

Pursuant to Town Law Section 130, and Town Law Article 16, the Middlefield Town Board by resolution passed on March 12, 2019, at its regular monthly meeting enacts the following amendment to the Town of Middlefield Land Subdivision Regulations that were previously enacted to be Effective 9/12/91; this amendment is an addition to the existing Regulations to be effective immediately upon passage of resolution and to be inserted in the existing Land Subdivision Regulations immediately after the conclusion of Article 3.

ARTICLE 3A. Lot Line Adjustment:

A lot line adjustment is the alteration of boundaries between two or more lots or parcels of land, in such a way as to change their sizes and/or shapes, without creating any new lot or parcel, and without creating any nonconformity or increasing any existing nonconformity with Zoning law. Such adjustment of boundaries may include a conveyance of a portion of one lot or parcel to the owner(s) of adjacent lots or parcels.

Section 3A.1 Procedure for a Lot Line Adjustment

A lot line adjustment may be approved by the Town of Middlefield when a landowner or landowners propose to change the boundaries between two or more adjoining lots or parcels. This process shall not be used to create any new lot or parcel.

A completed application for lot line adjustment must be submitted to the Planning Board at a regular or special meeting, along with the following:

- a. A sketch plan of all lots involved in the boundary change. This plan should include the total size of each lot, the proposed change in boundaries, the approximate acreage involved in the boundary change, locations of all structures, and all dimensions, including road frontage for all lots and setbacks from roads and neighboring lots. All lots involved in the boundary change should be identified by tax map number as well as street address. A complete survey map that fulfills the requirements of a sketch plan may be used as the sketch plan. The Planning Board will consider any possible adverse effects on the proposed lots or neighboring lots, including conformity with Zoning law, and determine if the proposal is allowable as a lot line adjustment.
- b. A copy of the existing deed for each lot or parcel involved in the boundary change.
- c. A letter of authorization must be presented from any landowner involved in the boundary change who is not present at the Planning Board meeting.
- d. A survey map of the portion of any lot that will be altered in the process. The survey map must indicate both the existing and the proposed new boundary lines. The total acreage and road frontage of all lots involved, both before and after the boundary change, must be noted on the survey map.
- e. A copy of the boundary line agreement or deed(s) that will be used to carry out the alteration of boundaries. If a deed(s) is used, it must indicate that the portion being transferred from one lot or lots is

to be incorporated into the other lot or lots, may not be considered a separate taxable parcel, and may not be conveyed separately from the lot in which it is to be incorporated.

In order to expedite the process, the sketch plan, survey map, and other documents may all be presented at the same Planning Board meeting. The Board will determine if the application is complete, and if all requirements are met, will recommend approval to the Town Board.

If the lot line adjustment is approved by the Town Board, the boundary line agreement or deed and survey map must be filed with the Otsego County Clerk within 60 days of the date of approval.