

SUBDIVISION REGULATIONS

TOWN OF STAFFORD

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DEFINITIONS:

Application: An application for the subdivision or resubdivision of land which includes all documentation, maps, drawings, information, fees and all other requirements of Section 2.0 of these Regulations.

Chief Executive Officer: In the Town of Stafford - the First Selectman

Commission: The Stafford Planning and Zoning Commission.

Cul-de-sac: A dead-end street with turnaround.

Developer: Means any person, firm or corporation who shall lay out for the purpose of sale or building development, whether immediate or future, any subdivision or part thereof, or any resubdivision, as defined in these regulations.

Erosion and Sedimentation Control Plan: A plan designed to minimize soil erosion and sedimentation resulting from any earth disturbing or development activity and includes, but is not limited to, a map and narrative. The words "E & S Plan" are included in this definition.

E & S Control Plan Certification: The written approval of the Commission or its designated agent that an E & S Plan complies with the applicable requirements of these regulations and other corresponding sections of the zoning regulations.

E & S Inspection: The periodic review of erosion and sedimentation control measures and devices shown on a certified erosion and sedimentation control plan.

Lots: The smallest unit of land shown on an approved subdivision or resubdivision map.

Municipality: The Town of Stafford, Connecticut.

Owner: The person, firm or corporation shown by the land records of the Municipality to be the holder of the fee title.

Plan of Development: The plan of development adopted by the Commission effective February 1972 and includes any duly adopted revisions and amendments thereafter. Plan of Development includes the words "comprehensive town plan", and the words "master plan".

Re-Subdivision: A change in a map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon and creates an additional building lot if any of the lots shown thereon have been conveyed after the approval or recording of such map.

Street: Any way which is an existing Town or State Highway or any way shown on a recorded subdivision plan duly approved the Town Planning and Zoning Commission, or any plan duly approved and recorded prior to the adoption of Subdivision Regulations.

1. **Major Street:** A street of considerable existing or potential continuity serving primarily as an artery for intercommunication among areas of the Municipality or an important traffic collector in a neighborhood and on which through traffic past abutting

properties is or will be dominant.

2. **Local Street:** A street which primarily provides access to abutting properties.

3. **Dead-end Street:** A street only one end of which connects with another street or any street in a series of connected dead-end streets where access is through one dead-end street which is connected to a through street.

4. **Through Street:** Any street that is not a dead-end street and connects at both ends with other available roads and streets.

Street Right-of-way: The area between property lines reserved for use, present or future, as a street.

Subdivision: The division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.

Subdivision Regulations: The Subdivision Regulations of the Town of Stafford, adopted effective February 15, 1972.

Wetlands: Any land, including submerged land, contained within the Town, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain; and which soils and boundaries are shown on corresponding Inland Wetland and Watercourse mapping of the Municipality.

Zoning District: Any one of the districts into which the land area of the Municipality is divided by the corresponding Commission pursuant to the applicable zoning regulations.

The following regulations are the **Subdivision Regulations** of the Town of Stafford, Connecticut, which were adopted by the Stafford Planning and Zoning Commission on October 7, 1971, pursuant to Chapter 126 of the 1958 Supplement to the General Statutes of the State of Connecticut, as amended.

1.0 **GENERAL PROVISIONS**

- 1.1 The following regulations shall apply to the subdivision and resubdivision of land within the Town of Stafford.
- 1.2 No subdivision or resubdivision of land shall be made, and no tract or parcel of land or lot in a subdivision shall be sold or offered for sale and no building shall be erected thereon, until a plan for such subdivision or resubdivision has been submitted to and approved by the Commission and has been endorsed by the Commission and recorded in the Office of the Stafford Town Clerk.
- 1.3 No subdivision or resubdivision plan shall be considered approved until the Commission has endorsed its approval on the plan.
- 1.4 The Commission, in reviewing any subdivision or resubdivision and the person, firm or corporation proposing a subdivision or resubdivision, shall follow the procedures hereinafter specified. The Commission shall not approve any subdivision or resubdivision plan unless it conforms to the standards hereinafter specified.
- 1.5 Should a developer have built upon the same tract or parcel of land two or more houses, or have divided said tract or parcel of land into three or more lots, and it seems otherwise evident to the Commission that he is in fact developing a subdivision even though no application for said subdivision has been made, the Commission may declare said tract or parcel a subdivision and require the developer to make application as required in these regulations, unless the developer can reasonably prove that his actions do not constitute a subdivision. Failure to follow the action this Commission shall make the developer liable to appropriate penalties as indicated in Sec. 1.6 of these regulations, and no further building permits will be granted to said tract until the developer has complied.
- 1.6 **Penalty:** Any person, firm or corporation making any subdivision of land without the approval of the Commission shall be fined not more than five hundred dollars (\$500.00) for each lot sold or offered for sale or so subdivided. The Town may enjoin such action by a subdivider by action for injunction and/or may recover such penalty by Civil action; the remedies shall be cumulative, not alternative.
- 1.7 **Character of Land:** All land to be subdivided or resubdivided shall be of such character that it can be used for building purposes without danger to health or the public safety, that proper provision shall be made for water, drainage and sewerage and, in areas contiguous to brooks, rivers, or other bodies of water subject to flooding, that proper provision shall be made for protective flood control measures and that the proposed streets are in harmony with existing or proposed principal thoroughfares shown in the plan of development as described in Section 8-25 of the Connecticut General Statutes, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width, as to provide an adequate and convenient system for present and prospective traffic needs. Due regard shall be given in the subdivision of land, to the preservation and potential enhancement of existing natural features and other assets of a community nature.

- 1.8 **Primary Research:** Before submitting a proposal for the subdivision or resubdivision of land, a subdivider should familiarize himself with the Subdivision Regulations, Zoning Ordinance, and other applicable regulations, ordinances and standards of the Municipality and with any existing or proposed plans of the Commission and other Municipal Authorities in the neighborhood of the land to be subdivided that will have an influence on the layout of streets, lots, parks and recreation areas and the provision and installation of utilities and storm drainage.
- 1.9 **Compliance with Regulations:** All subdivision plans must conform to the Zoning Regulations for the area in which the subdivision lies and to the Subdivision Regulations herewith prescribed, and they shall be guided in their layout by the Plan of Development covering the area involved, before receiving final approval.
- 1.10 **Pre-application Review:** The Commission suggests that, prior to filing of an official application for approval of a subdivision or resubdivision, the subdivider prepare and present a sketch plan of the proposed subdivision or resubdivision for informal discussion with the Commission. The purpose of preparing a sketch plan is to allow general consideration of factors and problems affecting development of the land to be subdivided before the subdivider proceeds with the formal application and the preparation of required maps, plans and documents. The sketch plan should be drawn to a scale of 100 feet or less to the inch and should show existing and proposed property and street lines, proposed lots, existing and proposed drainage, water courses, ponds and swamps, existing contours from available U.S.G.S. maps or other sources, the location of any test holes, principle wooded areas and ledge outcrops and any proposed parks, recreation areas and open spaces. The Commission shall hold an informational discussion meeting with the subdivider and may recommend changes in the proposed maps and plans. Reports and/or studies, if requested by the Commission, shall be at the expense of the subdivider.

Any action taken and any suggestion made by the Commission with respect to the sketch plan shall not be construed as implying approval of a proposed subdivision or resubdivision, such action and suggestions being made only for the purpose of aiding the subdivider to establish a basis for design of the proposed subdivision consistent with the requirements of these Subdivision Regulations and other Municipal Regulations, Ordinances and Standards.

- 2.0 **Form and Content of Plan of Subdivision:** A subdivision plan shall be submitted, prepared by, and bear the seals of a land surveyor and engineer, licensed to practice in the State of Connecticut. The licensed surveyor shall certify that the accuracy of the survey information meets standards for a "Class A-2" Transit Survey of the Connecticut Technical Council, Inc. The licensed engineer shall certify that he was in responsible charge of design of all improvements shown on the Subdivision plan. The overall plan shall not exceed 24 x 36 inches, shall be drawn on permanent transparent material. Five blue line or black line paper prints of the plans shall also be submitted for the records of the Commission.

The signature block shall be on a form prescribed by the Commission and available from the Planning and Zoning Department. **(Effective 12/15/04)**

The plan shall show the following:

- (a) Name of record owner of land.

- (b) Name of subdivision, if any and subdivider.
- (c) Certificate of registered professional engineer and/or land surveyor.
- (d) North point, scale of map and date.
- (e) Boundary lines of subdivision and accurate distances and bearings shall conform to class A-2 Transit Survey as set forth in the code of Connecticut Technical Council unless waived by the Commission.
- (f) A location map (scale of 1" = 1,000') showing the location of the subdivision in relation to streets in the area.
- (g) An Index Map shall be provided if the proposed subdivision is divided into sections or is of such size that more than one plan is required.
- (h) Plans shall be prepared at a scale of 1"=40'. The Commission may modify this requirement where extensive detail is not needed. Sheet size shall not exceed 24" x 36".
- (i) Names of abutting property owners. Mailing addresses may be provided on a separate sheet attached to the application.
- (j) Layout of lots, showing accurate dimensions, areas, angles, building lines, zone or zones and the location of all monuments or markers to be placed at corners or angles of all lots. Dimensions of lots on curved streets shall be given in arc lengths.
- (k) Accurate location and description of monuments to be placed at corners and angles of all streets, at all curvatures, and points of tangency of curved streets, with accurate reference to an existing recognized government monument or marker.
- (l) Layout of existing streets and proposed new streets, easements, rights-of-way including those for utilities, sewers and drainage, either on or off site, open spaces for parks, playgrounds or other common or public uses. Bearings and dimensions shall be accurate and shall include arc length, radius and central angle of all curves.
- (m) The following approvals shall be endorsed on the Subdivision Plan and pertinent supporting documents shall be submitted to the Commission: (1) Inland Wetlands and Watercourses; (2) Health Department; (3) Public Works Department; (4) Erosion and Sedimentation Control. The words "Approved by the Stafford Planning and Zoning Commission" with a space for the Commission signatures, approval date and expiration date shall be provided on the plan.
- (n) Any Zoning variances on the property shall be clearly identified and referenced to the land records and copies supplied.
- (o) **Effective 11/15/03** wetland delineation's certified by a registered soil scientist shall be included for all areas of activity.

2.1 **Construction Plans and Specifications:** In addition to the above, the following shall be submitted as part of the "Subdivision Plan" as a separate map(s) and supporting data:

- (a) At least one test hole per lot, or more if there appears to be considerable variation in subsurface conditions, shall be dug to determine soil conditions for drainage. Seepage tests, made in accordance with the procedure recommended by the State Health Department will be required in areas served by subsurface sewage disposal systems. The statement of a registered professional engineer showing results of these tests and soil conditions, shall be attached.
- (b) Plan, profile and detail drawing of all proposed streets, storm drains, sanitary

sewers, water mains, catch basins, manholes, ditches, water courses, headwalls, sidewalks, curbs, gutters and other structures shall be submitted. Plan and profile drawings shall be prepared on transparent medium (Mylar), overall 24" x 36", and shall be drawn to a horizontal scale of one inch to forty feet and a vertical scale of one inch to four feet. Profile drawings and elevations shall be based on Municipal, State or U.S. benchmarks or on a suitable bench mark approved by the Commission, noted and described on the drawings and on the Subdivision Map. In the case of streets, profiles shall show the existing grades and proposed elevations at the centerline, both street lines and 30 feet inside each property line; these elevations to be shown at intervals of 50 feet or less along the street. The profiles shall be properly stationed and shall show vertical curve data and stopping sight distance. The depth, invert, slope and size of all pipes, ditches and streams shall be shown. The street plan shall be properly stationed, shall show the width of right-of-way and pavement, curbs, gutters and sidewalks, location of driveway cuts, street trees, street signs and traffic control signs and all underground utilities.

- (c) Detail drawings shall also be submitted showing, at appropriate scales, all the detailed information required to adequately construct and install all proposed facilities. The detail drawings shall be prepared on transparent medium (Mylar) overall size 24 inches by 36 inches.
- (d) Contours, in sufficient detail to show general Topography, watercourses and drains. In general, contours shall be shown at no less than four foot intervals, but in case of relatively level land the Commission may require contours at two foot intervals. Finished grades shall be shown.
- (e) Flow-line elevations for all brooks shall be given at 100 foot stations and the location and size of all culverts shall be given.
- (f) An Erosion and Sedimentation Control Plan as required by the Zoning Regulations.
- (g) Requests for waivers to any requirement of these Regulations shall be submitted in writing with reasons for same. Such requests shall be submitted with the application.
- (h) Construction specifications shall be submitted, adequately describing all materials and equipment included in the construction methods to be used.
- (i) An estimate of the cost of all required improvements shall be prepared and submitted to the Commission, for its guidance in setting the amount of any performance bond required.
- (j) All construction plans, drawings, specifications and estimates shall be prepared by and bear the seal of an engineer licensed to practice in the State of Connecticut.
- (k) Unless dead or diseased, trees of 6" caliper or more and wooded areas shall be indicated and shall not be removed until a cutting plan has been provided and approved.
- (l) The Plan shall also show by proper designation thereon all parcels of land proposed to be dedicated to public use for which deeds are included and all parcels title to which is reserved by the Applicant, or which is to be reserved by deed covenant for the common use of the property owners of the subdivision.
- (m) Proposed location of dwelling(s), septic system(s), well(s), and driveway(s).
- (n) Slopes of all driveways.
- (o) The original and five black or blue line paper print copies of each drawing and six copies of the typewritten specifications and estimates shall be submitted with the Subdivision Plan.
- (p) Approved Plan (when applicable) and report of the Stafford Inland Wetlands and Watercourses Agency.

- 2.2 **Resubdivision:** All plans of resubdivision shall include sufficient information to enable the recorded subdivision to be identified in the Town records. Requirements and procedures of subdivision shall normally be followed for all resubdivisions.
- 2.3 **Master Development Sketch:** Where all land proposed for development of land under ownership of the applicant is not included in the proposal, a master development sketch shall accompany the original submission. This sketch, at a scale of not less than one inch equals one hundred feet, shall show proposed rights-of-way and lot layout. Additional information may be required by the Commission where any part of the subdivision would be affected by development of another part. Sections in proposed order of development shall be indicated and applied for separately.
- 2.4 **Plans for Parks, Playgrounds and Recreation Areas:** In the event that an area to be used for parks, playground or recreational purposes is required to be shown, the Applicant shall submit to the Commission prior to final approval of the Subdivision Plan, 4 copies (1 Mylar and 4 copies), of a drawing conforming to the size, margin and title box requirements of the Subdivision Plan, showing at a scale of not less than 20 nor more than 50 feet to the inch, such area and the following features thereof:
- (a) The boundaries of the said area, giving lengths and bearings of all straight lines; radii, lengths, central angles and tangent distances of all curves.
 - (b) Existing features, such as brooks, ponds, large specimen trees, clusters of trees, rock outcrops, stone walls, and structures.
 - (c) Existing and, if applicable, proposed changes in grade and contours of the said area and of area immediately adjacent.
 - (d) Improvements to said area required by the Commission.
- 2.5 **Field Location of Proposed Improvements:** Proposed roads shall be staked by the Applicant, if directed by the Commission, along their centerline every 100 feet, or more frequently if required, in order to permit the Commission, the Chief Executive Officer and their duly authorized representative to observe grades, type of terrain traversed, lot access and other factors on the site. Each stake shall be referenced and shall indicate the approximate height of proposed cut or fill. Locations of drainage facilities, proposed wells, pumping stations, tanks, and treatment plants for proposed public water supply and pollution control facilities shall also be staked by the Applicant if directed by the Commission.
- 2.6 **Sanitation Certificate:** When the Subdivision is not served by sanitary sewers or by public water, a statement from the **Local (Effective 11/15/03)** Health District shall be submitted to the Commission by the applicant certifying that the land to be subdivided and the subdivision plans are satisfactory for private sewage disposal and water supply systems. Adequacy of plans for sewage disposal facilities shall be based on site tests carried out in accordance with State Sanitary Code Regulations and witnessed by Local Health District personnel. A minimum of one percolation test and two soil logs per lot shall be made and reported as prescribed by the Local Health District. At its discretion, the District may require the applicant to submit a report from a sanitary engineer, licensed to practice in the State of Connecticut, certifying that the land to be subdivided and the Subdivision Plan are satisfactory for sewage disposal and water supply systems. All sewage disposal systems and water supply systems shall meet applicable requirements of the Connecticut Department of Health. All costs in

connection with securing a sanitation certificate, making, witnessing and reporting of percolation tests, sanitary engineering reports, etc., shall be borne by the Applicant.

- 2.7 **Connecticut Department of Transportation Permit:** Where a proposed road or drain joins with a State Highway, the applicant shall obtain a permit for such connection from the Connecticut Department of Transportation.
- 2.8 **Easements, Deeds and Common Driveway Maintenance Agreements:** When common driveways are proposed in a subdivision, a maintenance agreement describing rights and obligations associated with the construction, repair and maintenance of the common driveway shall be recorded on the Land Records prior to the sale of lots.
- 2.9 **Subdivision of Land Containing Inland Wetland and Watercourses:** If an application involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440 of the Connecticut State Statutes, and the agency responsible for the administration of the inland wetland and watercourses regulation has not already reviewed the application, the applicant shall file a copy of the application with such agency no later than the day the application is filed with the Commission. The Commission shall give due consideration to any report filed with it by the agency prior to rendering a decision on the subdivision or resubdivision. The Commission recommends wetlands clearance prior to application for subdivision or resubdivision, since no action can be taken by the Commission until a written report has been received from the Wetlands Agency.
- 2.10 **Passive Solar Design:** An applicant for a residential subdivision shall demonstrate to the Commission that in developing the plan, the use of passive solar energy techniques were considered.

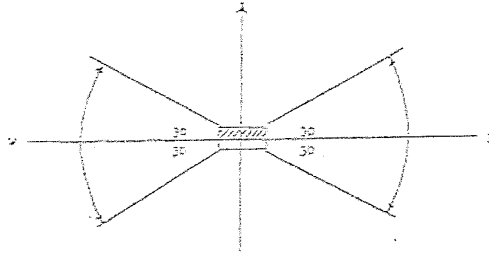
The purpose of such techniques is meant to encourage energy conservation, primarily by taking advantage of southerly exposures to the maximum extent possible. By proper lot design and house orientation, a wider range of choices are made available to the future owner regarding building design alternatives which can maximize the solar access advantage.

The passive solar energy techniques considered shall as a minimum include:

- (a) **House Orientation:** In order to take maximum advantage of the winter sun for heating purposes, a building's longest plan would be positioned no more than 30 degrees off the east/west axis (see diagram below). For the Commission's consideration and for the information of the future lot owner, the Subdivision plan should show house orientations which would provide the best solar access. Such information shall be included as supporting data on a separate plan as called for under Sec. 2.1.
- (b) **Street and Lot Layout:** Street patterns and lot lines generally determine building orientation. Where no topographic constraints exist, streets shall have east/west orientation to the greatest extent possible, preferably within 30 degrees of the east/west axis. Where this orientation is not possible or desirable, side lot lines adjacent to intercardinally positioned streets are encouraged to be placed as close as possible to the north/south axis (see sketch below).
- (c) **Vegetation:** Trees can serve as valuable tools in conserving energy in

residential buildings. If existing plant materials serve as wind barriers at the north or northwest of homes, they should be retained. Street trees should be planted by type and location to avoid conflict with a building's southern exposure.

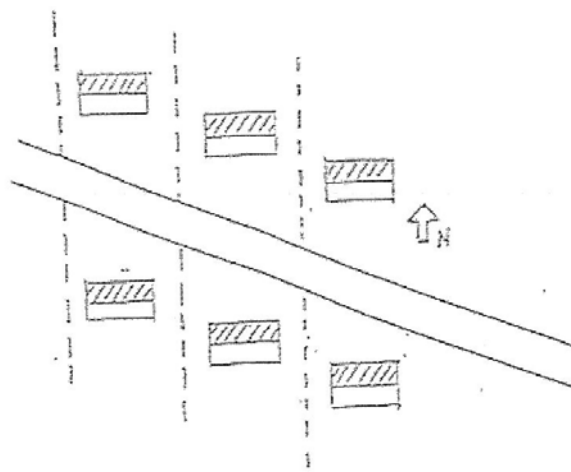
- (d) **Natural and Man-made Topographical Features:** Adequate solar orientation is dependent upon the slope of the land. When open space is part of a subdivision proposal, consideration shall be given to placing this area on north facing slopes--not conducive to good solar orientation. Consideration shall be given to the placement of lots on south facing slopes--favorable to good solar access.



- (e) **Protection of Solar Access Within the Development:** For the information of the future lot owner, areas should be shown on each lot where tree removal would be necessary to provide solar access for the building's south facing wall. Lots with major yard areas to the south of the building are encouraged as these are under the owner's control. Where necessary, the placement of solar easements on lots is encouraged.

Note: Passive Solar Design Definitions:

- (1) **Passive Solar Energy Techniques:** Site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season.
- (2) **Solar Access:** The access to unobstructed direct sunlight required by a solar collector for its efficient operation, generally determined as having the south walls of a building receiving uninterrupted sunlight between the hours of 9:00 a.m. and 3:00 p.m. on December 21.
- (3) **Building Orientation:** The relationship of a building's longest axis to the south compass point.
- (4) **House Orientation on Intercardinal Streets:**



- 2.11 **Street Lighting:** Street lights shall be installed in subdivisions, at the developer's expense, unless waived by the Commission and shall be installed in accordance with construction standards of the Connecticut Light and Power Company. Ornamental poles shall be used wherever underground wiring is installed. Lighting shall be in accordance with standards of the Illuminating Engineering Society and all proposals shall be referred to the Board of Selectmen for review and approval.

In residential subdivisions, "half-code lighting" shall be used unless the Commission determines otherwise following review by the Board of Selectmen. For major thoroughfares and collector streets and in commercial or industrial areas, "full-code lighting" shall be installed unless the Commission determines otherwise following review by the Board of Selectmen. ("Full-code lighting" requires a light on every pole at spacings of 100 feet to 140 feet using 100 watt, 9500 lumen high-pressure sodium luminaries.)

3.0 **DESIGN STANDARDS**

- 3.1 **General:** The following regulations and design standards shall apply to the planning and map layout of streets, lots, parks, recreation areas and other improvements and facilities shown on the subdivision plan.

- 3.2 **Land To Be Subdivided:** Land to be subdivided shall be of such character that it can be used for residential purposes without danger to health and safety. Land not to be subdivided for residential purposes includes land that:

- (a) Is subject to flooding;
- (b) Cannot be adequately sewered;
- (c) Could be a hazard to public health, safety, welfare, property or life of present or future residents; and
- (d) Is classified as wetlands as defined by the "Stafford Inland Wetlands and Watercourses Regulations".

In calculating land area of a subdivision, such areas as cited above shall not be included.

- 3.2.1 **Building Lots:** The proposed lots shall be of such shape, size, location, topography and character that buildings can be reasonably constructed and that they can be occupied and used for building purposes without danger to the health and safety of the occupants and the public. Any lot which is found to be unsuitable for occupancy and building by reason of water or flooding conditions, unsuitable soil, topography, ledge rock or other conditions shall be combined with another lot that is suitable or added to an open space area or shall be marked "This is not an approved lot" on the subdivision map, until necessary improvements to the lot have been made and approved by the Commission and revised subdivision map has been submitted to and approved by the Commission. ***Effective 11/15/03*** Building lots shall have sufficient usable lot area. The area of a lot that is considered usable lot area shall be the area of a lot that does not

include floodplains, wetlands, easements or slopes of over fifteen percent (15%). A building lot shall have a usable lot area of at least fifty percent (50%) of the minimum required lot size for the district in which such property lies. The land area comprising the fifty percent (50%) minimum shall be one contiguous piece.

Building lots shall be so arranged and shall be of such shape, size, location and character that buildings can be reasonably constructed in conformity with the requirements of the Zoning Ordinance of the Municipality and proper access can be provided to such buildings from an approved street. Side lot lines shall be at right angles to straight street lines and radial to curved street lines, unless a variance from the rule will give a better street or lot plan. Except in cases of unusual topography or property lines, through lots bounding on two generally parallel streets will not be permitted. In general, corner lots should be larger than interior lots to provide for proper building setback from each street and to provide a desirable building site. Where lots are more than double the minimum area required in the Zoning District in which a subdivision is located, the Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots.

- 3.2.2 **Block Dimensions:** They shall be at least twice the minimum lot depth and generally not more than eight (8) times the minimum lot width required by Zoning. In long blocks, the Commission may require the reservation through the block of 30 foot wide easement to accommodate utilities or pedestrian traffic and may further specify, at its discretion, that a four (4) foot paved walk be included.

Other evidence shall be submitted establishing that the land to be subdivided is of such character that it can be used for building purposes without danger to health or public safety, that proper provision will be made for water, drainage and sewerage and, in areas continuous to brooks, rivers or other bodies of water subject to flooding, that proper provision will be made for protective flood control measures, that in places deemed proper by the Commission open spaces for parks and playground will be established, and any proposed streets shown on the subdivision plan will be in harmony with existing or proposed thoroughfares shown on the municipal plan of development, especially in regard to safe intersections with such thoroughfares.

- 3.3 **Streets:** Streets shall be planned to conform to the following minimum standards.

- 3.3.1 **Classification of Streets:** All existing and proposed streets and vehicular rights-of-way shown on the subdivision map shall be classified by the Commission as Major Streets or Local Streets (see "Definitions").

- 3.3.2 **Street Width:** Streets shall have the following minimum width of right-of-way according to their classifications.

- (a) Major Street 60 Feet
- (b) Local Street 50 Feet

- 3.3.3 **Street Alignment:**

- (a) **Horizontal Alignment:** The minimum radius of curvature at the centerline of streets and the minimum length of tangent between reverse curves shall be as follows:

<u>Classification</u>	<u>Radius</u>	<u>Tangent</u>
Major Street	600 feet	200 feet
Local Street	200 feet	100 feet

- (b) **Vertical Alignment:** The minimum grade for any street shall be 1.0% and the maximum grade shall not exceed the following:

<u>Classification</u>	<u>Maximum Grade</u>
Major Street	5%
Local Street	10%

All changes in grade shall be connected by vertical curves having the following minimum stopping sight distances and lengths:

<u>Classification</u>	<u>Stopping Site Distance</u>	<u>Length</u>
Major Street	350 feet	150 feet
Local Street	200 feet	100 feet

3.3.4 **Intersections:** The following standards shall apply to street intersections:

- (a) No more than two streets shall intersect at any one point; Four way intersections of streets primarily intended to serve abutting property shall be avoided.
- (b) Except where impractical because of topography, or other conditions, all streets shall join each other so that for a distance of at least 100 feet the streets are at right angles to each other. In any case where right angle intersections are impractical, major streets and local streets intersecting with major streets shall not intersect at an angle of less than 85 degrees and no local street shall intersect with another local street at an angle of less than 60 degrees. Within 100 feet of an intersection, the grades of proposed streets shall not exceed three percent.
- (c) Intersecting street lines of major streets and local streets shall be rounded at the corner with a minimum radius of 25 feet. A larger radius may be required by the Commission where deemed necessary because of angle of intersection and type of traffic anticipated.
- (d) Street jogs with centerline offsets of less than 125 feet shall be avoided.
- (e) Within the triangular area formed at corners by the intersecting street lines, for a distance of 75 feet from their intersection and the diagonal connecting the end points of these lines, visibility for traffic safety shall be provided by excavating is necessary. Nothing in the way of fences, wall, hedges or other landscaping, shall be permitted to obstruct such visibility. Deeds for corner lots at street intersections shall have covenants included therein prohibiting the planting or construction of obstructions to visibility within the triangular area described above.

3.3.5 **Street Planning:** Proposed streets and rights of way shall be planned in such a manner as to provide safe and convenient access to proposed lots and with due consideration for accomplishing an attractive layout and development of the land in the subdivision and in the neighborhood. Streets should in general follow the contour of the land and should have a location and grade that preserves desirable trees and natural features in the subdivision and which enhances property values in the subdivision. Proposed local streets shall be planned to discourage through traffic but also to provide

a safe and convenient system for prospective traffic in the subdivision. Local streets shall also provide a safe and convenient system for present and prospective traffic in the neighborhood around the subdivision and shall be planned where appropriate to provide for continuation of existing streets in adjoining areas and for projection into adjoining properties when subdivided. Proposed streets which may be projected into adjoining properties shall be carried to the boundary line; no reserve strips will be permitted.

Lots shall not, in general, derive access exclusively from a major street. When a subdivision abuts or contains an existing or proposed major street, the Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. Streets shall be arranged so as to obtain as many as possible of the building sites at or above the grade of the street. Steep grades and sharp curves shall be avoided.

- 3.3.6 **Existing Streets:** Proposed subdivisions abutting existing Municipal streets or State Highways shall provide for no less than one-half the land required to widen the existing right-of-way to the minimum width appropriate for the street classification given such street or highway by the Commission. The Commission may require that the right-of-way be increased where appropriate to eliminate a dangerous curve or to increase sight distance. Provision shall also be made for improvements in the travel way as to width, grade and alignment (vertical and horizontal), base, drainage and pavement as, in the opinion of the Commission, may be necessary for the creation of the subdivision. Such improvements will normally include that portion of road between the proposed subdivision and an improved street.

Any proposed street in a subdivision shall connect to an existing Municipal street or State Highway or to another street in the proposed subdivision or to a street in another subdivision approved by the Commission where the applicant has access rights.

The existing street to which the proposed subdivision street connects shall be of sufficient width and have a suitable travel way, grade and alignment as determined by the Commission to provide adequate access for fire protection, other emergency, utility and highway maintenance services to the subdivision and sufficient to accept the traffic to be generated by the proposed subdivision street without undue hazards to vehicles and pedestrians.

Where such improvements are required, the Commission shall not approve a subdivision until such time as a developer has entered into a written agreement with the Municipality or the State to bear the cost (or portion thereof) for street improvements so as to serve the proposed subdivision in a safe manner.

- 3.3.7 **Street Lines:** Street lines on each side of a proposed street or right-of-way shall be parallel or concentric arcs.

- 3.3.8 **Dead-end Streets:** The length of a dead-end street or the combined length of connected dead-end streets shall not exceed 1,500 feet in length, measured from the Intersection of a through street. The length of a dead-end street shall be measured along the centerline of the street.

- 3.3.9 **Turnarounds:** A turnaround with a minimum diameter of 110 feet for the right-of-way

shall be provided at the closed end of a dead-end major street or local street. Land for a turnaround on a temporary dead-end street may be provided in the form of an easement bearing a note on the map: "Easement for temporary turnaround which automatically terminates upon extension of street". Temporary or permanent turnarounds shall be installed according to Section 4.6 of these regulations.

- 3.3.10 **Street Names:** All proposed streets shall be named and shall bear names which are appropriate to the character of the Municipality and which do not duplicate or too closely approximate in spelling or sound existing street names in the Municipality or any adjoining Town.
- 3.3.11 **Traffic Control Devices:** Those devices used to warn of unusual road or traffic conditions and to furnish information about road use, such signs and markings, directional signaling and illumination shall be installed at the direction of the Commission at the expense of the developer.
- 3.4 **Easements:** Easements, at least 30 feet in width, shall be provided for all storm drains, sanitary sewers, water mains and other utilities that are not to be installed in the streets. Easements shall also be provided for the full width of the channel of any stream or drainage ditch in the subdivision which will carry drainage run-off from any proposed street, existing street, or streets which may be constructed in the future on the undeveloped land within the watershed. Easements shall also be provided for storm water pipes that may need to be installed in the future to serve undeveloped land within the watershed that normally drains across the area of the proposed subdivision. Where the discharge of storm water shall be into private property adjoining the proposed subdivision, proper easements and discharge rights shall be secured by the developer for the Municipality before approval of the final map.
- 3.5 **Channel Lines:** Channel and building lines shall be provided along any watercourse for the purpose of preventing encroachment upon and constriction of the natural water channel by buildings, filling operations or other facilities and construction. The width of the channel shall be based on sound engineering calculations anticipating long range storms and flow potentials and recognizing proper alignment and gradients of the channel. A note shall be placed on the subdivision map explaining the channel and building lines and stating the restrictions against encroachment upon the channel in a manner approved by the Town Counsel.
- 3.6 **Utilities:** Where existing central sewer and water systems are available or extendible, properly connected sewers with manholes and other appurtenance, and water mains with hydrants, valves and other fittings shall be installed within the subdivision such as may be necessary in the opinion of the Commission to provide all lots therein with adequate and healthful sewage disposal and adequate water supply for domestic use and fire protection. Where adjacent property is not subdivided, provision shall be made for proper projections of the systems by continuing appropriately designed mains to the boundaries of the subdivision.

Where public water supply and/or sanitary sewer systems are planned and will be capable of serving a proposed subdivision, then the Commission may require installation of a public water supply distribution system and/or a public sanitary sewer system within the subdivision which systems shall be capped and available for future use. Where such facilities are required, provisions shall be made in the plumbing installation of each

habitable dwelling for the convenient connection to the public water supply and sanitary sewage systems at such time as such connection is required. Design and installation of public water supply and sanitary sewerage systems and facilities shall be in accordance with the standards and requirements of the State Department of Health. Where a public water supply system is to be provided, fire hydrants shall be installed in accordance with appropriate standards of the New England Insurance Rating Association and the American Insurance Association.

3.7 **Underground Utilities:** Electric and telephone wires shall be installed underground except that the Commission may waive this requirement at the request of the developer in cases where the Commission shall determine that the installation of underground service will result in unusual difficulty or hardship. In making such determination, the Commission shall take into account the following:

- (a) The size and nature of the subdivision.
- (b) Unusual topographic or other natural conditions.
- (c) Type of service existing in the area adjacent to the subdivision at the time of application for waiver.

The Commission may grant a full or partial waiver of this requirement, and in approving such waiver may require the installation of electric and telephone wires on poles or may require a combination of underground and overhead services.

3.8 **Utilities in Streets:** The Commission shall, wherever possible, require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of the lines, pipes, conduits and appurtenances when they require attention. The subdivider shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved with a wearing course. Where poles for overhead wires are installed, the developer when necessary, shall provide easements. Easements shall be shown on the subdivision plan.

3.9 **Parks and Recreation Areas:** Land for parks, playgrounds, recreation areas and open spaces shall be provided and reserved in each subdivision as deemed necessary and in locations deemed proper by the Commission. The land reserved shall be of such size, location, shape, topography and general character as to be useful to satisfy the needs determined by the Commission. The reservation of land shall also conform to any Municipal plan of development pertaining to parks, playgrounds, recreation areas and open spaces.

Land to be reserved for open space purposes shall amount to ten (10) percent of the area of the subdivision.

Areas reserved for park and recreation areas shall not contain less than one acre of land, but may be part of a similar area in an adjoining subdivision so that the total area is not less than one acre, unless otherwise specifically approved by the Commission.

Where a property line of a proposed subdivision abuts an existing park, playground, recreation area or open space, the Commission may require the new park, playground, recreation area or open space to form a continuation of the existing area to provide a single large unified area. Such parks, playgrounds, recreation areas or open spaces shall abut or have direct access to a public right-of-way dedicated to public use. No privately owned reserved strips which control access to such areas will be permitted.

The right-of-way shall not be included in the required area, shall be at least thirty (30) feet wide and shall be leveled off in a manner suitable for pedestrian and vehicular traffic with a maximum grade of twelve (12) percent.

When a park, playground, or other recreation area or open space shall have been shown on a subdivision map, the approval of said Map shall not constitute an acceptance by the Municipality of such area. The Commission shall require the Map to be endorsed with appropriate notes to this effect. The Commission may also require the filing of a written agreement between the applicant and the Municipality covering future deed and title, dedication and provision for the cost of grading, development, equipment and maintenance of any such recreation area. Where title to land designated for parks, recreation areas or open space is to remain with the applicant or reserved by deed covenant for the common use of the property owners of the subdivision, there shall be submitted copies of agreements or other documents showing the manner in which such areas are to be maintained and the provision made thereof. All agreements and covenants governing the maintenance of such unceded parcels of land shall be acceptable to the Town Counsel as to their legal sufficiency.

3.10 Pre Application Conference (Effective 12/15/04)

Prior to the submission of a subdivision or re-subdivision application in which the applicant proposes to reserve open space in accordance with Section 3.9, the applicant must initiate a pre-application conference with the Open Space Advisory Committee and its staff to discuss the suitability of the land proposed as open space. A report by the Open Space Advisory Committee on the suitability of the proposed open space dedication must be submitted with the subdivision or re-subdivision application. Neither the pre-application conference, nor the recommendation by the Open Space Advisory Committee shall be deemed to constitute approval or denial of any portion of the application.

3.11 Open Space Fee in Lieu of Land (Effective 12/15/04)

The developer may pay an open space fee in lieu of dedication of land for open space. The fee shall be the lesser of \$500 per lot or ten (10) percent of the fair market value of the land to be subdivided. Market value of the land shall be determined by an appraiser, jointly selected by the Commission and the applicant. The applicant shall be responsible for the appraiser's fee. A developer shall be exempted from payment of such fee if 20% of the total housing units to be constructed in the subdivision is affordable housing as defined by the State. Also exempted are transfers of subdivisions of less than five (5) parcels to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration. Open space fees shall be held by the Town Treasurer in a fund reserved for the preservation or acquisition of open space.

4.0 IMPROVEMENTS

4.1 **General:** All required subdivision improvements shall be designed and constructed as provided herein, subject to the approval of the Commission.

4.2 **Modifications of Required Improvements:** If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Commission that unforeseen conditions make it necessary or preferable to modify the

location or designs of such required improvements, the Commission may authorize modifications provided these modifications are within the spirit and intent of the Commission's approval of the Subdivision Plan and do not extend to the waiver or substantial alteration of the function of any improvements required by these regulations. The Commission shall issue any authorization for modification in writing to the developer and shall transmit a copy of such authorization to the Chief Executive of the Municipality.

- 4.3 **Inspection of Improvements:** All required improvements are subject to inspection by the Commission, the Chief Executive Officer and/or their duly authorized representatives. The developer shall provide free access to the site of the work for the purposes of such inspection at all times when construction work is underway on any of the proposed improvements. Whether or not such inspection is carried out, the developer shall not in any way be relieved of his responsibilities to comply with these regulations.

At least ten days prior to commencing construction of any required improvements, the developer shall notify the Commission and the Chief Executive Officer in writing of the time when he proposes to commence construction of such improvements.

If the Commission shall find upon inspection that any of the required improvements have not been constructed in accordance with approved specifications and requirements, the Commission shall notify the developer and, if necessary, the bonding company and take all necessary steps to preserve the Municipality's rights under the bond.

- 4.4 **Completion of Improvements:** The required improvements shall not be considered to be completed until the installation of improvements has been approved by the Commission and "as built" maps and drawings satisfactory to the Commission have been submitted indicating the location of all underground utilities as actually installed and the detailed layout of the above ground central water and sewerage facilities as actually constructed. The drawings shall also show the elevations of all pipe inverts at manholes and other pipe inlets and outlets and the actual location and depth to all valves as actually constructed. The "as built" maps and drawings shall be prepared and sealed by an engineer licensed to practice in the State of Connecticut. If the developer satisfactorily completes all required improvements prior to the signing of the Subdivision Map by the appropriate officer of the Commission, then said maps and drawings shall be submitted prior to the signing of the map. However, if the developer elects to provide a bond for all required improvements, such bond shall not be released until said maps and drawings are submitted.

- 4.5 **Improvements and Easements on Individual Lots:** The developer shall provide each purchaser of a lot with an accurate survey map certifying to the exact dimensions of the lot and exact location of all buildings, utilities and easements thereon.

- 4.6 **Streets:** Streets, permanent turnarounds, and temporary turnarounds shall be designed and constructed in accordance with the following minimum standards and supervised by the Stafford Department of Public Works.

- 4.6.1 **Pavement Width:** Streets shall be paved to a minimum width of 28 feet. Turnarounds shall have a pavement radius of 45 feet.

- 4.6.2 **Cross Section:** Pavements shall be designed with a crown with a cross slope of $\frac{1}{4}$ Inch per foot.

- 4.6.3 **Sub-Grade:** The method of construction of the sub-grade shall be as specified in Section 2.09 of the "State of Connecticut Department of Transportation Standard Specifications...Form 814".
- 4.6.4 **Base Course:** The base course shall have a minimum depth of twelve (12) inches after compaction and the materials and method of construction shall be as specified for "Rolled Gravel Base" Section 3.02 of the "State of Connecticut Department of Transportation Standard Specifications...Form 814".
- 4.6.5 **Pavement:** The pavement shall consist of a two course bituminous concrete payment and the materials and methods of construction shall be as specified in Section 4.02 of the "State of Connecticut Department of Transportation Standard Specifications...Form 814". The first, or bottom, course shall be two (2) inches in thickness and the second, or surface, course shall be one and one-half (1-1/2) inches in thickness.
- 4.6.6 **Slopes:** Cut or fill sections beyond the ten foot sidewalk area shall not exceed a slope of one (1) or two (2) except in rock. The Commission may require a decrease in the amount of slope to whatever extent is necessary to maintain the stability of the bank under the particular soil conditions. The Commission may require the removal or lowering of embankments adjacent to street intersections in order to assure adequate sight distance at the intersections. No cut or fill sections beyond the ten foot sidewalk area shall extend into property outside the subdivision or property not owned by the applicant unless appropriate slope rights are obtained for the Municipality; in the absence of such slope rights, appropriate retaining walls shall be constructed within the subdivision to prevent encroachment upon adjoining property.
- 4.6.7 **Sidewalks:** Sidewalks will be required in front of new homes within subdivisions approved after March 15, 2006 when all of the following conditions exist:
- (a) Subdivision is located within AA districts of the former Borough of Stafford Springs, A, B, or C Districts; and
 - (b) Subdivision consists of 4 or more lots; and
 - (c) Subdivision is or will be located on a street that has through Traffic; and
 - (d) Sidewalks currently exist adjacent to the subdivision.
- Subdivisions that do not satisfy all of the above requirements are not required to include sidewalks.
Sidewalks shall be constructed in accordance with Connecticut General Statutes Section 7-118a (a) and State of Connecticut Department of Transportation Standard Specifications...Form 816. Sidewalk constructions shall not be required to cross driveways, but rather, shall terminate at intersections with driveways.
- 4.6.8 **Curbs:** All streets shall have machine extruded bituminous concrete curbs on each side of the street. Such curbs shall be Cape Cod style design. **(Effective 12/15/04)**
- 4.6.9 **Construction Procedure:** Line and grade stakes shall not be spaced more than fifty feet apart and shall be set and maintained in good order during construction and until the street is approved by the ***Commission or their duly authorized officer and Public***

Works Department (Effective 11/15/03). The **Commission or their duly authorized officer and Public Works Department (Effective 11/15/03)** shall be notified 48 hours before gravel is placed on the sub-grade and before any pavement operations.

4.7 **Storm Drainage:** Storm drainage shall be provided for by design and construction of drainage facilities in accordance with the standards set forth herein. The developer shall submit a drainage analysis map, showing the tributary watershed area and downstream area affected by runoff, and the criteria and computations used in determining the location and size of proposed facilities. In preparing the drainage analysis map and computations, the developer's engineer shall include in his study the effect of the subdivision on the existing downstream drainage facilities outside the area of the subdivision.

4.7.1 **General:** Sufficient pipe shall be installed within the subdivision to carry existing water courses and to drain the proposed subdivision and subdivisions which may reasonably be expected to be developed at some future date on adjoining property which normally drains across the area of the proposed subdivision. When in its judgment there will be no substantial danger from soil erosion or danger to the public health and safety, the Commission may permit the discharge of rivers and large streams in their natural courses and may permit the discharge of storm water and established water courses across proposed lots of one acre or larger in open channels:

- (a) A culvert or other drainage facility shall, in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. Size of facility based upon potential development and anticipated runoff from a twenty-five (25) year storm. The culvert or drainage facility shall continue to a natural watercourse.
- (b) Downstream drainage effect of each proposed subdivision outside the area of the subdivision shall also be calculated. Where it is anticipated that the additional runoff incident to the development of the subdivision will over load an existing downstream drainage facility during a twenty-five (25) year storm, the Commission shall not approve the subdivision until the subdivider has made provisions for the improvement of such potential condition as the Commission deems reasonable to require of the subdivider. The Commission shall notify the First Selectman of such potential condition prior to final approval.
- (c) Where a subdivision of land proposed building lots on an existing approved road, or where the tract of land to be subdivided presently receives storm water drainage from an existing road or watercourse, it will be the responsibility of the developer to provide an approved storm water drainage system suitable to give the existing road and adjacent lots of the proposed subdivision proper drainage.

4.7.2 **Design Flow:** In estimating the quantity of runoff for storm drainage design, the following minimum factors shall be used:

- (a) **Quantity of Flow:** Q (runoff in cubic feet per second) equals area (in acres) time C (runoff coefficient) time R (rainfall, in inches per hour).
- (b) **Rainfall Formula:** R equals 170 divided by t plus 23 (where "t" equals the time of concentration, in minutes).
$$(R = 170)$$

- (c) **Runoff Coefficient:** Minimum value of $C=0.30$. The Commission may require that the value of C be increased where consideration of existing conditions or proposed improvements indicate such increase would be warranted.

4.7.3 **Design Criteria:**

- (a) The minimum storm sewer pipe size shall be fifteen inches.
- (b) The minimum roadway culvert size shall be twenty-four inches.
- (c) The minimum velocity (pipe flowing full) shall be three feet per second.
- (d) The maximum velocity of flow in open channels shall be as follows:
 - (a) Open channel, unprotected: five feet per second.
 - (b) Open channel, protected: ten feet per second. A protected channel shall be defined as one in which the bank slopes and/or bottom have been lined with suitable stone riprap or concrete pavement.
- (e) Pipe storm sewers may be designed to flow full, but shall not be designed to flow under pressure at the design flow.
- (f) Culverts shall have a minimum slope of one percent and shall be provided with suitable headwalls at the inlet and end walls and erosion protection at the outlet.
- (g) Open channels, except existing stream relocations or improvements, shall have a minimum slope of two percent, a minimum depth of one foot, a maximum depth of three feet, minimum side slopes of two horizontal to one vertical, and shall provide a minimum freeboard of six inches.
- (h) Bank slopes of open channels designed for velocities of five feet per second or less shall be seeded or sodded with a suitable turf to prevent soil erosion.
- (i) Bank slopes and bottoms of open channels designed for velocities of five to ten feet per second shall be protected by stone riprap or concrete pavement.
- (j) Storm drain inlet or other pipes or culverts receiving or discharging storm runoff crossing residential lots shall be extended to a point at least twenty-five feet upstream or downstream from the nearest point of any sanitary sewage disposal system.
- (k) Manholes or catch basins shall be provided at each change in direction or grade of the pipe and shall not be spaced more than 300 feet apart.
- (l) Catch basins shall be provided in order that surface water will not travel without interception more than 300 feet. On steep slopes or in special grade situations, the Commission may require catch basins to be depressed and/or set behind the curb to facilitate the collection of water and may require the installation of double inlets.
- (m) The discharge of all storm water shall be into suitable streams or rivers or into Municipal drains with adequate capacity to carry the additional water.
- (n) Suitable headwalls and end walls shall be provided at the open end of any pipe. Culverts under streets shall be extended to the edge of the right of way of the street.
- (o) Driveway pipe culverts shall be installed wherever a driveway crosses a roadway gutter or ditch. The minimum driveway culvert size shall be fifteen inches.
- (p) Individual subdivision lots shall be graded insofar as is reasonable, as determined by the Commission, to prevent storm water from the lot flowing overland across adjacent lots and to prevent insofar as is possible, storm water from the lot flowing over the sanitary sewage disposal system on that lot.

- 4.7.4 **Construction:** The materials and construction methods for all culverts, pipes and structures shall be in accordance with the applicable sections and details of the standards currently used by the State of Connecticut Department of Transportation. All pipe shall be laid to line and grade as shown on approved drainage plans and profiles.

Line and grade stakes shall be maintained in good order until the work has been inspected and approved by the Chief Executive Officer or his duly authorized representative. Three batter boards shall be maintained in place at all times when laying pipe and shall not be spaced more than thirty feet apart. No pipe or structures shall be backfilled until inspected and approved by the Chief Executive Officer or his duly authorized representative.

- 4.7.5 **(Effective 2/1/93)** In all special flood hazard areas the following requirements shall apply:

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (c) All subdivision proposals shall provide adequate drainage to reduce exposure to flood hazards; and
- (d) Base flood elevation data shall be provided for all subdivision proposals and other proposed developments which are five acres or fifty lots, whichever is less and are located in Zone A.

- 4.8 **Special Structures:** Bridges, box culverts, deep manholes and other special structures shall be designed in accordance with good engineering practice and shall be subject to the approval of the Chief Executive Officer or his duly authorized representative. No structures shall be backfilled or covered until inspected and approved by the Chief Executive Officer or his duly authorized representative. Bridges and box culverts shall be designed to carry the full width of required street pavements and at least a five-foot sidewalk on each side.

- 4.9 **Monuments:** Monuments shall be built of 1:2:3 concrete, four (4) inches square. They shall be three and one half feet long with a 1/8 inch rod inserted and set on the street line.

- 4.10 **Guard Posts:** Guard posts with steel guardrails shall be installed along all streets where there will be an embankment with a depth of four (4) feet or more within twenty (20) feet of the proposed pavement. Creosoted or cedar guard posts shall be spaced six (6) feet on center and shall have a minimum tip diameter of five (5) inches and a minimum length of seven (7) feet with 3-1/2 feet set in the ground.

4.11 **Trees:** Existing healthy trees shall be preserved wherever feasible. No tree with a diameter of six (6) inches or more as measured three feet above the base of the trunk shall be removed unless such tree is within the right-of-way of a street as shown on the final Subdivision Map. Removal of trees on land outside of right-of-ways in the subdivision shall be subject to the approval of the Commission, except that all fallen, dead and diseased trees shall be removed and all diseased and dead limbs pruned within 150 feet of all buildings in a subdivision. Where no trees exist in the front yard of a lot, street trees shall be planted. Street trees shall be spaced approximately fifty (50) feet apart between the front property line and the building line subject to variations made necessary by driveways, street corners and walks. Trees to be planted shall be 2 to 2-1/2 inch caliper or larger and shall have a minimum height of ten (10) feet. The kind of tree shall be subject to approval of the Commission and shall not include evergreens, low branching trees, trees which are disease bearing or trees which create a hazard to traffic or pedestrians. Healthy trees to be retained shall be approximately protected throughout construction.

4.12 **Parks, Playgrounds, Recreation Areas and Open Spaces:** Proposed parks, playgrounds and recreation areas shall be graded, landscaped, fenced, drained, equipped with playground and recreational facilities or otherwise improved as deemed necessary by the Commission to make the facility usable for the purpose intended. Land to be used as public open space shall be left in condition for the purpose intended. Undesirable growth and debris shall be removed from all such areas. Wooded and brook areas shall be left natural and open spaces shall be graded to properly dispose of surface water and shall be properly seeded.

4.13 **Grading and Seeding:** Where grading is required and approved by the Commission the land shall be brought to final grades shown, covered with the minimum of six inches of good arable topsoil and suitably seeded, by proper application of lime, fertilizer, seed and mulch, so as to establish a good ground cover and prevent erosion. Where slopes are steeper than two horizontal to one vertical, they shall be sodded. All seed and sod shall produce an acceptable standard or perennial grass containing Kentucky Bluegrass, Creeping Red Fescue, K-31 Tall Fescue, a mixture of these types or other species approved by the Commission. Grass seed containing and/or Clover in a total amount of over 20 per cent by weight shall not be used. Where conditions are such that final seeding of a graded area is not feasible at the time grading is completed, the area shall be suitably seeded with Rye grass to prevent erosion. Prior to the final seeding of the area, the existing temporary ground cover shall be plowed under and the area otherwise prepared for final seeding.

All areas within street lines and within easements, not occupied by pavement or sidewalks, that are disturbed by construction operations shall also be final graded, topsoiled, limed, fertilized, seeded and mulched as described above.

4.14 **Lot Corner Markers:** All lot corners not otherwise marked by concrete monuments shall be permanently marked by solid iron pins, at least one inch in diameter and three feet long, set so the top of the pin extends six inches above existing grade.

4.15 **Fire Hydrants:**

- (a) Fire hydrants shall be installed at the developer's expense in all subdivisions serviced by a public water system.
- (b) In residential subdivisions the hydrants shall be spaced at intervals

not exceeding 1,000 feet, unless a greater space between hydrants is approved by the Fire Chief having jurisdiction in the area.

- (c) Distances between hydrants and house locations shall not normally exceed 500 feet.
- (d) In commercial or industrial subdivisions the hydrants shall be placed at intervals not exceeding 500 feet, unless a greater distance is approved by the Fire Chief having jurisdiction in the subject area.

4.16 **Street Signs:** Street signs, in accordance with the Town Standards, shall be provided and installed by the developer.

4.17 **Site Cleanup:** Stumps, logs, branches or other construction debris such as scrap lumber, metal, concrete, asphalt or other discarded material shall be removed from the construction site. In no case shall such materials be buried or left on the site. This requirement shall not prohibit the use of wood chips or like products for mulching or other landscape purposes.

5.0 **WAIVER OF SUBDIVISION STANDARDS**

5.1 **General:** In accordance with Sec. 8-26 of the Connecticut General Statutes, the Stafford Planning and Zoning Commission may waive any requirement of these Regulations by a three-quarters (3/4) vote of all members of the Commission. In considering such waiver or waivers, the Commission shall take into account that such waiver or waivers:

- (a) Are based on conditions which affect the subject land and are not generally applicable to other land in the area;
- (b) Will not have significant adverse effect on public health and safety;
- (c) Will be compatible with the objectives of any short-range or long-range section or comprehensive plan for the area or the municipality;
- (d) Will not have a significant adverse effect on the appropriate and orderly development of the area or district;
- (e) Shall not hinder or discourage the appropriate development or use of land and buildings in adjacent properties, nor impair the value thereof;
- (f) Will permit the retention and protection of historic, aesthetic and other natural or manmade features and assets which, in the Commission's judgment, contribute significantly in determining and enhancing the character of the area, or the particular subdivision tract;
- (g) That strict compliance with the specific standard or standards will render the land under consideration or portions thereof, virtually undevelopable; and
- (h) That strict compliance with the specific standard or standards will not do justice to the land's particular physiography (including but not limited to topography, subsurface conditions, wetlands and watercourses), and thus outweigh the benefits to be derived from such strict compliance.

Requests for waiver of one or more of the standards contained in these Regulations shall be submitted in writing, by the developer, at the time of application for subdivision or resubdivision. In requesting such waiver or waivers the developer shall state the reasons for such request.

5.2 **Items That May Be Modified Or Waived:**

<u>Section No.</u>	<u>Item Addressing Issue</u>
2.0 (e)	A-2 Transit Survey
2.0 (h)	Scale of Plans
2.11	Street Lights
3.7	Underground Utilities
4.2	Modifications of Required Improvements
4.6.8	Curbs

6.0 **APPLICATION AND PROCEDURE**

6.1 **Application:** Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant, and if the subdivision is proposed by a person, firm or corporation other than the owner of the land to be subdivided, the application shall also be signed by the owner. The maps and plans shall also include all necessary signatures as required by the Commission prior to any consideration of said application.

6.2 Application Fee- The following fee schedule is applicable to all subdivision and re-subdivision applications in order to cover the expenses of the town's technical review costs: **(Effective 12/15/04)**

Base Application Fee	\$270; <u>plus</u>
New Roadway Fee	\$ 85 for every 100 feet or any part thereof created; <u>plus</u>
Existing Roadway Fee	\$ 55 for every 100 feet or any part thereof existing; <u>plus</u>
Lot fee	\$150 for each of the first 20 lots; <u>plus</u> \$125 for each of the 21 through 50 lots; <u>plus</u> \$100 for each of the 51 through 100 lots; <u>plus</u> \$75 for each lot over 100.

6.3 **Presentations:** "All maps, plans, documents, data, and fee required by these regulations shall be submitted to the Commission, its duly authorized agent, or to the Office of the Town or Borough Clerk at least ten (10) days prior to the next regularly scheduled meeting of the Commission.

The receipt of an application shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of the submission or thirty-five (35) days after such submission, whichever is sooner.

6.4 **Public Hearing:** In accordance with Section 8-26 of the Connecticut General Statutes, the Commission shall hold a public hearing on any proposed subdivision if, in its judgment, the circumstances warrant such action. No "Resubdivision" Plan shall be acted upon without holding a public hearing. When a public hearing is required or deemed necessary, the Commission shall cause a notice to be published at least twice at intervals of no less than two (2) days in a newspaper having substantial circulation within the Municipality. The first notice shall be published not more than fifteen (15) days and no less than ten (10) days before the hearing; the second notice shall be published not less than two (2) days prior to the date of the hearing. The hearings shall commence within sixty-five (65) days after the receipt of an application and shall be completed within thirty (30) days of commencement. Notice of the hearing shall be sent to the applicant by certified mail and an additional copy shall be filed in the Office of the Town Clerk, whichever is applicable. These periods may be extended by consent and/or as requested by the applicant and agreed by the Commission. If minutes of public hearings are lost through equipment malfunction, human error, etc., a second public hearing shall be held.

In accordance with the requirements of the Connecticut General Statutes, the Commission shall refer to its corresponding regional planning agency and any proposed subdivision or resubdivision the area of which will abut or include land in two (2) or more municipalities. The Commission shall withhold action on such subdivision or resubdivision or maintain the public hearing open until the prescribed response period under Section 8-26b has elapsed or the regional planning agency has provided its advisory report.

6.5 **Final Approval:** The Commission, after the public hearing if any, may give approval to the proposed subdivision or resubdivision if it shall find that the maps and plans accompanying certificates, documents and data conform to the conditions and

requirements of these regulations. In granting approval, the Commission may attach such conditions that it deems necessary to modify the subdivision or resubdivision map, plans and documents so as to preserve the intent and purpose of these Regulations, and to enhance and protect the health, safety, and welfare of the immediate area, the neighborhood or the Municipality. The commission shall approve, modify and approve, or disapprove any subdivision or resubdivision application within sixty-five (65) days after receipt of said application or sixty-five (65) days after the public hearing has been completed. The action period may be extended by consent and/or as requested by the developer and agreed by the Commission, providing that the total of extension(s) does not exceed sixty-five (65) days.

Notice of the Commission action shall be published in a newspaper having substantial circulation in the Town of Stafford. Notice of the Commission's action shall be sent to the developer by certified mail and be posted in the Office of the Town or Borough Clerk within fifteen (15) days after such action has been taken. The Commission shall state upon its records the reason for its action.

Failure of the Commission to act on a subdivision or resubdivision as prescribed above shall be considered as an approval and a certificate to that effect shall be issued by the Commission on demand.

All approved subdivision and resubdivision plans shall be delivered to the developer for filing promptly, after the time for taking an appeal from the action of the Commission has elapsed, and in the event of an appeal, promptly upon the termination of such appeal by dismissal, withdrawal or judgment in favor of the developer.

No changes, erasures, modifications or revision shall be made on any subdivision or resubdivision map after approval has been given by the Commission and endorsed in writing on the map unless said map is first resubmitted to the Commission and such Commission approves any modifications. In the event that any such subdivision or resubdivision map is recorded without complying with this requirement, the map shall be considered null and void, and the Commission shall institute proceedings to have the map stricken from the records of the Town or Borough Clerk.

7.0 **FINAL PLAN**

- 7.1 **Plan Endorsement and Bond:** (a) Subdivision approval shall not be deemed to take effect until all of the conditions of approval, if any, have been met and the subdivision map has been endorsed by the Commission. The Commission shall not endorse the subdivision plan to permit filing with the Town Clerk until all conditions of final approval have been met and all required subdivision improvements have been completed in accordance with the plans as approved. In lieu of completion of all or part of required improvements prior to endorsement of the subdivision plan, the developer shall: (1) file with the Commission a surety, cash or savings account bond, in legal form approved by the Town Counsel and with surety acceptable to the Town Treasurer and in such amount as the Commission may deem sufficient to insure the completion of subdivision improvements within five (5) years in accordance with the plans as approved, or (2) request the Commission to approve the subdivision on the condition that no interior lot or building in the subdivision shall be sold or occupied until all required improvements serving the lots or buildings have been completed to the satisfaction of the Commission and the street accepted by Town Meeting.

(b) Upon endorsement of the approved subdivision or resubdivision plan the Commission shall state on said plan the expiration date of the five year period within which period all work in connection with the subdivision shall be completed.

(c) For the purpose of these Regulations "work" means all physical improvements required by the approval of the subdivision plan, other than the staking out of lots, and includes but is not limited to the construction of roads, storm drainage facilities and water and sewer lines, the setting aside of open space and recreation areas, planting of trees and other landscaping, the installation of telephone and electric services, and the installation of retaining walls or other structures. (d) In the case of a subdivision plan approved on or after October 1, 1977, failure to complete all work within the above described five year period shall result in automatic expiration of the approval of such plan, provided the Commission shall file on the land records of the Town, notice of such expiration and shall state such expiration on the filed subdivision plan, and no further lots shall be conveyed in the subdivision except with approval by the Commission of new application for subdivision of the subject land. If lots have been conveyed during such five year period, the Municipality shall call the bond or other surety on said subdivision to the extent necessary to complete the work required to serve those lots.

7.2 **Cost Estimates:** Before final or conditional approval of a subdivision is granted by the Commission, an estimate of all costs for street improvements, storm sewers, sidewalks, utilities, hydrants, street lights, traffic and street signs, trees, monuments and pins and all improvements proposed in the subdivision construction plan shall be submitted to the Commission.

7.3 **Release of Conditions:** At the request of the developer, the Commission shall execute a statement certifying that the subdivision has received approval, that all of the conditions of approval have been met and that all required subdivision improvements have been completed in accordance with plans and specifications as approved.

7.4 **Certificate of Compliance:** Before release of any subdivision bond or before the Commission endorses any subdivision map to permit filing with the Town Clerk when no subdivision bond has been posted, the Commission shall request the developer to present a statement, signed and sealed by the engineer who prepared the construction plans and specifications for the subdivision improvements, certifying that such engineer has inspected all of the required construction work and that all of the required improvements have been completed in accordance with plans and specifications as approved. Any expense incurred in securing a certificate of compliance shall be borne by the developer.

7.5 **Release of Bond:** At the time that a developer requests a release of bond, the developer shall also;

- (a) Request acceptance of any streets, easements, or improvements that are a part of a subdivision or resubdivision;
- (b) Submit deeds or other documents for streets, easements or other improvements;
- (c) Submit "As Built" drawings of all improvements; and
- (d) Submit a Maintenance Bond in an amount equal to ten (10) percent of the total construction cost for all public improvements. Said bond shall be written to expire two (2) years from the date of acceptance of streets and/or other bonded improvements to insure the Town against any defects which become apparent during that period.

Where a bond is required and no streets or other public improvements subject to acceptance by a Town Meeting are involved, a developer may petition the Commission for release of such bond provided that all bonded improvements have been satisfactorily completed.

7.6 **Bond Reduction:** Where substantial bond amounts are required, a developer may request up to two (2) reductions in the bond, but the total reductions shall not reduce the bond to less than one-third (1/3) of the total construction cost of all public improvements. Reductions shall only be granted, if the Commission is satisfied by documentation of work completed and cost estimates for the balance of construction are acceptable.

7.7 **Filing:** The subdivision plan, easements and deeds shall be filed and recorded with the Town Clerk, in accordance with the General Statutes, and at the expense of the applicant.

8.0 **VALIDITY AND EFFECTIVE DATE**

8.1 **Revisions of Regulations:** These Regulations may be amended from time to time by the Commission in accordance with the provisions of Title 8 of the General Statutes as the same may be amended from time to time.

8.2 **Validity:** If any section, paragraph, clause or phrase of these Subdivision Regulations shall for any reason be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of the Regulations.

8.3 **Effective Date:** The effective date of these Regulations is February 15, 1972.
Revised March 9, 1999
Effective March 31, 1999
Amended as noted October 28, 2003, effective date of November 15, 2003.
Amended as noted November 23, 2004, effective date of December 15, 2004.
Amended March 14, 2006.

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