

RESOLUTION ADOPTING SPECIFICATIONS FOR THE DEDICATION OF TOWN ROADS AND STREETS

WHEREAS, the number of inhabitants of the Town of Windham has increased greatly in recent years, creating a shortage of suitable dwellings, and a great increase in construction of new dwellings, and whereas many of the new dwellings are being constructed on lands which have heretofore been undeveloped and unused for residential purposes, and the means of ingress and egress to these dwellings being makeshift and unsatisfactory, be it resolved that the Town of Board of Windham, New York, does hereby adopt the following Regulations and Procedures in an effort to create uniformity in the design and construction of all future streets, and to insure that the said streets will be adequate to serve the needs of the residents of the Town, and others in the future, as well as at present.

DEFINITIONS

SECTION 1: This resolution shall be known and may be cited as “The Street or Highway” resolution of the Town of Windham.

SECTION 2: Wherever used in this resolution the word “street” shall also be construed to mean a thoroughfare or highway.

SECTION 3: Wherever used in this resolution, words in the singular number includes the plural and words in the plural number includes the singular.

SECTION 4: The word “shall” is mandatory and not directory. Words used in the present tense include the future.

REGULATIONS

SECTION 1: All previous regulations or resolutions affecting the acceptance of streets by the Town are hereby rescinded.

SECTION 2: At least three (3) residences with a town issued Certificate of Occupancy must be on each proposed street.

SECTION 3: Prior to being offered for dedication to the Town, all streets shall meet with the following requirements:

- (A)** The arrangements of the streets or highways shall be laid out so as to form a continuation of the principal streets or highways now existing and to be equal-distance from the boundaries of the proposed street.
- (B1)** The minimum width of streets shall be fifty (50) feet measured from lot line to lot line, and the minimum width of the roadway shall be twenty-eight (28) feet, this to be eighteen (18) feet road surface with five (5) foot shoulders on each side of the road surface. The width

shall be measured normal to the lot lines on tangents and radial lines on curves. The center of the roadway shall be in center of lot line to lot line.

- (B2)** Each street shall be marked by monuments of granite or concrete with a cross top. Said monuments are to be at least three (3) inches square and four (4) feet long, and are to be installed with two (2) inches showing above the surface of the ground, commencing at the beginning of the proposed street to be dedicated and at every five hundred (500) foot intervals on both sides of the street, except on curves or cul-de-sacs where there shall be three (3) such monuments equally spread.
- (B3)** Each road shall be cold mix or hot mix paved, cold mixed shall be a compacted depth of three (3") inches. The components of the cold mix shall be a 1 and 2 washed stone blend with CMS-2 oil or a suitable crusher run with HFMS-25 oil. A single layer of Chip Seal with CRS-2P oil and washed 1A stone shall be applied after thirty (30) days of paving completion. Hot mix asphalt shall be done in two (2) lifts with the first being three (3") inches of binder (19mm) compacted then two (2") inches of type 6 top (12.5mm) compacted. All materials are subjected to lab testing/approval prior to paving and shall meet NYSDOT Standards.
- (C)** Streets designed to have one end permanently closed shall be provided with a cul-de-sac having a minimum diameter for the outside property line of at least eighty (80) feet.
- (D)** As far as practical, acute angles between streets at their intersection are to be avoided and where a deflection angle of more than ten (10) degrees in a street line occurs at any point between two (2) intersecting streets, a curve or reasonably long radius is to be introduced, and the location of the roadway as required by Section 3 (B1).
- (E)** Street grades shall not be more than ten (10) percent and not less than one (1) percent. Notwithstanding this required grade, if in the opinion of the Superintendent of Highways a grade is less but results in difficult, unusual or unsafe conditions a modification or denial may be required.
- (F)** All streets shall have adequate drainage easements including necessary inlet ditches. HDPE (plastic smooth bore) shall be used for all culverts crossing Town roads and surface drains. Said materials used for same must conform to standard usage adopted by the State of New York. All dedications must include drainage easements as required by the Town Superintendent of Highways. Drainage easements shall be at least 20 feet in width to allow proper cleaning.
- (G)** The roadway of such streets shall be filled to a minimum depth of nine (9) inches with suitable bank or coarse crusher run gravel, which will be crowned and vibratory compacted in four inch (4") lifts, and approved by the Superintendent of Highways. No large rocks, wood or tree stumps may be buried in road sub-bases.
- (H)** Landscaping of the proposed streets is optional with the applicant.
- (I)** In the interest of public convenience, the Town Board may require modifications of the proposed street to modify the location of the street as to require lengthening or shortening of the proposed street.

- (J)** Street naming signs and traffic control signs as required and/or approved by the Town Superintendent of Highways shall be installed.
- (K)** At or prior to the time of dedication, the Town Superintendent of Highways shall be provided with written statement setting forth the centerline distance in miles measured to the tenth of a mile.

PROCEDURE

SECTION 1: All applications for the dedication of streets shall be accomplished by a survey, prepared by a licensed surveyor within one (1) year from the date of application and in proper form for recording. Such survey is to be submitted in triplicate, and should show the profiles of each existing street, and the proposed street as well as the location of trees and shrubbery if required. The Town Board may require that the survey be reviewed by a licensed surveyor of its own choosing but at the cost and expense of the applicant.

- (A)** Scale of map of all roads to be at a scale of 1" — 50'. Map should be 18" wide and 36" long.

SECTION 2: All applications shall be accompanied by a proposed Warranty Deed, and any and all necessary legal instruments to give clear and undisputed title to the Town together with a thirty (30) year title search of each parcel to be conveyed. All proposed deeds and titles shall be passed upon by the Town Attorney and his decision shall be final. In the event that any easements or rights of way are necessary in the opinion of the Superintendent of Highways to remove surface water or other material, the applicant shall obtain such necessary legal documents as may be required.

SECTION 3: The Town Board shall not approve the installation or erecting of any street not accepted in accordance with these provisions.

SECTION 4: All applications wherein drainage or refuse problems exist as the result of the intersection of the proposed street and state, county, or town highways shall contain written permission from the New York State Department of Public Works, Greene County Superintendent of Highways, or the Town Superintendent of Highways, as the case may be.

SECTION 5: Any and all specifications of materials and methods of paving may be altered/approved by the Highway Superintendent of the Town of Windham, Greene County, New York.

Adopted by Windham Town Board on April 25, 2024.