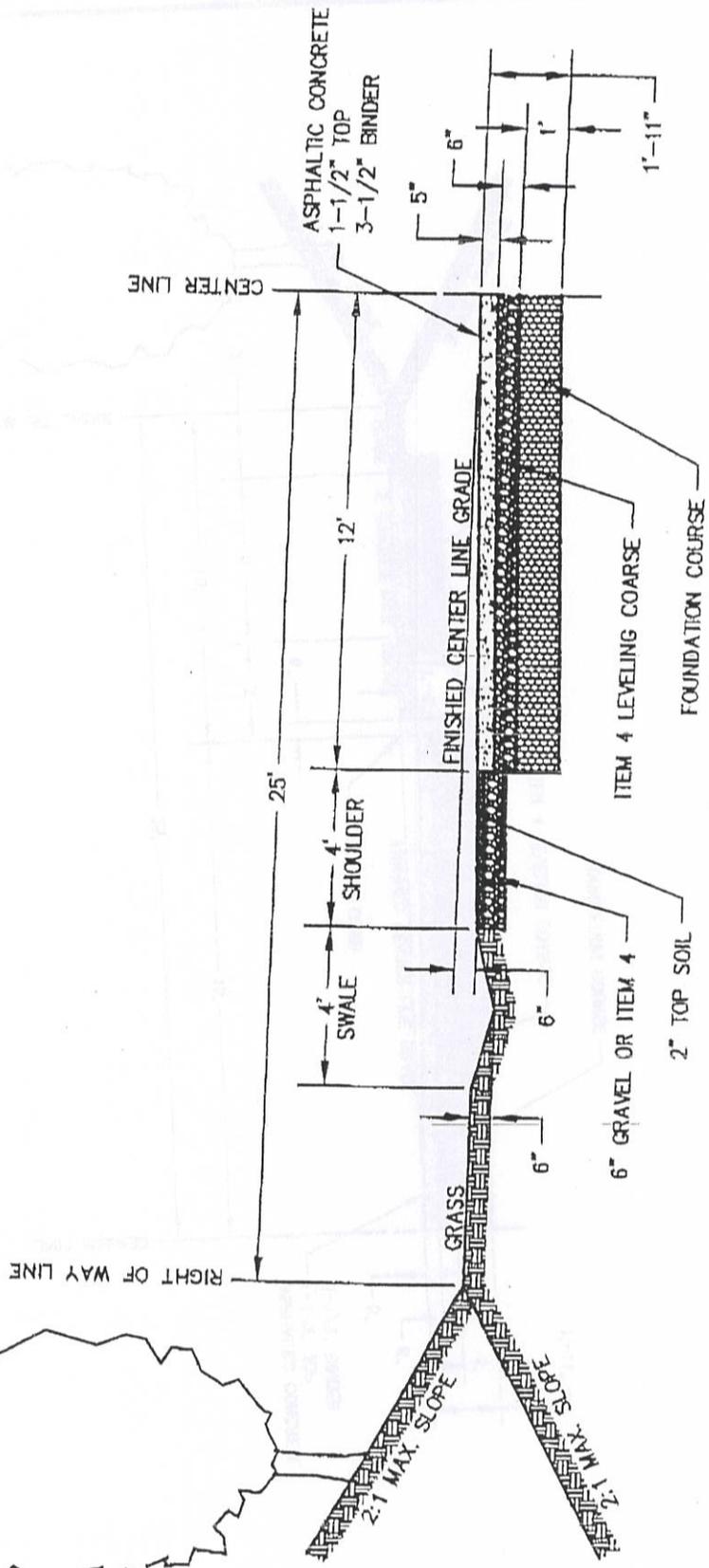


**LOOP/CLUSTER STREET PLAN
WITH CONCRETE CURBS**

NOT TO SCALE

NOTES:

- 1) ALL TREES WITHIN 50' OF RIGHT OF WAY LINES SHALL BE REMOVED. (SELECT SPECIMEN TREES TO BE LEFT TO THE DISCRETION OF THE TOWN ENGINEER).
- 2) NEW TREES TO BE PLANTED 40' ON CENTER, BOTH SIDES OF ROADWAY OUTSIDE OF 50' RIGHT OF WAY LINE.



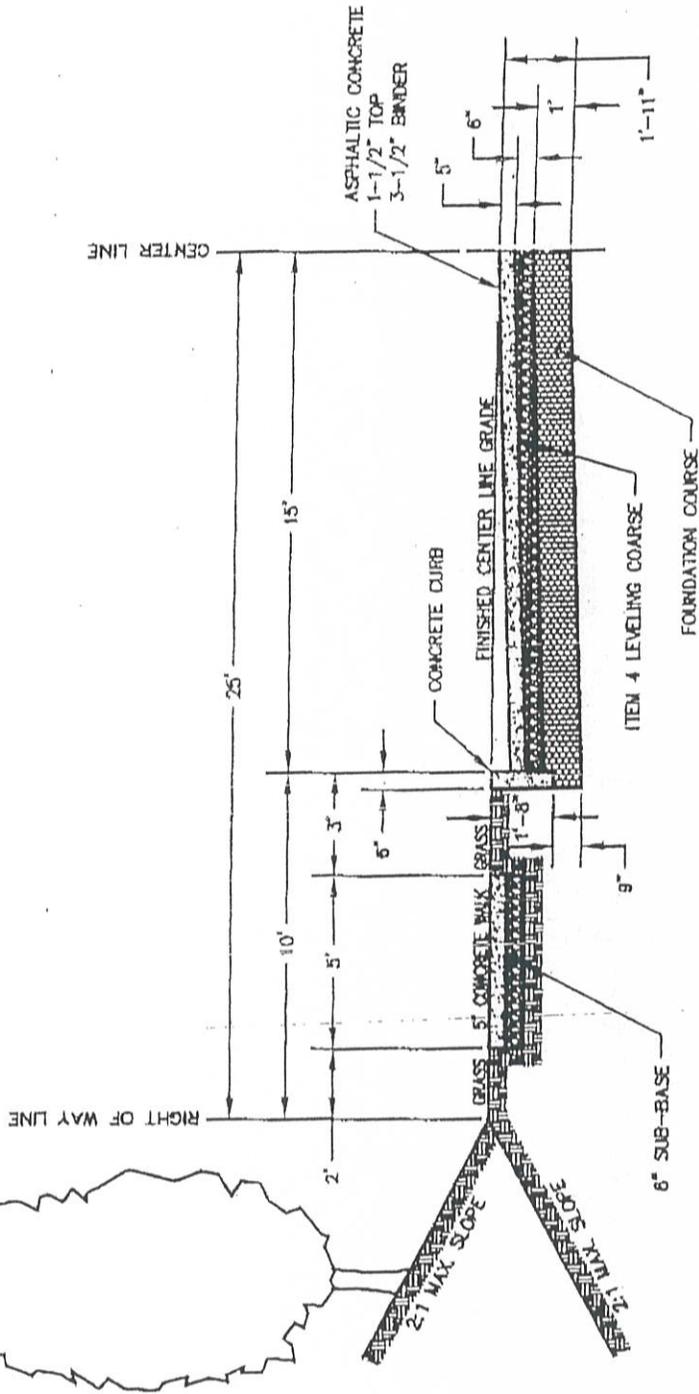
ACCESS ROAD STREET PLAN
WITH GRASS SHOULDERS

NOT TO SCALE

REVISED 5-19-05

NOTES:

- 1) ALL TREES WITHIN 50' OF RIGHT OF WAY LINES SHALL BE REMOVED. (SELECT SPECIMEN TREES TO BE LEFT TO THE DISCRETION OF THE TOWN ENGINEER).
- 2) NEW TREES TO BE PLANTED 40' ON CENTER. BOTH SIDES OF ROADWAY OUTSIDE OF 50' RIGHT OF WAY LINE.

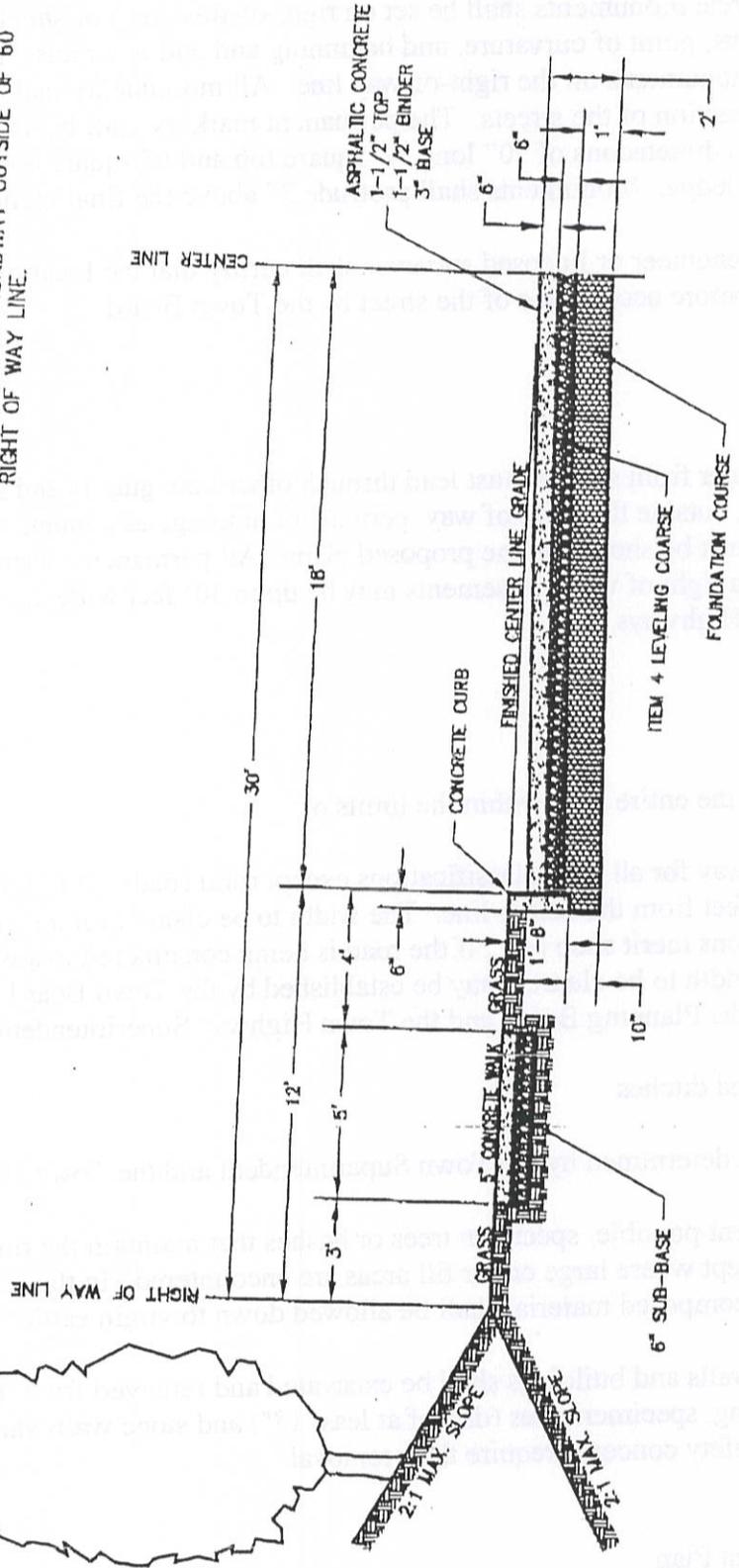


SUBURBAN STREET PLAN

NOT TO SCALE

NOTES:

- 1) ALL TREES WITHIN 60' OF RIGHT OF WAY LINES SHALL BE REMOVED. (SELECT SPECIMEN TREES TO BE LEFT TO THE DISCRETION OF THE TOWN ENGINEER).
- 2) NEW TREES TO BE PLANTED 40' ON CENTER. BOTH SIDES OF ROADWAY OUTSIDE OF 60' RIGHT OF WAY LINE.



COMMERCIAL STREET PLAN
NOT TO SCALE

been completed, inspected and approved by the Town Superintendent of Highways and the Town Engineer.

Permanent concrete monuments shall be set on right-of-way lines of streets at all intersections, angle points, point of curvature, and beginning and end of streets. There shall be a clear view of adjacent monuments on the right-of-way line. All monuments shall exist on completion of the construction of the streets. The permanent markers shall be made of concrete or granite with minimum dimensions of 30" long, 4" square top and 6" square bottom with 1/2" steel rod drilled into the ledge. Monuments shall protrude 3" above the final graded surface.

The developer's engineer or licensed surveyor shall certify that the location of all monuments is accurate before acceptance of the street by the Town Board.

D. Easement

Where surface water from streets must lead through other than gutters and storm drains or existing stream channels, outside the right of way, permanent drainage easements having a minimum width of 20' must be shown on the proposed plans. All permanent easement lines shall be monumented as a right of way. Easements may be up to 30' feet wide at the discretion of the Superintendent of Highways.

E. Clearing or Grubbing

The developer shall clear the entire area within the limits of:

1. The road right of way for all road classifications except rural roads. Rural roads shall be cleared up to 20' feet from the center line. The width to be cleared for a rural road may vary if site conditions merit such (e.g., if the road is being constructed in a wooded area). In such case, the width to be cleared may be established by the Town Board in consultation with the Planning Board and the Town Highway Superintendent.
2. Stream channels and ditches.
3. Easement areas (as determined by the Town Superintendent and the Town Engineer).

To the greatest extent possible, specimen trees or bushes that maintain the rural character of roads will be saved, except where large cut or fill areas are encountered. In these areas, no brush, trees, stumps, or decomposed material shall be allowed down to virgin earth.

All stumps, roots, walls and buildings shall be excavated and removed from the above listed areas. Notwithstanding, specimen trees (dbh of at least 18") and stone walls shall be maintained unless public safety concerns require their removal.

F. Storm Water Management Plan

New York State Department of Environmental Conservation requires a regulated

Municipal Separate Storm Sewer Systems (MS4) in certain areas of the Town. In accordance with the MS4 permit "Operators must develop, implement and enforce a Storm Water Management Plan (SWMP) designed to reduce the discharge of pollutants from small MS4s to the Maximum Extent Practicable (MEP) in order to protect water quality and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and Clean Water Act. A SWMP is required to be submitted if ground disturbance is one acre or more. Additionally, the Town of Shawangunk, in its sole discretion, may require a SWMP for disturbance of less than one acre.

G. Roadside Banks

Banks shall not be steeper than 2:1 (2' horizontal to 1' vertical) and shall be seeded to grass, except where there is rock, or masonry walls are provided.

H. Drainage

All drainage structures, ditches and culverts shall be designed by a Licensed Professional Engineer and shall provide proper drainage for at least the twenty-five (25) year storm event. These design computations shall be submitted to the Town Superintendent of Highways and the Town Engineer. Calculations shall include, but not be limited to, the entire drainage area (in acres), the run-off index factor, the flow, and the flow rate. The Town Board shall require a certificate from the project engineer and the Town Engineer or the Town Superintendent of Highways as to compliance with this section.

In the event the previously mentioned drainage calculations indicate that significant downstream flooding may occur as a result of the proposed development, the Town Superintendent of Highways and/or Town Engineer may require a zero percent increase in peak rate of runoff for a 25 year storm event for all areas to be developed. This zero net percent increase plan will require the developer to install some sort of device which will restrict the stormwater runoff to its pre-developed condition. Typically, this would involve the installation of detention basins or increasing the flow path so that peak flow rates for the pre-developed lands are reduced.

Plans for any drainage structure other than pipe culverts, when existing or proposed, shall be submitted in detail to the Town Superintendent of Highways and Town Engineer for approval. The minimum grade of any drainage pipe or culvert shall not be less than 1%. The approved plans shall show invert elevations of the inlet and outlet of all drainage structures. Any deviation from the approved plans shall be on approval of the Town Superintendent of Highways or Town Engineer, in writing. No culvert pipe crossing a Town Road shall be less than 15" in diameter. Pipe for culverts shall be corrugated metal pipe, which shall be fully bituminous coated and of a gauge in accordance with the New York State D.O.T. Specifications for Corrugated Metal Pipe or equal.

ADS-N-12 (Advanced Drainage Systems, Inc.) is an acceptable alternative drainage pipe.

Where culverts are required for driveway crossings, they shall have a minimum diameter of 12" and 12" of Item #4 cover material and a minimum length of 30' feet. If driveway culverts are required after roads have been accepted by the Town, installation thereof shall be the responsibility of and the cost shall be paid for by the party making the offer to dedicate the new

road, or the Owner of the abutting property being or to be served by such driveway. The Town shall not be responsible for the installation of or payment for said culverts.

The width of the trench in which the pipe is laid shall be sufficient to permit thorough tamping of the backfill around the pipe. A cushion of at least 6" shall be laid in line with grade prior to laying the pipe. No rock over 3" thickness shall protrude or lay in this cushion. The soil below the cushion shall be stable enough that there will be no settlement of pipe after backfilling the trench.

The pipe shall be laid to true line and grade on the prepared bed of the trench. All connections for corrugated metal pipe shall consist of corrugated metal bands lapping on equal portions of the sections to be connected. Backfilling of the trench shall be done with R.O.B. gravel or other suitable material approved by the Town Superintendent of Highways and the Town Engineer. The backfill shall be made in layers of no more than 12" which shall be tamped and watered. In no case shall the top of any drainage pipe be less than 12" below the finished grade of pavement.

All drainage structures shall be of a size sufficient to carry natural water runoff and storm water and also that which, in the opinion of the Town Superintendent of Highways and Town Engineer, may be reasonably anticipated from future construction both from within the development and from adjoining properties which normally drain across the area of the proposed development. Additional or larger culverts and drainage structures shall be installed and paid for by the developer if the Town Superintendent of Highways and Town Engineer so direct.

All drainage ditches shall be constructed to provide for the flow as described above and easements shall be acquired by the petitioners and presented to the Town Board in order to save the Town from claims of runoff on adjoining owners. These easements shall carry runoff to a definable line of drainage.

I. Excavation, Filling and Rough Grading

The developer shall complete the shaping of the road right of way, streams and ditches and easement areas to the line and grade as shown on the approved plans and as otherwise may be directed by the Town Superintendent of Highways. In the construction of the roadway all topsoil, loam, rocks and organic material shall be removed until a satisfactory subbase is established. In fills of less than three (3) feet, all topsoil shall be excavated and removed. In some cases, where soil conditions warrant, the Town Engineer or Town Highway Superintendent may require undercutting and/or more than 12 inches of sub-base in order to insure a stable sub-grade.

All fills shall be made with acceptable material as approved by the Town Superintendent of Highways. Such fills shall be made in layers of not more than 12" each and properly compacted with a 10-ton roller or equivalent. If excessive cuts and/or fills are required, it may be necessary for the R.O.W. to be wider than normally required. The R.O.W. shall extend two (2) feet beyond the top of the cut or toe of the fill.

The proposed road shall be graded for its full width generally centered on the highway and shall be of such character and alignment that complies with design, grades and alignment as

hereinafter provided and shown on the approved plat. Such grading shall be of such character and alignment that additional work of this nature by the Town will not be necessary.

The subgrade shall be shaped to line and grade with no depressions. The subgrade shall be stable in all respects to the satisfaction of the Town Superintendent of Highways and Town Engineer before the foundation course is laid. No large stones or rock ledges shall protrude into the foundation course.

Also, before the foundation course is laid, all storm and sanitary sewers and all utilities, including house connections for existing and future homes, and hydrants shall have been installed to the satisfaction of the Town Superintendent of Highways and Town Engineer. All slopes and sidewalk areas shall be graded before the foundation course is made and all loose and exposed stones will be removed.

J. Guide Rails

Adequate guide rails shall be installed by the developer or petitioner where deemed necessary by the Town Superintendent of Highways and the Town Engineer.

K. Turnarounds

There shall be a paved "T" or an equivalent paved circle with a radius of sixty-five (65) feet at every dead-end street. However, the Superintendent of Highways, in his sole discretion, may elect to reduce this radius to fifty (50) feet.

L. Fabric Stabilization

* See Attached Resolution

~~Fabric material to be used under roadway foundation gravel course in wet areas as ordered by the Town Superintendent of Highways and/or Town Engineer.~~

M. Foundation Course

The foundation course shall consist of a minimum of 12" of well graded, uniformly mixed broken stone, hard shale, crushed stone, broken slag, or run-of-bank gravel as approved by the Town Superintendent of Highways and/or Town Engineer.

If deliveries of coarse aggregate show segregation of sizes, material shall be mixed to the specified gradation before using.

No aggregate containing more than 5% chert as determined by the Engineer, may be used for surface treatment work.

Aggregate shall contain no particles larger than four (4) inches in thickness and all aggregate shall be well graded from coarse to fine. All materials shall be of the required sizes when placed in the work area, and breaking up stone, gravel or slag by hammers or otherwise

will not be permitted.

Crushed stone shall consist of clean, durable, sharp angled fragments of rock of uniform quality throughout. Gravel hardheads retained on a four inch scalping screen and then crushed will be acceptable as crushed stone provided such crushed hardheads shall meet gradation requirements for the type of stone specified.

The foundation course shall be placed on the prepared subgrade in two (2) layers and each layer shall be thoroughly compacted by the use of a 10 ton power driven roller or other equipment approved by the Town Superintendent of Highways and all imperfections that may show up must be brought up to an elevation parallel to, but equal to the depth of the required gravel base and pavement depth.

A minimum of three months shall be allowed for the street to settle and compact before pavement shall be constructed. Stakes with final line and grade shall be maintained by the developer at all times to check the foundation course as well as pavement. This three-month period can be reduced, in the sole discretion of the Superintendent of Highways, if weather conditions permit.

After the 12" of foundation course material has been in place for three months, 6" of Item #4 acceptable to the Town Superintendent of Highways and /or the Town Engineer shall be placed over the entire width of the roadway. This or other equipment approved by the Town Superintendent of Highways to present an even surface both longitudinally and transversely. To this surface will then be applied a wearing course of bituminous material of "Blacktop".

All materials will be sampled and tested whenever it may appear to be desirable. All materials must pass the soundness test as prescribed by the Specifications of the New York State Department of Transportation. The costs of these tests will be borne by the Developer and he will provide the Town Superintendent of Highways certified test results of all material that require testing.

Gradation requirements for Type 3 Roadway Foundation Course Gravel and Type 4 Leveling Course Gravel.

Foundation Course Gravel	4 inch	100
	1/4 inch	30 - 75
	No. 40	5 - 40
	No. 200	0 - 10
Leveling Course Gravel	2 inch	100
	1/4 inch	30 - 65
	No. 40	5 - 40
	No. 200	0 - 10

N. Soundness

Material for Type 4 will be accepted on the basis of a Magnesium Sulfate Soundness

Loss after four cycles of 20 percent or less. Material for Type 3 will be accepted on the basis of a Magnesium Sulfate Soundness Loss after four (4) cycles of 30 percent or less.

O. Plasticity Index

The Plasticity Index of the material passing the No. 40 mesh sieve shall not exceed 5.0.

P. Elongated Particles

Not more than 30 percent, by weight, of the particles retained on a 1/2 inch sieve shall consist of flat or elongated particles. A flat or elongated particle is defined herein as one which has its greatest dimension more than 3 times its least dimension. Acceptance for this requirement will normally be based on a visual inspection by the Engineer. When the Town elects to test for this requirement, material with a percentage greater than 30 will be rejected.

All materials shall meet the specified gradation prior to placement on the grade. All processing shall be completed at the source.

Q. Bridges

Bridges shall be constructed according to the current specifications of the New York State Department of Transportation. The word "current" as used in the preceding sentence means the date that the offer to dedicate such road with a bridge or bridges upon it is presented to the Town Board. Bridges shall be designed by a Licensed Professional Engineer and design calculations shall be submitted to the Town Superintendent of Highways and the Town Engineer.

R. Catch Basin and Curb Inlets

Catch basins and curb inlets shall be constructed in order that surface water is intercepted. Such structures shall be spaced at 300 feet or less. Whenever, in the opinion of the Town Superintendent of Highways and Town Engineer, ground conditions or other circumstances require it, larger or heavier materials, additional materials, reinforcing, or other modifications and improvements in design and construction shall be made as directed by the Town Superintendent and Town Engineer at any time prior to construction of pavement. Structures may be precast or cast in place using 4000 psi concrete and reinforced as required.

S. End Sections

Corrugated metal pipe end sections shall be used at the inlet and outlet ends of culvert pipe where required to prevent erosion or as directed by the Town Superintendent of Highways and the Town Engineer. End sections shall be designed and installed to prevent piping, erosion and undercutting. End sections shall be of a gauge in accordance with the New York State D.O.T. Specifications for Corrugated Metal Pipe End Sections.

T. Rip-Rap Ditches

Ditches to be lined with Fabric Material prior to placing rip-rap to prevent vegetation growth.

U. Rip-Rap

This work shall consist of furnishing all plant, labor, equipment and material to place a protective covering of erosion-resistant material on embankment slopes, streambanks, at culvert inlets or outlets, on bottoms and streambanks, at culvert inlets or outlets, on bottoms and side slopers of channels, at structure foundations, and at other locations shown on the plans or as directed by the Engineer. The work shall be done in accordance with these specifications and in conformity with the lines, grades, thickness, and typical sections shown on the plans or established by the Engineer.

V. Stone Filling

Stone filling shall consist of well graded stone placed as protective material on streambanks, in channels and elsewhere, as required.

W. Bedding Material

Bedding material shall consist of granular material placed in a layer, where required, on the ground surface prior to placing stone filling or rip-rap. The purpose of the bedding material is to prevent underlying finer material from passing into and through the stone filling or rip-rap.

X. Materials

Soundness Approval. The soundness of all material used for stone filling or rip-rap shall be approved on the basis of a geologic evaluation in accordance with the control procedure in effect on the letting date of the project. Prior to making the evaluation, the Contractor may be required to stockpile the material. Where the Engineer elects to conduct tests, a material will be rejected if it fails to meet either of the following criteria:

- a). Freeze-Thaw Test: A maximum 10 percent loss, by weight, after 25 cycles of freezing and thawing.
- b). Magnesium Sulfate Soundness Test: A maximum 10 percent loss, by weight, after 10 cycles of the magnesium sulfate soundness test.

Stone Filling: The gradation of materials furnished for use as stone filling shall be as follows:

<u>Stone Size*</u>	<u>% of Total by Weight</u>
Heavier than 100 lbs.	50 - 100
Smaller than 4 ins.	0 - 10

*Stone sizes, other than weights, refer to average of the maximum and minimum dimensions of a stone particle as estimated by the Engineer.

Material shall contain less than 20 percent of stones with a ratio of maximum to minimum dimensions of a stone particle as estimated by the Engineer.

Materials shall contain less than 20 percent of stones with a ratio of maximum to minimum dimension greater than three.

Materials shall contain a sufficient amount of stones smaller than the average stone size to fill the spaces between the large stones.

Y. Bedding Material

Bedding material shall be composed of crushed stone, crushed air-cooled blast furnace slag, or gravel, free of soft, nondurable particles, organic matter, and thin or elongated particles in excess of those approved by the Engineer.

Bedding material shall meet the following gradation requirements:

<u>Sieve Designation</u>	<u>% by Weight Passing</u>
4 in.	100
1 in.	15 to 60
1/4 in.	0 to 25
No. 40	0 to 10

Z. Construction Details

General. The ground surface on which bank or channel protection is to be placed shall be free of brush, trees, stumps and other objectionable material and shall be dressed to a smooth surface. All soft or spongy material shall be removed to the depth shown on the plans or as directed by the Engineer and replaced with approved material. Filled areas shall be provided as early as the foundation construction permits. The type of protection shall be placed in accordance with these specifications and the contract documents.

AA. Stone Filling

Stone filling shall be placed in a manner that will produce a reasonable well-graded mass of stone with smaller stone fragments filling the space between the larger ones, so as to result in the minimum practicable percentage of voids. The final section of stone filling shall be in conformance with the lines, grades, and thickness shown on the plans. Stone filling used for

bank or channel protection shall be placed to its full course thickness in one operation, unless otherwise directed by the Engineer or specified in the special provisions, and in such a manner that the underlying material will not be displaced or worked into the layer of stone filling. Placement of stone upon finished bedding material, when used, shall be carefully controlled to avoid disruption and damage to the layer of bedding material. The stone shall be so placed and distributed that there will be no pockets of uniform size material.

The desired distribution of the various sizes of stone throughout the mass shall be obtained by selective loading of the material at the quarry or other source; by controlled dumping of successive loads during final placing; or by other methods of placement which will produce the specified results. Rearranging of individual stones by mechanical equipment or by hand will be required to the extent necessary to secure the specified results. When stone filling is dumped under water, methods shall be used that will minimize segregation.

AB. Bedding Material

Where called for on the plans, or directed by the Engineer, stone filling and dry rip-rap shall be placed on bedding material. The bedding material shall be placed on the prepared area to the full specified thickness of each layer in one operation, using methods which will not cause segregation of particle sizes. Contamination of bedding material by natural soils or other materials shall be prevented at all times. Bedding materials that becomes contaminated shall be removed and replaced with uncontaminated bedding material.

AC. House Drains

Roof and cellar drains shall in no case be allowed to flow onto the street right-of-way. With the approval of the Town Superintendent of Highways or Town Engineer, in writing, these drains may be piped to existing storm water pipe drains, if any, to which they will be connected on top only. Such drains must be installed prior to the start of the application of the foundation course. Drains from sanitary sewers or septic tanks will not be permitted to flow into road ditches or storm drains under any circumstances.

AD. Horizontal and Vertical Curves

The minimum radius of horizontal curves shall be four hundred (400) feet on subdivision development streets, and two hundred (200) feet on suburban and commercial streets measured at the centerline.

The minimum length of vertical curve shall be three hundred (300) feet on subdivision development streets, and two hundred (200) feet on suburban and commercial streets. Differences in grade will be effected with a vertical curve of sufficient length to allow a vertical sight distance of no less than two hundred fifty (250) feet, based on four (4) foot elevations.

The minimum length of tangents by reversed curves shall be three hundred (300) feet on subdivision development streets, and two (200) feet on suburban and commercial streets.

Subdivision Development Streets with restricted speed limits shall have a minimum

radius of horizontal curves of one hundred twenty five (125) feet and a vertical curve of one hundred fifty (150) feet, providing that an acceptable sight distance can be maintained.

AE. Grades

Grades of all streets shall conform to general to the terrain and shall not be in excess of ten (10.0) percent nor less than on (1.0) percent. Streets shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets.

AF. Curbs

On suburban, loop/cluster and commercial streets, 6" x 8" x 20" Portland cement curbs shall be constructed on both sides of the street, prior to laying street pavement. A base course of 6" of R.O.B. gravel, tamped and free of stone over 2" in thickness shall be laid under all curbing. A concrete mix of 4000 psi after 28 days shall be used and shall be finished and cured to the satisfaction of the Town Superintendent of Highways and Town Engineer. The developer, at his own expense, shall replace any curbing that has settled, cracked, scaled or has become damaged in any way by the developer before and within the two (2) year maintenance period after dedication. Curbs shall be depressed 4" at driveways. Stone curbs or precast curbs may be substituted on approval of the Town Superintendent of Highways and Town Engineer.

AG. Sidewalks

On suburban and commercial streets or on subdivision development streets if so required, 4" thick Portland cement concrete walks shall be constructed. A base course of 6" of R.O.B. gravel, tamped and free of stone over 2" thickness shall be laid under all sidewalk. A concrete mix of 4000 psi after 28 days shall be used and shall be finished and cured to the satisfaction of the Town Superintendent of Highways and the Town Engineer. Sidewalks shall be reinforced with steel mesh and shall have handicapped ramps at all intersections. The developer, at his own expense, shall replace any sidewalk that has settled, cracked, scaled or has become damaged in any way by the developer before and within the two (2) year maintenance period after dedication.

AH. Driveways

The developer shall design and construct all driveways within the limits of the right of way with sufficient sight distance and with a grade no more than 1" per foot from curb to the right of way line. The minimum width of the driveway pavement at the curb or street pavement line shall be 15', tapering to a minimum of 10' at the right of way line. All driveways shall have a 6" R.O.B. gravel foundation course from curb to right of way line and no less than 2" bituminous penetration macadam wearing course from curb or street pavement line to right of way line which shall be applied during or after the laying of the street pavement.

All driveways shall be graded to the satisfaction of the Town Superintendent of Highways and Town Engineer prior to the surfacing of such driveways. (Details shown on page 14a).

See Section H (Drainage) above for additional information for driveways.

No obstructions in the Town R.O.W., permanent or temporary, shall be allowed.

AI. Paved Gutters on Rural Streets (6% Slope or Greater)

Paved gutters on rural streets as shown in Figure 1 shall be constructed the entire length of street on both sides. Such paved gutters shall be considered as part of the construction of shoulders after the street pavement has been laid. Grading of shoulders and paved gutters shall be simultaneous, being shaped and rolled just prior to the application of double surface treatment for shoulders and paved gutters. The grades on paved gutters shall be maintained relative to the center line elevation to insure good runoff of surface water. It should be noted that the foundation course of the street pavement extends to the outer edge of the paved gutter.

AJ. Intersections (General)

All intersections with existing town or county roads shall be constructed with the edge of pavement having a radius of 20' maximum. The safe sight distance shall be determined using, "A Policy on Geometric Design of Highways and Streets 1984" by AASHTO and "Policy and Standard for Entrance to State Highways" by New York State Department of Transportation. Relocation of the driveway and/or vegetation removal may be required to satisfy the safe sight distance.

Intersections within the development shall be constructed with edge of pavement having a radius of 20' minimum and 35' maximum. All intersection streets shall have a minimum horizontal sight distance of 250 feet in each direction. Exceptions for less than 250 feet will be in writing and approved by the Town Superintendent of Highways and Town Engineer. Intersections shall be at 90 degree. angles; exceptions will be submitted in writing and approved by the Town Superintendent or Highways and the Town Engineer.

Where a development street intersects a town or county road, the approved plans will show the proposed type, length and diameter of pipe and drainage flow along said road. The pipe will be installed and paid for by the developer under the direction of the Town Superintendent of Highways and Town Engineer, or the County Commissioner of Public Works or his representative or the NYS DOT, as the case may be.

The grade of the intersecting street with a town or county road shall be no more than one (1) inch per foot from the edge of shoulder of the town or county road to the right of way or road line of said road. The County Commissioner of Public Works shall be notified of all intersections with county roads, for approval of location, grade, and drainage structure. Likewise, all NYS highway intersections shall require full compliance with NYS DOT requirements at the expense of the developer.

AK. Intersections - Distance Apart and Sight-Easements Required

Intersections of major streets by other streets shall be at least 800 feet apart, if possible.

Cross (four cornered) street intersections shall be avoided insofar as possible, except at important traffic intersections or where desired by the Town of Shawangunk. A distance of at least 150 feet shall be maintained between offset intersections. Within 40 feet on an intersection, streets shall be approximately at right angles, and grades shall be limited to 1 1/2%. All street intersection corners shall be rounded by curves of at least 25 feet in radius at the property line within triangular areas formed by the property line. Within triangular areas formed by the intersecting street lines, for a distance of 75 feet from their intersection and the diagonals connecting the end points of these lines, visibility for traffic safety shall be provided by excavating, if necessary. Nothing in the way of fences, walls, hedges or other landscaping shall be permitted to obstruct such visibility.

AL. Pavement

After the foundation course has been inspected and approved by the Town Highway Superintendent and/or Town Engineer and after the three month settlement period has elapsed and the 6" Item #4 leveling course has been thoroughly compacted and trimmed to present an even surface, both in profile and cross section and allowing for the required depth of finished pavement, one of the following two (2) types of pavement shall be laid:

"Blacktop" (Asphaltic Concrete Pavement)

Description: After the foundation courses have been completed, two or three courses of asphaltic concrete paving shall be applied. Materials shall conform to N.Y.S.D.O.T. Standards Specifications and shall be furnished by a bulk asphaltic producer regularly engaged in the production of hot-mix, hot-laid asphaltic paving materials.

Materials shall not be placed over wet or frozen subgrade surfaces. Install asphalt surface materials only when base is dry and surface temperature is 50 degrees F. or above.

Materials: The base course and/or binder course shall be an asphaltic leveling course equal to N.Y.S.D.O.T. Item No. 403.13 asphalt concrete Type 3 binder course.

The top course shall be an asphaltic surface course equal to N.Y.S.D.O.T. Item No. 403.18 asphalt concrete Type 7, top course.

Tolerances: In place compacted thickness:
Base course: maximum 1/2"
surface course: maximum 1/4"
Finished surface smoothness:
Base course: maximum 3/8" in 10'
Surface course: maximum 1/4" in 10' in any direction

Equipment: Paving equipment: Spreading, self-propelled asphaltic paving machines capable of maintaining line, grade and thickness as required.

Compacting Equipment: Self-propelled rollers, minimum 10 ton weight.

Installation: Remove loose and foreign material from compacted base immediately before

application of surface materials. Do not start surface work until all other work which may damage the finish surface is completed.

Install asphalt surface materials in two or three courses as required, base course, leveling course and surface course, total compacted depth as required.

Place, spread and strike off the asphalt concrete mixture on a properly prepared and conditioned surface. Inaccessible and small areas may be placed by hand. Place each course to the required grade, cross-section and scheduled compacted thickness.

Place materials in strips not less than 10' wide. After the first strip has been placed and rolled, place all succeeding strips and extend rolling to overlap previous strips. Complete base course for a section before placing surface course materials.

Carefully make joints between old and new pavements, and between successive day's work, to ensure a continuous bond between adjoining work. Construct joints to have the same texture, density and smoothness as other sections of the asphalt concrete courses.

Begin rolling operations when the asphalt concrete mixture will bear the weight of the roller without excessive displacement. Compact areas inaccessible to rollers with vibrating plate compactors.

Rolling shall continue until the asphalt concrete mixture has been compacted to the required surface density and smoothness. Continue rolling until all roller marks are eliminated. Provide a smooth, compacted surface texture to thickness and elevations required.

Protect newly placed material from traffic by barricades or other suitable methods acceptable to the Town Superintendent of Highways.

Field Quality Control: Test for surface smoothness with 10' straight-edge. Deficient areas shall be defined, removed and replaced, or adjusted to design thickness by methods acceptable to the Town Superintendent of Highways and/or Town Engineer.

When, during progress of work, field inspection indicates that installed compacted materials do not meet specified requirements, remove defective materials and install new materials at Contractor's expense as directed by the Town Superintendent of Highways and/or Town Engineer.

Protection: Protect paving from damage due to construction and vehicular traffic until final acceptance.

Cleaning: Perform cleaning during installation of the work and upon completion of the work. Remove from site all excess materials, debris, and equipment. Repair damage resulting from paving operations.

Sweep pavement and wash free of stains, discolorations, dirt and other foreign material immediately prior to final acceptance.

AM. Pavement Schedule

- | | |
|--|---|
| A. Rural Road or Street:
Cluster/Loop | Asphalt Binder Course - 3-1/2" Compacted depth
Asphalt Top Course - 1-1/2" Compacted depth |
| B. Rural Road or Street:
Regular Access | Asphalt Binder Course - 3-1/2" Compacted depth
Asphalt Top Course - 1-1/2" Compacted depth |
| C. Suburban St.: | Asphalt Binder Course - 3-1/2" Compacted depth
Asphalt Top Course - 1-1/2" Compacted depth |
| D. Commercial or Industrial St.: | Asphalt Base Course - 3" Compacted depth
Asphalt Binder Course - 1 1/2" Compacted depth
Asphalt Top Course - 1 1/2" Compacted depth |

Amendment of these Specifications.

These specifications only may be amended by further resolution of the Town Board of the Town of Shawangunk.

Dated: June 2, 2005

JOHN VALK, JR., SUPERVISOR	<u>✓</u>	AYE	_____	NAY
INGRID MALLOY, COUNCILWOMAN	<u>✓</u>	AYE	_____	NAY
JOHN D. GARRISON, COUNCILMAN	<u>✓</u>	AYE	_____	NAY
ADRIAN M. DEWITT, COUNCILMAN	<u>absent</u>	AYE	_____	NAY
ROBERT T. MILLER, COUNCILMAN	<u>✓</u>	AYE	_____	NAY

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF SHAWANGUNK

MARGARET Y. TREMPER, TOWN CLERK

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~
~~CITY~~
Town
~~VILLAGE~~

SHAWANGUNK

Local Law No. 2 of the year 2007

A local law entitled " AMENDING THE TOWN STREET AND ROAD SPECIFICATIONS "

Be it enacted by the TOWN BOARD of the

~~COUNTY~~
~~CITY~~
Town
~~VILLAGE~~

SHAWANGUNK

as follows:

I. STATEMENT OF PURPOSE

Town of Shawangunk Local Law No. 1 of 2005, entitled "Town Street and Road Specifications" and codified as Chapter 153 of the Code of the Town of Shawangunk, provides uniform procedures for the design, dedication, construction, inspection and acceptance by the Town of Shawangunk of all new public streets, public highways and public roads and related drainage networks in the Town.

The sole purpose of this Local Law is to amend one aspect of Local Law No. 1 of 2005 to allow greater flexibility with regard to the issuance of a limited number of building permits prior to the installation of the binder asphalt course for the proposed new street. Except as set forth below, all of the other provisions of Local Law No. 1 of 2005 (Chapter 153 of the code of the Town of

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Shawangunk) shall remain unchanged.

II. AMENDMENT

Section 153-1(B) of the Code of the Town of Shawangunk (General Requirements) hereby is amended to add the following addition to the end of Section 7 (Building Permits for Lots on Proposed Streets):

Notwithstanding the above, upon written request of a property owner, the Town Board in its sole discretion may waive, subject to appropriate conditions and on a case-by-case basis, the requirement that the road improvements be substantially completed before any building permits can be issued by the Building Department where the Town Board finds that:

- (1) the owner or developer has entered into the Performance and Maintenance Agreement required by Section 153-3 of this Chapter,
- (2) a bond for the road improvements has been posted together with the required escrow,
- (3) the schedule for road construction, including seasonal conditions, the circumstances of the property and the location of the proposed construction for which permits are sought warrant the issuance of not more than two(2) building permits before the road is constructed in accordance with this Chapter,
- (4) there will be adequate emergency service access to the construction site(s) once building permits are issued and,
- (5) the owner acknowledges and agrees in writing, in form acceptable to the Town Attorney, that no Certificates of Occupancy will be requested or issued until the road is constructed in accordance with the requirements of this Chapter and that any transferee of the subject lot shall be provided with a copy of such writing.

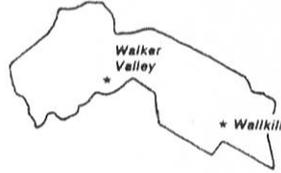
Nothing in this waiver process is intended to require that a building permit be issued as that determination remains within the sole jurisdiction of the Building Department of the Town of Shawangunk.

BE IT ENACTED THIS DAY OF MARCH 2007.

Enacted
March 1, 2007

JOHN VALK, JR., SUPERVISOR
INGRID MALLOY, COUNCILWOMAN
ADRIAN M. DEWITT, COUNCILMAN
ROBERT T. MILLER, COUNCILMAN
BRIAN AMTHOR, COUNCILMAN

Established March 7, 1788



TOWN OF SHAWANGUNK

COUNTY OF ULSTER (P.O. BOX 247)

Wallkill, New York 12589

TELEPHONE (845) 895-2611

FAX (845) 895-2162

WHEREAS, the Superintendent of Highways has recommended the highway specifications regarding fabric stabilization be amended, and

WHEREAS, the Town Engineer and the Town Planning Board have recommended that this amendment be approved,

NOW, THEREFORE BE IT RESOLVED that "Section L. Fabric Stabilization" of Local Law #1 of 2005 be amended as follows:

L. FABRIC STABILIZATION

Approved fabric material shall be used under the roadway foundation gravel course in all cases where the Town Superintendent of Highways and/or Engineer for the Town, in their sole discretion, determine that soil conditions or wet areas require such installation. Where site conditions establish poor soils or wet areas in multiple locations, the entire roadway shall include such fabric material.

The foregoing resolution was passed by the following vote:

 4 AYE 1 NO 0 ABSENT

Margaret Y. Tremper
Town Clerk