Current Issues in New York Plat and Subdivision Law

Description: Learn practical and insightful suggestions to help all parties navigate through the complex New York subdivision process. Conducting thorough due diligence on a parcel of land prior to its acquisition, including title and zoning/environmental review, is essential for avoiding major obstacles during the subdivision process that could have been identified earlier. Processing a land subdivision application itself presents various challenges for the private applicant and reviewing municipality. Understanding the interrelationship between the State and Local subdivision frameworks, SEQRA, GML, and other outside agency regulatory programs is critical. Determining how best to plan a subdivision based on environmental constraints, and evaluating the pros and cons of a conventional versus cluster layout, are also key considerations. The project development team and municipal board must ensure that a strong administrative record is created, including meaningful opportunity for public involvement. Once preliminary plat approval is granted, there remain a number of legal and technical steps to implement and protect project approvals, including creating and/or extending special improvement districts, and preparing any necessary easements, covenants or other documents governing the future use of the site.

Contents:

- Acquiring Land and Other Pre-Application Considerations
  - Finding Developable Land and Title Review
  - Land Acquisition Contracts
  - Zoning and Environmental Due Diligence
  - Pre-Application Meetings With Municipal Officials and Community Groups
  - Assembling the Development Team

- Preliminary Subdivision Plat Approval
  - Subdivision Statutory Framework
  - Coordination With SEQRA, GML and Outside Agencies
  - Planning and Environmental Considerations
  - Creating the Administrative Record
  - Site Visits

- Final Subdivision Plat Approval
  - Fees and Bonds
  - Exactions
  - Improvement Districts
  - Vested Rights

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