

TOWN OF WATERFORD
CONNECTICUT
SUBDIVISION REGULATIONS

These Regulations amend and replace Subdivision Regulations adopted April 21, 1975, and subsequently amended. These amended Regulations shall become effective July 13, 1990.

Print Date: November 16, 2006

First Subdivision Regulations Effective: May 4, 1948

The Town of Waterford Zoning Commission was created on June 3, 1939
The Planning & Zoning Commission was created on November 15, 1951

The Planning and Zoning Commission

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SECTION 1 - DEFINITIONS

1.1 ACRE shall be forty thousand (40,000) square feet.

1.2 APPLICATION shall mean the maps, prescribed forms, and fees duly and correctly completed for final approval and submitted to the Planning and Zoning Commission.

1.3 ARTERIAL_STREET shall mean a major thoroughfare whose main function is to carry large volumes of traffic between major points. Arterials are designated in the Community Facilities Element of the Plan of Development.

1.4 CERTIFICATION shall mean a signed, written approval by the Commission that a soil erosion and sediment control plan complies with the applicable requirements of these regulations. (Effective Date: August 19, 1985)

1.5 COLLECTOR_STREET shall mean a street whose primary function is to carry moderate traffic volumes between local streets and arterial streets. It may also provide access to abutting properties. Collectors are designated in the Community Facilities Element of the Plan of Development.

1.6 COMMISSION shall mean the Waterford Planning and Zoning Commission.

1.7 COUNTY_SOIL_AND_WATER_CONSERVATION_DISTRICT shall mean the New London County Soil and Water Conservation District established under sub-section (a) of Section 22a-315 of the General Statutes. (Effective Date: August 19, 1985)

1.8 CUL-DE-SAC shall mean a street or a portion of a street with only one (1) vehicular outlet, whose primary function is to provide access to abutting property, and which may be referred to as a dead-end street.

1.9 DATE_OF_SUBMISSION shall mean the date of the Commission's meeting at which the completed application, all required supporting information, and the required fee are received.

1.10 DEVELOPMENT shall mean any construction or grading activities to improved or unimproved real estate, and includes but is not limited to the installation of required improvements and the disturbance of land related to the construction of a structure, installation of appurtenant utilities, and access from the

existing or proposed public right of way. (Effective Date: August 19, 1985)

1.11 DISTURBED_AREA means an area where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion. (Effective Date: August 19, 1985)

1.12 EASEMENT shall mean a right of use for a specific purpose or purposes which one person or agency may have in a designated portion of land of another.

1.13 EROSION shall mean the detachment and movement of soil or rock fragments by water, wind, ice or gravity. (Effective Date: August 19, 1985)

1.14 FINAL_SUBDIVISION_PLAN shall mean the plan containing all of the specifications and requirements of Section 4 of these Regulations.

1.15 FINAL_APPROVAL shall mean all the following:

A. Vote of the Commission to approve or to modify and approve the plan of subdivision.

B. Posting of a bond to cover the cost of subdivision improvements and erosion and sedimentation control measures unless such improvements have been completed by the applicant.

C. Endorsement of approval by the Chairman or Secretary of the Commission on a mylar, linen or muslin backed copy of the plan of subdivision for filing with the Town Clerk and on a mylar copy and six (6) white print paper copies of the plan for use by the Commission and other municipal agencies, all of such copies to be furnished by the applicant.

D. Submission of all data required by the Commission as a condition of approval, such as but not limited to, deeds, covenants and restrictions, revised plans, and homeowners association bylaws.

1.16 FRONTAGE shall mean the boundary of a lot abutting and having permitted vehicular access to a public street. (Effective December 6, 1975).

1.17 GRADING shall mean any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth materials or

any combination thereof, including the land in its excavated or filled condition. (Effective Date: August 19, 1985)

1.18 INSPECTION shall mean the periodic review of sediment and erosion control measures shown on the certified plan. (Effective Date: August 19, 1985)

1.19 LOCAL_ACCESS_STREET shall mean a street whose primary function is to provide access to abutting properties. For the purpose of these Regulations, a local access street is any street other than an arterial or collector street as defined above, and includes cul-de-sacs.

1.20 LOT shall mean a plot or parcel of land occupied or capable of being occupied by one principal building and accessory buildings as specified under the Zoning Regulations.

1.21 OPEN_SPACE shall mean land set aside for conservation, park or play ground purposes.

1.22 REGULATIONS shall mean the Subdivision Regulations of the Town of Waterford, unless otherwise specified.

1.23 RESERVED_AREAS shall mean sections of land reserved for future street connections, public facilities, foot paths, access ways or open space.

1.24 RESUBDIVISION shall mean a change in the 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.

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 a map.

1.25 SEDIMENT shall mean solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

1.26 SOIL shall mean any unconsolidated mineral or organic material of any origin.

1.27 SOIL_EROSION_AND_SEDIMENT_CONTROL_PLAN shall mean a scheme that minimizes soil erosion and sedimentation resulting from

development and includes, but is not limited to, a map and narrative.

1.28 STREETS shall include roads, avenues, boulevards, lanes or other vehicular ways, unless specifically specified as a Local Access Street as defined in Section 1.12, a Collector Street as defined in Section 1.4, or an Arterial Street as defined in Section 1.3. It shall mean a public way or way opened to public use giving access to a lot but shall not include private rights of way.

1.29 STREET_WIDTH shall mean the distance between property lines measured at right angles to the direction of the centerline of the street.

1.30 STREET_RIGHT_OF_WAY shall mean that portion of land between property lines over which a public road is built and the adjacent area reserved for future widening and improvements.

1.31 SUBDIVISION shall mean the division of a tract or parcel of land into three or more parcels or lots for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agricultural purposes and includes resubdivision.

1.32 TOWN shall mean the Town of Waterford.

1.33 WATERCOURSES shall mean any rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural, or artificial, public or private, vernal, intermittent or perennial, which are contained within, flow through or border upon the Town of Waterford or any portion thereof, not regulated pursuant to Sections 22a-28 to 22a-25, inclusive of the General Statutes, as amended.

1.34 WETLANDS shall mean land, including submerged land, not regulated pursuant to Section 22a-28 to 22a-35 inclusive, of the General Statutes, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial or flood plain by the National Cooperative Soils Survey, as may be amended from time to time by the Soil Conservation Service of the U. S. Department of Agriculture, and are generally shown for the information purposes only, on a map entitled "Designated Inland Wetland and Watercourses, Town of Waterford" on file in the Office of the Town Clerk. In each instance, however, the actual character of the soil shall determine whether the land in question is subject to regulations.

SECTION 2 - PRELIMINARY SUBDIVISION PLAN

(Amended 7/2/90, Effective 7/13/90)

2.1 PURPOSE_AND_PROCEDURE - The purpose of a preliminary subdivision plan is to provide an opportunity for both staff and potential applicants to review the proposal's compliance with the requirements of the subdivision regulations. Such reviews are primarily design oriented and all efforts must be made to create a proposal that meets not only the letter, but the intent, of the Subdivision Regulations.

Preliminary subdivision plans provide the Commission's staff and potential applicants with an opportunity to review the design's compliance with the Subdivision Regulations before potential applicants incur engineering, application, and legal costs in conjunction with a formal application. Preliminary reviews can point out potential areas of conflict that can be addressed through redesign at an early stage, thus avoiding an extended and difficult process during formal review with the Commission.

Before preparing a detailed subdivision plan for formal presentation to the Commission, potential applicants should provide a preliminary subdivision plan to the Commission's agent for review. These plans will also be referred to various Town departments for their review and comment. Review meetings can be scheduled with the Commission's agent upon request by contacting the Planning Office.

Preliminary plans have no official status and staff review with regard to their feasibility in no way implies approval of the final subdivision plan. No fee or application form is required for review of a preliminary subdivision plan. Questions involving interpretations of the regulations may be presented to the Commission if such conflicts have substantial impact on the preliminary design. In all cases, subdivisions shall be designed with respect to the parcel's unique characteristics and the capacity of the land to accommodate the design proposed.

2.2 CONTENTS - The preliminary subdivision plan shall be drawn to scale and shall show the following:

2.2.1 The property boundary and adjacent property owners, as transcribed from the Assessor's map.

2.2.2 Contour lines at intervals of at least 5 feet. 2 foot contours are preferred if available.

2.2.3 Locations of existing roads, structures, wetlands and watercourses, rock outcrops, and utility rights-of-way and easements. Wetland and watercourse boundaries must be established by a certified soil scientist located by survey and plotted to A-2 standards.

2.2.4 Location of proposed roads, building lots, and open space. Location of minimum buildable areas based on standards of Section 3.34.4.

2.2.5 Location of test pits on the basis of at least one every five (5) acres, distributed over the entire tract in accordance with soil types and other field conditions that might affect on-site sewage disposal. Test pits are required for subdivisions served by private septic systems only. Test pits may also be required to determine suitability and location of minimum buildable areas. Test holes must be witnessed by the Town Sanitarian. The plan shall also indicate the location and condition of any existing wells and septic systems including but not limited to water quality test results, septic system failures, repairs, and type and age of system.

2.3 PRELIMINARY_PLAN_SUPPORTING_DATA - The preliminary plan should be accompanied by the following site data:

2.3.1 A vicinity map at a scale of one inch equals one thousand feet showing the location of the proposed subdivision, all streets, and all wetlands and watercourses within two thousand feet of the proposed subdivision. Offsite wetlands and watercourses can be interpreted from the New London County Soil Survey unless otherwise directed.

2.3.2 The total acreage of the tract of land to be subdivided and the area of each lot in square feet.

2.3.3 Identification of soils types on site as mapped by the Soil Conservation Service or a qualified Soil Scientist. Analysis of test pits, showing types of soil to a depth of eight feet and the depths to groundwater table and bedrock. The classification of soils shall be in accordance with the National Cooperative Soils Survey of the Soil Conservation Service. The test pit data shall be presented in the format described in Appendix B of these Regulations.

2.3.4 A written statement indicating the proposed method of providing for water supply and sewage disposal.

2.3.5 In the case of a cluster subdivision, the calculations made to determine the number of proposed lots.

2.3.6 Ten copies of the preliminary plan and its supporting data should be submitted to facilitate the review process.

SECTION 3 - FINAL_PLAN_PROCEDURES

(Amended 7/2/90, Effective 7/13/90)

3.1 CONTACT_COMMISSION - Any person intending to make application for a subdivision shall contact the Office of the Commission at least five days prior to a scheduled meeting of the Commission and request that such application be accepted.

3.2 PLANS_INCLUDING_REGULATED_WETLANDS/WATERCOURSES: If an application involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440, the applicant shall submit an application to the Waterford Conservation Commission no later than the day the application is filed for the subdivision or resubdivision with the Planning & Zoning Commission. For purposes of this section, no application for subdivision or resubdivision which requires an inland wetlands permit as determined by the Conservation Commission or its agent shall be formally received by the Planning & Zoning Commission until an application for an inland wetlands permit has been received by the Conservation Commission.

Withdrawal or denial of an inland wetlands permit application while a concurrent application is pending before the Planning & Zoning Commission may be considered reason for denial of the application. When such conflicts arise, applicants should withdraw the application. The Commission shall not take final action on an application requiring an inland wetlands permit until a report has been received from the Conservation Commission.

3.3 SUBMISSION_OF_PLAN,_APPLICATION_AND_FEE - No plan of subdivision shall be received except at a scheduled meeting of the Commission. The plan shall be submitted with an application in the form prescribed in Appendix C of these Regulations with the application fee, and shall include twelve (12) copies of all plans, profiles, maps, and reports as required by these Regulations for distribution to other agencies and officials. The application fee is fifty dollars (\$50.00) per lot within the proposed subdivision. For those subdivisions located fully or partially within the coastal boundary as defined by CGS 22a-94 and as delineated on the Coastal Boundary Map for the Town of Waterford which are subject to a Coastal Site Plan Review pursuant to Connecticut General Statutes Section 22a-105 through 22a-109, the subdivision plan submitted shall in addition include an application for a Coastal Site Plan Review and fee in an amount of twenty five dollars (\$25.00) per lot as required by the Waterford Code of Ordinances Chapter 16.08. In the case of a

resubdivision, the fee or fees shall apply only to those lots proposed for change by the subdivision. The plan submitted shall be the plan upon which action is taken by the Commission. Modifications to the plan shall be by action of the Commission to approve a subdivision plan.

3.4 HEARING - The Commission may hold a public hearing regarding any sub division proposal within sixty-five (65) days of the submission thereof if, in its judgment, the specific circumstances require such action. No plan of resubdivision shall be approved by the Commission without a public hearing. Notice of the hearing shall be published in a newspaper of general circulation in the Town at least twice (2) at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days prior to the date of such hearing, and by sending a copy thereof by registered or certified mail to the applicant.

Additional public notice shall be provided for subdivision applications for which a public hearing is to be held. Such notice shall be made by the applicant or his agent by contacting all property owners within 100 feet or less of the parcel to be subdivided. Such mailing shall be sent to at least one owner of each such property not more than 15 days nor less than 10 days before the date set for the public hearing, by transmitting the text of the public hearing notice as provided by the Commission or its agent.

The applicant shall provide a list of property owners within 100 feet including names of all property owners, street address per the Assessor's map, and Assessor's map(s) and parcel number(s) for each property. Such list shall be provided at the time of application submission. Evidence of such mailing, in the form of United States Post Office Certificates of Mailing, shall be submitted to the Planning & Zoning Commission office not less than 5 calendar days prior to the hearing date. Failure to provide notice as required herein may result in denial of the application.

3.5 REFERRAL_TO_REGIONAL_PLANNING_AGENCY - When a subdivision is proposed that will abut or include land in a neighboring municipality the Commission shall, before approving the plan of subdivision, submit a copy of the plan to the Southeastern Connecticut Regional Planning Agency. The Agency shall, within thirty (30) days, report to the Commission and the applicant its findings on the inter-municipal aspects of the proposed subdivision. Such report shall be purely advisory and the failure of the Agency to submit a report within thirty (30) days

after transmittal shall imply that the Agency does not disapprove of the proposed subdivision. (Effective Date: July 25, 1983)

3.6 VOTE_BY_THE_COMMISSION - The Commission shall approve, modify and approve, or disapprove any subdivision application or maps and plans submitted therewith within sixty five (65) days after the public hearing thereon or, if no public hearing is held, within sixty five (65) days after the submission thereof. Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail to the applicant by its secretary or clerk, under his signature within fifteen (15) days after such decision has been rendered. The failure of the Commission to act thereon shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand. Provided, however, an extension of time not to exceed a further period of sixty-five (65) days may be had with the consent of the applicant. The grounds for the action of the Commission shall be stated in the records of the Commission and shall be forwarded to the applicant.

3.7 POSTING_OF_BOND - Prior to endorsement of the plan, the Commission shall require the applicant to post a performance bond in an amount and with surety and conditions satisfactory to it securing to the municipality the actual construction and installation of all improvements as required by Section 6 and measures for erosion and sedimentation control as required by Section 4.4 of these Regulations which have not been completed by the applicant. The amount of the performance bond shall be determined by the Commission after consultation with the Director of Public Works and the Water and Sewer Commission, as appropriate.

The Commission may allow the conditional endorsement of the approved boundary survey plan, to allow the plan to be filed prior to the submission of a performance bond. The plans shall have a signature block for the Chairman to endorse the conditional approval. The signature block shall be located below a notation which reads in bold print: "This subdivision has been conditionally approved. No lots may be sold or offered for sale until 90% of the required improvements have been completed or upon the provision of a performance bond in accordance with these regulations (\$500.00 penalty per lot)."

Above the required note shall be a blank space measuring 3" high by 5" wide for the final plan endorsement. The endorsement of this block shall constitute release of conditional approval and

final plan approval. Prior to the filing of a subdivision plan conditionally approved, an erosion control and site restoration bond shall be submitted to the Commission. The bond shall be at least 10% of the total performance bond estimate and shall insure compliance with the certified erosion control plan, and to allow for site restoration. Notice of conditional approval shall be posted in the land evidence records. (Amended 7/2/90, Effective 7/13/90)

3.8 ENDORSEMENT_OF_THE_PLAN - If the Commission votes to approve a plan or modify and approve a plan, its approval with the date thereof, together with a statement of any modifications applying to such approval, shall be endorsed and signed by the Chairman or Secretary of the Commission in the space provided for such purpose on a mylar copy and eight (8) white print paper copies for the Commission and other municipal agencies, all such copies to be provided by the applicant. Any lot not approved for building purposes shall be so marked on the plan prior to endorsement.

3.9 FILING_THE_PLAN - The endorsed mylar of the Boundary Survey map shall be filed by the applicant in the Office of the Town Clerk and any plan not so filed within ninety (90) days following the date of the Commission's vote to approve the subdivision or within ninety (90) days of the date upon which such plan is taken as approved by reason of the failure of the Commission to act, shall become null and void, except that the Commission may extend the time for such filing for two additional periods of ninety (90) days and the plan shall remain valid until the expiration of such extended time.

3.10 COMPLETION_OF_WORK - Any person, firm or corporation making any sub division of land shall complete all work in connection with such subdivision within five years after the approval of the plan for such subdivision; the Commission's endorsement of approval on the plan shall state the date on which such five year period expires. For purposes of this section, the term "work" shall mean all physical improvements required by the approval plan, other than staking out 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, installation of telephone and electric services, planting of trees and other landscaping, and installation of retaining walls or other structures.

SECTION 4 - FINAL_PLAN_REQUIREMENTS

4.1 GENERAL_REQUIREMENTS - All maps, plans and profiles shall conform with Class A-2 of the Code of Recommended Practice for standards of accuracy of maps prepared by the Connecticut Technical Council, Incorporated. All maps, plans and profiles shall be presented on good quality white prints and shall be not more than thirty-six (36) inches long or twenty-four (24) inches wide. All such prints shall have a one-half (1/2) inch border on three (3) sides and a two (2) inch border on the left side. If more than one sheet is submitted, they shall be bound. All such prints shall bear the following information:

4.1.1 Subdivision name or title.

4.1.2 Name of property owner.

4.1.3 Name of applicant.

4.1.4 Names, registration numbers and seals of the land surveyor and/or engineer that prepared the drawing.

4.1.5 Date of drawing, north point, and scale of drawing. All subsequent revised drawings shall show the date of revision.

4.1.6 A vicinity map (or key map), drawn at a scale of no less than one (1) inch equals one thousand (1,000) feet showing the location of the subdivision in relation to existing roads within two thousand feet of the proposed subdivision. Where only a part of the subdivision is shown on a sheet, a key map shall show its location in relation to the whole subdivision.

4.1.7 A statement explaining the purpose, potential and intended improvements to be made to open spaces within the subdivision.

4.1.8 Evidence of submission of application for permit to all other local, state and federal agencies having jurisdiction over any activity associated with the subdivision.

4.1.9 Where applicable, the applicant shall present a written statement indicating his intentions for use of other lands owned by him adjoining the proposed subdivision.

4.2 BOUNDARY_SURVEY_MAP - The boundary survey map shall be drawn at a scale of one (1) inch equals one hundred (100) feet and shall show the following:

4.2.1 Boundaries, dimensions, acreage and zoning of the property to be subdivided.

4.2.2 Boundaries within one hundred (100) feet of the proposed subdivision.

4.2.3 Names of owners of all land within one hundred (100) feet of the proposed subdivision.

4.2.4 Location of all easements, rights-of-way and drainage rights and open spaces.

4.2.5 Boundaries, dimensions, bearings, area, building lines, and lot numbers of all proposed lots. (Lot areas may be shown in tabular form on the same sheet).

4.2.6 Locations of street rights-of-way, bearings, curve data, including arc length, radii and central angles.

4.2.7 All existing fences, stone walls, monuments, iron pipes or other physical evidence concerning the boundary of the property. Where new markers are established, they shall be referenced to established points of the Connecticut Coordinate System. A pair of coordinates shall be put on the plan for four separate boundary markers located along the exterior boundary of the subdivision (Amended 7/2/90, Effective 7/13/90).

4.3 LOT_LAYOUT/TOPOGRAPHIC_MAP
(Amended 7/2/90, Effective 7/13/90)

4.3.1 Boundaries, dimensions, and lot numbers of all proposed lots. Lot areas may be presented in tabular form on the same sheet.

4.3.2 Location of all easements, rights-of-way, drainage rights and open spaces.

4.3.3 Street names and stations along center lines at 100' intervals.

4.3.4 Contours at two (2) foot intervals. Elevations shall be referenced to U. S. Geological Survey datum.

4.3.5 Location of at least one (1) U.S.G.S. benchmark and elevation of same.

4.3.6 Location of percolation test holes and deep soil test pits. All test holes and pits shall be numbered and data for each hole may be submitted on separate sheets. A percolation test and test hole is required on each lot in the area of the septic system leaching field. In cases where the deep soil tests, percolation tests, or site characteristics indicate conditions that are potentially unfavorable for on site sewage disposal, the Commission may require additional testing, a detailed description of on-site improvements certified by the Director of Health or his agent, or larger lot sizes. The minimum acceptable standard shall be in accordance with the lot design criteria of Section 3.34 of the Zoning Regulations.

4.3.7 Locations of all wetlands and watercourses as flagged and certified to by a certified Soil Scientist, coastal resources and coastal area boundary, and HUD designated flood-prone areas.

4.4 CONSTRUCTION_PLAN - A construction plan drawn at a scale of one (1) inch equals forty (40) feet shall be submitted when any type of construction such as roads, drainage, water mains, retaining walls, etc., is to be carried out in connection with the subdivision. The construction plan, prepared by a Connecticut registered professional engineer, shall include the following, where applicable:

4.4.1 Plan and profile of all proposed roadways showing:

A. Existing ground surface along center line.

B. Note describing benchmarks and datum.

C. Proposed grades, vertical curves with center line elevations every fifty (50) feet except that at intersections such information shall be provided at ten (10) foot intervals within eighty (80) feet of the center line cross point of the intersection.

D. Center lines of all existing and proposed streets.

E. Location, size and invert elevations of existing and proposed storm drains, catch basins, manholes, bridges, culverts and outfalls.

F. Location, size and invert elevations of existing and proposed sanitary sewers, if any.

G. Location and size of all water mains, distribution lines and hydrants.

H. Cross sections at one hundred (100) foot intervals where existing terrain slopes in excess of ten (10) percent from the center line of the street.

I. Location and type of proposed tree and shrub plantings and any other landscaping to be undertaken.

J. Locations and invert elevations of all gas, electric, telephone, and cable television transmission lines and appurtenances.

4.4.2 Where drainage systems are to be constructed, one copy of the construction plan shall be suitably marked to show watershed data used in the design of such systems and shall be accompanied by all calculations used in the drainage.

4.4.3 Wherever any grading is proposed, the existing and finished grade shall be shown.

4.4.4 In the case of retaining walls or other special features, a drawing to a scale of one-half (1/2) inch equals one (1) foot of all such details shall be furnished.

4.4.5 Before voting approval of any subdivision the Commission may require, where applicable, written statements attesting to the suitability of plans for (1) water and sewer systems from the Water and Sewer Commission and/or the Director of Health, or the Southeastern Connecticut Water Authority under provisions of Section 13 of the Special Act 381 (1967) as amended, and (2) all other improvements, such as roads, drainage and monuments, from the Director of Public Works. The Commission may require written statements from other sources as it deems appropriate.

4.5 EROSION & SEDIMENT CONTROL PLAN REQUIREMENTS:
(Effective Date August 19, 1985)

4.5.1 PURPOSE: In order to minimize the erosion of topsoil and the depositing of sediments in drainage structures and watercourses in the Town of Waterford, the Commission shall require that plans for the subdivision of land include measures the applicant will take to control erosion and sedimentation during the construction of

the subdivision and to prevent its occurrence after completion of the subdivision. It is the intent of this regulation that soil erosion and sediment control plans shall result in subdivision development that: minimizes erosion and sediment during construction; is stabilized and protected from erosion to the satisfaction of the Planning & Zoning Commission when completed, and does not cause off-site erosion and/or sedimentation.

4.5.2 ACTIVITIES_REQUIRING_A_CERTIFIED_EROSION_&_SEDIMENT_CONTROL_PLAN

A soil erosion and sediment control plan shall be submitted with an application for the subdivision of land in the Town of Waterford when the disturbed area of such development is cumulatively more than one half acre. The Commission may require temporary and permanent soil erosion and sediment control measures for subdivision plans not requiring certification. Any person who conducts a development activity except in accordance with the provisions of a certified soil erosion & sediment control plan shall be considered in violation of these Regulations.

4.5.3 EROSION AND SEDIMENT CONTROL PLAN

4.5.3.1 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sediment and reduce the danger from stormwater run-off on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the "Connecticut Guidelines for Soil Erosion and Sediment Control (1985)", as amended. Alternative principles, methods and practices may be used with prior to approval of the Commission.

4.5.3.2 Said plan shall contain, but not be limited to:

A. A narrative describing:

- 1.The development; as defined in these Regulations.
- 2.The schedule for grading and construction activities including:
 - a. start and completion dates;
 - b. sequence of grading and construction activities;
 - c. sequence for installation and/or application of soil erosion and sediment control measures including temporary stabilization;

d. sequence and specifications for final stabilization of the project site, including all final landscaping;

e. contingency or emergency plans in case of failed erosion and sediment control systems and installations.

3.The design criteria for proposed soil and erosion and sediment control measures and stormwater management facilities.

4.The construction details for proposed soil erosion and sediment control measures and stormwater management facilities.

5.The installation and/or application procedures for proposed soil erosion and sediment control measures and stormwater management facilities.

6.The operations and maintenance program for proposed soil erosion and sediment control measures and stormwater management facilities.

7.Identification of a designated on-site individual responsible for installation, monitoring and correction of sediment control plan requirements, and authorized to take corrective actions as required to ensure compliance with certified plans.

8.The character of existing vegetation and effect the development will have on the natural vegetation.

B.A site plan map at a sufficient scale to show:

1.The location of the proposed development and adjacent properties;

2.The existing and proposed topography including soil types, wetlands, water-courses and water bodies;

3.The existing structures on the project site, if any;

4.The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads, and existing, new or altered property lines;

5.The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities;

6.The sequence of grading and construction activities;

7.The sequence for installation and/or application of soil erosion and sediment control measures;

8.The sequence for final stabilization of the development site;

9.Existing vegetation patterns, and limits and extent of vegetation clearing beyond grading limits;

10.Certification block entitled "Erosion and Sediment Control Plan Certified by vote of the Waterford Planning and Zoning Commission on (date)" and a space for the signature of the Chair-man or Secretary of the Commission.

C. Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

4.5.4MINIMUM_ACCEPTABLE_STANDARDS

4.5.4.1 Plans for soil erosion and sediment control shall be developed in accordance with these Regulations using the principles as outlined in Chapters 3 and 4 of the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended.

4.5.4.2 The minimum standards for individual measures are those in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented in writing.

4.5.4.3 The appropriate method from Chapter 9 of the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended, shall be used in determining peak flow rates and volumes of run-off unless an alternative method is approved by the Commission.

4.5.5 ISSUANCE_OR_DENIAL_OF_CERTIFICATION

4.5.5.1 The Waterford Planning & Zoning Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these Regulations. Denial of certification by the Commission of the soil erosion and sediment control plan shall be

sufficient reasons for denial of the overall subdivision development plan/application. A soil erosion and sediment control plan shall not be certified by the Commission unless the overall subdivision plan/application has been granted conditional or final approval as defined in these Regulations.

4.5.5.2 Nothing in these Regulations shall be construed as extending the time limits for the approval of any application under Chapter 124, 124A or 126 of the Connecticut General Statutes.

4.5.5.3 Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan by the District.

4.5.5.4 The Commission may forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

4.5.6 CONDITIONS_RELATING_TO_SOIL_EROSION_AND_SEDIMENT_CONTROL

4.5.6.1 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a performance bond or other assurance acceptable to the Commission in accordance with the provisions specified under Section 3.7 of these Regulations. The Commission may require that the cost of accomplishing such measures be estimated by the Public Works Director.

4.5.6.2 Site development shall not begin nor shall a building permit be issued unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

4.5.6.3 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan. All control measures and facilities shall be maintained in effective condition to ensure the compliance with the certified plan.

4.5.6.4 As-Built plans as required in Section 6.14.1 shall show all final soil erosion & sediment control measures and stormwater management facilities.

4.5.6.5 Any change in certified plan in excess of the provisions of Section 4.5.7.2 shall be submitted to the Commission as a certified plan amendment which will be acted upon by the Commission within 65 days of receipt by the Commission. Until the request for amendment to the certified plan is approved, the requirements of the certified plan in effect at time of re-application shall be followed.

4.5.7 INSPECTION/ENFORCEMENT

4.5.7.1 Inspections shall be made by the Commission or its designated agent during the development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained. When required by the Commission, such progress reports shall describe: 1) grading progress, 2) the state of all the structural and non-structural erosion and sediment control measures and stormwater management facilities, 3) field deficiencies, and 4) overall compliance with the approved plans. Such reports, when required, shall be submitted on a pre-determined schedule, as set by the Commission.

4.5.7.2 During the course of inspections, the Commission or its designated agent may approve variations in materials and methods to control soil erosion and sediment control as shown on the certified plan which do not result in any alterations or extensions of disturbed area and are substantially consistent with the certified plan. The Commission's agent may require more stringent materials and methods than shown on the certified plan when it is determined that such are necessary to control soil erosion and sediment control in compliance with the certified plan. All inspection reports shall specify actions taken pursuant to this section. The provisions of this section shall not authorize the modification of any permanent structural or non-structural soil erosion or sediment control devices or provision as detailed on the certified plan or any alteration in stormwater management facilities in excess of the provisions of Section 6.2 of these Regulations.

4.5.7.3 If the Commission or its agent determines that the requirements of the certified soil erosion sediment control plan are not being adhered to, the following action shall be taken:

a. The Commission or its designated agent shall notify the owner/applicant or responsible agent as designated in the certified plan of the violation of the certified plan by transmitting a copy of the inspection report prepared on site to the responsible agent, retaining a copy of such inspection report for subsequent action as provided herein. The Commission or its agent shall specify the corrective measures necessary to comply with the certified plan as determined during the inspection with the responsible agent. In those cases where corrective measures are mutually agreed to, the inspection report shall detail such measures, time period in which they will be implemented (not to exceed 48 hours from time of inspection) and shall have the signature of the Commission's agent and the applicant/owner or responsible on-site agent.

b. When determined by the inspecting agent that the provisions of the certified plan are not being adhered to and no mutually agreeable solution or measure to correct such violation is obtained with the responsible agent, or such solution has not been implemented within a 48 hour time period, the inspecting officer shall issue a cease and desist order, effective immediately, in writing with a copy of the inspection report to the record owner/applicant, contractor, responsible agent, and the surety company.

The order shall provide no more than 48 hours in which to correct such violation and shall act as notice to the surety company, contractor, and developer of the Town's intent to cause the required repairs to be made and bill the contractor, developer, and surety company for the cost of the work involved. Such action shall be done without prejudice to any other remedy available to the Commission, Board of Selectmen, or Conservation Commission. As long as the Cease and Desist Order remains in effect, no new building permits for lots within the entire subdivision development shall be issued and no Certificate of Occupancy shall be issued if such structure is within a lot or such lot is effected by the violation as determined by the Commission or its agent.

SECTION 5 - DESIGN REQUIREMENTS

5.1 GENERAL_CONSIDERATIONS - Land to be subdivided shall be of such character that it can be used for building purposes without danger to health and public safety. Every effort shall be made to locate streets, building lots and open space in a manner that is sympathetic with the landscape and results in a minimum disturbance of the natural terrain and vegetation.

5.2 LAND_SUBJECT_TO_FLOODING - In areas contiguous to water bodies subject to flooding, including tidal flooding, proper provisions shall be made for protective flood control measures. Such land as identified on Flood Insurance Rate Maps and in the Flood Insurance Study, shall not be subdivided unless the following conditions are met:

5.2.1 Water supply and sewage disposal systems shall be designed and located so as to avoid impairment or contamination from flooding, erosion or related circumstances.

5.2.2 Gas and electrical equipment and transmission lines shall be located, elevated, and constructed to minimize or eliminate flood damage.

5.2.3 Drainage systems shall be designed to reduce exposure to flood hazards.

5.3 LOTS

(Amended 7/2/90, Effective 7/13/90)

5.3.1 LOT_SIZES - All lots in proposed subdivisions shall conform to the requirements of the Zoning Regulations, except that the Commission may require larger lots if needed to conform to state or local health requirements and Section 3.34 of the Zoning Regulations.

5.3.2 FRONTAGE - All lots shall have frontage on an approved street consistent with the Zoning Regulations of the Town of Waterford. Access to a lot shall be taken across the frontage of the lot except lots fronting on arterial roads and in the case where the Commission determines that a combined drive serving two lots will reduce traffic conflicts. In subdivisions which include or abut arterial streets, the layout of lots shall avoid having lot frontages on the arterial street, unless provisions are made for frontage improvements that control noise and limit access to a

level of safety equivalent to a public road intersection with an arterial road as prescribed in Section 5.6.8 and 5.6.9.

5.3.3 SIDE_LOT_LINES - Wherever possible, side lot lines shall be at right angles to the road and radial to curves. The width of the lot shall not be reduced below the minimum frontage required from the front property line to the building line.

5.3.4 MINIMUM_SQUARE - Each lot shall be capable of containing a square, each of whose side dimensions shall be equal to the minimum lot width required in the zone in which it is located. The minimum square shall be located at the building line. The minimum buildable square, as required in Section 3.34 of the Zoning Regulations, shall be located within the minimum square (See illustration below).

5.3.5 LOTS_ON_SLOPES - In the case of lots on land sloping more than ten (10) percent, the Commission shall require that the construction plan, as required under Section 4.4 of these Regulations, shall show the location of the proposed principal building, driveway, and sewerage leaching field, if any. Wherever possible, the first floor elevation of a principal structure shall be higher than the grade of the road on which it fronts.

5.4 OPEN_SPACE

(Amended 7/2/90, Effective 7/13/90)

5.4.1 GENERAL_REQUIREMENTS - The Commission may require open space for parks and play grounds when deemed proper by the Commission, with particular attention to open space recommendations in the Open Space and Recreation or Community Facilities element of the Plan of Development.

5.4.2 MINIMUM_REQUIREMENT -At least 20% of the gross area of the subdivision shall be set aside and dedicated in perpetuity as open space and recreation area. The area set aside to meet this minimum requirement shall not contain more than 50% in wetland and/or watercourse areas.

5.4.3 SUITABILITY/ACCESSIBILITY - A part of the open space shall be suitable and conveniently accessible for active recreation use; the land so dedicated may include wetlands, land abutting watercourses, outstanding natural features, and the like, but shall not include power line rights-of-way.

5.4.4 EXEMPTIONS - No open space shall be required in subdivisions of less than five lots and having the total area of the

subdivision less than five acres, or in subdivisions having all lot areas greater than one hundred and twenty thousand (120,000) square feet unless under present zoning these large lots could be resubdivided below 120,000 square feet. The Commission may require open space in such subdivisions when the property includes areas designated as open space or recreation in the Open Space and Recreation or Community Facilities elements of the Plan of Development.

5.5 DRAINAGE - An adequate system of storm water drainage shall be provided and no natural watercourse shall be altered or obstructed in such a way as to reduce the natural run-off capacity unless substitute means of run-off are provided. All drainage systems shall be indicated as to size and location on plans and profile sheets. Drainage rights-of-way through lots shall be at least twenty (20) feet wide, and follow property lines wherever possible. The Commission may require culverts and other storm water drainage installations where it seems necessary, to connect with one or more natural watercourse(s). All necessary easements for drainage shall be provided prior to plan approval. Grading and landscaping techniques that minimize surface water run-off and consequent erosion and sedimentation shall be used.

5.6 STREETS

5.6.1 GENERAL - Proposed streets shall be in harmony with existing and proposed thoroughfares as shown on the Waterford Plan of Development, 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. Grid layouts shall be avoided, and wherever feasible, streets shall follow a gently curving alignment compatible with the terrain.

5.6.2 MARKING PROPOSED STREETS - The developer will have his engineer place stakes at the even hundred foot stations on center lines of proposed streets before the subdivision plan is submitted for approval.

5.6.3 FUTURE STREET CONNECTIONS - Streets shall be laid out to provide connections with existing streets on adjacent properties, where appropriate. Consideration shall be given to connecting with future streets on adjacent property where future subdivision appears probable. Where rights-of-way for future streets are to be deeded to the Town, easements shall be provided on abutting lots for sloping rights. Such easements shall be at least 10' wide, although a greater width may be required by the Commission

upon recommendation of the Public Works Director where physical conditions make such additional width desirable.

5.6.4 STREET_ACCESS - All streets in a subdivision shall have access to one or more accepted streets or highways, except that any section of a subdivision which may contain more than thirty-five (35) lots may be required by the Commission to be accessible from at least two directions. For subdivisions fronting on existing streets, the Commission may require street improvements where in its opinion the need for such improvements is indicated.

5.6.5 STREET_STANDARDS - Proposed streets shall conform to the following minimum standards:

	Right-of-Way	Curb to Curb-Paved Width
Cul-de-Sac for 25 or less dwelling units	50'	24'
for more than 25 dwelling units.		28'
Turn-around Area	58' radius	50' radius
Local Access	50'	28'
Collector	60'	32'
Arterial	60'-100'	40'

5.6.6 CUL-DE-SACS- A cul-de-sac shall be provided with a circular turn-around area at the closed end having a paved radius of at least fifty (50) feet. A cul-de-sac shall not exceed eight hundred (800) feet in length unless it is of a temporary nature and is planned for extension and can reasonably be expected to connect with an existing or proposed road on adjoining land.

5.6.7 CURVES - The tangent distance between reverse curves shall not be less than two hundred fifty (250) feet on collector streets and fifty (50) feet on cul-de-sacs and local access streets. Except for intersections and turnarounds on cul-de-sacs, no local access street curve shall have a radius of less than one hundred (100) feet and no collector street curve shall have a radius of less than three hundred fifty (350) feet, as measured radial to the center line. Curves greater than 8 degrees on collector roads

may be super-elevated. Horizontal and vertical sight distances, horizontal and vertical rates of curvature, and super elevation shall satisfy the requirements of the Connecticut Department of Transportation Geometric Highway Design Standards (See illustration on next page).

5.6.8 INTERSECTIONS - Except where impractical because of topography or other conditions, cul-de-sacs and local access streets shall be perpendicular to intersections for a distance of at least one hundred (100) feet and collector streets shall be perpendicular to intersections for at least one hundred fifty (150) feet. Corners shall be rounded with a radius of not less than twenty-five (25) feet. Center lines of alternate side streets shall not be closer than one hundred twenty five (125) feet, measured along the center line. Wherever a cul-de-sac or local access road intersects with a collector or arterial road, a minimum sight distance of two hundred fifty (250) feet shall be required in each direction along the major road.

5.6.9 GRADES - Street grades shall have a maximum allowable grade of eight percent (8%) on arterial and collector streets and ten percent (10%) for a distance of up to 500 feet on all other streets and a minimum allowable grade of one percent (1%). Whenever possible, grades shall be no greater than two percent (2%) within one hundred (100) feet of an intersection.

5.6.10 ARTERIAL STREETS - Where a tract to be subdivided occurs in the vicinity of a proposed arterial street as shown on the Town Plan of Development, the applicant shall build the appropriate paved road, but may be required to set drainage lines to accommodate a larger road in the future. In such circumstances the Board of Selectmen and the Commission, with the approval of the R.T.M., shall enter into an agreement with the applicant in which the Town pays for the extra drainage work along such road. The Town shall widen such road in the future as traffic volumes dictate.

5.6.11 SIDEWALKS - Sidewalks shall be constructed in accordance with Town Standard Details and shall be provided as required by the Commission in the following instances:

A. On one side of a collector street within five thousand (5,000) feet of an existing or proposed school, park, playground, or community facility.

B. In locations where the Commission determines that the pedestrian activity or public safety considerations warrant sidewalks.

5.6.12 STREET_NAMES - No duplication of street names already in use shall be permitted unless they are joined or are in alignment with each other. Names that may be confused with ones already in use shall be avoided. All street names are subject to Commission approval.

5.6.13 STREET_TREES - Trees shall be planted at approximately fifty (50) foot intervals along the sides of every street abutting lots of the proposed subdivision except where, in the opinion of the Commission, existing trees are to be retained by the developer in sufficient number and location to meet the intent of this section. New trees shall be nursery grown, of specimen quality, balled and burlapped, straight stemmed, free from disease, and treated for bark injuries. Such trees shall be planted at least twelve feet from the curb back of the street. Determination of precise locations for trees shall consider future possible locations of driveways and utility connections.

5.6.14 STREET_LIGHTS - An executed agreement for the installation and operation of street lights shall be provided to the Commission at the time of request for street acceptance. Street lights shall be approved in number, location, and type by the Director of Public Works.

5.7 WAIVER_OF_REQUIREMENTS

5.7.1 GENERAL - Where the Commission finds that extraordinary hardships or practical difficulties may result from compliance with these Regulations, it may approve waivers to these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such waiver shall not have the effect of nullifying the intent and purpose of these Regulations; and further provided the Commission shall not approve waivers unless it shall make findings based upon evidence presented to it in each specific case that:

A. The granting of the waiver will not be detrimental to the public safety, health, or welfare, or have a significant adverse effect on other adjacent property;

B. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;

C. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if these Regulations are carried out;

D. The waiver will not in any manner conflict with the provisions of the Zoning Regulations, Plan of Development, or Regulations of any other Town Board or Commission.

5.7.2 CONDITIONS - In approving waivers, the Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these Regulations.

5.7.3 PROCEDURES - Petitions for any such waiver shall be submitted in writing by the subdivider at the time when the subdivision plan is filed for the consideration of the Commission. The petition shall state fully the grounds for the application and all of the facts called upon by the petitioner. The Commission shall hold a public hearing in accordance with Section 3.4 of the Regulations before acting on any such request. A three-quarters vote of the voting members of the Commission shall be required to approve a waiver and the Commission shall state on its record the reasons for granting the waiver.

5.8 ENERGY EFFICIENCY AND CONSERVATION

5.8.1 All subdivisions shall be planned and designed to encourage energy conservation, energy efficient development patterns, and the use of renewable energy forms through use of as many of the following guidelines as possible:

A. Where natural features or other planning considerations do not limit street layout and location, streets should have an east-west orientation to the greatest extent possible with acceptable variations up to 15 north or south of due east to provide for southerly building orientation.

B. Lot lines may be oriented in a fashion other than that provided in Section 5.3.3 of these Regulations if such orientation is necessary to secure, protect, or control solar access.

C. Primary and reserve leaching field areas should be planned and located to the south of a proposed building location whenever such a location is suitable for such purposes and will aid in the use of solar energy systems due to tree removal and regrading associated with the sewage disposal system.

D. Existing vegetation and natural terrain located to the north of any proposed structure which serve as wind barriers should remain intact. Other methods of providing for manmade wind barriers, such as earth mounds, should be encouraged in this area.

E. The location and designation of open spaces, parks and playgrounds should take into account the energy requirements, particularly for solar or wind access, of the subdivision as follows: (1) If the maximum possible number of lots have good solar or wind access, land reserved for open space, etc. should be located so as to avoid the creation of lots without good solar or wind access; or (2) if the land is such that few lots can be provided with good solar access, land for open space, etc. should be located on land which has good solar or wind access in order to provide for future use of community energy systems.

F. The designation and reservation of land for open space, parks, playgrounds, or their public uses should not prohibit its use in meeting community energy requirements. Such areas may be used to locate facilities, subject to any other applicable requirements of these Regulations and Town Zoning Regulations.

G. Species of street trees should be chosen taking into account their suitability in relationship with solar access objectives. Street trees should be located in such a manner as to avoid shading the most southerly side of proposed structures in order to facilitate the use of solar energy systems.

5.8.2 The subdivider shall demonstrate to the Commission that he has considered in developing the plan, using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer after tax credits, subsidies, and exemptions, and maximize solar heat gain, minimize heat loss, and provide thermal storage within a building during the heating season and minimize heat gain and provide natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) house orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development. A written statement outlining how this requirement has been adhered to shall be required.

5.9 NON-RESIDENTIAL_SUBDIVISIONS

5.9.1 General - A non-residential subdivision shall be subject to all the requirements of these Regulations.

5.9.2 Standards - In addition to these Regulations, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

A. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon and special requirements may be imposed by the Town with respect to street, curb, gutter, and sidewalk design and construction.

B. Special requirements may be imposed by the Town with respect to the installation of public utilities, including water, sewer, and storm water drainage.

C. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent, existing, or potential residential areas.

SECTION 6 - IMPROVEMENTS

6.1 GENERAL - All subdivision improvements shall be made in accordance with the Connecticut Department of Transportation's Standard Specifications for Roads, Bridges, and Incidental Construction Form 812, and any amendments or revisions thereof, unless such specifications are modified or altered by these Regulations, including the Town Standard Details of the Town of Waterford, Connecticut, which are a part of these Regulations and designated Appendix A thereto.

6.2 CONTROL_OF_WORK - The Director of Public Works shall be responsible for the control of the work during construction. He shall decide all questions as to the interpretation of plans and specifications. Working drawings, if necessary, for the construction shall be prepared by the developer and approved by the Director of Public Works.

6.3 STREETS - Work on any street shall not proceed unless the developer has given the Director of Public Works forty-eight (48) hours notice of the following, together with reasonable opportunity for inspection:

- A. Completion of drainage systems.
- B. Completion of preparation of subgrade.
- C. Completion of curbing.
- D. Completion of gravel subbase.
- E. Commencement of construction of process gravel base course.
- F. Commencement of construction of wearing surface.

Work on succeeding stages of construction shall not proceed until inspection by the Town and approval by the Director of Public Works.

The subgrade must be prepared by suitable material, and shall be examined by the Director of Public Works before it is covered. If the subgrade is unstable, or if the area is damp, material shall be removed to a depth necessary to insure subdraining and stability, and re-established with gravel or suitable fill. If the subgrade is in ledge or rock, ledge shall be removed twenty four (24) inches below subgrade to insure subdraining and eliminate the possibility of frost heave. Subgrade shall be compacted with a roller weighing at least ten (10) tons.

After completion of the road, the developer shall notify the Commission who shall notify the proper officials to make thorough

inspection of the road to determine its conformity to Town specifications. The developer will be advised of any corrections or changes necessary and given a reasonable time in which to make them.

6.4 DRAINAGE - All roads shall be properly drained and sufficient culverts, manholes, and catch basins installed as approved. No portion of any road shall drain in one direction more than three hundred (300) feet without catch basins on both sides of the road. All drainage pipes shall be at least fifteen (15) inches in diameter and installed with a minimum cover of eighteen (18) inches. Additional surface drainage of roads and under-drains for road beds may be required at any stage of the construction notwithstanding the fact that the same are not included in the road plans and specifications submitted with the application for approval of the subdivision plan. Such additional drainage requirements shall be made by the Commission after recommendation by the Director of Public Works and conference with the developer, if such subsurface or surface drainage is necessary or desirable.

Type "C" Catch basins shall be used, unless otherwise specified by the Director of Public Works. Multiple grade basins will be installed where requested by the Director of Public Works. The grade at the gutter line should be set seven (7) inches (0.58') below center line grade.

6.5 CURBS - Curbs shall be constructed of granite or Portland Cement concrete. Curbs shall be constructed in accordance with Town Standard Details (Appendix A).

6.6 SIDEWALKS - Sidewalks shall be provided in accordance with Section 5.6.11 of these Regulations and shall be constructed of concrete or bituminous concrete in accordance with Town Standard Details (Appendix A).

6.7 MONUMENTS_AND_MARKERS - Granite or concrete monuments shall be placed at all points of curvature and tangency, at all angle points on street lines, and at front corners of each lot. Iron pipes or pins shall be placed at all other lot corners or angle points.

Monuments shall be not less than four (4) inches square and thirty (30) inches long, with a brass or copper plug, drill hole, or cross marking the center of the monument. They shall be set flush with or slightly above finished grade. Iron pipes shall be at least one-half (1/2) inch nominal inside diameter, thirty-six (36)

inches long. The top of pipes or pins shall normally be four (4) to six (6) inches above finished grade. At points of curvature, points of tangency, and angle points, monuments shall be six (6) inches square and forty two (42) inches long. The cost of placing such monuments, pipes, or pins shall be borne by the developer.

6.8 STREET_SIGNS - Street signs shall be provided at all intersections as follows: at least two at a "four-way" intersection, located on diagonally opposite corners of the intersection, and at least one at a "T" intersection. Sign posts shall be nine (9) feet long, two and one half (2 1/2) inch interior diameter, and shall be set in concrete to a depth of one (1) foot. Pipes shall be capped with a standard aluminum post cap for a two and one-half (2 1/2) inch pipe. The sign itself shall be provided and attached by the Town. Prior to issuing a building permit for a building on a lot fronting on a proposed new street, the street name shall be clearly displayed, either by permanent or temporary sign, in order to assist in directing emergency vehicles to locations of need prior to completion of the subdivision.

6.9 UTILITIES - Underground utilities shall be located as shown in Town of Waterford Standard Details or in such other locations as may be approved by the Director of Public Works. Before final acceptance by the Town, "As Built" plans, showing the locations of all utilities, whether above or below ground, shall be submitted to the Commission for review.

6.9.1 WATER - Water supplies and distribution systems shall be subject to approval by all appropriate governmental jurisdictions.

If any part of a proposed subdivision lies within two hundred (200) feet of the existing service area of the municipal water supply system, it shall be served by the municipal system unless an alternative arrangement is approved by the Waterford Water Pollution Control Authority. A system to be connected to the municipal system shall, in accordance with the inter-local agreement between the Town of Waterford and the City of New London, conform to the specifications of workmanship and materials of the New London Water Department, and shall be in conformance with Standards and Specifications for Water Main Installation by Developers in the Town of Waterford. Water mains shall be sized to reflect consideration of future system growth and expansion and interconnection with other systems.

Fire hydrants shall be installed by the applicant in locations approved by the Fire Chief of the affected district and the Waterford Water Pollution Control Authority. The general rule is

that no house within the development shall be more than five hundred (500) feet from the nearest hydrant. The "As Built" plan shall show the location of all fire hydrants.

Private wells shall conform to the provisions of Section 19-13-B51 of the Connecticut Public Health Code.

6.9.2 SANITARY_FACILITIES - All sewage shall be disposed of by connection to public sewers or, if such are not available within 200 feet of the proposed subdivision, by subsurface sewage disposal systems or by other methods approved by the state Department of Health, all in accordance with the provisions of Section 19-13-B20 of the Connecticut Public Health Code and any other applicable regulations.

Any public sewer system shall be constructed in accordance with plans and specifications approved by the Waterford Water Pollution Control Authority. All plans, specifications and work shall be conducted in accordance with "Standards and Specifications for Waste Water Collection Systems Installed by Developers in the Town of Waterford." The Commission may require that capped sewers be installed in a subdivision which is located within or abuts an area for which the planning and construction of sewers has been authorized and funded. The Water Pollution Control Authority shall provide design capacities and elevations for such system and the applicant shall design and install the system to these specifications. All open ends of the system shall be capped and as-built plans provided showing exact locations and elevations so that capped ends can be readily located.

6.9.3 Electrical, telephone and cable television lines shall be installed underground by the developer.

6.10 STREET_TREES - Where required by Section 5.6.13, the following varieties of trees shall be used: sugar maple, thornless honey locust, red oak, ginko, little leaf linden, red maple, pin oak, columnar sugar maple, columnar Norway maple, and sentry ginko. Such trees shall be at least ten (10) feet in height.

6.11 OPEN_SPACE - The Commission may require grading, seeding, planting, fencing, and other reasonable improvements to the open space to be used for active recreation purposes. Open space land shall, at the Commission's discretion, be either deeded to the Town or held in corporate ownership by householders in the subdivision. In the event of the latter, a copy of the bylaws of homeowners association and the covenants of the warranty deed

guaranteeing right of use by the members of such association and perpetual reservation of the property as open space shall be submitted to the Commission prior to the approval of the subdivision plan. Such open space shall be transferred to the homeowners association upon sale of seventy-five percent (75%) of the lots in the subdivision or section thereof. Such open space shall not be used for commercial activity.

In the event that the homeowners association established to own and maintain common open space, or any successor organization, shall fail to maintain such common open space in reasonable order and condition in accordance with the plan, the Commission, through its Chairman, may serve written notice upon such association or upon the residents of the subdivision setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. Such notice shall include a demand that such deficiencies of maintenance be cured within thirty days after the receipt of such notice and shall state the date and place of a hearing which shall be held within fourteen days after receipt of such notice. At such hearing the Commission may modify the terms of the original notice as to the deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications thereof have not been cured within thirty days or any extension of such time, the Commission shall so notify the First Selectman who may thereafter enter upon said open space and maintain the same in order to preserve the taxable values of the properties within the subdivision and to prevent the open space from becoming a public nuisance. Such entry and maintenance shall not vest in the public any rights to use the open space. If the First Selectman determines that such association is ready and able to maintain such common open space in reasonable condition, the Town shall cease to maintain such open space.

The cost of such maintenance and all related administrative costs incurred by the municipality shall be assessed ratably against the properties within such subdivision that have a right of enjoyment of the open space, and shall become a lien on said properties. The First Selectman, at the time of entering upon the said open space for the purpose of maintenance, shall file a notice of such lien in the office of the Town Clerk, upon the properties affected by such lien.

6.12 CLEAN-UP - Upon suspension or completion of the installation of improvements or any portion thereof, the developer or contractor shall remove from all public or private property, all temporary structures, tools and equipment, tree stumps, excess earth

materials, rubbish, or waste materials resulting from his operations. All ditches shall be filled; all sewers, drains, catch basins and manholes cleaned and flushed; streets, walks, curbs, and other structures cleaned and repaired, and the whole work area left in a neat and clean condition.

6.12.1 Prior to the issue of a certificate of occupancy, the site and surrounding areas shall be inspected and cleaned up to the satisfaction of the Zoning Enforcement Officer. The Zoning Enforcement Officer shall inspect the site at regular intervals to insure the removal of all unsightly piles of rock, earth, felled trees, brush, stumps, discarded building material and all other rubbish or debris. In the case of a subdivision involving several lots, the contiguous lots or "open space" may not be used as dumping areas for waste or excess material except that such materials may be used for land improvement purposes at the discretion of the Zoning Enforcement Officer or his agent. This removal shall be completed at twenty-five percent (25%) intervals or building permits for further construction shall be refused until site clean up is satisfactory.

6.13 BONDING

6.13.1 The performance bond shall remain up to date and in effect until all improvements are accepted in accordance with Section 6.14.1. Application may be made to the Commission for release of a portion of the performance bond as portions of the total improvements are completed, except that no more than ninety (90) percent of the total performance bond shall be released prior to acceptance of all improvements by the RTM.

6.13.2 Release of the performance bond shall be made only after acceptance of all improvements and the substitution thereof by a maintenance bond in the amount of twenty-five hundred dollars (\$2,500), or one-tenth (1/10) of the cost of improvements, whichever is greater, to continue for a period of one (1) year from the date of Town acceptance, guaranteeing to remedy construction or to indemnify the Town for repairing such defects.

6.13.3 The contractor or developer shall, when notified by the Director of Public Works or the Chief Engineer of the Water Pollution Control Authority, promptly and at his own expense, repair all failures in the construction and operation of structures and appurtenances which may occur during the maintenance period; and he shall similarly repair all defects, settlements, and irregularities of the structures and appurtenances or drains, pipes, mains or conduits, curbs, gutters,

sidewalks, road surfacing, land turfing, or any other structures and improvements on the line of the work or adjacent thereto, occurring during the maintenance period which are caused by or affected by his work.

6.13.4 If the contractor or developer fails to remedy such defects within a reasonable time, the Board of Selectmen may, without prejudice to any other remedy and upon written notice to the contractor or developer and surety company, cause the required repairs to be made and bill the contractor or developer, or the surety company for the cost of the work then involved. A "reasonable time" shall be held to be a period not to exceed sixty (60) days, except that a longer period may be allowed by the Board of Selectmen during the winter months of the year.

6.14 ACCEPTANCE_OF_IMPROVEMENTS

6.14.1 Upon satisfactory completion of all improvements, the applicant shall submit a request to the Commission for acceptance of the improvements and release of the performance bond. Such request shall be accompanied by deeds, as-built plans, maintenance bond and any other documents necessary to support the request. As-built plans shall be on mylar, certified by a Connecticut licensed land surveyor, and shall show the details of all features as constructed in the field, including the final placement of all monuments, iron pipes, or pins.

6.14.2 The Commission shall refer the request to the appropriate town agencies for their review. Upon receipt of favorable reports from these agencies, the Commission shall recommend to the Board of Selectmen that the improvements be accepted and the performance bond released.

6.14.3 Upon review and favorable action by the Board of Selectmen, the request shall be forwarded to the Representative Town Meeting (RTM).

6.14.4 Upon favorable action by the RTM, the deeds and plans shall be filed in the Town Land Records, the balance of the performance bond shall be released, and the maintenance bond shall go into effect.

SECTION 7_- CLUSTER SUBDIVISION

(Amended 7/2/90, Effective 7/13/90)

7.1 PURPOSE - The purpose of this section is to provide an opportunity of greater flexibility in the design of subdivisions with a view toward preserving and enhancing the natural beauty of the landscape; protecting areas with unique or fragile natural features; producing more attractive, safe, and healthy living environments; providing greater variety of housing types to meet community needs; to conserve natural resources, particularly energy; and to encourage orderly development patterns in accordance with the Plan of Development.

7.2 RESOURCE_INVENTORY_PLAN - In order to provide the necessary information needed to calculate the density for a cluster subdivision, a base map of the boundary, topography, and restricted areas (7.3) shall be submitted. The plan shall be prepared from an actual field survey (A-2) conducted by a surveyor, engineer, soil scientist, or other professional qualified to physically identify the restricted areas to be calculated. All calculations and restricted areas shall be identified and shown on the plan.

7.3 DETERMINING_NUMBER_OF_LOTS - The number of lots permitted shall be determined by the following method:

7.3.1 Calculate the area of the property in existing utility easements and rights-of-way, except drainage. This calculation shall also include the roads and utilities, except drainage, intended to serve the proposed development which are within the gross area of the property to be subdivided.

7.3.2 Calculate the area of the property that is restricted due to the presence of protected resources. Such protected resources include wetlands (tidal and inland), watercourses, 100 year flood hazard areas, and the following coastal resources: beaches, dunes, bluffs and escarpments, rocky shorefronts, and lands below the high tide line.

7.3.3 Calculate the gross area of the property that is restricted due to the presence of the steep slopes and/or bedrock in accordance with the following:

- A. Areas of bedrock which defines a natural ridge or hilltop.
- B. Slopes of 20% or more.

7.3.4 Calculate the total area of the parcel containing one or more of the restricted areas in 7.3.1, 7.3.2, and 7.3.3 and subtract this area from the gross area of the parcel to be subdivided.

7.3.5 Calculate that portion of land required for recreation purposes according to the following formula:

For R-20 Zones - .08 X Gross Site Area
For R-40 Zones - .04 X Gross Site Area
For R-120 Zones - None Required

7.3.6 Subtract 7.3.5 from 7.3.4 to determine the remaining acreage.

7.3.7 Divide the remaining acreage of the property by the minimum lot area required by Zoning Regulations for that district. The quotient is the maximum number of lots which may be allowed in the cluster subdivision. The housing type chosen and conformance with the lot design standards of Section 3.34 of the Zoning Regulations will determine the ability to achieve the maximum density.

7.4 BUILDING_TYPE - The subdivision plan shall designate the type of building to be located on each lot and shall show the applicable size and bulk requirements as permitted under Section 3.16 of the Zoning Regulations. For each building type, a typical lot layout and architectural plan shall be provided.

7.5 OPEN_SPACE - No less than 20% of the total site area shall be set aside for open space and recreation purposes. The area calculated to meet the minimum requirement shall not contain any wetlands and/or watercourses. All lands classified as restricted under 7.3 above, except roads and easements, should be set aside as open space. The Commission may require additional open space buffers to be established between proposed lots and restricted areas with protected resources. The open space shall be located in a manner that enhances the attractiveness of each building lot. Unless otherwise approved by the Commission, all lots shall abut an open space. All other provisions of these Regulations relating to open space shall apply to cluster subdivision.

All land which is not placed within a proposed building lot, proposed roadway or otherwise reserved, shall be designated as a permanent open space to be retained in perpetuity for recreation and/or conservation purposes and shall be deeded to either the Town of Waterford, a private land trust, or an association made up of the owners of all land within said subdivision.

7.6 RECREATION_AREA - An area as required under 7.3.5 shall be set aside as part of the open space and improved for recreational purposes to serve the owners of the lots within the subdivision. The land shall not contain any restricted areas deducted under 7.3 and shall be located and of a condition which is suitable and accessible for recreational uses. The location of the space shall be determined during the initial design of the subdivision and shall not be subordinate to the location of the residential lots. The location of the recreation area shall enhance the common access and enjoyment of the natural resources on the site, depending on the intensity of the proposed recreational use.

7.7 GENERAL__REQUIREMENTS - Except as provided by this section, a cluster subdivision shall conform to all provisions of these Regulations. Reference should be made to the Plan of Development for the recommended density for the area. In no case shall the gross density of a cluster subdivision exceed the maximum density allowed in the applicable zoning district.

SECTION 8 - AMENDMENTS, VALIDITY, EFFECTIVE DATE

8.1 AMENDMENTS - These Regulations may be amended from time to time in accordance with the procedures specified in Section 8-25 of the Connecticut General Statutes, 1958 Revision, as amended.

8.2 VALIDITY - If any portion of these Regulations shall, for any reason, be held invalid or unconstitutional, the validity of any other section or remaining portion of these Regulations shall not be affected or impaired.

8.3 EFFECTIVE DATE - These Regulations amend and replace Subdivision Regulations adopted April 21, 1975, and subsequently amended. These amended Regulations shall become effective July 13, 1990.