

## **Proposed CHAPTER 144**

### **Lot Lines Adjustments and Lot Mergers**

#### **144-1. Title**

Short title. This article shall be known as the “Lot Line Adjustments and Lot Mergers Law of the Town of Coeymans.”

#### **144-2. Purpose.**

- A. The purpose of this local law is to establish a new chapter in the Town of Coeymans Code, such that lot line adjustments and lot mergers are considered separately from site plan review and the subdivision of land.
- B. Where this article conflicts or is inconsistent with Chapter 145 of the Town of Coeymans Code (Subdivision of Land), this article shall supersede said regulations.

#### **144-3. Definitions.**

As used in this article, the following terms shall have the meaning indicated:

**LOT LINE ADJUSTMENT** – The process whereby land taken from one parcel is added to an adjoining parcel to adjust the property boundary lines merely for purposes of increasing the size of the lot to without creating a new lot. If a new lot would be created by the proposed lot line adjustment, then the applicant must submit a full minor or major subdivision application, as the case may be.

**LOT MERGER** – The process whereby two or more parcels of land are merged to create a single parcel of land.

#### **144-4. Title Matters.**

The Town of Coeymans is not liable for any title matters that may arise due to the approval of lot line adjustments or lot mergers, where the parcels are subject to prior record liens or restrictions (i.e., deeds of trust, mortgages, money judgments, etc.).

#### **144-5. Application and procedure.**

All applications for lot line adjustments and mergers shall be made to the Town Planning Board/Zoning Board of Appeals and include the following:

- A. All applicable filing fees and escrow fees for professional review of the application.

- B. A map or survey showing the parcels of land to be adjusted or merged, together with all existing and proposed boundaries lines, buildings and features.
- C. All existing and proposed deeds for the affected parcels.
- D. Any other information as may be requested by the Planning Board/Zoning Board of Appeals.

**144-6. Review and approval.**

- A. A public hearing shall not be mandatory, however the Planning Board/Zoning Board of Appeals may, in its discretion, require a public hearing on the application.
- B. Upon approving a lot line adjustment or lot merger, the Planning Board/Zoning Board of Appeals shall mark the survey map "accepted for filing by the Town of Coeymans Planning Board/Zoning Board of Appeals," and it shall be properly signed and dated by the duly designated officer of the Planning Board/Zoning Board of Appeals.
- C. In the event the approved survey map and the applicable deeds are not filed in the office of the Albany County Clerk within thirty (30) days of the date upon which they are approved, the lot line adjustment or lot merger shall become null and void as though it had never been approved. The thirty-day time period, however, may be extended upon request of the applicant or adjoining landowner and upon approval of the Planning Board/Zoning Board of Appeals.
- D. Unless a variance is granted, a lot line adjustment or lot merger shall not be approved where such conveyance would cause a parcel to fail to meet any applicable zoning or land use laws or regulations of the Town, including minimum lot size or setbacks.
- E. The decision of the Planning Board/Zoning Board of Appeals shall be rendered in writing within sixty-two (62) days of the date that the application is deemed complete by the Planning Board/Zoning Board of Appeals and any required public hearing is completed.
- F. The Planning Board/Zoning Board of Appeals shall deny any application that violates existing Town of Coeymans local law or regulation or is inconsistent with the stated purpose of such law or regulation.

**144-7. Filing fees.**

Filing fees for lot line adjustment or lot merger applications may be established or amended by resolution of the Town Board.