

PROCEDURES FOR DARBY PLANNING BOARD
ADOPTED AUGUST 16, 1994
REVISED AUGUST 07, 2001
REVISED MARCH, 2004
REVISED NOVEMBER 9, 2022

Review Procedures for Subdivision Review.

In order for the Darby Planning Board (Board) to have informed discussion and have an opportunity to view the proposal before meeting, the Applicant will be required to have no fewer than 8 copies of the “PROPOSAL” and “PRELIMINARY PLAT” submitted to the Town of Darby Clerk (Clerk) no later than 7 days prior to the scheduled meeting for the proposal presentation. The Clerk will post public notice of the meeting no less than 48 hours prior to the meeting. Proposals that are not complete will not be considered by the board.

At the presentation meeting by the Applicant will present “PROPOSAL”. The Board will review the proposal for compliance with the subdivision criteria (See Subdivision Criteria Below). The Board may ask questions, make comments, identify impacts and discuss mitigation for potentially significant adverse impacts. The Board will consider relevant public comment on the proposal. Public comment may be submitted to the in writing to the Clerk before the meeting and will be included in the subdivision application packet.

After the Board deliberation, the Board may recommend approval, denial or approval with conditions. The Board may postpone the decision to a specified time if more information is necessary. The Board will document Findings of Facts and Conclusions of Law to support the Board’s recommendation. The Board’s recommendation will be forwarded in writing with the “PRELIMINARY PLAT” to the Town Council. The Council will schedule a Public Hearing to consider the PROPOSAL and Board recommendation.

The Planning Board will consider the following criteria when discussing and considering the Proposal:

- 1) Plat Requirements
- 2) Prerequisites to Approval
 - a. Easement and location of planned utilities
 - b. Legal and physical access to each lot
 - c. Requirement for installation of all improvements before final plat
 - d. Water right and ditch easements
 - e. Taxes up to date
 - f. Application fees paid
- 3) Compliance with Applicable Regulations
 - a. Town building and development standards
 - b. Town zoning regulations
 - c. Existing covenants or deed restrictions
 - d. Other applicable regulations

- 4) Effects of Agriculture
- 5) Effects of Agricultural Water User Facilities
- 6) Effects on Local Services
 - a. Fire Department
 - b. Public Safety
 - c. Medical Services
 - d. Roads/Alleys/Parking
 - e. Water System and Wastewater System
 - f. Solid Waste Services
 - g. Postal Service
 - h. Utilities
- 7) Effects on Natural Environment
 - a. Surface Water
 - b. Floodplain
 - c. Groundwater
 - d. Air Quality
 - e. Light Pollution
 - f. Vegetation
 - g. Noise
 - h. Historical/Archeological
- 8) Effects on Wildlife
- 9) Effects on Wildlife Habitat
- 10) Effects on Public Health and Safety
 - a. Traffic
 - b. Emergency Vehicle Access and Response
 - c. Water and Wastewater
 - d. Natural and Man-Made Hazards

The Subdivision Application fee will be \$250.00 for subdivisions of less than 5 Lots and a fee of \$500.00 for subdivisions of 5 or more lots. This fee will be included in the application and be payable to the Town of Darby.

Applicant will include eight (8) copies of the subdivision proposal and associated materials to the town clerk.

Applicant will pay all recording and filing fees at the County Court House.

Approved by Darby Town Council November 9, 2022