

## SECTION 100 – GENERAL PROVISIONS, REQUIREMENTS, AND COVENANTS

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### **Section 101 – General Provisions**

The design of developments and municipal improvements shall comply with the laws, ordinances, rules and regulations set forth in this section including but not limited to the following:

1. The provisions of 65 ILCS municipal code, as amended from time to time
2. The Village of New Lenox’s Comprehensive Plan and Official Map.
3. The Village of New Lenox’s Ordinances:
  - a. Zoning Ordinance
  - b. Subdivision Ordinance
  - c. Storm water Management Ordinance
  - d. Development in Flood Plain Areas Ordinance Standards
4. The Village Technical Standard Details as amended from time to time.
5. All state of Illinois and Will County applicable rules and regulations.

### **Section 102 - Minimum Standards and Specifications**

All construction of improvements covered by this Article shall be in accordance with, and materials used shall be in compliance with, the methods and materials required in the appropriate sections of the latest editions, amendments or revisions of the following:

1. All applicable Village Ordinances, Standards, Specifications and Details, most recent edition, as adopted.
2. “Standard Specification for Road and Bridge Construction”, Most Recent Edition, Illinois Department of Transportation (IDOT);
3. “Manual for Uniform Traffic Control Devices for Streets and Highways”, Most Recent Edition, U.S. Department of Transportation, Federal Highway Administration;

4. "A Policy on Geometric Design of Highways and Streets", Most Recent Edition, American Association of State Highway and Transportation Officials;
5. "Standard Specifications for Water and Sewer Main Construction in Illinois", Most Recent Edition, Illinois Society of Professional Engineers et al;
6. "Illinois Design Standards for Sewage Works", I.E.P.A., Division of Water Pollution Control;
7. "Technical Policy Statements", I.E.P.A., Division of Public Water Supply;
8. "Recommended Standards for Water Works", Great Lakes Upper Mississippi River Board of State Sanitary Engineers ("10 States Standards".)
9. "Procedures and Standards for Urban Soil Erosion and Sedimentation Control in Illinois", the Urban Committee of the Association of Illinois Soil and Water Conservation Districts, ("Green Book");
10. "Standards and Specifications for Soil Erosion and Sediment Control", I.E.P.A. ("Yellow Book");
11. "U.S. Soil Conservation Service Field Engineering Handbook";
12. Illinois Department of Transportation Design Manual.
13. American National Standard Practice for Roadway Lighting (ANSI/IES RP-8, Latest Edition);
14. The National Electric Code (NEC, NFPA 70, Latest Edition)
15. Recommended Standards for Wastewater Facilities (Wastewater Committee of The Great Lakes – Upper Mississippi River, Board of State and Provincial Public Health and Environmental Managers)

Where standards are not specifically set forth, improvements shall comply with standards established by the Village Board.

### **Section 103 – Required Improvements**

The following improvements shall be provided as part of the development of a proposed development:

1. Street pavement structure improvements shall be bituminous concrete flexible type pavement consisting of the following;
  - a. Concrete curb and gutters
  - b. Stable and compacted subgrade
  - c. Base and sub-base course, as required.
  - d. Bituminous concrete binder and surface courses for flexible type pavement
2. Portland cement concrete type street pavement (Special situations)
3. Portland cement concrete sidewalks;
4. Street and private parking lot lighting;
5. Landscaping and trees;
6. Street signs and pavement markings;
7. Any traffic safety installation such as guard railing, etc;
8. Public utilities for telephone, electric, cable, television, and natural gas;
9. Site and lot grading;
10. Storm Sewer Systems and Sump Pump Drainage System;

11. Storm Water Storage and Management;
12. Erosion Control;
13. Sanitary Sewer System; and
14. Water Distribution System

#### **Section 104 – Oversized Design**

Where required in the overall planning as evidenced by the Village’s Master Plan for water, sewer or streets, or the Official Village Plan, the subdivision improvements shall be designed and constructed in accordance with the community’s anticipated needs. An agreement between the Developer and the Village may be made allowing the Developer to recapture added construction costs resulting from an increased design capacity beyond that necessary for the immediate subdivision. This shall apply but not be limited to: collector sewers, lift stations, disposal facilities, wells, pumping facilities, water mains, storage tanks, culverts, storm sewers, and streets.

#### **Section 105 – Offsite Improvements/Existing Infrastructure Modifications**

If its determined that any existing infrastructure including, but not limited to, water distribution systems, sanitary sewers or other wastewater treatment facilities, storm sewers or other storm water management facilities, roads and curbs and gutters, which may be situated either in part or entirely off site, are inadequate to facilitate a proposed development when one hundred (100) percent built-out, then improvements to any one or more or all of such facilities will be required.

#### **Section 106 – Public Utilities**

All utility lines for telephone, electric service and cable television shall be placed underground entirely throughout a development area. Said conduits or cables shall be placed within easements or dedicated public ways, in a manner which will not conflict with the other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public. The utility lines shall be parallel to and not less than eighteen (18) inches from the property lines. Corner property markers shall not be disturbed by the installation of utility lines. The developer shall coordinate with Com Ed and provide to the Village a marked up copy of the utility plan with the proposed electrical utility locations.

#### **Section 107 – Boundary, Lot, Right of Way line, and Benchmark Monumentation:**

##### **Section 107.01 – Permanent Concrete Monument Locations**

Permanent concrete monuments shall be placed at all corners, changes in bearing of the exterior boundary and at such other points shall be required to enable ready establishment of lines with in the subdivision as indicated in the Village Ordinances and as provided by 765 ILCS 205

##### **Section 107.02 – Permanent Concrete Monument Composition**

Permanent concrete monuments shall be of concrete having a six (6) inch minimum diameter with one (1) number 4 vertical bar in its center, and be at least thirty-six (36) inches in length. Monuments shall be set flush with adjacent ground.

### Section 107.03 – Iron Rod Monuments

Iron pipe monuments not less than 3/4- inch diameter and 36 inches in length shall be set at all lot corners and all other required points not marked by permanent concrete monuments. The iron pipes shall be set flush with the finished ground elevation.

### Section 107.04 – Permanent Benchmarks

A minimum of one permanent benchmark shall be established for each 50 acres, or fraction thereof, subdivided, at a location designated by the Village Engineer. This monument shall be of concrete with minimum dimensions of six inch diameter, and shall be 72 inches long, with a brass plate securely fastened to the surface. On the brass plate shall be inscribed the number and elevation of the benchmark.

### Section 107.05 – Acceptance

After construction of all improvements and before final acceptance by the Village, the Developer shall replace or verify the existence of all monuments and markers.

## **Section 108 – Easements**

### Section 108.01 – Utility Easements

Easements for the installation, operation and maintenance of utilities shall be provided as follows:

1. Along all boundary lines of the subdivision having a width of not less than ten (10) feet.
2. Along all back lot lines having a width of not less than ten (10) feet.
3. Along all front lot lines having a width of not less than five (5) feet.
4. Along side and front lot lines where required. Easements for water, sanitary sewer, and storm sewer lines shall have a minimum width of ten (10) feet or shall be based upon three quarters (3/4) the depth of the utility. Separate and exclusive easements for water sanitary and storm sewer are required. Easements for electrical, street lighting, telephone, cable television and gas shall have a minimum width of ten (10) feet on each side of the respective lot lines.
5. On abutting lots, back of lot lines and side lot lines easements shall be provided on each side of the lot line at the minimum width specified above.
6. Utility easements shall be laid out so as to provide continuity from block to block.
7. On wooded sites, utility easements shall be located and be of sufficient width so as to minimize environmental damage.
8. Utility easements and any easement provisions to be incorporated into the final plat or in the deed documents shall be reviewed and approved by the utility companies responsible to furnish the proposed services. Also, the wording of the utility easement certificate on the final plat shall be approved by the Village Engineer.

### Section 108.02 - Drainage and Storm water Management Easements

Easements for the installation, operation and maintenance of Drainage and Storm water Management Facilities shall be provided as follows:

1. Drainage easements shall be provided at the side and rear of all lots to accommodate drainage from each lot. Unless otherwise specified, the width of drainage easements shall be not less than ten (10) feet wide along each rear lot line (totaling 20 feet).
2. Where a subdivision is traversed by a watercourse, drainage-way, channel or stream, or other body of water, appropriate dedications or easements, with adequate width to accommodate observed, computed, or anticipated Stormwater drainage through and from the development, shall be made. The width of the easement or dedication shall be dependent on the area of land drained by the watercourse and shall allow access for construction and maintenance equipment. In general the easement shall conform substantially with the lines of the watercourse and shall include the flood plain, where applicable, plus an additional area not less than twenty (20) feet wide adjoining both edges of the flood plain.
3. All permanent storm water management facilities for a development shall be protected by easements or dedications for drainage and shall permit ingress and egress for maintenance. All side lot lines shall have a minimum ten (10) foot easement on each lot. All lot lines adjacent to non-subdivided lands shall have a twenty (20) foot easement for drainage and utilities.
4. No construction of structure, dams, embankments or channels (except as indicated on the improvement plans) and no planting of trees, shrubbery or other vegetation, which hinder the flow of water or otherwise inhibit the intended purposes, shall be allowed within any drainage or Stormwater management facility easement. In the event the area within such easement is obstructed, reshaped, regarded or restricted for uses other than as intended or as shown on the improvement plans, the Village will cause to have any alterations corrected at the expense of the party or parties causing said obstruction, restriction, regrading, or alteration.
5. Where possible drainage easements shall be separate and distinct from utility easements.
6. Drainage and storm water management easements shall be adequately maintained so as to provide for removal of accumulation of vegetation, silt, debris or other material that may interfere with the flow characteristics of drainage-ways or the essential features of retention or detention facilities.

### Section 108.03 – Pedestrian Way Easements

Easements or dedications shall be provided for pedestrian ways where deemed appropriate by the Village Planning Commission. Pedestrian way easements shall be maintained to permit their continued use. Reference Section 602.04 of this guideline for specifics.

### Section 108.04 – Line of Sight Easements at Intersections

At all intersections, line of sight easements shall be granted to the Village to protect clear sight distance. Unobstructed visibility between two feet and six feet above the height of the paved surface of the access road must be maintained at all intersections. To maintain

this visibility, no shrubs or other landscape material which will reach a mature height greater than two feet shall be permitted within ten feet of the right-of-way of a major arterial, or five feet from the right-of-way of a lesser roadway, for a distance of 40 feet from the right-of-way intersection. Trees are not allowed in these critical visibility areas.

## **Section 109 – Preservation of Natural Features**

### **Section 109.01 – General**

Due regard shall be given to the preservation of natural features within a proposed development, such as large trees, water courses, historical and similar community assets, which, if preserved, will add attractiveness and value to the property. The Developer shall take every precaution required to preserve said natural features in the planning and construction of said development.

### **Section 109.02 – Preservation of Existing Trees**

When parcels proposed for development include trees measuring six (6) inches in caliper or larger, a tree preservation and protection plans shall be prepared and submitted to the Village for review and approval, and shall include the following:

1. Show the location, size, condition, and species of all existing trees within the construction zone and within thirty (30) feet of proposed construction, which are six (6) inches in caliper or larger.
2. Identify all existing trees, six (6) inches in caliper or larger, proposed to be removed.
3. Means and methods to be used to protect and preserve trees designated to be saved.

### **Section 109.03 – Evaluation of Existing Trees**

The ability to save existing trees on the site shall be evaluated by the Developer and the Village to determine which trees shall be saved, and which trees may be removed for one or more of the following reasons:

1. To provide essential grade changes.
2. To provide for surface water drainage and utility installations.
3. To locate proposed structures without causing unreasonable economic hardship.
4. To observe good forestry practices, i.e., the number of healthy trees that they parcel will support.
5. That poses a safety hazard to pedestrian or vehicular traffic, or threatens to cause disruption of public services.
6. That poses a safety hazard to buildings, both existing and proposed.
7. That is diseased or weakened by age, storm, fire or other injury.
8. That are willows, silver maples, or other fast-growing softwood trees determined by the Village to be short lived or of poor quality.

All existing trees determined to be saved shall be identified on the preservation and protection plan and shall be preserved and protected during construction of the development

#### Section 109.04 – Tree Replacement

In the event that a tree identified for preservation is destroyed or damaged during construction, such tree shall be replaced with a tree that is at least the same size caliper as the tree removed, or be replaced with smaller trees, each with a minimum caliper of two and one-half (2-1/2) inches, as measured six (6) inches above grade, which add up to the caliper of the original tree. The species of the tree to be replaced shall comply with respective Village Ordinances.

#### Section 109.05 – Other Tree Preservation Requirements

Approval of a development plan shall be withheld until all of the information required by this section of the Ordinance has been submitted, and the evaluation of existing trees on the subject property has been completed by the Village.

The Village shall, at its discretion, have the right to retain a professional tree consultant/forester to review tree preservation plans and to submit a written report to the Village. All expenses incurred by the Village for the use of the tree consultant shall be reimbursed by the Developer.

The Village shall have the right to inspect the subject property at any time during the construction process, in order to verify that the Developer and contractor have protected trees in accordance with the approved tree preservation plan.

#### **Section 110 – Section Parking**

Any off-street parking improvements required to be constructed as part of the proposed subdivision improvements shall be in accordance with the requirements of the Zoning Ordinance of the Village of New Lenox. Depth and width of all lots shall be adequate to provide off-street parking and loading spaces as required by the Zoning Ordinance.

#### **Section 111 – Mailboxes**

1. The United States Postal Service requires all new subdivisions provide community/gang mailbox units. Said mailbox units shall be placed within easements or dedicated public ways, in a manner which will not conflict with the other underground services. The location of these mailbox units will be determined during the design of the subdivision. Further, all mailbox units shall be located so as not to be unsightly or hazardous to the public. Corner property markers shall not be disturbed by the installation of mailbox units. The developer shall follow the USPS guidelines for mailbox placement and installation. Please note the details in the guide. Please follow this link for the guide <https://about.usps.com/what-we-are-doing/current-initiatives/delivery-growth-management/operations-developers-and-builders-guide.pdf>