

SUBDIVISION REGULATIONS
FOR
THE TOWN OF EASTFORD

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Planning Commission
Eastford, Connecticut

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CHAPTER I - PURPOSE, AND GENERAL REQUIREMENTS
AND PRINCIPALS OF LAND SUBDIVISION

SECTION I.A. PURPOSE

SECTION I.A.1.

These Regulations are adopted pursuant to the authority granted in Chapter 126, Section 13a-71 of Chapter 238, and Section 7-120 of Chapter 97, of the General Statutes of the State of Connecticut, as amended. It is declared to be the policy of the Commission to consider land subdivision as part of a plan for the orderly, efficient and economical development of the Town so as to further the general welfare and prosperity of its people. Accordingly, it is the purpose of these Regulations to insure that: Land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety; proper provision shall be made for water supply, surface drainage and sanitary sewage, and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, proper provision shall be made for protective flood control measures; proposed roads shall be in harmony with existing or proposed principal thoroughfares shown in the Plan of Development as the same may be amended from time to time, especially with regard to safe intersections with such thoroughfares, and proposed roads shall be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs, and roads and driveways shall provide adequate access to properties for fire-fighting apparatus and other emergency services; when and in places deemed proper by the Commission open spaces for parks and playgrounds shall be shown on the subdivision plan; proper provision shall be made for soil erosion and sediment control pursuant to Section 22a-329 of the General Statutes of the State of Connecticut; provisions shall be made for energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation.

SECTION I.A.2.

These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, regulation, or other provision of law, or any easement, covenant, or other private agreement or legal relationship. With regard to any easement, covenant, or other private agreement or legal relationship, however, it is not the purpose of these Regulations to interfere with, resolve, or arbitrate any private civil dispute. When these Regulations impose restrictions different from those imposed by any other statute, ordinance, or other requirement imposed by any level of government, whichever provisions are more restrictive or impose higher standards, shall control.

SECTION I.B. GENERAL REQUIREMENTS AND PRINCIPALS OF LAND SUBDIVISION

SECTION I.B.1. GENERAL

The following principles and standards are consistent with good subdivision design when applied to the rural, low density of population character of the Town. It is not the intent of the Commission to establish a rigid form of design, but rather to give developers freedom to lay out their property into a safe, sanitary, and desirable residential development, while achieving the maximum benefit to themselves, to the ultimate residents and to the Town itself. The subdivision plan must conform to the following requirements:

- a) The Subdivision Map.
 - 1) Shall conform to all requirements for filing with the Town Clerk as part of the Land Records of the Town.

- b) The Property.
 - 1) On land contiguous to brooks, rivers or other bodies of water subject to flooding, proper provision shall be made by the developer for protective flood control measures in connection with the applicable provisions of Town Ordinances. Land subject to flooding and land otherwise deemed by the Commission to be unsuitable for residential use because of hazard to health, safety or property, shall not be subdivided for residential occupancy nor for any use which might increase the hazard.
 - 2) When the proposed subdivision covers only a part of an existing tract or only a part of the subdivider's holding, a sketch of the prospective future street system of the remainder of the holding or tract shall be submitted. In reviewing the proposed subdivision, the Commission shall consider both the proposed subdivision and the remainder tract and their relationship.

- c) The Designated Uses. These Regulations recognize that the Town of Eastford has no zoning regulations, and that the Commission cannot designate or regulate the proposed use for any lot. No subdivision shall be denied by the Commission due to the use, or combination of uses, designated by the subdivider in accordance with these Regulations. Likewise, these Regulations contain no buffering requirements between designated uses, nor any other provisions which regulate the improvement of an individual lot based upon its use designation (except for driveway specifications and other provisions to insure safe access and minimize off-site adverse impacts).

At the same time, the Commission requests the subdivider to be mindful of the reasons why zoning regulations exist in most American communities: Certain uses are inherently incompatible, or may be incompatible without adequate lot sizes, buffering, and other special measures. The value of the subdivider's property, and the lots within any subdivision, are protected and enhanced by the grouping of compatible uses, and physical separation of

incompatible uses. Lot purchasers will have a greater incentive to invest in the subdivision if they perceive that it has been designed so as to harmonize existing and proposed uses, and to preserve that harmony for the long term. Likewise, although these Regulations contain very conservative minimum lot sizes and setbacks to insure that the lots are capable of being developed without impairing the public health, safety and welfare, lots which are of generous size and proper shape for parking and which provide room for expansion and privacy will be of greater value to the purchaser, and hence of greater profit to the subdivider. The Commission is prepared to work with subdividers who desire advice or suggestions about how land uses can be designated, and subdivisions designed in ways which provide the greatest protection and enhancement of property values.

CHAPTER II - DEFINITIONS

For the purpose of these Regulations, certain terms and words used herein shall be used, interpreted and defined as set forth in this Chapter:

- II.1. Accessory Building or Structure: A building or structure, in addition to the principal building, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal building or on a contiguous lot under the same ownership. Any accessory building physically attached to a principal building shall be deemed to be a part of such principal building in applying the Setback requirements to such building.
- II.2. Accessory Use: A use, in addition to the principal use, which is clearly subordinate to, and customarily incidental to, and located upon the same lot as, the principal use or on a contiguous lot under the same ownership.
- II.3. Accessway: A strip of land that is part of a Lot, but which is of such size or shape that it alone cannot be used for building purposes, but which connects that Lot to a Street. [from former Section 201.43, amended effective 12/1/93]
- II.4. Acre: An acre shall be defined for these Regulations as an area of 43,560 continuous square feet of land.
- II.5. Amended Subdivision: Any change in a property line or improvement shown on a Subdivision or Resubdivision map which has been approved and filed with the Town Clerk pursuant to these Regulations, other than a new subdivision or a resubdivision.
- II.6. Applicant: Any person, firm, corporation, or partnership who shall apply to the Commission for approval of a subdivision, as herein- after defined, either for himself or as an agent for others.
- II.7. Application: A request for approval of a specific subdivision, including an Application Form (APPENDIX 10) and Compliance Form (APPENDIX 11) as may be prescribed by the Commission, accompanied by all supporting information, documents, reports, and the like which may be required by these Regulations.
- II.8. Board of Selectmen: The Board of Selectmen of the Town of Eastford.
- II.9. Building: Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or materials. The connection of two (2) or more buildings by means of a porch, breezeway, passageway, carport, or other such roofed structure shall be deemed to make them one building. Any other structure more than eight (8') feet high shall be considered a building, including a fence or wall, but excluding shade tobacco tents, an electric transmission line, a public utility pole, a highway or railroad bridge, or flagpole.
- II.10. Building Area/Building Coverage: The area of the ground beneath a building (i.e., dripline), including the area of all covered porches, eaves, and similar roofed portions of the building, but excluding

awnings.

- II.11. Building, Principal: That single building, or inter-related group of buildings, in which is conducted the principal use of the lot on which the building is situated.
- II.12. Commercial: A Lot which is designated by the Applicant as to be used for retail trade, offices, personal or business services, or other Uses other than those included within the definitions of Single-Family Dwelling, Two-Family Dwelling, Multi-Family Dwelling, or Industrial.
- II.13. Commission: The Planning Commission of the Town of Eastford.
- II.14. Common Driveway: A driveway serving more than one (1) lot. [from former Section 201.40]
- II.15. County Soil and Water Conservation District: The Windham County Soil and Water Conservation District established pursuant to Connecticut General Statutes Section 22a-315, et. seq., as amended.
- II.16. Cul-de-sac Street: A proposed street, or any extension of an existing street, or any combination or pattern of streets or extensions thereof, having only one outlet to a through State or Town road. [from former Section 201.10, amended effective 12/1/93]
- II.17. CT E&S Guidelines: *The 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.*
- II.18. CT Stormwater Manual: *The 2004 Connecticut Stormwater Quality Manual.*
- II.19. CT Drainage Manual: *The 2000 Connecticut Department of Transportation Drainage Manual.*
- II.20. Date of Receipt: The day of the first regularly scheduled meeting of the Commission immediately following the day of submission of the Application to the Commission, or its agent, or thirty-five (35) days after such submission, whichever is sooner.
- II.21. "Development for Agricultural Purposes": Development or division of land for purposes which have an immediate and specific (as opposed to speculative, future, or general) function in the furtherance of agriculture or farming as those terms are defined in Connecticut General Statutes §1-1(q), as the same may be amended from time to time, the current version of which is set forth in APPENDIX 1 of these Regulations. (See, definition of "Subdivision".) [from former Section 201.1, amended effective 12/1/93]
- II.22. Development Plan: The Plan of Development of the Town of Eastford, as it may be adopted and amended from time to time, in accordance with Chapter 126 of the Connecticut General Statutes, as amended.
- II.23. Disturbed Area: An area where the natural vegetative ground cover is destroyed, moved or removed.

- II.24. Drainage Easement: The right, at any time, to direct the flow of water, whether derived from surface or subsurface sources, across any property owned or proposed to be owned by another. Said right is defined to include direction of the flow of water by any method or means, including but not limited to, unrestricted sheet flows, direction by open ditch or trench, or direction by enclosed conduits. Said right also includes the right to enter upon the property and to maintain said direction of the flow of water in perpetuity.
- II.25. Dwelling: Any building designed and/or used for human habitation erected on a closed solid foundation, using permanent weather- proof exterior materials, constructed with ceilings and walls finished on the interior with lath and plaster or some comparable material, including the finished surface of log cabin, cedar log, and similar buildings; with facilities which are used or intended to be used for living, sleeping, cooking and eating; connected to a safe water supply with adequate sanitary disposal facilities; and equipped with at least one (1) furnace or other customary form of heating apparatus which, in conjunction with proper insulation, is capable of maintaining a healthful interior room temperature of sixty-nine (69^o) degrees Fahrenheit, with healthful ventilation, when the outside temperature is zero (0^o) degrees Fahrenheit or lower.
- II.26. Dwelling, One-family: A single detached dwelling on one (1) lot designed and/or used for residential purposes for one (1) family only and containing at least one full bathroom, plus customary accessory uses, including home occupations. One or more rooms in a one-family dwelling which are arranged or used for separate occupancy by a person or persons related by blood or marriage to the occupant(s) of the dwelling shall be considered as an accessory use, and shall not constitute a separate dwelling, provided, however, that such room(s) contain no provisions for cooking, eating, or dishwashing, and provided further that no compensation is paid for such occupancy. [Amended effective November 22, 1995].
- II.27. Dwelling, Two-family: Two single detached dwellings, or two dwellings in a single building, on one (1) lot used for residential purposes designed and/or used for occupancy by two (2) families living independently of each other, plus customary accessory uses, including home occupations. [Amended effective November 22, 1995].
- II.28. Dwelling, Multi-family: A single detached dwelling, or multiple detached dwellings, on one (1) lot used for residential purposes designed and/or used for occupancy by three (3) or more families living independently of each other, having separate or joint entrances, services and facilities. [from former Section 201.19, amended effective 12/1/93]
- II.29. Dwelling Unit: Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one (1) family.
- II.30. Easement: A right, established in deed or other legal means, of one party to use a designated portion of a second party's land for a specific, limited purpose.
- II.31. Engineer or Town Engineer: The Engineering consultant to the Town of Eastford acting personally or through any assistants authorized in writing for such acts by the Engineer.

- II.32. Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- II.33. Family: (a) Any number of individuals related by blood, marriage, or adoption, living together as a single housekeeping unit; or (b) A group of not more than two (2) persons, not so related by blood, marriage, or adoption, living together as a single housekeeping unit.
- II.34. Final Subdivision Plan: The final map, drawings, and all supporting data required by these Regulations upon which the subdivider's plan of subdivision is presented to the Commission for action and which, if approved without modifications, would be submitted to the Town Clerk for recording, where such recording is required by the provisions of these Regulations.
- II.35. Flag Lot(s): See, "Lot, Interior".
- 11.36. Flood (or Flooding): See applicable Ordinances of the Town of Eastford, including, but not limited to, a Flood Insurance Ordinance, Ordinance Instituting Flood Plain Management for Designated Flood-Prone Areas, and Ordinances Amending the Flood Damage Prevention Ordinance, as the same may have been amended from time to time.
- II.37. Flood Plain: Those areas subject to flooding at base flood as designated Zones A, A7, A8, A10 and A12 on the Eastford Federal Insurance Rate Maps (FIRM) dated June 15, 1982, and the accompanying Eastford Flood Insurance Study, as the same may be amended from time to time, and on file in the Office of the Town Clerk.
- II.38. Half Street: A proposed street, or any extension of an existing street, along and roughly parallel to a property line such that less than the entire required right-of-way and street improvements, longitudinally, would be located on one property.
- II.39. Health Officer: The legally designated health authority of the Town of Eastford, being the Northeast District Department of Health, or its authorized representative(s).
- II.40. Home Occupation: Accessory uses conducted for compensation by the occupant(s) of a Dwelling, within that Dwelling or any accessory building(s) or on a lot upon a Dwelling is located, which uses are customarily conducted in a residential neighborhood. Such uses shall not be considered accessory and shall not fall within this definition of Home Occupation, if they occupy more than fifty (50%) percent of the combined floor area of all the principal and accessory buildings on the lot. [Added effective November 22, 1995]

- II.41. Improvement, or Public Improvement: Any change or alteration to the existing conditions of the subdivision site for the purpose of complying with these Regulations, or any approval granted hereunder, or depicted on any Final Subdivision Plan approved hereunder, or rendering the site more suitable for development and/or habitation. As used in these Regulations, Improvements include but are not limited to: Construction and installation of roadways, paved streets, curbs, gutters, utilities, street signs, monuments, shade trees, drainage facilities, erosion and sedimentation control measures, buildings, earth filling or removal, seeding and grading. [from former Section 201.39k, amended effective 12/1/93]
- II.42. Industrial: A Lot which is designated by the Applicant as to be Used for manufacturing, warehousing, processing, wholesale trade, outdoor storage, or similar industrial Uses.
- II.43. Inland Wetlands Agency: The Eastford Inland Wetlands and Watercourses Commission, being the agency designated pursuant to Connecticut General Statutes Section 22a-42(c).
- II.44. Loop Driveway: A driveway, serving more than one (1) dwelling, with two (2) Town or State roadway intersections, and typically parallel to a street and running across the front portion of the lots.
- II.45. Loop Street: A proposed cul-de-sac, or any extension of an existing cul-de-sac, that curves back to intersect with itself.
- II.46. Lot: The unit or units into which land is divided or proposed to be divided with the intention of offering such units for sale, lease or other conveyance, either as developed or undeveloped sites.
- II.47. Lot Area: The area of a horizontal plane bounded by all lot lines. (See, Section VI.2, Buildable Area.)
- II.48. Lot Area, Buildable: Gross Lot Area, reduced by the following: Areas of slopes in excess of twenty-five (25%) percent; areas defined as inland wetlands or watercourses by the Eastford Inland Wetlands and Watercourses Regulations, but not otherwise excluded under the definition of Gross Lot Area; ledge outcrops; Special Flood Hazard Areas and Floodways, as defined in the Ordinances of the Town of Eastford, as the same may be amended from time to time; areas encumbered by electric or gas transmission easements, or similar easements which prohibit construction of principal buildings within their boundaries.
- II.49. Lot Area, Gross: The Lot Area, excluding land covered by the high water level of areas covered by water (such as lakes, rivers, streams, ponds and swamps, but not necessarily including all areas defined as inland wetlands by the Eastford Inland Wetlands and Watercourses Regulations).

- II.50. Lot, Corner: A lot of which two (2) adjacent sides face a street or streets so that the interior angle of the intersection is less than one hundred thirty-five (135^o) degrees, provided that the corner of any such intersection is not rounded by a curve having an inside radius greater than fifty (50') feet.
- II.51. Lot Coverage: The ratio between the Building Area and the gross area of the Lot.
- II.52. Lot, Frontage: A Frontage Lot is a Lot which has the minimum Lot Frontage required by these Regulations. [from former Section 201.41, amended effective 12/1/93]
- II.53. Lot Frontage, Lot Frontage Line: The length of the shortest straight line between Side Lot Lines and located entirely within the Lot and passing through any point(s) of the Front Lot Line. In the case of an Interior Lot, the Lot Frontage shall be measured at that point closest to the Street from which the Lot derives its principal access, at which point the minimum Lot Frontage is met. (See, Section X.B., Interior Lots.)
- II.54. Lot, Interior: An Interior Lot is a Lot connected to a Street by an Accessway having Frontage less than the minimum required by these Regulations. [from former Section 201.42, amended effective 12/1/93]
- II.55. Lot Line: Any boundary line of a Lot.
- II.56. Lot Line, Front: That Lot Line being along the Street Line which that Lot abuts. In the case of a Rear Lot, that Lot Line being closest to the Street from which the Lot derives its principal access.
- II.57. Lot Line, Rear: The shortest single straight Lot Line which is roughly opposite of, and farthest from, the Front Lot Line, which line is at least the length of the minimum Lot Frontage required by these Regulations; or, if such line does not exist, the shortest straight line between Side Lot Lines which is roughly opposite of, and farthest from, the Front Lot Line, which line is contained within the Lot and which is at least the length of the minimum Lot Frontage required by these Regulations.
- II.58. Lot Line, Side: Any Lot Line not a Front Lot Line or a Rear Lot Line extending directly or indirectly from the Front Lot Line.
- II.59. Lot of Record: A lot, separately described in a deed which has been recorded in the office of the Town Clerk of the Town of Eastford, which lot met the requirements of the Subdivision Regulations in force at the time of such recording, or which recording predated the adoption of Subdivision Regulations in the Town of Eastford. See the definition of "Subdivision". [Added effective November 22, 1995]
- II.60. Lot, Rear: See, "Lot, Interior".
- II.61. Lot, Through: A Lot, other than a Corner Lot, having frontage on two (2) or more Streets.
- II.62. Nondevelopment: A Parcel which is designated by the Applicant to be Developed for Agricultural Purposes; or used as Open Space, or otherwise maintained as land upon which no buildings,

structures, or active uses are to be established or constructed. A Nondevelopment Parcel shall not be considered a "Lot" for the purposes of these Regulations, and shall be part of the Subdivision or Resubdivision; provided, however, that any Parcel designated as "Nondevelopment" shall be demonstrated by the Applicant as being capable of supporting one (1) Single-Family Dwelling in compliance with all provisions of these Regulations which are applicable to Lots designated for Single-Family Dwelling use, but need not be restricted to use for, and shall not be used for, such a Dwelling. Development of a Nondevelopment Parcel shall be only upon separate Subdivision or Resubdivision approval of such Parcel as a new Application under these Regulations.

- II.63. Open Space: Land set aside for parks, playgrounds, active or passive recreation or conservation purposes, on any Subdivision plan and not including unbuilt land on any Lot. Open Space shall be dedicated and regulated in accordance with applicable provisions of these Regulations.
- II.64. Parcel: Any contiguous piece of land, including a Lot of Record, unified under the same ownership; excluding, however, any parcel which is a "lot", as that term is defined in these Regulations.
- II.65. Person: An individual, firm, partnership, joint venture, association, club, corporation, estate, trust, receiver, syndicate, or other entity or combination thereof.
- II.66. Plan and Profile: The drawing(s) depicting respectively the horizontal and vertical design for street construction and drainage, and containing all information required by Section IV.3. of these Regulations.
- II.67. Preliminary Layout: The preliminary drawing(s) and all required supporting data as authorized by Section IV.1. of these Regulations, indicating the proposed manner and layout of the subdivision to be submitted to the Commission for consideration.
- II.68. Principal Use, Principal Building: See, "Use, Principal" and "Building, Principal".
- II.69. Print: A blueprint, photostat, lithoprint, or other copy which reproduces exactly the data on the original drawing(s) from which it is made.
- II.70. Recordable: A plan or other document of such form, material, and size as to be suitable for filing or recording in the office of the Town Clerk in compliance with Connecticut

General Statutes, as amended, and any regulations adopted pursuant thereto.

- II.71. Reserve Strip: Land controlling public access to an area dedicated or to be dedicated to public use, including streets, street connections, pedestrian ways, parks, or other land dedicated to public use.
- II.72. Resubdivision: A change in 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 of recording of such map.

- II.73. Right-of-Way: A servitude imposed by law or by convention, and by which one has a right to pass through the real property of another.
- II.74. Sediment: Solid material, either mineral or organic, that is in suspension, and is transported, or has been moved from, its site of origin.
- II.75. Setback, Minimum Required Front: A Setback between any Building and the Lot Frontage Line, extending the full width of the Lot between the Lot Side Lines, measured by the minimum horizontal distance between any such Building and the Lot Frontage Line; or, in the case of a Corner Lot, a similar Setback extending along all streets.
- II.76. Setback, Minimum Required Rear: A Setback between any Building and Rear Lot Line, extending the full width of the Lot between the Lot Side Lines, measured by the minimum horizontal distance between any such Building and the Rear Lot Line; or, in the case of a Corner Lot, a similar Setback extending across the side of the Lot opposite the Street on which the principal building has its street address, or is otherwise the designated front of the Lot.
- II.77. Setback, Minimum Required Side: A Setback between the Side Lot Line and any Building, extending on both sides of the Lot from the Front Lot Line to the Rear Lot Line; or, in the case of a Corner Lot, a similar Setback extending across the side of the Lot opposite the Street on which such building does not have its street address, or is otherwise not the designated front of the lot. Any Setback not a Rear Setback or a Front Setback shall be deemed to be a Side Setback.
- II.78. Setback, Required: An open space without any Building on the same lot with a Building having those minimum dimensions prescribed by these Regulations.
- II.79. Standard Specifications and Details: The Standard Specifications for Roads, Bridges and Incidental Construction of the Connecticut Department of Transportation, Form 814, as the same may be amended from time to time, and except as specifically provided otherwise in these Regulations; and the Standard Details contained in APPENDIX 2 of these Regulations, as the same may have been amended by the Commission from time to time, and which are made a part of these Regulations.
- II.80. Streambelt:
- II.81. Street: A street, avenue, lane, or any right-of-way: (a) dedicated and legally accepted by the Town or the State of Connecticut for the purpose of public travel; OR (b) shown on a subdivision duly approved by the Commission and complying with all requirements of these Regulations, recorded in the Office of the Town Clerk, and bonded or constructed in accordance with these Regulations.
- II.82. Street Line: That line separating the public right-of-way of a Street from adjoining properties.
- II.83. Street Pavement: The wearing or exposed surface of the roadway used by vehicular traffic, including

the traveled portion of streets characterized by a gravel or dirt surface.

- II.84. Street Width: The distance between Street Lines.
- II.85. Subdivider: See, "Applicant".
- II.86. Subdivision: The division of a tract or parcel of land into three (3) or more parts or lots at any time subsequent to the adoption of Subdivision Regulations by the Commission (13 February, 1967) for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation, or agricultural purposes, and includes resubdivision.
- II.87. Subdivision, Commercial: A Subdivision in which any Lot is designated by the Applicant as to be Used for Office or Retail Uses.
- II.88. Subdivision, Industrial: A Subdivision in which any Lot is designated by the Applicant as to be Used for Industrial Uses.
- II.89. Subdivision, Multi-Family: A Subdivision in which any Lot is designated by the Applicant as to be Used for Multi-Family Dwellings.
- II.90. Subdivision, Rural Residential: A Subdivision in which all Lots are designated by the Applicant as to be Used for Single Family or Two Family Dwellings.
- II.91. These Regulations: The Subdivision Regulations of the Town of Eastford, including amendments thereto.

- II.92. Town: The Town of Eastford, County of Windham, Connecticut.
- II.93. Traveled Width: The distance between curb faces, i.e., the width of the Street Pavement. [from former Section 201.37, amended effective 12/1/93]
- II.94. Use: Any purpose for which a Building, Structure or premises may be designed, arranged, intended, maintained, or occupied; or, any activity, occupation, business, or operation actually carried on in a Building or other Structure or on a Lot or parcel.
- II.95. Use, Accessory: A Use, in addition to the Principal Use, which is clearly subordinate to, and customarily incidental to, and located upon the same Lot as, the Principal Use or on a contiguous Lot under the same ownership.
- II.96. Use, Principal: The primary Use of a Lot, Building or Structure.
- II.97. Watercourse: Those areas designated and defined as water- courses by the Eastford Inland Wetlands and Watercourses Agency, pursuant to its Regulations, as the same may be amended from time to time.
- II.98. Wetland: See, "Inland Wetland".

CHAPTER III – PROCEDURE

SECTION III.I REQUIREMENT OF APPROVAL OF SUBDIVISION PLAN

SECTION III.1. REQUIREMENT OF APPROVAL OF SUBDIVISION PLAN

- a) Subdivision Plan Approved and the Sale of Lots. All plans for the subdivision or resubdivision of land must be submitted to the Commission for approval and no lot resulting from or affected by the subdivision or resubdivision of any tract or parcel of land shall be sold or offered for sale or use for building development and no Building Permit or Certificate of Occupancy for the erection or enlargement of any building on such lot shall be granted without the prior approval of the subdivision or resubdivision plan, or any amendment thereof, by the Commission, and the filing of the endorsed Final Subdivision Plan in the Office of the Town Clerk.

- b) Determination of Subdivision or Resubdivision. In accordance with Connecticut General Statutes 8-26, as the same may be amended from time to time, the Commission may determine whether the existing or proposed division of any land constitutes a subdivision or resubdivision under the provisions of these Regulations and the General Statutes. Any determination may be initiated by a property owner or by the Commission itself. A property owner seeking such determination shall provide the Commission with a written request, accompanied by: a written title history prepared and certified by an attorney at law admitted to the Bar of the State of Connecticut; a map or survey illustrating the parcel history as described in the title history; for any conveyance or division claimed to be exempt, copies of proposed restrictive covenants, the identity and articles of incorporation of the grantee, and similar information to establish the continuing use for municipal, conservation, or agricultural purposes; and such other information as the Commission may require in order to determine if a proposed division constitutes “subdivision” or “resubdivision” as defined herein. There shall be no fee for a request for determination.

- c) Amended Subdivision. An amended subdivision may be approved by the Commission, with or without public hearing, upon request of the Applicant. All provisions of the original approved subdivision or resubdivision shall be complied with, except as specifically approved by the Commission. No amended subdivision shall be deemed final until an endorsed Final Subdivision Plan has been filed in the Office of the Town Clerk.

SECTION III.2. PRELIMINARY LAYOUT

- a) Purpose of Recommended Preliminary Procedure. Before submitting an application which must comply with the requirements of these Regulations including requirements for a Final Subdivision Plan, the preliminary procedure recommended in this Section III.2. should be followed to save time and expense. This is a recommendation and not a requirement.

- b) Application. The subdivider, hereinafter sometimes called the applicant, may present to the Commission a written request for the consideration of a Preliminary Layout. Six (6) paper prints of

the Preliminary Layout, in accordance with Section IV.1. of these Regulations, shall be submitted with the request.

- c) Technical Reports. The Commission may request that the applicant obtain from a licensed professional engineer a written report or reports as to the general feasibility of the following: The proposed water supply, and the proposed drainage plan and sewage disposal in the area to be subdivided, and shall deliver said report(s) to the Commission. The applicant shall cause to be performed, at his expense, such seepage and other tests as the appropriate Town officer or officers may request. The Commission may request such other report(s) as are deemed advisable.
- d) Check by Commission. At the time of a request for the consideration of a Preliminary Layout, the Commission or its designee or a subcommittee of the Commission may review such request and layout, and determine which of the information described in Section IV.1. of these Regulations would be helpful to perform a meaningful discussion of the proposed subdivision. Upon the provision of such information, or any other stage of review which the Commission and the applicant consider suitable, the Preliminary Layout shall be placed on the agenda for a regular public meeting of the Commission. Whenever desirable, the Commission and/or its representative(s) may examine the site of the proposed subdivision with the applicant or his authorized representative(s), prior to said meeting, and the applicant, by making a request under this Section, shall be deemed to consent to such site examination.
- e) Notice of the Meeting of Commission. The Commission shall notify the applicant, prior to said meeting, of the date, time and place of the meeting of the Commission at which the Preliminary Layout is to be considered and the applicant, or his fully authorized representative, should attend said meeting unless he has notified the Commission at least one day prior to said meeting of his inability to attend.
- f) Consideration of Preliminary Layout. The Preliminary Layout will be considered at a regular public meeting of the Commission at which it is on the agenda. The Commission may hold a public hearing on any such request, and even in the absence of a public hearing, may, in its sole discretion, permit persons to be heard and written communications received at such meeting.
- g) Effect of Consideration of Preliminary Layout. The purpose of the consideration of the Preliminary Layout is purely to provide preliminary guidance to the applicant, and to identify areas of concern or further study, so as to minimize delay, expense and inconvenience to the public, the applicant, and the Commission upon the future receipt, if any, of a formal application for subdivision. Neither the applicant nor the Commission shall be in any way bound by any statement made during such Preliminary Layout consideration, nor shall the statement of any Commission member be deemed to be an indication of prejudice or prejudice, it being acknowledged by the applicant that the Commission's responses, like the request itself, are preliminary and subject to further change and refinement. There shall be no vote or other formal action on any request for Preliminary Layout consideration, other than referrals to other municipal, State, or Federal agencies for review and comment if deemed advisable by the Commission.

SECTION III.3. FINAL SUBDIVISION ACTION

- a) Filing of Final Subdivision Application. Any applicant seeking Subdivision or Resubdivision approval shall file in the office of the Commission (being, at this writing, the Office of the Town Clerk, per Connecticut General Statutes §8-26d(c)), the following (in duplicate, unless otherwise noted):
- i) A current Application Form and a current Subdivision Regulations Compliance Form provided by the Commission, signed by the applicant and also the owner of the land to be subdivided or its authorized agent;
 - ii) A non-refundable application fee, in the form of a check made payable to the Town of Eastford, in accordance with Town Ordinance, as adopted pursuant to Connecticut General Statutes §8-1c on June 17, 1987, and as it may be amended hereafter or the maximum fee as may be authorized by Connecticut General Statutes §8-26, if, for any reason, such Ordinance shall not be in effect at the time of application; together with the State Conservation Fee as required by Public Act 92-235.
 - iii) Six (6) prints of a Final Subdivision Plan conforming to Section IV.2. of these Regulations;
 - iv) Six (6) prints of a Plan and Profile conforming to Section IV.3. of these Regulations;
 - v) Six (6) prints of an Erosion and Sediment Control Plan, in accordance with Section IV.5. of these Regulations;
 - vi) A final report from the Health Officer indicating compliance of any proposed on-site septic system or on-site private well with the Public Health Code and any applicable provisions of these Regulations for each and every lot depicted upon the Final Subdivision Plan; or, if the applicant proposes to utilize a community sewage system, as defined in Connecticut General Statutes Section 7-245, a report from the Eastford Water Pollution Control Authority, when created, indicating that all requirements of Connecticut General Statutes Section 7-246f have been satisfied. It shall be the responsibility of the applicant to obtain the report required by this paragraph;
 - vii) A report from, and evidence of approval by, the Eastford Inland Wetlands and Watercourses Commission of any permits required pursuant to the Eastford Inland Wetlands and Watercourses Regulations for the Final Subdivision Plan as submitted.
 - viii) The applicant shall, in its sole discretion, designate the ultimate use for each lot in the subdivision using terms or descriptions of use which are adequate to permit the classification of the lots and the subdivision in accordance with this paragraph and to determine compliance of each lot with the applicable provisions of these Regulations. Based on the designated ultimate uses for each lot, the Commission shall classify each lot and the subdivision by one of the following land use categories, as defined in these Regulations: Rural Residential, Multi-Family Residential, Commercial, or Industrial. Nondevelopment Parcels shall be identified, but not classified. The Town of Eastford has no zoning regulations, and hence the Commission shall have no authority to regulate the land uses for

each lot selected by the applicant and set forth on the Final Subdivision Plan, but shall only have the authority to classify the overall subdivision by the preceding categories based on those uses.

- ix) A statement as to the ultimate total number of dwellings to be contained within a Multi-Family Residential Subdivision; and the ultimate total square footage of all buildings in an Industrial or Commercial Subdivision. Such statement shall be used only to calculate the application fee in accordance with the applicable Ordinance of the Town of Eastford and to evaluate the adequacy of the proposed public improvements. Eastford has no zoning regulations, and hence the size of the development in terms of dwellings or square footage shall not, in and of itself, provide a basis for denial of any application. No development shall exceed the total ultimate number of dwellings or building square footage except upon an application for amendment, in accordance with Section III.1(b), and the payment of any additional application fee, over and above the original applicable fee, attributable to such expansion. The subdivision plan shall include notation of that effect. [Added effective November 22, 1995]
- x) A Declaration of Covenants and Restrictions requiring the continued use of each lot in the subdivision for the use and the total number of dwellings or total square footage of buildings, as applicable, as designated by the applicant in the preceding two paragraphs, excluding any parcel designated as Nondevelopment. Such Declaration shall be enforceable by all lot owners and the Town, acting by and through the Commission, and shall be amendable only upon unanimous consent of all such owners and the Commission. Such Declaration shall be binding for a period of not less than twenty (20) years, and shall be automatically renewed for successive periods of ten (10) years each, absent the consent of all owners in the subdivision and the Commission to terminate such Declaration; provided, however, that such Declaration may, at the applicant's option, terminate automatically upon the effective date of the initial adoption of zoning regulations in the Town. The form of such Declaration shall be in accordance with that set forth in APPENDIX 4 of these Regulations.
- xi) In accordance with Section 8-25a of the Connecticut General Statutes, as amended by Public Act 84-330, any subdivision providing water by means of a "water company", as that term is defined in Connecticut General Statutes Section 16-262m(a), shall provide to the Commission a certified copy of the Certificate of Public Convenience and Necessity issued for the subdivision by the Connecticut Department of Public Utility Control; or, in the alternative, a certified copy of the a resolution from the Eastford Board of Selectman waiving such Certificate and agreeing that the Town of Eastford shall be responsible for the operation of the subject water company in the event that the company is at any time unable or unwilling to provide adequate service to its customers.
- xii) A written estimate, prepared and sealed by the applicant's Connecticut Registered Professional Engineer, of the cost of installation of any and all Improvements depicted on the Final Subdivision Plans or required by these Regulations. Such written estimate shall contain a detailed analysis of the materials and services required, the cost per unit, and such

other information as the Town Engineer may require to facilitate his/her review of the estimate. The Town Engineer shall review the estimate, and make a recommendation to the Commission that it be accepted with or without modifications.

xiii) Each sheet of the Final Subdivision Plans shall contain a printed signature box as follows:

APPROVED
EASTFORD PLANNING COMMISSION

Chairperson/Secretary

Date

THE FIVE YEAR APPROVAL PERIOD FOR COMPLETION OF IMPROVEMENTS EXPIRES ON _____.

- xiv) Where the proposed subdivision includes only a portion of an existing tract, or only a portion of the applicant's property, a preliminary plan of the future street and lot pattern for the remainder of the tract or property shall be submitted.
- xv) Where existing topography is proposed to be altered, the volumes of material to be removed from, or brought onto, the site, and the character and type of material; areas of proposed blasting, and the estimated volume thereof; the location to which excavated material being removed from the site will be deposited, if known, and the time within which such removal is anticipated to occur.
- xvi) A description of any existing deed restrictions, covenants, easements, rights-of-way, or similar encumbrances which run with the land, including the identity of the dominant and servient estates, the volume and page of the Eastford Land Records where the same are recorded, and the date upon which they will expire, if any.
- xvii) A parcel history map, depicting the tract as of the effective date of the adoption of Subdivision Regulations for the Town of Eastford (February 13, 1967). Such map shall be at a scale of 1" = 200', more or less, and shall indicate all divisions of the property, or any property of which was formerly a part, since the said effective date of subdivision regulation in Eastford; and a table containing the dates of such divisions and the grantors and grantees of any parcels or subdivisions so created, and the volumes and pages at which the instrument of conveyance is recorded in the Eastford Land Records.

It is the burden of the applicant to submit a complete application, and to demonstrate compliance with all criteria and requirement of these Regulations and, accordingly, the applicant may submit such additional reports or information as may be required to satisfy that burden. Any application found to be incomplete may

be denied by the Commission without prejudice to a future complete application.

The filing of an application with the Commission shall be deemed to constitute permission by the applicant for the Commission or its agents to enter onto the subject property for the purpose of inspections and tests; and, if the Commission designates a formal site walk, such permission shall allow the general public, in company with the Commission only, to inspect such property.

- b) Additional Technical Approvals or Reports. In addition to the above, the Commission may require the applicant to provide from a licensed professional engineer having proficiency in sanitary engineering or from the Health Officer; a written report of the adequacy of the water supply and sewage arrangements; or from a licensed professional engineer and land surveyor of the proposed grades, drainage arrangements and drainage easements as shown on the Plan-Profiles and the Final Subdivision Plan; or from the Fire Marshal or Fire Chief of the Eastford Independent Fire Company concerning the feasibility and adequacy of the proposed subdivision design relative to fire safety. The applicant shall also obtain from the appropriate Town officers such other reports as the Commission may require. Where significant environmental impact may be involved, the Commission may request a review of the application by the Eastern Connecticut Conservation and Redevelopment Area Environmental Review Team. The Commission may also require an Impact Statement in accordance with Chapter XII of these Regulations. It shall be the applicant's responsibility to obtain any additional required reports and to provide them to the Commission with sufficient dispatch to permit the review, evaluation, and use thereof within the Statutory time limits for action by the Commission.

- c) Receipt by Commission. Following the Date of Receipt of the application for Final Subdivision in the Commission's Office (being, at this writing, the Office of the Town Clerk, per Connecticut General Statutes §8-26d(c)), the Commission shall place the matter on the agenda of its next regular meeting for acknowledgement. If the aforesaid time requirement is not met, the Plan shall be held for the following public meeting of the Commission. Regardless of the appearance on the Commission's agenda for acknowledgement, the legal date for the receipt of the application shall be in accordance with the Connecticut General Statutes.

- d) Notice of Meeting of Commission. The Commission may, in its discretion, schedule a public hearing as provided by Statute on any application for Final Subdivision, and may, even in the absence of such public hearing, allow the interested persons to be heard at the Commission's sole discretion. In any application for Resubdivision, a public hearing shall always be scheduled. Notice of the time and place of such hearing shall be published in a newspaper having a substantial circulation in the Town of Eastford at least twice, 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 before the date of such hearing. Any such public hearing shall commence no later than sixty-five (65) days following the Date of Receipt of the application, and shall be completed no later than thirty (35) days following its commencement. Upon written approval by the applicant, said time limitation may be extended by the Commission one or more times, provided the total period of any such extension or extensions shall not exceed the original time period. In the event of conflict between the foregoing and the then-current provisions of the General Statutes, the latter shall prevail.

e) Notices Mandated by Statute.

In accordance with C.G.S. §8-26b, any proposed subdivision which will abut or include land in another municipality, shall be referred to the regional planning agency and agencies of the region in which the other municipality or municipalities is/are located, prior to action on such subdivision application.

In accordance with C.G.S. §8-26f, the Commission shall notify the clerk of any adjoining municipality of the pendency of any application concerning any subdivision in which (1) any portion of the property affected is within five hundred (500') feet of the boundary of the adjoining municipality; (2) a significant portion of the traffic to the completed subdivision will use streets within the adjoining municipality to enter or exit the subdivision; (3) a significant portion of the sewer or water drainage from the subdivision will flow through or significantly impact the drainage or sewage system within the adjoining municipality; (4) water run-off from the subdivision will impact streets or other municipal or private property with the adjoining municipality. Such notice shall be made by certified mail and shall be mailed within seven (7) days of the receipt of the subdivision application, and no public hearing shall be held on any subdivision application unless or until such notice has been received. The adjoining municipality may, through a representative, appear and be heard at any hearing on such application.

In accordance with C.G.S. §8-3i, in any subdivision application for any property which is within the watershed of a water company, as defined in C.G.S. §16-1, the applicant shall provide written notice of the application to the water company, provided such water company has filed a map showing the boundaries of the watershed on the land records of the Town. Such notice shall be by certified mail, return receipt requested, and shall be mailed at the time of application. The applicant shall submit evidence of such notice to the Commission at the time of application. Such water company may, through a representative, appear and be heard at any hearing on such application.

The applicant or his authorized representative should attend the public hearing. The applicant shall also notify all adjoining landowners of record of the date, time and place of the public hearing of the Commission at which said Subdivision is to be considered no less than ten (10) days preceding the date of said hearing, and shall also notify them of any continuance of said hearing due to inability of the applicant to be present and shall submit proof to the Secretary of the Commission of such notification.

f) Consideration of Final Subdivision Application. The Commission will study the Final Subdivision application and all accompanying reports and other documents, and any new information or changed conditions which might necessitate alteration of the application, provided, however, that, in those cases where a public hearing has been held, the Commission shall receive no further testimony or information, orally or in writing, in public or in private, once the public hearing has been closed, other than from the Commission's staff, including its Engineer, or disinterested Town, State, or Federal agencies, advisors, or officials.

- g) Action by the Commission. Within sixty-five (65) days from the Date of Receipt of the Final Subdivision application if no public hearing is held, or within sixty-five (65) days from the close of the public hearing, the Commission shall take action on the Final Subdivision application. Such action shall consist of approval, modification and approval, or disapproval of the application. "Modification", as used in this Section, may include conditions which must be satisfied prior to endorsement and filing of the Final Subdivision plans, prior to the issuance of Building Permits and/or Certificates of Occupancy, prior to the release of bonds, or at other appropriate points in time. Upon written approval by the applicant, said time limitation may be extended by the Commission one or more times, provided the total period of any such extension or extensions shall not exceed the original time period. In addition, in the case of any application involving an activity regulated under the Eastford Inland Wetlands and Watercourses Regulations, the time limit for action shall be extended to thirty-five (35) days following a final decision on such activity by the Eastford Inland Wetlands and Watercourses Commission if for any reason the report of the said Commission was not received at the time of application, or required updating due to changes in the application during its pendency. In the event of conflict between the foregoing and the then-current provisions of the General Statutes, the latter shall prevail.
- h) Notification of Action. Within fifteen (15) days after action by the Commission, the Commission shall notify the applicant and all adjoining landowners who shall have requested notice in writing, of the action taken by the Commission. Such notice shall be by publication in a newspaper of general circulation in the Town of Eastford, and by sending a copy thereof by registered or certified mail to the applicant, and by regular mail to the aforesaid adjoining landowners, on or before the date of publication. Such notice shall be a simple statement that such application was approved, modified and approved, or disapproved, together with the date of such action. Any person aggrieved by the official action of the Commission may appeal therefrom within fifteen (15) days of publication of notice of such official action to the Superior Court, as provided by Statute.
- i) Endorsement of Final Subdivision Plan. Upon approval of an application, the applicant shall, no less than thirty (30) days prior to the date of filing set forth in Section III.3 (j), provide a recordable Final Subdivision Plan, which Plan shall incorporate any modification attached to such approval, and shall be accompanied by any documents required by these Regulations, such as bonds, road deeds, liens, conservation and drainage easements, Declaration of Covenants and Restrictions, and the like. Any conveyance to the Town of Eastford shall be accompanied by owner's Title Insurance or a current Certificate of Title, prepared by an attorney admitted to the bar of the State of Connecticut, and certifying that such conveyance is free and clear of, or subordinated to, any mortgage, lien, restriction, or other encumbrance.

The Plan for filing shall include, reproduced on the face thereof, a copy of the motions of approval (including any conditions or modifications made a part thereof) from both the Commission's subdivision approval and any Inland Wetlands Permit approved by the Eastford Inland Wetlands and Watercourses Commission. Not less than thirty (30) days after the expiration of the time for taking an appeal from the approval of the subdivision has lapsed, or, in the event of an appeal, not less than thirty (30) days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant, the Commission shall designate the Chairman or Secretary to endorse the

Plan and the date thereof upon the Plan in its behalf. [Amended effective November 22, 1995]

- j) Filing of Plan. At such time as the Commission Chairman or Secretary endorses the Final Subdivision Plan in accordance with the preceding paragraph, the Commission shall cause the applicant to be notified, by certified mail, that such endorsement has occurred. Such notice shall constitute "delivery" for the purposes of Connecticut General Statutes §8-25. Within ninety (90) days after the expiration of the time for taking an appeal from the approval of the subdivision has lapsed, or, in the event of an appeal, after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant, the applicant shall file the endorsed Final Plan with the Town Clerk and pay any necessary filing fees. The Commission may, upon request of the applicant, or otherwise, grant up to two (2) extensions of up to ninety (90) days each for such filing. Any Final Subdivision Plan not so filed shall become void. The Commission shall have no responsibility to retain any Final Subdivision Plans rendered void by operation of this provision. [Amended effective November 22, 1995]

- k) Alteration of Final Subdivision Plan Prior to Filing with Town Clerk. If the Final Subdivision Plan is altered, changed, erased or revised in any way between the time the Commission's approval is endorsed thereon and the time the Plan is filed with the Town Clerk, the approval shall be void unless the alteration has been approved by the Commission and so indicated on the Plan.

- l) Alteration of Final Subdivision Plan After Filing with Town Clerk. If the Final Subdivision Plan is altered, changed, erased, or revised in any way after the time the Plan is filed with the Town Clerk, the approval shall be void unless the Amended Subdivision has been approved by the Commission and a new Final Plan endorsed and filed with the Town Clerk.

CHAPTER IV - SPECIFICATIONS FOR PRELIMINARY
LAYOUTS, FINAL SUBDIVISION PLANS AND PLAN-PROFILES

SECTION IV.1. PRELIMINARY LAYOUT

Preliminary Layouts submitted to the Commission should be drawings or prints of drawings at a scale of one inch equals forty feet (1"=40') on sheets twenty-four by thirty-six inches (24"x36") in size, and may contain any of the following information, where the Commission and the Applicant consider such information to be helpful in fulfilling the objectives of Preliminary Layout review:

- a) Names of owners and proposed subdivider, proposed subdivision name and identifying title, location of subdivision, dated north arrow (true north & magnetic north) and scale and date of drawing and dates of all revisions.
- b) Location and approximate dimensions of all existing property lines of the subdivision.
- c) All pertinent features, such as existing structures, easements, watercourses, swampland and wooded areas, properly labeled, as well as the location and identifying number of existing utility poles.
- d) Approximate contours of the existing surface of land, with intervals adequate to indicate drainage and grades. If contours are based on U.S.G.S. 7.5 minute series maps, it shall be so noted.
- e) Proposed lot lines with approximate dimensions and area of all proposed lots including assessor's block and parcel numbers.
- f) Proposed uses for each lot, with descriptions of adequate detail to permit the classification of each lot and the subdivision as Rural Residential, Mixed-Use, Multi-Family, Commercial, or Industrial, and insure compliance with the other requirements of these Regulations.
- g) Location and approximate dimensions and area of all property proposed to be set aside for open space.
- h) A reference map to the scale of one inch equals one thousand feet (1"=1000') showing the proposed subdivision and tie-in to the nearest street intersection. If the application submitted covers only a part of the applicant's holdings, a map which may appear on the same sheet, drawn on a scale in which one inch equals two hundred feet (1"=200') showing an outline of the plotted area with its proposed road system and an indication of a proposed future road system and lot layout for the remaining portion of the tract.
- i) Where the subdivider anticipates that the subdivision will be developed in phases, such phases should be delineated on the Preliminary Layout.

SECTION IV.2. FINAL SUBDIVISION PLAN

The Final Subdivision Plan submitted to the Commission for approval shall be a clear and legible print at a scale of one inch equals forty feet (1"=40') on sheets twenty-four by thirty-six inches (24"x36"). When more than one (1) sheet is required an index sheet of the same size showing the entire subdivision shall be submitted with the Plan. The Plan, which may composed of multiple sheets or sets of sheets, shall show the following information:

- a) Names and addresses of applicant and proposed subdivider, if other than owner, proposed subdivision name and identifying title and location, scale of drawing, with north arrow, date of drawing and any revisions, and name, license number and seal of land surveyor and licensed professional engineer.
- b) Location and dimensions of all existing property lines of the subdivision with reference to monuments, pipes, drill holes, foundations or other points of reference of a fixed or semi-permanent nature; the location of any Town-owned buildings or facilities on adjacent properties; Assessor's map, block and parcel numbers; the location of any Town boundary line within or abutting the subdivision, and the square footage of the proposed lot located within the Town and not within the Town; utility poles and numbers; location of underground utilities.
- c) All permanent features, such as existing structures, stone walls, fences, easements of record, upland review area, watercourses, ponds, swampland, wooded areas, specimen trees (especially along existing streets), existing wells and septic systems within 150 feet of abutters, and area of all land to be set aside for community wells (if any), playground, park or open space use, as well as the location and identifying numbers of existing utility poles.
- d) Names and addresses of present record owners of abutting properties, as indicated in the records of the Town Assessor; names and approval date of abutting subdivisions.
- e) Lines of proposed and existing roads, lots, easements and areas to be dedicated to public use; lengths of all straight lines, and adequate data for all curves.
- f) Area of all lots in square feet and acres. Each lot shall be numbered and its dimensions on all sides given. If a side is a bent or curved line, a single dimension shall, nevertheless, be given in addition to any subordinate dimensions.
- g) Proposed uses for each lot, with descriptions of adequate detail to permit the classification of each lot and the subdivision as Rural Residential, Mixed-Use, Multi-Family, Commercial, or Industrial, and insure compliance with the other requirements of these Regulations.
- h) Proposed road names which shall not duplicate or be readily confused with already existing names unless an extension thereof. At the time of application, the applicant shall submit the proposed names of any new streets to the Board of Selectmen for their review and approval.

- i) Any additional data necessary, together with aforesaid data, to enable a licensed surveyor to determine readily the location of every street line, lot line, boundary line and reproduce such lines upon the ground to the A-2 Standard of Accuracy, except as may be waived in accordance with subsection (k) below.

- j) Certificate under seal of (i) a Connecticut licensed professional engineer as to the adequacy of proposed public Improvements, and (ii) a Connecticut licensed land surveyor that both the survey and the map conform to the standards of survey and map accuracy respectively of Class A-2 as defined in the "Recommended Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 24, 1992, or as the same may be amended from time to time. The Commission may waive the requirement for an A-2 Survey, and substitute a Class D Survey or its successor survey classification, for a single lot in any subdivision or resubdivision which complies with the following requirements: (i) Such lot shall contain only farmland or forest land which is so classified by the Eastford Assessor for the purposes of Connecticut Chapter 490; (ii) such lot shall contain no less than ten (10) acres; (iii) such lot shall contain no buildings, other than buildings accessory to a farm including the farmhouse; (iv) such lot shall be designated as a Nondevelopment Parcel (see, Section II); v) such lot shall be designated on the Final Subdivision Plan with the words, "NOT TO BE BUILT UPON OR USE FOR DEVELOPMENT WITHOUT APPROVAL OF THE EASTFORD PLANNING COMMISSION". Such lot shall, nevertheless, be considered part of the subdivision or resubdivision for all purposes of these Regulations and shall be shown to comply with all requirements of these Regulations for a lot; the purpose of this provision being only to permit the postponement of the preparation of an A-2 survey until the time of development or further resubdivision of the subject lot. Any portion of such lot which is to be dedicated as open space, regardless of the method of dedication, shall be surveyed to the A-2 standard of accuracy. At such time as any such lot is to be built upon, the subdivider shall return for an amended subdivision application (see, Section III.1(b)) and shall provide the A-2 Survey for such lot.

- k) A reference map to the scale of one inch equals one thousand feet (1" = 1000') showing the proposed subdivision and tie-in to the nearest street intersection; and also an index map of the subdivision at a scale of one inch equals two hundred feet (1"=200'). If the application submitted covers only a part of the applicant's holdings, a map which may appear on the same sheet, drawn on a scale in which one inch equals two hundred feet (1"=200') showing an outline of the plotted area with its proposed road system and an indication of a proposed future road system and lot layout for the remaining portion of the tract.

- l) Where the subdivisions are proposed to be developed in phases, such phases shall be clearly delineated on the Final Subdivision Plan.

- m) Soil types and inland wetlands and watercourses, as defined in the Eastford Inland Wetlands and Watercourses Regulations, delineated by a certified soils scientists; Flood Zones, in accordance with the most current Federal Flood Insurance Rate Map; existing wells, public water supply watersheds, and other public or private water supplies; existing and proposed contours at intervals of two (2') feet,

or less than two (2') feet where the topography of the site and the area around it cannot be otherwise accurately and fairly represented. Topography is to be based on aerial photogrammetry or field survey (the method to be indicated on the plan), not interpolated from CGS quadrangle maps.

- n) The application of passive solar energy techniques, as set forth in Section IV.8 hereafter.
- o) The location of any proposed highway right-of-way, as on file in the Office of the Town Clerk.
- p) The approximate location and outfall of any footing or curtain drains, where required.
- q) The location of all septic system primary and reserve leaching fields; the location of deep observation holes and percolation tests located in each such field; the results of all such tests, in tabular form; and the designation of any lot for which an engineered system is required pursuant to these Regulations.
- r) The location of the Minimum Buildable Lot Area Rectangle required by Section VI.2.(f).2. of these Regulations, and of all setbacks required by these Regulations.
- s) Please be advised that the Planning Commission requests applicants to present plans to the Conservation Commission

SECTION IV.3. PLAN-PROFILES

When new roads or improvements of existing roads are involved in a subdivision, the Final Subdivision Plan shall be accompanied by complete Plan-Profiles of each such road drawn on a sheet which shall be twenty- four by thirty-six inches (24"x36"). The horizontal scale shall be the same as that used in the Final Subdivision Plan, being one inch equals forty feet (1"=40') horizontal scale, and the vertical scale shall be one inch equals four feet (1"=4'). Such Plan-Profiles shall show:

- a) Existing ground surface on the center line, the proposed line grade, and existing elevations at both road lines.
- b) Elevations at each high and low point.
- c) By proper notation, location and elevations of bench marks, based on U.S.C.&G.S. datum.
- d) Grades expressed as percentages.
- e) Stations at high and low points, at centerline intersections, and at suitable intervals.
- f) Data showing disposition of surface water, including, but not limited to, catchbasins, plungepools, retention/detention basins, and the like; water and sanitary sewer pipes (if any), including sufficient data to permit checking of drainage designs; and the location of all associated easements or rights of way in favor of the Town or any public utility.

- g) Typical cross-section of each road indicating location, dimensions and materials of proposed paved improvements and utilities.
- h) Certificate under seal of (i) a Connecticut licensed professional engineer as to the adequacy of proposed public Improvements and (ii) a Connecticut licensed surveyor that the Plan-Profiles are substantially correct.
- i) Location of street name, speed limit, stop, dead end, and other street signs, as recommended by the Town Engineer.

SECTION IV.4. HYDRAULIC STUDY

The applicant shall provide a hydraulic study sufficient to demonstrate compliance with the requirements of Sections VI.1.(f) and VI.3. of these Regulations. Upon the recommendation of the Town Engineer, the Commission may waive this requirement where the projected change in peak stormwater generation will not justify the preparation of such a study.

SECTION IV.5. EROSION AND SEDIMENTATION CONTROL PLAN

IV.5.1. Site Development Principles/Erosion and Sedimentation Control Plans.

- IV.5.1.1. Intent. This provision is adopted to help preserve Eastford's natural environment and promote the public health, safety and general welfare. Through the establishment of specific site development principles and review procedures, this section attempts to reduce damages from soil erosion and sedimentation, reduce downstream flooding and, in general, ensure proper storm drainage management.
- IV.5.1.2. Site Development Principles. Earth moving, grading or land disturbing activities including the removal of trees and other vegetative cover, the construction of streets and other subdivision improvements, and the development of subdivisions and the activities which normally accompany such development, and all Erosion and Sedimentation Control Plans as required, shall (as applicable to the specific site and development) comply with the following site development principles:
 - a. The earth moving, grading or land disturbing activity, shall be fitted to the topography and soils so as to create the least erosion potential. Where possible, extensive cut and fill operations should be avoided.
 - b. Prospective building sites shall not be stripped of vegetation prior to the issuance of a Building Permit. Only the smallest practical area of land shall be exposed at any one time during development. When land is exposed

during development, the exposure shall be kept to the shortest practical period of time.

- c. Wherever possible, natural terrain and vegetation shall be retained and protected and significant stands of trees shall be preserved.
- d. As necessary, temporary seeding, mulching, staked hay bale check dams, jute or tobacco netting and other control measures shall be used to protect critical areas exposed during development.
- e. Wherever possible, buffers of undisturbed natural vegetation of fifty (50') feet or more shall be retained along all watercourses and wetlands.
- f. Except as approved by the Commission, with the recommendation of the Town Engineer and the First Selectman or his designee, cut and fill slopes shall not be steeper than 3:1 unless stabilized by a retaining wall, rip rap, or such other methods as may be approved by the Town Engineer. All fill material shall be placed and compacted so as to minimize sliding or erosion of the soil. As necessary, diversions, waterways, grading or other adequate protective measures shall be provided to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
- g. Drainage provisions shall be made to effectively regulate any increased runoff caused by changed soil and surface conditions during and after development in accordance with applicable provisions of these Regulations.
- h. Permanent or temporary control measures such as diversions, waterways, hay bale check dams, detention basins, sediment basins (silt traps, debris basins) and other structures shall be installed, as necessary, in conjunction with the initial grading operations. Where possible, necessary control measures shall be put into effect prior to commencement of activity in each exposed area. At a minimum, said control measures shall be maintained until the development has been completed and all disturbed areas have been permanently stabilized to ensure the removal of sediment from runoff waters draining from land under development. As necessary, temporary seedings shall be utilized as a non-structural measure for stabilizing slopes during winter conditions and where bare slopes will be untreated for long periods of time.
- i. All disturbed areas shall be properly and neatly graded and shaped as soon as possible. Final grading shall include removal of large rocks, stumps, debris and other construction refuse from the finished surface. A final permanent vegetative cover shall be established upon achievement of final

grade.

- j. Grading equipment shall not cross active watercourses except by means of bridges, culverts or other methods approved by the Commission or the Town Engineer.
- k. Unless approved by the Commission, top soil shall not be removed from developing areas except for sites of structures or man-made improvements. The top soil from areas intended for such improvements shall be redistributed within the boundaries of the subject site to facilitate the provision of a suitable base for seeding and plantings. As necessary, additional top soil shall be brought to the site. Soil and other material shall not be temporarily or permanently stored in locations which would cause suffocation of root systems of trees to be preserved.
 - l. During grading operations, necessary measures for dust control shall be exercised.
- m. All erosion and sedimentation control measures shall be in place prior to the commencement of construction.

IV.5.2. Definitions. For the purposes of this Section IV.5. only, the following terms shall have the following definitions:

- a. "Certification" means a signed, written approval by the Planning Commission (its designated agent or the Windham County Soil and Water Conservation District) that a Soil Erosion and Sediment Control Plan complies with the applicable requirement of these Regulations.
- b. "Development" means any man-made change to real estate, including but not limited to, the construction of buildings or structures, mining, dredging, filling, grading, paving, excavation or drilling operations; but excluding the tilling of soil as part of a bona fide farming or gardening operation.
- c. "Disturbed Area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- d. "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- e. "Grading" means 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.

- f. "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
- g. "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- h. "Soil" means any unconsolidated mineral or organic material of any origin.
- i. "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative, and complies with all provisions of this Section IV.5.

IV.5.3. Erosion and Sedimentation Control Plans (E.S.C.P.). A soil Erosion and Sedimentation Control Plan shall be submitted with any application for subdivision when the disturbed area of such development is cumulatively more than one-half acre.

IV.5.3.1. Applicability and Review Procedure. Earth moving, grading or land disturbing activities shall not commence until an E.S.C.P. based on The Connecticut Guidelines for Soil Erosion and Sediment Control (2002) and the site development principles of Section IV.5.1., is submitted and approved by the Commission. An E.S.C.P. shall be submitted with the subdivision application and, upon acceptance, the plan shall be acted upon by the Commission within statutory time requirements.

Prior to final action, the Commission or its agent may refer the E.S.C.P. to the Windham County Soils and Water Conservations District any other appropriate review agency for comments and recommendations provided such review shall be completed within thirty (30) days. No E.S.C.P. shall be approved which is inconsistent with the site development principles of Section IV.5.1. or is deemed inadequate for construction purposes. Nothing in these Regulations shall be construed as extending the time limits for the approval of any application under Chapter 126 of the Connecticut General Statutes.

The Commission shall either certify that the Soil Erosion and Sediment Control Plan complies with the requirements and objectives of this Section or deny certification when the development proposal does not comply herewith. Planned soil and erosion control measures and facilities shall be installed as scheduled according to the certified plan and shall be maintained in effective condition to ensure compliance.

IV.5.3.2. Components of an Erosion and Sedimentation Control Plan (E.S.C.P.). A Soil Erosion and Sedimentation Control Plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce

the danger from stormwater runoff on the proposed site based on the best available technology.

When a plan is required, the degree of detail to be incorporated shall be based on the specific site characteristics including but not limited to: Types of soil, the degree and length of slope, the existing vegetation, the size of the disturbed area, the duration of the exposure, the nature of adjacent land uses, and the proximity of watercourses and poorly drained, very poorly drained, alluvial or floodplain soils as designated by U.S.D.A. Soil Conservation Service. To avoid unnecessary costs and expedite review, the Windham County Soil and Water Conservation District should be contacted prior to the formulation of a plan.

When required, six (6) copies of an E.S.C.P. drawn at a scale adequate to give a clear representation of the proposal, and sufficient detail for erosion and sedimentation measures, shall be submitted. Dependent on the degree of detail required and space availability, the components of an E.S.C.P. may be included as part of a subdivision or site plan map. All E.S.C.P.'s shall include the following:

- a. A narrative describing the following:
 - 1) Description of the development.
 - 2) A schedule of operations to include starting and completion dates for major development phases, such as land clearing and grading, street and storm drainage installation, sediment control measures, etc. and sequence of all grading and construction activities.
 - 3) Seeding, sodding or vegetation plans, including proposed seeding dates, seeding and fertilization mixes, application rates and specifications for all uprooted or unvegetated areas.
 - 4) The location, design criteria, and construction details of proposed structural sediment control and soil erosion measures, such as diversions, waterways, grade stabilization structures, debris basins, etc. and sequence for installation and/or application of these measures and for final stabilization of the site.
 - 5) Acknowledgement and utilization of the site development provisions of Section IV.5.1. of this Regulation.
 - 6) General information relating to the implementation and maintenance of the soil erosion and sediment control measures and stormwater management facilities.

- 7) The business and residential telephone numbers of the individual designated to be responsible for the implementation of the erosion and sedimentation plan, which designation shall be kept current with the Commission until the acceptance of all Improvements.
- b. A site plan map at a scale of 1"=40':
- 1) Property lines and street locations and adjacent properties.
 - 2) Site characteristics including types of soils, contours, existing and proposed at an interval adequate to indicate clearly the degree and length of slopes, existing vegetation and the location of watercourses and wetlands in the area. Two (2') foot contour intervals or greater may be required by the Commission or its agent.
 - 3) The location of potentially serious erosion areas, existing erosion problem areas, areas to be stripped of vegetation and other exposed or unprotected soil areas.
 - 4) Existing structures on the project site, if any.
 - 5) Existing and proposed drainage structures and, as necessary, drainage runoff calculations. (See, Section VI.3.)
 - 6) The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads, and, if applicable, new property lines.
 - 7) The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities.
 - 8) The sequence of grading and construction activities.
 - 9) The sequence of installation and/or application of soil erosion and sediment control measures.
 - 10) The sequence for final stabilization of the development site.
 - 11) Location of all stockpile areas and stump burial pits.
- c. Any other information deemed necessary and appropriate by the applicant

or requested by the Commission or its designated agent.

IV.5.4. Enforcement.

- a. Where dictated by topographic conditions, soil types, or other applicable factors, the Commission may also condition any subdivision approval upon the submission of such erosion and sedimentation control plans for any or all lots to the Commission itself (rather than the Building Official), and the Commission may approve, modify and approve, or deny such plans based upon the standards and purposes of this Section IV.5. Prior to the issuance of a Building Permit, the subdivider or owner shall submit to the Building Official an approved erosion and sedimentation control plan for each lot, depicting the actual structures, grading, clearing, driveways and other improvements to be located thereon, and the proposed erosion and sedimentation control measures in accordance with these Regulations.
- b. Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are properly performed or installed and maintained.
- c. Where the estimated costs of measures required to control soil erosion and sedimentation, including storm- water runoff controls, as specified in the certified plan, exceed Five Thousand (\$5,000.00) Dollars, such costs shall be covered in a Performance Bond or other assurance acceptable to the Commission in accordance with Section VII.2. of these Regulations.
- d. These Regulations shall be enforced under the provisions of Sections 8-25 of the Connecticut General Statutes, as amended.

SECTION IV.6 STORMWATER MANAGEMENT CONTROL PLAN (SWCP)

IV.6.1 Requirements for When a Stormwater Management Control Plan (SWCP) is to be Submitted.

A Stormwater Management Control Plan (SWCP) shall be submitted with any application for subdivision when the disturbed area from construction activity exceeds five (5) acres. In addition, for those construction activities disturbing between one (1) and five (5) acres, stormwater management may be addressed in a separate plan or shall be included within the required Erosion and Sediment Control Plan (ESCP).

IV .6.2 Technical Standards

The following documents shall serve as the official guides for Practice Standards and

Specifications used in the development of a SWCP:

- A. The 2004 (or most recent revised edition) Connecticut Stormwater Quality Manual

IV.6.3. Technical Standard Equivalences

Where proposed Stormwater Management Practices are not in accordance with the above official guidelines, the applicant must demonstrate equivalence to the Technical Standards and Specifications in those guides.

IV 6.4. Maintenance Inspection and Repair of Stormwater Practices during Construction

- A. The Applicant or Developer or their designated Agent shall at all times properly operate and maintain the installed Stormwater Practices. Sediment and/or detritus shall be removed from Temporary Sediment Basins, Temporary Sediment Traps, Detention Basins, Forebays, Catch Basins, Hydrodynamic Separators, and other trapping facilities whenever their accumulated design capacity exceeds 50%.
- B. All installed Stormwater Practices shall be inspected at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inches or greater.

Section IV.6.1 FLOOD ZONE DELINEATION

- A. All subdivision proposals adjacent to those rivers and streams which have designated flood zones as delineated in Eastford's most current National Flood Insurance Program Hazard Boundary Map (PHBM) shall have the Flood Zone 'A' Boundary and elevations delineated on the plans. All proposed Stormwater Management Practices and Erosion and Sediment Control Practices proposed within this zone shall be located and designed such that no more than 0.1 foot increase in flood depth from a 100 year-24 hour duration- Type III Storm results. The applicant shall submit Water Surface Profile calculations (HEC-RAS or equivalent) for review when stormwater or E&S Practices restrict flow within Flood Zone A.
- B. The Town reserves the right to require the submission of Water Surface Profile Computations and 100 year Flood Zone Limits shown on the Plans for those other rivers and streams within the Town which do not have official Flood Zones delineated.

Section IV.6.2 RIVERS AND STREAMS OF SPECIAL CONCERN

- A. The following Rivers and Streams and their tributaries (upstream to the point where their drainage area is less than 200 acres) are of Special Concern within the Town. For those Rivers, Streams and Tributaries, no Subdivision Buildings or associated parking areas shall be proposed within 150 feet measured horizontally from the wetland boundary adjacent to each side of the watercourse. On site septic systems, Siphons and Pumping Stations, Utilities, Erosion and Sediment control practices and Stormwater Management control practices may be installed within the 150 foot buffer provided the impact is minimal.
- B. **LIST HERE THE RIVERS AND STREAMS OF SPECIAL CONCERN**

SECTION IV.7. STREAMBELT RESERVATIONS

The applicant shall delineate a streambelt along any watercourses passing through the property to be subdivided. The streambelt shall be established in accordance with the publication of the U.S. Department of Agriculture, Soil Conservation Service, entitled, A Guide to Streambelts - A System of Natural Environmental Corridors in Connecticut.

SECTION IV.8. GROUNDWATER MANAGEMENT PLAN

If the seasonal groundwater elevations could affect the structures, sewage disposal systems or the roadway, a system of underdrains shall be shown on the plans.

SECTION IV.8.2 GROUNDWATER ELEVATIONS

Seasonal groundwater elevations shall be determined by measurements from properly installed Monitoring wells, Mottling within the Soil Profile, or by other observation and analysis. Groundwater data shall be developed by a professional experienced in the field including, but not limited to: Professional Hydrogeologists, Professional Civil Engineers and Certified Soil Scientists.

SECTION IV.8.3 GROUNDWATER EFFECTS ON DEVELOPMENT

- A. If the existing high seasonal groundwater could adversely effect the proposed structures, sewage disposal systems, roadways, or other infrastructure, a system of underdrains shall be shown on the plans.
- B. In addition, the Applicant must demonstrate that any proposed infiltration practices, surface storage or subsurface storage practices proposed within the Stormwater Management Control Plan (SMCP) or Erosion and Sediment Control Plan (ESCP) will not significantly effect the groundwater elevations which in turn could result in adverse effects to existing or proposed infrastructure.

SECTION IV.9. PASSIVE SOLAR ENERGY TECHNIQUES

The applicant shall demonstrate to the Commission that he has considered, in developing the subdivision plan, using passive solar energy techniques. Passive solar energy techniques mean 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. The site techniques shall include, but not be limited to: (1) building orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development.

(6) the Installation of insulating Concrete Form (ICF) Wall construction in conformance with Section R611 of the 2006 (or most recent revision) *International Residential Code for One and Two Family Dwellings*. And (7)

The use of Photovoltaic charged Lighting for Subdivision Entrance Signage, Business signage, Street, Yard and Security applications is encouraged.

These techniques are to be used where feasible, but not at the expense of adverse impacts to the natural environment.

SECTION IV.9. ABILITY TO SUPPORT PROPOSED USE(S)

The applicant shall demonstrate to the Commission that the land to be subdivided and the design of the subdivision and its associated improvements are of such character that they can be used for building purposes for the uses proposed without danger to the health or public safety of the Town. The Commission is aware of the conclusive presumption of compatibility of uses in subdivisions contained in the cases of TLC Development, Inc. v. Planning and Zoning Commission, 215 Conn. 527, 577 A.2d 288 (1990) and Sowin Associates v. Planning and Zoning Commission, 23 Conn. App. 375, 580 A.2d 91 (1990), cert. den. 216 Conn. 832, 583 A.2d 131. However, because Eastford has no zoning, there are no designated permitted uses, and hence no presumption as described in those cases. Thus, it is for the applicant to select such uses for each lot as it deems fit, and for the Commission to determine if the land to be subdivided can be so used without danger to the public health or safety of the Town. In considering the character of the land and the proposed subdivision, and the potential impact on the public health and safety, the Commission may consider the following factors:

The relation of the proposed use(s) to existing land uses shall be such as to be in harmony with the appropriate and orderly development of the area in which it is to be situated and will not be detrimental to the orderly development of adjacent properties; the capacity of adjacent and feeder streets to accommodate peak and average traffic volumes, and special traffic characteristics of the proposed use(s), and the avoidance of non-residential traffic through residential streets; the development will not hinder or discourage the appropriate development of adjacent land and buildings or impair the value thereof; the special problems of fire or police protection inherent in the proposed use; the availability of adequate effluent disposal, water supplies, stormwater disposal systems, and other special burdens on utilities which the use(s) may entail; existing provisions for fire and police protection, transportation, water, sewage, parks and other public requirements are adequate; the use(s) may be carried out so as to protect and enhance, and without the undue destruction of, valuable natural resources or the pollution of lakes, streams, and other water bodies.

CHAPTER V - WATER SUPPLY AND SANITARY WASTE DISPOSAL

SECTION V.1. WATER SUPPLY

- a) Every proposed lot must be suitable for the installation of an adequate water supply consisting of a drilled or dug well, artesian well or community water supply. Where evidence before the Commission indicates that water supply may be questionable, it may require that the developer submit evidence as to the adequacy, quality and quantity of water supply which shall be certified by the Town Health Officer or its designated agent.
- b) If the use of a Community Water Supply System is proposed, the subdivider shall submit a plan in compliance with the provisions of APPENDIX 5 of these Subdivision Regulations including evidence of approval by the State Department of Health and Town Health Officer or its designated agent. [See, also, Section III.3.(a)(vi).]

SECTION V.2. SANITARY WASTE DISPOSAL

- a) No individual lot septic system for sewage disposal shall be considered by the Commission until the land area in question has been approved by the Town Health Officer or its designated agent as suitable for said system. Percolation tests, soil reports, duplicate field report, and Town Health Officer or its designated agent report must be submitted with the Subdivision Application. Where evidence indicates special cause for concern, the Commission may require additional information in applications, including, but not limited to, permeability analysis and/or renovation analysis of bacteria, phosphates, or other pollutants.
- b) It is the responsibility of the subdivider to contact the Town Health Officer or its designated agent of the Town of Eastford to prove that the lot area is adequate to permit the installation and operation of an individual sewage disposal system. Such proof shall consist of the evidence submitted by the subdivider and the approval of the Town Health Officer or its designated agent of such evidence and after such tests as may be required. The subdivider shall provide the necessary equipment and labor for the making of the tests. When the Town Health Officer or its designated agent approval is given, subject to conditions, such conditions shall be noted on the record map.

on subdivisions that will have on-site sewage disposal, no development shall take place unless the land is brought up to minimum standard quality with regards to seepage and percolation tests in conformance with all Town Health requirements. Minimum standard quality is to be defined as the quality of soil, displaying a seepage rate of not greater than thirty (30) minutes per inch in a standard seepage test as defined by the Public Health Code, State of Connecticut. In cases where the percolation rate is between thirty (30) and sixty (60) minutes to the inch, septic system designed and certified by a Connecticut Registered Professional Engineer shall be required, and such design shall require the approval of the Town Health Officer or its designated agent. Any lot where such a system is required shall be indicated on the subdivision plans.

- d) A minimum of one (1) deep observation hole and percolation test shall be performed in each primary, and in each reserve, septic system area indicated on the subdivision plans.

CHAPTER VI - REQUIRED IMPROVEMENTS AND DESIGN CRITERIA

SECTION VI.1. DESCRIPTION

- a) The Improvements set forth in this Chapter VI shall be required in all subdivisions except where waived by the Commission pursuant to Chapter IX of these Regulations. The developer shall also be required to install street signs, monuments, driveway aprons, loam and seeding, and shade trees. The Commission may require the installation of sidewalks, fire hydrants, dry hydrants and fire ponds, and street lights. Such Improvements shall be installed in accordance with Town, State highway, or utility company standards.
- b) Except as provided otherwise in these Regulations, all construction will be done in accordance with the Standard Specifications for Roads, Bridges and Incidental Construction of the Connecticut Department of Transportation Form 814, as the same may be amended from time to time.
- c) Standard Details shall be in accordance with APPENDIX 2 of these Regulations.
- d) The "Rules and Regulations of the State Board of Registration for Professional Engineers and Land Surveyors" dated January 1, 1966, with all revisions, shall apply to all technical work done in conjunction with subdivisions. The technical responsibilities of the Registered Professional Engineer and Land Surveyor in regard to subdivision work are:
 - 1) The design of roads, both horizontal and vertical alignment; drainage systems, including the design and location of structures and pipe; sanitary sewer systems; sewage disposal systems; and water supply and distribution constitute professional engineering and as such shall be sealed by a Registered Professional Engineer. A land surveyor's seal or an architect's seal is not acceptable for this phase of land subdivision design work.
 - 2) The phase of land subdivision which relates to topography maps and the delineation of the boundary lines of the outside perimeter as well as the interior lots and streets constitutes land surveying within the meaning of the statute and as such shall be sealed by a Registered Land Surveyor. A professional engineer's seal or an architect's seal is not acceptable.
- e) Roadway widths and curve radii shall be adequate to satisfy emergency vehicle needs. Where deemed necessary by the Commission, drainage easements shall be obtained and all private roadways shall be designed to prevent stormwater flows from entering a Town street. Stormwater detention shall be utilized where required to satisfy the following Section.
- f) Stormwater Runoff Control.
 - 1) The subdivider shall furnish projections of the increase of stormwater runoff created by the proposed development from the 2-year, 10-year, 25-year and 100-year frequency, 24-hour

duration Type III distribution storms, as computed in accordance with either Technical Release #55, Urban Hydrology, Engineering Division, Soils Conservation Service, USDA, January 1975, as amended; or the Soil Conservation Service Program TR-20; or such other formula or method approved by the Town Engineer. Such projections shall be based upon the use of lots designated by the applicant pursuant to these Regulations. (For design criteria, see Section VI.3 of these Regulations).

- 2) No increase in peak flow from the 2-year, 10-year, and 25-year frequency, 24-hour duration Type III distribution storms shall be allowed unless downstream increases are compatible with an overall flood plan management system. The following items should be considered in determining whether increased peak flows are compatible with an overall flood plan management system:
 - A. The timing of peak flows from sub-watersheds.
 - B. The increased duration of high flow rates.
 - C. The stability of the downstream channels.
 - D. The distance downstream that the peak discharges are increased.
- 3) When stormwater detention structures are required, they shall be designed so that the peak runoff after development shall not exceed the peak runoff prior to development for the 2-year, 10-year, and 25-year frequency, 24-hour duration Type III distribution storms; and that such structures are safe for the 100-year frequency, 24-hour duration Type III distribution storms. Such structure shall be located upon land to be conveyed to the Town in fee simple or by Drainage Easement, at the discretion of the Commission.

SECTION VI.2. LOTS

- a) All Land to Be in Lots. No land owned by the subdivider adjacent to the subdivision shall be withheld by the subdivider which is not capable of satisfactory independent subdivision into one or more lots which conform to these Regulations; nor shall there be any fragment of a lot or remainder in the subdivision area of less size than specified for lot dimensions, or otherwise not in conformance with these Regulations. Fragments and remainders must be incorporated into full size lots complying with all provisions of these Regulations; provided, however, that the designated use of property capable of further subdivision or resubdivision may be reserved, as set forth in Section III.3(a)(ix).
- b) No Unapproved Lots. No lot, regardless of size, which is rendered useless for building due to utility easements, right-of-way, watercourses, topography, or lack of compliance with the Public Health Code, shall be shown as building lots on any subdivision. Such property shall be included in adjoining lots.
- c) Corner Lots. On corner lots the lot dimensions may be determined from the point of intersection of the two (2) street lines.
- d) Side Lines. Side lines of lots shall, insofar as practicable, be either at right angles or radial to street

lines. Variations from this rule will be made only where it is impractical to do otherwise, and shall require approval in accordance with Chapter IX of these Regulations.

- e) Lot Boundary Marker. A lot boundary marker shall be placed by the developer's surveyor on each lot corner and also at any point where a change of a lot line occurs. Such marker may be a steel rod, iron pin or other equally permanent material and it shall be clearly marked with an indelible paint. The permanent marker location shall be shown on the final subdivision map and must be placed on the site prior to the endorsement of the Final Subdivision Plan, per Section III.3.(i). Upon the specific request of the applicant in the Subdivision Application Form, the Commission may waive this requirement on extraordinarily large lots or remaining tracts of property in accordance with Chapter IX of these Regulations.

- f) Lot Size and Character. Lots shall be as nearly rectangular as is practical and of such character that they can be used for building purposes without danger to the health and safety of the public or the occupants. Any lot which is found to be unsuitable for buildings by reason of water or flooding conditions shall be combined with another lot that is suitable.
 - 1. Minimum Gross Lot Area. To ensure that all proposed subdivision lots have adequate area for accessory building locations, on-site water supply systems, driveways and parking area and usable recreation space; to minimize drainage problems and facilitate ground water recharge; and to implement the recommendations of the Eastford Plan of Development; all proposed subdivision lots, except for Open Space Subdivisions, shall comply with the following Minimum Gross Lot Area requirements (see Section II for definition of "Lot Area, Gross"):
 - A) Single-Family and Two-Family Dwelling Use Lots. For any lot designated for a single-family dwelling, gross lot area shall be no less than one and one-half (1.5) acres; and two (2.0) acres for a two-family dwelling.
 - B) Multi-family Dwelling Use Lot. For each lot designated for multi-family use, gross lot area shall be no less than two (2.0) acres, plus three-quarters (3/4) of an acre for each dwelling over the first two (2) dwellings.
 - C) Commercial Use Lot. For each lot designated for Commercial use, gross lot area shall be no less than two (2.0) acres.
 - D) Industrial Use Lot. For each lot designated for industrial use, gross lot area shall be no less than five (5.0) acres.

 - 2. Minimum Buildable Lot Area Rectangle. To ensure that all proposed subdivision lots have an adequate area for on-site sewage systems and principal building locations; to minimize drainage problems and facilitate ground water recharge; and to minimize potentially detrimental encroachments upon watercourses, waterbodies, wetland soils and flood plain areas; and to implement the recommendations of the Eastford Plan of Development; all

proposed subdivision lots, including those in Open Space Subdivisions, shall comply with the following Minimum Buildable Area requirements (see Section II of these Regulations for the definition of "Lot Area, Buildable"):

- A) Single-Family and Two-Family Dwelling Use Lots. Each lot designated for a single-family dwelling shall be able to contain a rectangular area (i.e., having four ninety degree angles and four sides), no side of such rectangle being less than 125', and containing no less than three-quarters (3/4) acre of buildable lot area, as defined in these Regulations. For any lot designated for two-family dwellings, the said rectangular area shall contain an additional one-half (1/2) acre of buildable lot area, for a total of one and one-quarter (1.25) acres.
- B) Multi-family Dwelling Use Lot. For each lot designated for multi-family use, each such lot shall be able to contain a rectangular area (i.e., having four ninety degree angles and four sides), no side of such rectangle being less than 150', and containing no less than one and one-quarter (2) acres of buildable lot area, as defined in these Regulations for the first two (2) dwellings. For each additional dwelling unit on any lot designated for multi-family use, the said rectangular area shall contain an additional one (1) contiguous acre of buildable lot area.
- C) Commercial Use Lot. For each lot designated for Commercial use, each such lot shall be able to contain a rectangular area (i.e., having four ninety degree angles and four sides), no side of such rectangle being less than 150', and containing no less than one (1) acre of buildable lot area, as defined in these Regulations.
- D) Industrial Use Lot. For each lot designated for industrial use, each such lot shall be able to contain a rectangular area (i.e., having four ninety-degree angles and four sides), no side of such rectangle being less than

200', and containing no less than two (2) acres of buildable lot area, as defined in these Regulations.

The septic system(s) serving any principal building shall be contained completely within the minimum buildable lot area rectangle for such lot, but the building itself, the well serving such principal building, and any accessory buildings, need not be contained within such minimum buildable area rectangle. All minimum buildable lot area rectangles shall be depicted on the Final Subdivision Plan.

3. Minimum Lot Frontage. In order to insure adequate access for emergency vehicles and future occupants/users of lots; to encourage the extension of existing roads and the construction of new roads to provide an adequate and convenient system for present and prospective traffic needs; and in order to assure safe and convenient access to lots for school buses, police, and other municipal services, these minimum lot frontage requirements are adopted: Except for Interior Lots (see Section X.B), the minimum frontage on a Street (see, Definitions, Chapter II) for each lot shall be as follows:

<u>Designated Use of Lot</u>	<u>Minimum Lot Frontage</u>
Single- or Two-Family Dwelling Use Lot	100'
Multi-Family Dwelling Use Lot:	150'
Commercial Use Lot:	200'
Industrial Use Lot:	250'

4. Minimum Lot Setbacks. In order to assure access to all portions of a building for fire-fighting and other emergency services; to assure adequate space around buildings for erosion and sedimentation control measures during and after construction; to assure adequate space for the dissipation of water from roof drains for the avoidance of erosion; and in order to protect the public health by providing adequate light and air around buildings, these minimum lot setbacks are adopted: The minimum side, front and rear setbacks for each lot shall be as follows:

<u>Designated Use of Lot</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
Single- or Two-Family Dwelling	50'	25'	50'
Multi-Family Dwelling Use Lot:	100'	50'	100'
Commercial Use Lot:	75'	50'	100'
Industrial Use Lot:	100'	50'	100'

5. Interior Lots. See Interior Lots, Section X.B of these Regulations.
- g) Underground Petroleum Storage Tanks Prohibited. There shall be no underground tanks on any lot for the storage of any petroleum product, other than commercial bulk storage or sale approved by the Department of Environmental Protection.
- h) Footing and Curtain Drains. Where required by the Commission due to surface or subsurface water conditions, all buildings shall be protected from water damage or infiltration by footing and/or curtain drains. All lots for which such measures are required shall be clearly identified on the Final Subdivision Plans. No such footing and/or curtain drains shall discharge water directly onto any adjoining property; all discharges shall be into pre-existing watercourses or inland wetlands, or into existing or proposed drainage structures. The Commission may require the installation of level spreaders or other energy dissipation devices for any points of discharge. Where applicable, evidence of rights to drain shall be provided by the subdivider.

SECTION VI.3. STORM DRAINAGE

- a) General Hydraulic Design Requirements.
- 1) Storm drainage systems constructed under these Regulations shall provide for the proper drainage of the tributary area so as to prevent flooding, scouring, siltation or insufficient flows to brooks, lakes, ponds, and other watercourses and waterbodies, and other adverse impacts. The subdivider shall make provisions for preventing the creation of stagnant water within the limits of the proposed subdivision.
 - 2) Storm drains shall be designed to flow full using design formulae approved by the Engineer.
 - 3) Storm sewers shall have a minimum pitch of 0.5%. Variance from this requirement may be granted by the Commission if storm sewers are designed with a minimum self-cleaning velocity of three (3') feet per second with full flowing pipes.
 - 4) A minimum cover of two and one-half (2 1/2') feet shall be provided for all storm drains.
 - 5) No storm drain system shall outlet onto adjoining properties without a drainage easement; nor into a natural watercourse, whether continually flowing or intermittent, so as to exceed the capacity of the watercourse, or to cause erosion, sedimentation, scouring, or other adverse impacts on such watercourse.
 - 6) All storm drain system outlets shall be terminated with an approved outlet structure.

- 7) The first inlet in a storm drain system shall be located within three hundred fifty (350') feet of the roadway highpoint. A drainage structure, either an inlet or a manhole, shall be provided at three hundred (300') foot maximum intervals on all storm drains with exception of the first inlet. A drainage structure shall also be placed at each grade change along a storm drain, at each change in horizontal direction, and at each junction point of two (2) or more drains. Gutter Flow Calculations and Analysis when required, shall be in conformance with Chapter 11 of the 200 (or most recent edition) Connecticut Department of Transportation Drainage Manual.
- 8) Underdrain outlets shall be connected to drainage structures whenever practical. When impractical, they shall be terminated with an approved endwall. At all underdrain outlets, a "free outlet" condition should be provided.
- 9) The minimum pipe size for all public storm drain systems constructed under these Regulations shall be 15 inch inside except that culverts of a lesser size may be permitted where recommended by the Engineer.
- 10) The following types of pipes shall be used for drainage installations:
 - a. Reinforced concrete pipes or High Density Polyethylene Pipe or equivalent for surface drainage storm sewer systems and cross culverts.
 - b. Where clearance is limited by existing utilities, pipe arches or oval pipe will be used.
 - c. On grades over 10% - use Reinforced Concrete Pipe with Rubber Gasket Joints or Smooth Interior High Density Polyethylene Pipe with Watertight Gasketed Joints.
- 11) All drainage easements along open watercourses shall provide one (1) ten (10') foot improved access strip located completely outside the width of the channel or brook from bank top to bank top. Channels of such watercourses shall be rip-rapped or paved when deemed necessary by the Commission.
- 12) Drainage easements, outside of street lines, shall be at least thirty (30') feet wide and shall include wording so as to allow inclusion of other utilities such as water and sanitary sewer. Easements for outlet pipes shall extend to a suitable existing storm drain or an adequate natural watercourse. The center line of storm sewer is not to be installed less than ten (10') feet from the edge of the right-of-way.
- 13) Where the development streets join existing Town streets, the developer must provide drainage at intersections as necessary, or as directed by the Commission.

- 14) The size and location of all private storm drains that connect to the Town storm drain system shall be approved by the Commission prior to installation. A waiver must be filed by the developer with the Commission. The waiver shall relieve the Town of Eastford of any responsibility for damage resulting from any failure of the private storm drainage system. This waiver shall be part of the deed so as to run with the property as to subsequent purchasers.
- 15) Rear yard drains and cellar or foundation drains that are connected to storm drainage systems must be shown on the final approved plan of the drainage systems.
- 16) Details of special or unusual drainage structures shall be submitted to the Commission for review and approval before construction.
- 17) To protect the safety of occupants or users of any lot and upon the recommendation of the Town Engineer, where any proposed lot or lots has its required frontage on an existing Town street, and has an existing ditch or waterway along the front of said lot or lots, but within the Town right-of-way, the developer, at his expense, shall install a stormwater pipe drain, of suitable size and material, necessary catch basins and a curb, to conform with the curb line.

b) Drainage Design Formulae.

- 1) Peak discharges for the design of storm drains shall be derived using the rational method for drainage areas of less than 5 acres, and may be used for Drainage Areas not to exceed 200 acres. (The 200 Acre limitation conforms with the CT DOT Drainage Manual.)

$$Q = ciA$$

Q = peak discharge in cubic feet per second

c = weighted runoff coefficient in percent

i = rainfall intensity in inches per hour

A = gross area tributary to the drain under design
expressed in acres

- 2) Peak discharges derived using SCS (NRCS) TR-55 or TR-20 Methodology shall be used for drainage areas greater than 200 acres and may be used for all drainage areas greater than 5 acres.

Q = runoff (in.)

P = rainfall (in.)

S = potential maximum retention after

runoff begins (in.)

I = initial abstraction (in.)

3) Design discharges for major channels, rivers and streams may, with the concurrence of the Commission, be based upon other accepted Hydrology analysis procedures including but not limited to SCS (NRCS) TR-20 or USACoE HEC-HMS.

4) Hydraulic design shall be based on the Manning Formula:

Q = discharge in cubic feet per second

n = roughness coefficient

r = hydraulic radius

s = slope

A = wetted area of conduit

c) Design Storm Criteria.

1) All storm drainage facilities shall be designed based on the following 24-hour duration Type III distribution storm return frequency criteria:

a. Rural Residential Subdivision Drainage Systems:

Storm Sewers and Minor Ditches - 10 year storm.
Major Ditches and Channels - 50 year storm.

b. Multi-Family Subdivision Drainage Systems:

Storm Sewers and Minor Structures;
0 – 200 Acre D.A. – 10 Year
D.A. greater than 200 Acres -25 Year
All Bridges, Box Culverts and Major Channels – 50 Year

c. Commercial Subdivision Drainage Systems:

Storm Sewers and Minor Structures:
0-200 Acre D.A. – 10 Year
D.A. Greater than 200 Acres – 25 Year
All Bridges, Box Culverts and Major Channels – 50 Year

(d) d. Water Surface Profile Criteria

Water Surface Profile (WSP) Elevations shall be determined by accepted Hydraulic Step Methods for Backwater Computations. For those Streams and Rivers officially designated flood zones, the use of USACoE Computer Program HEC-RAS or equivalent shall be required.

e. Safety of Structures:

The Town Engineer may require design to accommodate the 100-year frequency storm event for major culverts and drainage structures in locations which may impact public safety during such a major storm event.

- 2) Rainfall intensities used for storm drainage shall be derived from the CT DOT Drainage Manual, Chapter 6, App. B.
- 3) Time of concentration and Travel Times shall be calculated for all storm drains in accordance with methods outlined in Chapter 6 of the CT DOT Drainage Manual.
- 4) Weighted runoff coefficients shall be derived from Chapter 6 Tables 6-3.6-4, & 6-6 of CT DOT Drainage Manual

5) Off-site drainage and the ultimate development of adjoining land shall be addressed and calculations provided in the design of a storm drainage system for the subject site. All off-site impacts, alterations, easements, and similar information shall be shown on the subdivision plans.

SECTION VI.4. DRIVEWAY STANDARDS

To promote traffic safety and prevent or minimize drainage and icing problems, driveways for all proposed subdivision lots shall be designed and constructed in conformance with the minimum provisions of this Regulation, unless requirements are waived as per the provisions noted below. To enable the Commission to verify compliance, all subdivision proposals shall include driveway locations, proposed grading, tree and brush removal, drainage improvements and, as appropriate, other construction details. Upon approval, minor on-site modifications may be authorized by the Planning Commission or its designee...

Proposed lots which cannot be served by a driveway conforming with required standards shall not be approved by the Commission unless requirements are specifically waived in accordance with Chapter IX of these Regulations. Said waivers may be approved in situations where no detrimental traffic or drainage impact is anticipated; where the driveway involves unusual site or roadway conditions or where roadway improvements are pending or anticipated.

Unless a waiver is authorized, driveways shall comply with the following standards:

- 1) Driveways shall conform with any curb cut and driveway standards established by Town Ordinance, the Board of Selectman and the Engineer and, as appropriate, the State Department of Transportation.

- 2) Unpaved driveways serving Single-Family Dwelling use lots shall not exceed a slope of ten (10%) percent; paved driveways serving Single-Family Dwelling use lots shall not exceed a slope of twelve (12%) percent; driveways serving Multi-Family, Commercial, or Industrial use lots shall not exceed a slope of eight (8%) percent. [from former Section 506.1, amended effective 12/1/93] Installation of Porous Pavement Surfaces, including but not limited to Gravel, broken Stone, Reclaimed Miscellaneous Aggregate, Natural or PreCast Paving Blocks, or Manufactured Cellular Units Shall be utilized to the greatest extent possible to mitigate Stormwater Runoff.
- 3) Driveways shall be designed to prevent stormwater flows from entering a Town roadway and, wherever possible, the Town right-of-way. Privately owned and maintained drainage diversion swales, detention areas and/or dry wells shall be utilized to the greatest extent possible. Culverts, fifteen (15") inches in diameter at a minimum, shall be used when crossing Town drainageways. [from former Section 506.4, amended effective 12/1/93]

Whenever a private drainage swale or private detention area is utilized in diverting driveway water from the Town right-of-way, the owner of the subject lot(s) shall be responsible for maintaining the depicted swale or detention area and any culverts in accordance with the approved design. To ensure proper maintenance, no Building Permit shall be issued on the subject lot until a deed restriction, approved by the Commission, is filed on the Land Records. Said deed restriction shall clearly note the maintenance responsibility and, subject to proper notification by the Town, it shall allow the Town to undertake any necessary maintenance activity and charge the property owner for expenses.

- 4) Driveways serving Single-Family Dwelling use lots shall have an area at the intersection with the street of at least twenty-five (25') feet in depth from the edge of the street pavement, which area shall have a slope no greater than five (5%) percent. Driveways serving Multi-Family, Commercial, or Industrial use lots shall have an area at the intersection with the street of at least fifty (50') feet in depth from the edge of the street pavement, which area shall have a slope no greater than five (5%) percent. [from former Section 506.1, amended effective 12/1/93]
- 5) Driveway aprons serving Single-Family Dwelling use lots shall be at least fifteen (15') feet in depth from the street pavement and intersect with the street with a twenty-five (25') foot radius. Driveway aprons serving Multi-Family, Commercial, or Industrial use lots shall be at least twenty-five (25') feet in depth and intersect with the street with a twenty-five (25') foot radius. All driveway aprons shall be paved.
- 6) All streets shall be constructed with a driveway curb cut for each lot.
- 7) Driveways shall intersect roadways at an angle of approximately ninety (90°) degrees and shall be located and designed with sightlines as follows: Along State roads, the minimum State recommended sight distance for the established speed limit shall be complied with. For Town streets, a minimum sight distance of two hundred (200') feet shall be required. See,

Section VI.5.(r). [from former Section 506.5, amended effective 12/1/93]

- 8) For Single-Family Dwelling lots only, common driveways and loop driveways shall be allowed, and may be required by the Commission, provided:
 - a. The driveway serves no more than three (3) Single-Family Dwellings Units.
 - b. A driveway easement is filed on the deeds of the affected lots to clearly establish liability and maintenance agreements. Said deed restriction shall be approved by the Town Attorney and filed on the Land Records prior to the issuance of a Building Permit on any of the subject lots.

Any and all driveways shall be located entirely on the lot from the point at which they intersect the street up to the location of the building which they serve, and all such driveways must be depicted on the Subdivision Plan, but need not actually be constructed as depicted if the lot utilizes a common driveway in accordance with this paragraph.

- 9) All driveways shall be constructed with a base and surface adequate to support 40,000 pounds of fire-fighting vehicles. All driveways shall be constructed with a minimum width of twelve (10') feet and a minimum clearance twelve feet in height, which clearance shall be free of any obstructions, such as tree limbs, utility lines, or signs. Any driveway which is more than one hundred fifty (150') feet in length, shall have a turn-around area near the building at least forty-five (45') feet in diameter. All driveways serving any type of lot shall have a base of six (6") inches of bank run gravel and two (2") inches of processed gravel on a firm roadbed.

In addition to the preceding, driveways for Interior Lots shall be in accordance with applicable provisions of Section X.B of these Regulations. [from former Sections 506.1 and 506.2, amended effective 12/1/93]

- 10) All driveways in excess of five hundred (500') feet in length shall have a by-pass area that is a minimum of twenty (20') feet wide and fifty (50') feet long, and similar by-pass areas shall also be provided at five hundred (500') foot intervals along the driveway. All turn-around and by-pass areas shall comply with the specifications of the preceding paragraph. The design of all driveways in excess of five hundred (500') feet in length shall be reviewed and approved by the Fire Chief or Fire Marshal. [from former Section 506.3, amended effective 12/1/93]
- 11) Driveways shall be of such size, grade, and shape as to allow at least two (2) vehicles to be parked outside the State or Town right-of-way (i.e., entirely on the lot). No portion of the area within the street line shall be paved or otherwise improved for the parking of vehicles. [from former Section 506.9, amended effective 12/1/93]
- 12) Driveway sideslopes shall not exceed a slope of 3 to 1 unless retaining walls or other suitable stabilizing provisions are utilized. Guard rails, guide posts, headwalls, flared ends or wider

driveway widths shall be used when steep side slopes or culvert crossings present a safety hazard or future maintenance problem. Driveway culverts in the Town right-of-way shall be maintained by the private property owner. [from former Section 506.6, amended effective 12/1/93]

- 13) Driveway openings shall be located as far as possible from roadway intersections and no closer than seventy-five (75') feet from any roadway intersection, unless some less distance is required to meet the sight line requirements of these Regulations or to comply with the provisions of any permit issued pursuant to the Eastford Inland Wetlands and Watercourses Regulations. [from former Section 506.7, amended effective 12/1/93]
- 14) All driveways shall be substantially completed so as to be passable at the time of the commencement of construction on any lot, and no Certificate of Occupancy shall be issued for any use or building unless and until the driveway and driveway apron are completed, in all respects, in accordance with these Regulations. [from former Section 506.8, amended effective 12/1/93]
- 15) Except for common driveways and loop driveways (see Section VI.4.(8)), all driveways shall be located entirely upon the lot which they are to serve, including the accessway in an Interior Lot.

SECTION VI.5. STREETS

- a) Layout. The street and highway layout shall conform to the Plan of Conservation and Development for streets and highways, where applicable.
- b) Street Arrangement. The arrangement of streets in the subdivision shall provide for the coordination of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. When the topographic or other conditions make such continuance impracticable in the opinion of the Commission, the above requirements may be modified. To the maximum feasible extent, proposed streets shall be designed in harmony with existing topography so as to minimize cuts, fills, blasting, wetlands disturbance, roads which are perpendicular, or nearly so, to the contours of the land, and other disturbances of the natural landscape which can be avoided by the proper design and layout of proposed roads.
- c) New Streets. Where the subdivision adjoins unsubdivided land susceptible to being subdivided, the Commission may require new streets to be carried to the boundaries of the proposed subdivision. Reservation of title in any land controlling access to streets ("Reserve Strips") is prohibited.
- d) Reserved Rights-of-Way. When required by the Commission, the developer shall dedicate to the Town reserved rights-of-way for future street connections to adjoining property susceptible of being subdivided. Such reserved rights-of-way shall be included in an agreement by and between the

Town of Eastford and the developer, and shall include slope rights fifteen (15') feet outside of the street right-of-way, or more for steep slopes, as recommended by the Town Engineer. These rights-of-way shall have necessary radial intersections. Lots adjoining these rights-of-way shall be so laid out that access to the house or garage shall not be over the reserved right-of-way.

When the adjoining property is subdivided, the developer of said adjoining property shall be required to connect to and build the street over the reserved right-of-way at his own expense.

- e) Street and Pavement Widths. Minimum widths for the various street designations shall be as shown in the following table:

	CL Radius	Design speed	Max/min grade	Travel width
Collector	400' min.	30mph	8% / 1%	28'
Residential	250' min.	25mph	8% / 1%	24'
Neighborhood	175' min	20 mph	8% / 1%	22'

Designation	Street Width	Pavement Width
Existing State Highway	70 feet	50 feet
Existing Through Town Street	60 feet	32 feet
Existing Town Cul-de-Sac	50 feet	24 feet
New Town Streets in:		
Rural Residential Subdivisions, Major Thoroughfare	60 feet	32 feet
Rural residential Subdivisions, Local Street	50 feet	24 feet
Multi-Family Subdivisions	60 feet	32 feet
Commercial Subdivisions	60 feet	32 feet
Industrial Subdivisions	60 feet	32 feet

The designation of a new street in a Rural Residential Subdivision as "Major Thoroughfare" versus "Local Street" will be determined by the Commission after evaluating the following factors:

- 1) The residential density and/or development intensity of any proposed land uses;
- 2) The number of acres or residential units or non-residential buildings to be served, both immediately and in the future, including potential extensions of existing or proposed streets;
- 3) The physical characteristics of the property through which the street is proposed, such as topography, surface geology, water table, and the like.

4) The recommendations of the Plan of Development.

Where a subdivision abuts or contains an existing street which does not comply with the specified width requirements, the subdivider shall dedicate the necessary area to the Town for street widening and show such widening on the Final Subdivision Plan. See, Section VI.5.(t).

- f) Block Dimensions. The maximum length of a proposed street without an intersecting street or stub street to serve property adjoining the lots on the proposed street shall be one thousand two hundred (1,200') feet, and no such intersections shall be less than two hundred (200') feet apart, unless modified in accordance with Chapter IX of these Regulations. Special attention shall be given to blocks in industrial and business areas to provide for access to off-street parking and loading areas.
- g) Cul-de-sac Streets.

All Cul-de-sac Streets: Cul-de-sac streets shall be equipped with a turn-around which has a minimum right-of-way radius of fifty-five (55') feet and a minimum pavement radius of forty (40) feet. Dead end roads that do not double back upon themselves shall terminate in a cul-de-sac either centered along the alignment of the road or offset to one side. Cul-de-sacs may be circular or elliptical in shape so long as the pavement radii permit the continuous turning movements of the largest firefighting vehicle used by the Town of Eastford. An island may be placed in the center of the cul-de-sac to permit the creation of a LID storm water treatment system, such as a bioretention facility. The minimum pavement width shall conform to the appropriate road width shown in the table above. The design of all cul-de-sacs must be approved by the Town Engineer, the Director of Public Works, the Fire and Police Departments. The street line and pavement line shall have transition radii of 15' and 25' respectively to link the conventional portion of the road.

A permanent cul-de-sac street shall not originate at a loop street.

Permanent Cul-de-sac Streets. Where a permanent cul-de-sac street is included in a subdivision, it shall not serve more than fifteen (15) lots unless a greater number is permitted pursuant to Chapter IX of these Regulations. A permanent cul-de-sac shall be one which is not proposed to, or is not reasonably capable of, future extension into adjoining property.

Temporary Cul-de-sac Streets. Where the applicant proposes, or the Commission requires, that a cul-de-sac shall be a temporary measure pending future development of adjoining property, it shall be so designed as to be feasible of continuation in the adjacent tract, and the applicant shall provide evidence of such feasibility based on topography, parcel shape, probable future development patterns, and other similar information. A temporary cul-de-sac may serve more than fifteen (15) lots; provided, however, that the Commission may require a temporary emergency access driveway, or may limit the length of a permanent cul-de-sac street, or may require other provisions to limit the risks to life and property which are inherent in single-access subdivision streets.

For any such temporary cul-de-sac street, all portions of the cul-de-sac, including pavement, grass

strip and sidewalk that fall outside of the limits of the normal right-of-way width, shall occupy the space by virtue of an easement delivered to the Town before acceptance of the street, which easement shall provide for its automatic termination upon extension and acceptance of the street extension.

The developer extending a street from a temporary cul-de-sac shall be required to remove the existing pavement outside of the standard travelled way, loam and seed said area in which pavement has been removed and install curbs and sidewalks in the original cul-de-sac area in accordance with Town requirements and all at his own expense.

- h) Loop Streets. Loop streets shall not originate on another loop street or a cul-de-sac street. Loop streets shall not provide access to more than fifteen (15) lots.

No lot within the loop shall have its rear line fronting on the street.

- i) Half Streets. The dedication of half streets at the perimeter of a new subdivision is prohibited.
- j) Side Slopes. Streets in cut or fill shall be provided with slopes not steeper than three (3') feet horizontal to one (1') foot vertical, or the permanence of the street grade shall be otherwise provided to the satisfaction of the Commission.

In all areas where the side slopes are steeper than four (4') feet horizontal to one (1') foot vertical and slope down from the street, wood, metal beam or other types of guide rails or guide posts approved by the Commission shall be installed in accordance with the Standard Specifications for Subdivisions.

Where new streets abut private property, necessary slope rights shall be obtained by the subdivider when in cut or fill, and these slope rights shall be shown on the final layout submission to the Commission. The developer shall investigate the effect of cuts or fills on adjacent private property within the slope right area. The developer shall provide the Town with evidence that no drainage problems or other problems will arise on adjacent property due to construction or fill operations.

- k) Relation to Topography, Natural/Historic Features. The street of a proposed subdivision shall bear a logical relationship to the topography, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the street. Streets shall be designed to maximize the preservation of natural and historic features, except as approved by the Commission; examples include specimen trees, stone walls/fences, historic markers, hedges, and the like.

- l) Intersections.

Number of Intersecting Streets. No more than two (2) streets shall intersect or meet at any one point, and the center line of all streets entering an intersection shall pass through a single point.

Sight Line of Intersections. See, Section VI.5.(r) below.

Angle of Intersection. Except where impracticable because of topography or other conditions, all streets shall join each other so that for a distance of at least two hundred twenty-five (225') feet the street is at approximately right angles to the street it joins.

Grades. Grades approaching intersections shall not exceed five (5%) percent for a distance of not less than one hundred (100') feet from the center line of said intersection.

Corner Radii. Intersecting Local Streets in all subdivisions shall have a minimum radius of thirty (30') feet.

Distance Between Intersections. Intersections shall be spaced a minimum of two hundred (200') feet apart measured from the points of intersection of the center lines. Two streets intersecting opposite sides of a third street are to have the same points of intersection or else their center lines are to be separated by a minimum of two hundred (200') feet on a third street.

State Highways. The subdivision plan shall be submitted to the State Department of Transportation if a proposed street in the subdivision intersects with a State Highway. State Department of Transportation approval shall be given in writing before approval of the application by the Commission.

Sight Lines. For a distance of fifty (50') feet from the point of two (2) intersecting property lines nearest to the street intersection (i.e., a street corner), all planting, screening and grades shall be so designed and maintained as to assure adequate visibility for approaching pedestrian and vehicular traffic. This sight line shall be shown on the map so as to become a permanent visual easement.

- m) Street Name Signs. Street name signs shall be erected at points designated by the Engineer and shall be shown on the Final Subdivision Plan. They shall be installed in accordance with the Standard Specifications.
- n) Traffic Control Signs. Traffic Control Signs shall be erected by the subdivider as directed by the Engineer prior to street acceptance.
- o) Street Light Specifications. Where power is overhead (i.e., intersections with existing roads), a luminaire which conforms to the type used on comparable streets by the franchised electric company for the area shall be mounted off an existing pole; where power is underground, a decorative luminaire shall be used, as provided by the franchised electric company for comparable rural areas, with light poles located a minimum of four (4') feet from the curb. See, Section VI.5.(ff).
- p) Grades. The minimum grade of all streets shall be one (1%) percent.

The maximum grades shall be in accordance with the following list:

<u>Classification</u>	<u>Maximum Grade</u>
Major Thoroughfares	5%
Local Streets	10%
Multi-Family Residential	7%
Retail/Office & Industrial	6%
Turnarounds	3% (permanent) 10% (temporary)
Intersections	5% for a distance of 100' from the centerline of the intersection

- q) Design Speed. The various classifications of streets shall be designed for the following design speeds and traffic volumes:

<u>Classification</u>	<u>Speed-MPH</u>	<u>Traffic Volume-*ADT</u>
Major Thoroughfares	35-45	over 1,000
Multi-Family Residential	30	200 to 1,000
Local Streets	20	under 200
Commercial, Industrial	20	under 200

* ADT - Average Daily Traffic predicted for 20 years after the start of construction. If requested by the Commission, the Developer shall submit a report from an acceptable Traffic Engineer stating predicted traffic volume.

- r) Horizontal Sight Distance. All changes in grade shall be connected by vertical curves of length

sufficient to give the following stopping sight distances:

<u>Design Speed</u>	<u>Stopping Sight Distance-Feet</u>
30 m.p.h.	200'
40 m.p.h.	300'
50 m.p.h.	450'

The minimum horizontal sight distance at intersections shall be as follows:

<u>Classification</u>	<u>Horizontal Corner Sight Distance-Feet</u>
Major Thoroughfares	525'
Multi-Family Residential	350'
Local Streets	250'
Commercial	525'
Industrial	525'

- s) Horizontal Design Criteria. Where street lines deflect from each other between intersections, the minimum inside radius shall be as follows:

<u>Classification</u>	<u>Minimum Horizontal Radius-Feet</u>
Major Thoroughfares	1,000'
Multi-Family Residential	300'
Local Streets	200'
Commercial	300'
Industrial	450'

At street intersections, the property lines shall be on a curve with a radius of fifteen (15') feet.

Curbing

1. Mountable curbs also called "Cape Cod Curbs" shall be provided along all new roads and extensions of existing roads to direct storm water runoff. Curbing shall be constructed of Bituminous Concrete and shall provide a minimum reveal of 4'.
2. Curbing may be eliminated for roads if the grades are less than 5% and the development calls for off-road LID storm water conveyance systems, such as vegetated swales as recommended by the Town Engineer and approved by the Planning Commission. The Town Engineer may recommend to reduce or eliminate the requirement for curbing for other unique or special conditions.

- t) Existing Street Improvements.

- 1) Access. Whenever any subdivision is proposed for land accessible only by an unpaved street

or an existing Town street which does not conform with minimum requirements of grade, alignment, width and construction set forth in these Regulations, and the Commission determines that approval of the subdivision plan would be contrary to the public safety unless such street was altered or improved where it fronts the proposed subdivision or beyond the limits of the proposed subdivision, the Commission may disapprove such plan or may condition its approval upon alteration of such street by and at the expense of the subdivider, or may disapprove such plan until the Board of Selectman has authorized expenditures for such Improvements.

- 2) Frontage Improvements. Whenever any subdivision is proposed for land which fronts on an existing Town street which does not conform with the minimum requirements of width and construction set forth in these Regulations, the subdivider shall improve such frontage in accordance with APPENDIX 7 to these Regulations. The scenarios in APPENDIX 7 shall be considered as general guide- lines, and subject to negotiation with, and approval by, the Board of Selectmen. Where such improvement from the centerline is impractical, the Commission may require improvements of comparable value to be performed along the existing road frontage of the subdivision, or adjacent frontage impacted by the subdivision. In the alternative, the Commission may require that the cost of such improvements shall be paid to the Board of Selectman, or its designated agent, in lieu of the completion of such improvements by the applicant. Such payment shall be held in a separate fund to be used exclusively for the improvement of the subject street in ways which directly benefit the future owners of lots in the subdivision.

In making the determinations set forth in the preceding two paragraphs, the Commission shall take into account the street's ability to handle the increased volumes of traffic which will be generated by the proposed subdivision, the ability of school buses and emergency vehicles to travel the street safely, the drainage conditions of the street, and generally the impact of the subdivision upon the ability of any vehicle to use the street safely.

- u) Scenic Roads; Stone Walls. Frontage improvements, as described in the preceding Section, may be modified by the Commission in order to achieve the objectives of the Eastford Scenic Roads Ordinance, if and when the same shall be adopted. In addition, the Commission may modify any requirements for improvements described in these Regulations in order to preserve existing stone walls which are a part of Eastford's historic character. Any modifications pursuant to this paragraph shall be in accordance with Chapter IX of these Regulations.
- v) Specification and Details. All street improvements shall be constructed in accordance with "The State of Connecticut Department of Transportation, Standard Specifications for Roads, Bridges, and Incidental Construction, Form 814, 1988", as the same may be amended from time to time, and the Standard Specifications and the Standard Details as set forth in APPENDIX 2.
- w) Utilities. For new streets, all utility lines including, but not limited to, those required for electrical, communication, lighting and cable television sources and related facilities shall be placed underground, except surface-mounted transformers, surface-mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction,

high capacity electric and communication feeder lines. The subdivider shall make all necessary arrangements with the service utility to provide the underground services. The method of installation shall be approved by the particular utility company and be in conformance with the utility location requirements of these Regulations. The Commission may waive all or part of these requirements of these Regulations in accordance with Chapter IX.

- x) Watercourses. Where a major watercourse separates an existing street from abutting property to be subdivided, provisions shall be made for carrying such watercourse by means of culverts or other structures of design within the proposed street right-of-way and in the area where such watercourses intersect driveways serving each lot.
- y) Drainage. All curtain and cellar drains are to be tied into the stormwater drainage system, unless the Engineer approves otherwise. Catch basins are to be made of all pre-cast parts (e.g., sumps, reducers, and curb tops with grates). Manholes or center-placed catch basins are not to be used for storm drainage unless approved by the Engineer. Flared end section pipes shall be used at all culvert outlets or inlets, unless headwalls are approved by the Engineer.
- z) Dedication of Streets. Approval of Final Subdivision Plan shall not be deemed to constitute or effect an acceptance of any street by the Town. However, the filing of an approved Final Subdivision Plan shall constitute an irrevocable offer of dedication by the owner of the land to the Town.
- aa) Subdivision Street Work Prior to Acceptance. Prior to Town acceptance of new subdivision streets, all catch basins and detention basins are to be cleaned and all roadways swept. The subdivider shall be responsible for any and all maintenance required on unaccepted subdivision streets, including snow removal.
- bb) Driveways. All driveway openings shall be provided with a one and one-half (1 1/2") inch bituminous concrete apron from the street line to the edge of street pavement or the street face of the curb line. All driveways shall conform with Town driveway standards. (See Section VI.4.)
- cc) Pavement Structure. Streets shall have the following compacted depths:
 - Subbase. Twelve (12") inches compacted depth in accordance with Connecticut Department of Transportation specifications.
 - Base Course. Six (6") inches of processed aggregate in accordance with Connecticut Department of Transportation specifications.
 - Surface Course. Three and one-half (3 1/2") inch bituminous concrete placed in a two (2") inch layer and a one and one-half (1 1/2") inch layer; arterial and commercial streets shall have four (4") inches in two (2) equal layers, all in accordance with Connecticut Department of Transportation specifications.
- dd) Standard Cross-Section. The standard cross-section for all streets (existing or proposed) shall be in

accordance with the Typical Road Section included in APPENDIX 2 of these Regulations.

- ee) School Bus Accommodations. The Commission may require that accommodations be provided for school bus stops. These accommodations shall include a paved stopping lane, good sight lines, and sufficient right-of-way to provide safe waiting areas. The Commission may also require school bus turnarounds at the boundary line of the Town or of any school district within it. Such turnarounds shall be constructed with adequate radius, sight line, pavement, and overall design so as to permit a school bus to turn around in safety.
- ff) Street Bound Stones. Street bound stones shall be placed at all block corners, at angle points, and the points of curves in streets and at such intermediate points as may be necessary to identify the street line in the field. The location of all street monuments shall be indicated on the final subdivision plan. They shall be installed and their accuracy certified by a Licensed Land Surveyor. The monuments shall be made of concrete, and shall be thirty-six (36") inches in length. The top shall be four (4") inches square with an "X" cast into it. The base shall be six (6") inches square. The monuments shall be set with the top two (2") inches above finish grade.
- gg) Street Lights. Except where a waiver is recommended by the Town Engineer, street lights shall be installed at all intersections and may be required by the Commission at the end of temporary or permanent cul-de-sacs; and may be required by the Commission at designated school bus stops and turnarounds. Street lights shall be in operation before any Certificate of Occupancy is issued.

The subdivider shall be responsible for all operating and maintenance costs of street lights until streets are accepted by the Town. Street lighting shall be in accordance with standards established by the Town or recommended standards for municipal street lighting as established by the power company providing service.

- hh) Construction Signs. The subdivider shall erect and maintain at each terminus of each street, as it is laid out, a secure sign reading as follows:

THIS IS NOT A PUBLIC ROAD

[NAME OF SUBDIVIDER]

The above required sign shall be at least eighteen (18") inches by twenty-four (24") inches with two-inch (2") block lettering and shall be maintained by the subdivider until the road is accepted by the Town.

SECTION VI.6. INSPECTION

- a) All subdivision Improvements to be dedicated to the Town shall be inspected by the Commission or such agent as may be designated by the Commission, in consultation with the Board of Selectmen. The developer shall, prior to the commencement of construction, arrange with the Commission and the Board of Selectmen for the employment of a Clerk of the Works to supervise the installation of

all improvements. Such Clerk of the Works shall be an individual(s) approved by the Board of Selectmen upon the recommendation of the Commission; shall be answerable and report, as requested, to the Commission and the Board of Selectmen, acting by and through the First Selectman or the Board of Selectmen's designee; and all fees and expenses of such Clerk of the Works shall be payable by the Town by the use of the fees collected in accordance with An Ordinance Establishing Fees For Processing Subdivision and Sediment and Erosion Applications, as the same may be amended from time to time (APPENDIX 3). [Amended November 22, 1995]

- b) Inspections shall be requested in writing at least forty-eight (48) hours in advance, and shall be made at the following stages of construction:
- 1) When rough grading is complete.
 - 2) When drainage and all other underground facilities are installed, but prior to any backfilling.
 - 3) During construction of street base courses.
 - 4) During construction of bituminous concrete surface and binder courses.
 - 5) During the placing of concrete for sidewalks (if required).
 - 6) When curbing is complete (if required).
 - 7) A final inspection shall be made when all Improvements are complete, and before acceptance by the Town.
- c) The developer shall not proceed to work on any stage subsequent to the first stage until such inspection has been made by the Commission or its appointed agent on the preceding stage, and approval in writing has been obtained on the preceding stage. At least forty- eight (48) hours' notice, excluding Sundays and Holidays, shall be given by the developer to the Commission or its appointed agent for each inspection.

SECTION VI.7. FLOOD HAZARD REQUIREMENTS

All subdivision proposals greater than fifty (50) lots or five (5) acres, whichever is lesser, and all proposed subdivision activity impacting Zones on the Town's current National Flood Insurance Program Hazard Boundary Map (PHBM), which is on file in the Planning Office and the Office of the Town Clerk, shall comply with all applicable standards and requirements of A Flood Insurance Ordinance, Ordinance Instituting Flood Plain Management for Designated Flood-Prone Areas, and Ordinances Amending the Flood Damage Prevention Ordinance, as the same may have been amended from time to time. All applicable requirements of said Ordinances shall be in addition to all standards and requirements contained in these Subdivision Regulations.

In addition, for all subdivisions containing lots located in special flood hazard areas, as defined in the said Ordinances, the following requirements shall apply:

- 1) The subdivision plan shall be consistent with the need to minimize flood damage.
- 2) The subdivision plan shall have public utilities such as sewer, water, gas, electrical and water systems located and constructed so as to minimize flood damage.
- 3) The subdivision plan shall have adequate drainage provided to reduce exposure to flood hazards.
- 4) In Flood Zone A, flood elevation data shall be provided for all lots.

CHAPTER VII - INSURANCE, BOND REQUIREMENTS,
CERTIFICATE OF USE, BOND RELEASE,
AND STANDARD AGREEMENT FOR INSTALLATION OF IMPROVEMENTS

SECTION VII.1. INSURANCE

- a) The subdivider shall file with the Commission a general liability insurance policy. This policy shall be of the same term as the Performance Bond and shall be extended in conformance with any extension of the Performance Bond.
- b) The policy shall insure the Town of Eastford and its agents, and the subdivider and shall cover all his operations in the development involving existence and maintenance of property and buildings and contracting operations of every nature including all public Improvements. Said policy shall have the following limits:

Property Damage (including automobile)
Each Accident: Not less than \$250,000

Bodily Injury (including automobile)
Each Person : Not less than \$1,000,000
Each Accident: Not less than \$3,000,000

SECTION VII.2. PERFORMANCE BOND

- a) A Performance Bond shall be posted by the subdivider prior to the commencement of construction of any Improvement or work on any lot to insure the completion of required Improvements and utilities in the event the subdivider shall fail to install same within two (2) years from the date of the Bond. The term of the Performance Bond may be extended by the Commission upon approval of a petition from the developer to the Commission requesting an extension subject to agreement of such extension by the Surety.
- b) In computing the amount of the Bond, the Commission shall include the construction cost of the following items:
 - 1) The construction cost of all required Improvements, including storm drainage system, erosion and sedimentation control measures, roads and pavements, sidewalks and curbs, trees, grading, setting of monuments, and any other requirements made as a condition for subdivision approval or depicted on the endorsed Final Subdivision Plan, Plan and Profile, Erosion and Sedimentation Control Plan, or any other plan as approved by the Commission.
 - 2) Estimated costs shall be those that would allow for the Town advertising and awarding a contract for construction of the Improvements.

- 3) Costs shall be projected to a point at the end of the Performance Bond term. Any extension of the term of the Performance Bond may result in an adjustment as to the Bond total.
 - 4) The total estimated cost of the Performance Bond shall also include a 15% addition to cover contingencies and engineering.
 - 5) Where a subdivision is to be developed in phases, the subdivider may petition the Commission in writing for permission to post a Performance Bond covering the costs itemized in paragraphs (b)(1) through (b)(4) above, related to those Improvements and utilities located within or required to serve one or more phases rather than for the entire development. Similar permission shall be obtained by the subdivider prior to commencing development of any or all additional phases. Where the subdivider bonds in phases as authorized in this paragraph, no Improvement, as that term is defined in these Regulations, shall be commenced in any phase for which no bond has been posted.
- c) As used in these Regulations, the term "Performance Bond" shall refer to one of the following methods of assuring completion of Subdivision Improvements:
- 1) Cash in the form of a certified check; or a passbook, assigned to the Town by assignment forms prescribed by the Commission's legal counsel. The issuing bank ("Surety") shall be one maintaining offices in either Windham or Tolland Counties.
 - 2) A Letter of Credit in favor of the Town in the form prescribed by the Commission's legal counsel. Such Letter of Credit shall be issued only by a bank or comparable lending institution maintaining offices in the State of Connecticut. The issuing bank ("Surety") shall be one maintaining offices in either Windham or Tolland Counties.
 - 3) A restrictive covenant, in a form prescribed by the Commission's legal counsel, to be filed on the Land Records of the Town of Eastford, prohibiting the sale of any subdivision lot(s) until such time as all Improvements are completed in accordance with these Regulations, or until the incomplete portions of such Improvements are bonded by one of the methods in the preceding two (2) paragraphs.

The above-referenced forms shall be as provided by the Town and shall be the only ones acceptable to the Commission. The amount of the Bond shall be the sum which the Commission shall require. The completion date of all required Improvements shall be as required by the Commission, but, in no event, longer than the period set forth in Chapter 126 of the Connecticut General Statutes.

- d) For all Performance bond documents: If the subdivision applicant is a corporation, then the corporate seal must be shown in addition to the seal of the lending institution issuing the passbook assignment or Letter of Credit, and a corporate resolution must be provided indicating that the corporate officer executing the bond documents has authority to do so. If the subdivision applicant is a partnership, then a partnership resolution must be provided indicating that the partner executing the bond documents has authority to do so. Any corporation shall provide a Certificate of Good Standing from

the Connecticut Secretary of the State; any limited partnership shall provide a Certificate of Legal Existence from the Connecticut Secretary of the State; out-of-state applicants shall present evidence from the Secretary of the State that they are authorized to do business in Connecticut.

- e) If at any time, the bond required by this Section shall not be in effect for incomplete or unaccepted Improvements, the Commission may file a caveat on the Land Records warning potential purchasers of such fact; or may void the subdivision in accordance with the provisions of Chapter XI.6. of these Regulations.

SECTION VII.3. BUILDING PERMIT, CERTIFICATE OF OCCUPANCY

Before any Building Permit is issued for the construction of any building in such subdivision on a lot which fronts on a subdivision road which has not been accepted by the Town as a public road, the subdivider shall complete such road, in accordance with the specifications up to the farther side line of such lot, to a stage in construction at which only final surfacing of the road remains to be done before completion of the road; the foregoing shall not apply to street trees, sidewalks, or other types of road-related Improvements not required for vehicular travel, but shall apply to the installation of street name signs to facilitate the provision of emergency services. The balance of the work on such road, and all other public Improvements, shall be bonded in accordance with the provisions of this Chapter VII. In addition, water and effluent disposal, be it by individual on-site systems or community systems, shall be operational and accepted by the appropriate Town or State agencies prior to the issuance of a Certificate of Occupancy of the building on any lot.

SECTION VII.4. BOND RELEASE

- a) Prior to the release of the Performance Bond the subdivider shall present a Maintenance Bond equal to ten (10%) percent of his Performance Bond. Such Bond shall be for the period of one (1) year and shall guarantee the Improvements installed against defects in materials or workmanship, or damage caused to the Improvements by any construction activity in the subdivision. The said one-year period shall commence upon the effective date of the acceptance of any road or other public Improvements by that agency having authority for such acceptance.
- b) Application for the release of any Bond upon completion of all required Improvements shall include the submission of scale as-built drawings which shall include all changes in the plans as authorized by the Commission or the Engineer during the course of construction. The as-built drawings shall be signed and sealed by both a Connecticut Registered Professional Engineer and a Land Surveyor licensed in the State of Connecticut, and they shall also execute an As-Built Certificate Form (APPENDIX 8).
- c) Upon submission of a written report from the Engineer that all or a certain specified stage in the construction of Improvements has been satisfactorily completed, the applicant may request that the Commission reduce any outstanding bond to reflect the cost of construction of the remaining Improvements. The Commission shall grant no more than three (3) such reductions prior to the final release of bonds, and the Commission may refuse such reductions if it finds that the construction of any Improvements in violation of any provision of these Regulations or the plans or conditions for

any subdivision approved hereunder.

SECTION VII.5. AGREEMENT FOR INSTALLATION OF IMPROVEMENTS

For any subdivision involving the installation of public Improvements, the subdivider shall, prior to the endorsement of the Final Plans, enter into a written agreement with the Town to perform such Improvements, which agreement shall be in the form contained in APPENDIX 9 to these Regulations.

CHAPTER VIII - OPEN SPACES AND RECREATION AREAS

SECTION VIII.1. DISPOSITION

For any subdivision of land under these Regulations, the Commission shall require of the subdivider the disposition and official dedication of appropriately located and sized open space or recreation areas. For the purpose of this Chapter VIII, "Open Space" shall be defined to include, but not be limited to: Areas left in their natural, undisturbed state; agricultural land for which development rights have been assigned or otherwise alienated in perpetuity; areas and facilities for non-commercial, non-profit recreation; and similar areas for wildlife habitat, passive and active recreation, groundwater recharge, scenic preservation, and the like. In determining the appropriateness of an open space and/or recreation area disposition, the Commission shall consider Plan of Development objectives and map designations and the subject site's characteristics with respect to the following objectives: The conservation and protection of wildlife and natural or scenic resources including lakes, ponds, rivers, streams, stream belts, inland wetlands, aquifers, significant woodlands, ridges, ravines, ledge outcroppings and other unusual physical features; the protection of historic or archaeological sites; the expansion of existing open space and recreational areas and the meeting of neighborhood and/or community-wide recreational needs. In determining the location of open space, the Commission may consider potential for combination with existing or proposed open space on adjoining properties owned by any public or private institution.

SECTION VIII.2. SIZE (as amended 2/9/99 effective 3/1/99)

Required Open Space shall be fixed at no less than fifteen (15%) percent of the property under consideration. In determining the total land to be reserved as open space or recreational land, the Commission may consider not only the tract or tracts of land to be immediately subdivided, but also any other adjacent tract or tracts owned, controlled or under agreement to buy or optioned by the subdivider. Areas to be reserved as open space and/or recreation land shall be shown on the subdivision map. This provision shall apply to subdivisions of more than four (4) lots or greater than twenty (20) acres created since the adoption of these Regulations. For purposes of calculating the percentage of open space required, the following shall be excluded; (a) the area of any parcel designated as Nondevelopment as defined by Section II.59 or (b) any lot upon which a dwelling existed prior to the filing of the subdivision or resubdivision application; provided, however, that the open space required may be located within such Nondevelopment parcel or parcel with an existing dwelling. Any open space required under this Section shall be credited toward the requirements for any subsequent resubdivision of any component lot of the subdivision, or the subdivision of any previously designated Nondevelopment parcel.

SECTION VIII.3. SITES OF ARCHAEOLOGICAL SIGNIFICANCE

In all subdivisions of five (5) acres or more, all applicants shall make written inquiry of the State Archaeologist to determine if there is evidence of sites of archaeological significance within the subdivision. Any significant sites shall, where possible, be left undisturbed and may be considered in meeting the minimum open space requirements of this Chapter.

SECTION VIII.4. METHOD OF DISPOSITION

- a) Method of Preservation, Entity Having Title. The Commission shall determine the most appropriate method of disposition after considering, among other things, the relationship of the subject area(s) and its specific characteristics to the Plan of Development and the objectives cited in Section VIII.1.; the desirability and suitability of public access and use and the scope of the subdivision proposal. The following disposition option may be utilized by the Commission:
- 1) Perpetual dedication to the Town.
 - 2) Perpetual dedication to the State of Connecticut.
 - 3) Perpetual dedication to a land trust (at the option of the subdivider).
 - 4) Dedication to a homeowners' association (see, Section VIII.8.).
 - 5) Utilization of conservation easement(s), with or without public access.
 - 6) Utilization of a recreation easement to the Town, the State, or a private, non-profit recreation entity.
 - 7) Conveyance of an agricultural easement to the Town, the State, or a private, non-profit farm preservation entity.
 - 8) Private ownership with the appropriate taking of development rights.
 - 9) Any combination of the above or any suitable alternative approved by the Commission.

The applicant shall designate in its application which of the foregoing entities are proposed to own the Open Space, but, as part of the approval of such application, the Commission may modify such designation to require ownership by an entity set forth above, provided, however, that the Commission may not require ownership by an entity described in Subsection (3), which shall be approved only when proposed by the applicant. Furthermore, the Commission may modify any application so as to designate Open Space in locations other than those proposed. In determining whether the proposed entity is appropriate to own the proposed Open Space, or whether to require Open Space in locations different from those proposed, the Commission shall consider the following factors:

- 1) The ownership of any existing Open Space on adjacent properties, or the proximity to non-adjacent Open Space which might reasonably interconnect with the proposed Open Space in the future.
- 2) The proposed use of the Open Space for active or passive uses, and the extent of maintenance, supervision, or management required.

- 3) The potential benefits which the Open Space might provide to residents of the Town or the State, if it were accessible to them.
 - 4) The benefits of preserving existing rural streetscapes, including stone fences, meadows, mature stands of trees, and other features visible from existing streets.
 - 5) The size, shape, topography and character of the Open Space, including any unique wildlife habitats, rare or endangered flora or fauna, aquifer recharge areas, or other characteristics of any portion of the property, the preservation of which would protect or enhance the natural resources or environment of the Town.
 - 6) The recommendations of the Eastford Plan of Development.
 - 7) The reports or recommendations of any State or Town agencies, including, but not limited to, the Board of Selectmen, the Inland Wetlands and Watercourses Commission, the Recreation Commission, the Conservation Commission, the Northeast Council of Governments, and the Connecticut Department of Environmental Protection.
- b) Alteration of Open Space. Any excavation, filling, regrading or alteration of Open Space; any construction or expansion of any building, structure or other improvements thereon, or any paving or surfacing of Open Space subsequent to the date of approval of the Subdivision shall require an amendment to the Subdivision approval granted under this Chapter VIII in accordance with the applicable Sections of the Regulations.
- c) Evidence of Acceptance. If Open Space is to be owned by a private not-for-profit conservation trust or corporation, the State of Connecticut, the Town of Eastford, or another entity, the application shall contain written evidence from the proposed entity satisfactory to the Commission, stating that it is willing to accept ownership of and responsibility for the preservation and maintenance of the Open Space.
- d) Required Provisions. Regardless of the manner of ownership of the Open Space, the instrument of conveyance must include provisions satisfactory in form and substance to the Commission to ensure:
- 1) The continued use of such land for the intended purposes.
 - 2) The continuity of proper maintenance for those portions of the Open Space requiring maintenance.
 - 3) When appropriate, the availability of funds required for such maintenance.
 - 4) Adequate insurance protection.
 - 5) Recovery for loss sustained by casualty, condemnation or otherwise.

- e) Boundary Lines. The boundary lines of all Open Space shall be set in the field and marked by permanent, readily-visible markers where such lines intersect any lot line, road or perimeter line within the proposed Subdivision and at such other points as may be required by the Commission to insure identification in the field.
- f) Recording. At the time the approved Subdivision Plan is filed, the applicant shall record on the Eastford Land Records all legal documents required to ensure the aforesaid guarantees.
- g) Association Requirements. If the Open Space is to be dedicated to an association or corporation of lot owners, then the Commission may set additional requirements, including, but not limited to, the following:
 - 1) Creation of the association or corporation prior to the sale of any lot.
 - 2) Mandatory membership in the association or corporation by all original lot owners and any subsequent owner.
 - 3) The association or corporation shall have the power to assess and collect from each lot owner a specified share of, and, where necessary, provide reserves for the costs associated with maintenance, repair, upkeep and insurance of the Open Space.
 - 4) Any deed of conveyance shall contain language providing the association with the right to obtain reimbursement for all costs it reasonably incurs, including attorney's fees, in any action to enforce its rights against any lot owner, in which the association is the prevailing party.

Any conservation easements or other open space covenants or restrictions shall be subject to the approval of the Commission in form and content.

SECTION VIII.5. REFERRALS

The Commission may refer for review and comment any subdivision plan and proposal for the provision of open spaces and/or recreation land to the Conservation Commission, Recreation Commission, Windham County Soil and Water Conservation District, or any other appropriate agency.

SECTION VIII.6. CONDITION OF OPEN SPACES AND/OR RECREATION LAND

Open Space shall typically abut or have direct public access to a public street and, as appropriate, any existing park or public land. All such areas shall include access roadways to be graded and improved in a manner suitable for safe pedestrian and vehicular traffic. Access roadways shall have an adequate base, shall be adequately drained and shall typically be twenty (20') feet wide and have a slope no greater than twelve (12%) percent.

Land to be provided as open space for the purpose of conservation and protection of wildlife and natural or scenic resources shall typically be left in a natural state by the subdivider. Except for improvement as may be required by the Commission, open space areas shall not be graded, cleared, or used as a repository for

brush, stumps, earth, building materials or debris. The Commission may require that any land to be dedicated for recreational use be cleared of brush, trees and debris; be graded to properly dispose of surface water; be covered with organic topsoil to a depth of four (4") inches; be seeded with low maintenance grass seed and be otherwise improved so that the land is left in a condition appropriate to the intended use. The Commission need not accept land composed entirely or substantially of inland wetlands in satisfaction of the requirements of this Chapter, unless it considers such areas to have special habitat or other environmental value.

When site improvements are required, they shall be clearly shown on the final subdivision maps or alternatively on a separate site improvements plan and they shall be approved by the Commission prior to the filing of the subdivision plan.

SECTION VIII.7. ENFORCEMENT BONDING

To ensure proper construction of any required Improvements, the Commission shall require the subdivider to post a Performance Bond in an amount and with terms acceptable to the Commission. Unless modified by the Commission in accordance with Chapter IX of these Regulations, all required Improvements of open space and/or recreation land shall be completed prior to the occupancy of fifty (50%) percent of the lots within the subdivision.

SECTION VIII.8. PROPERTY OWNERS' ASSOCIATION

The Commission may, upon the request of the subdivider, permit the ownership and maintenance of the open space and/or recreation area to be transferred to an association of property owners. Such transfer shall be in accordance with standards established by the Commission to include, but not be limited to, the following which:

- 1) Establishes a mandatory participation in an association of property owners to maintain the land reservation for open space, park and playground purposes, with power to assess all members for all necessary costs.
- 2) Will be binding on all future property owners.
- 3) Will be perpetual.
- 4) Will not be affected by any change in land use.
- 5) Will assure adequate maintenance.
- 6) May be enforced by the Town by appropriate legal action.
- 7) Shall provide that if maintenance or preservation of the dedication no longer comply with the provisions of the document, the Town may take all necessary action to assure compliance and assess against the association all costs incurred by the Town for such purposes.

After approval by the Town Attorney and Commission, said document shall be filed by the subdivider in the

Office of the Town Clerk.

SECTION VIII.9. LEGAL TRANSFERAL

Properly executed legal documents, including warranty deeds for any title transferals, shall be prepared in accordance with the provisions of this Section and shall be submitted in triplicate with the final subdivision map to be filed. All documents must be acceptable to the Town Attorney and Commission and shall refer to the subdivision maps by title. All warranty deeds for dedication of land to the Town shall be held in escrow by the Commission to be recorded on the Town Land Records upon acceptance by the Board of Selectmen. In the event that acceptance is rejected by the Board of Selectmen, the deed shall be returned and the subdivider shall return to the Commission for determination of an alternative means of preserving the Open Space. In no case, shall the acceptance of any deed by the Commission or an employee of the Town be deemed as acceptance of the open space and/or recreation area by the Town.

SECTION VIII.10. DEDICATION FOR OTHER MUNICIPAL PURPOSES

In the event the subdivider desires to transfer to the Town land for other municipal purposes such as future schools, fire houses, etc., the dedication provisions of this Regulation shall be complied with. The Commission may consider such a municipal dedication as a credit toward any open space and/or recreational area disposition requirements but may not require such dedication.

SECTION VIII.11. PAYMENT OF FEE IN LIEU OF OPEN SPACE

In accordance with Connecticut General Statutes §8-25, as amended by Public Act 90-239, Section 1, the Commission may authorize a subdivider to pay a fee to the Town of Eastford in lieu of the disposition of land by one of the methods set forth in Section VIII.4. hereinabove. Such authorization may be granted by the Commission if and when it determines, in its sole discretion, that there are inadequate areas on the subdivision which merit preservation by one of the methods set forth in Section VIII.4., or that there are other areas in the Town of Eastford where preservation would be more beneficial to the public health, safety and welfare. In the event that such authorization is granted by the Commission, such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten (10%) percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Commission and the subdivider. A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved lots in the subdivision, shall be made at the time of the sale of each approved lot in the subdivision and placed in a fund. Such fund shall be used solely for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes. The said payment obligation shall be secured by a lien against each lot in the subdivision which shall be filed at the time that the final subdivision plans are filed in the Office of the Town Clerk, in accordance with Section III.3(i) of these Regulations. The said lien shall be in a form approved by the Commission, and shall be unencumbered by any mortgage or encumbrance having priority over said lien, as evidenced by a Certificate of Title, in accordance with Section III.3(i) of these Regulations.

SECTION VIII.12. EXEMPTIONS FROM OPEN SPACE DISPOSITION REQUIREMENTS

In accordance with Public Act 90-239, Section 1, the provisions of this Chapter VIII shall not apply if:

- 1) The transfer of all land in a subdivision of less than five (5) lots is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin of the property owner for no consideration. Such intended transfer shall be evidenced by covenants, restrictions, contracts, or other legally binding documents as the Commission may approve, which documents shall be filed in the Land Records in accordance with the procedure and other requirements of Section III.3.(i) of these Regulations. If the Commission determines, based on events subsequent to the approval of such subdivision, that such transfers were intended to be temporary, and for the sole purpose of evading the requirements of this Chapter VIII, the Commission may void the subdivision in accordance with Section XI.6. of these Regulations.
- 2) The subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, equal to twenty (20%) percent or more of the total housing to be constructed in such subdivision. Such restrictions for affordable housing shall be evidenced by such documents as the Commission may require, and such restrictions shall run with the lots affected thereby in perpetuity. If, subsequent to approval of the Subdivision, the lots designated for affordable housing shall not be sold for that purpose, the Commission may void those subdivision lots in accordance with Section XI.6. of these Regulations.

CHAPTER IX - MODIFICATIONS

The Commission recognizes that each parcel of property is unique in location, dimensions, orientation, topography, etc., and the various factors in the design of subdivisions are variable with relation to each other and to the above characteristics of the property. Therefore, in accordance with Connecticut General Statutes Section 8-26, the Commission may modify or waive, subject to appropriate conditions, such requirements as, in its judgment of the special circumstances and conditions, are not requisite to the interest of public health, safety and general welfare. In considering a modification or waiver under this Chapter, the Commission shall only approve such modification or waiver upon a finding that all of the following conditions are met:

- 1) Conditions exist on the subject property which are not generally applicable to other land in the Town.
- 2) Said conditions would render the subject property, or some significant portion thereof, unusable for any viable use if these Regulations were strictly applied.
- 3) Said conditions were not created by the property owner nor by his/her predecessor(s) in title.
- 4) The granting of the modification or waiver would be in harmony with the purpose and intent of these Regulations.
- 5) The granting of the modification or waiver would not have a significant adverse impact on adjacent property values, the public health, safety and welfare, and would not be in violation of the recommendations of the Plan of Development, as the same may be amended from time to time.

Any request for modification or waiver under this Chapter shall be set forth on the Subdivision Application Form, and, if granted, shall be noted on the Final Subdivision Plan with a reference to the lot(s) affected, and the Section of these Regulations modified or waived, and the extent or nature thereof. In granting or denying any request under this Chapter, the Commission shall state upon the record the reasons for such action.

CHAPTER X - FLEXIBLE SUBDIVISION PROVISIONS

INTRODUCTION AND FINDINGS

The Commission finds that in some cases the strict adherence to traditional land development and subdivision techniques within the Town of Eastford has resulted in, or could in the future result in:

- 1) The consumption of areas containing valuable recreational, agricultural, forest and other unique natural resources.
- 2) The construction of extensive roads and other improvements requiring maintenance by the Town of Eastford, with short roads possibly serving only a few lots.
- 3) The development of sites without specific consideration of the limitations of, or opportunities offered by, the existing topographical and soil conditions.
- 4) The destruction of significant historic sites, geological features, severe slopes, scenic vistas, significant stands of trees, watercourses, wetlands, wildlife habitat or other areas of environmental value, natural beauty or historic interest.

SECTION X.A. CLUSTER SUBDIVISIONS

SECTION X.A.1. PURPOSE

It is the purpose of this Chapter X to respond to the foregoing findings by providing an opportunity for the preservation and protection of the Town of Eastford's natural resources by permitting a transfer of density by way of reduction in the minimum lot size normally required for residential development in return for the dedication of designated areas as Open Space; provided, however, that the total number of lots in such subdivision approximates the number otherwise permitted under these Regulations. These provisions are adopted pursuant to the authority of Section 8-25(c) of the Connecticut General Statutes.

This Chapter X also permits the development of limited numbers of lots which do not have adequate frontage on public streets in order to permit small interior areas to be developed without disproportionate expenditures for new streets. The provisions of this Section are designed to allow such interior development, while yet providing adequate access for emergency vehicles and preventing the landlocking of other property to the rear of such interior parcels.

SECTION X.A.2. DEFINITIONS

- a) Cluster Subdivision. A subdivision approved in accordance with this Chapter X.
- b) Development Restriction. A restriction which perpetually prohibits further development or use inconsistent with or threatens the enhancement, preservation and protection of a defined area for the benefit of fish, wildlife, plants, or other similar ecosystems, or preserves such areas

predominantly in their natural scenic or open condition; but which may, in the sole discretion of the Commission, permit recreational and/or agricultural uses which do not involve any significant alteration or development of the restricted area in a manner which is inconsistent or harmful to the preservation and protection of the restricted area. Such Development Restriction shall be by one of the methods described in Section VIII.4., Method of Disposition, of these Regulations.

- c) Normal Gross Lot Dimensions. The gross lot area, frontage and width, applicable to the designated use pursuant to these Regulations for the lot within the proposed Cluster Subdivision, absent the provisions of this Section.
- d) Open Space. Land within an Open Space Subdivision which is subject to a Development Restriction.
- e) Total Area. The total area of the proposed Cluster Subdivision expressed in acres, but excluding land covered by the high water level of areas covered by water (such as lakes, rivers, streams, ponds and swamps), but not necessarily including all areas defined as inland wetlands by the Eastford Inland Wetlands and Watercourses Regulations).
- f) Unbuildable Area. The area, expressed in square feet, within the proposed Cluster Subdivision which is comprised of land which would not qualify for "Buildable Lot Area", as defined in these Regulations.

SECTION X.A.3. GENERAL ELIGIBILITY REQUIREMENTS

A Cluster Subdivision:

- 1) Shall consist of a parcel(s) of land containing no less than a total of fifteen (15) contiguous acres.
- 2) Must not be harmful to the character of the surrounding area and property values of surrounding land owners.
- 3) Must, except as provided in this Chapter X, otherwise comply with all applicable Sections of these Regulations and of Federal, state and local law.
- 4) Must provide for the dedication of Open Space in accordance with Section X.A.6.(b).
- 5) Must provide beneficial utilization of suitable soil and topographic conditions and protection of soils and topographic conditions not suitable for development.
- 6) Shall be used only for Single-Family Dwellings and permitted accessory uses. All other uses shall require the Normal Lot Size and be subject to approval of the Commission in accordance with the applicable Sections of these Regulations.
- 7) Must be consistent with the intent of planning to promote the public health, safety and welfare of the Town of Eastford and the Eastford Plan of Development.

SECTION X.A.4. APPLICATION PROCEDURE

- a) Preliminary Procedure. The Commission recommends that, prior to submission of an application for approval of a Cluster Subdivision, the applicant initiate the Preliminary Procedure described in Section III.2. of these Regulations to discuss conceptual aspects of the proposed Cluster Subdivision based on a preliminary plan for informal consideration by the Commission. The pre-application conference is recommended to permit the general consideration of factors and problems affecting the development of the subject site before the applicant proceeds with the application and the preparation of final maps, plans and documents required to accompany such application.

As with the Preliminary Procedure for any subdivision, preliminary discussion of a Cluster Subdivision shall not be deemed to constitute any portion of the application for approval of a Cluster Subdivision.

- b) Application. An application for the approval of a Cluster Subdivision shall:
- 1) Require approval of the Commission as a subdivision in accordance with the applicable Sections of these Regulations and be submitted with a proper and complete Subdivision Application Form, and application fees as set forth in Chapter III of these Regulations.
 - 2) Be accompanied by six (6) copies of the proposed plan setting forth the information required by this Chapter X, the applicable Sections of these Regulations, and as well as such additional information as the Commission may require for a review of the proposed Cluster Subdivision under the applicable Sections of these Regulations or in order to reach a determination of the impact of the Cluster Subdivision on the surrounding area. Such additional information may include, but is not limited to, the following: Information concerning surrounding land uses, building locations, driveways, streets, topography, watercourses and wetlands; utilities and other information of a similar nature and purpose; an environmental impact statement prepared by professionals qualified to prepare such studies; and any reports prepared by the applicant's staff or consultants.
 - 3) Be accompanied by copies of the proposed Certificate of Incorporation, if any, By-Laws, Rules and Regulations of any association or corporation of the lot owners within the proposed Cluster Subdivision; copies of the proposed Covenants and Restrictions to be placed in the deeds of conveyance to the lot owners, and copies of any proposed deeds, agreements, conveyances and restrictions necessary for the creation of Open Space, including, a precise statement of the proposed Development Restriction.
- c) Public Hearing. A public hearing shall be held on all Cluster Subdivision applications.

SECTION X.A.5. STANDARDS AND CONTROLS

- a) Minimum Gross Lot Area. For lots in Cluster Subdivisions served by private on-site wells or septic systems, the minimum gross lot area shall be three-quarters (3/4) of an acre. For lots in Cluster

Subdivisions served by both community water systems and community sewage systems complying with applicable provisions of these Regulations, the Connecticut General Statutes, and regulations adopted pursuant thereto, the minimum gross lot area shall be one-half (1/2) of an acre.

b) Minimum Setback Requirements.

Minimum Lot Frontage	75 feet
Minimum Front Setback	35 feet
Minimum Side Setback	15 feet
Minimum Rear Setback	35 feet

c) Interior Lots. Interior Lots in Cluster Subdivisions shall contain three-quarters (3/4) of an acre, excluding the area of the accessway. Interior Lots in Cluster Subdivisions shall have a minimum frontage of twenty-five (25') feet.

d) Minimum Buildable Area. All lots in Cluster Subdivisions served by private on-site wells or septic systems shall comply with the Minimum Buildable Area Requirements contained in Section VI.2. of these Regulations (see Chapter II of these Regulations for definition of Lot Area, Buildable), except that the minimum dimension of the Minimum Buildable Area rectangle may be reduced to seventy-five (75') feet. For lots in Cluster Subdivisions served by both community water systems and community sewage systems complying with applicable provisions of these Regulations, the Connecticut General Statutes, and regulations adopted pursuant thereto, the Minimum Buildable Area Requirements contained in Section VI.2. of these Regulations shall not apply.

e) Calculation of Maximum Allowable Lots. In order to determine the maximum number of lots allowable within the proposed Cluster Subdivision, the applicant shall submit a conventional subdivision plan which would comply with all applicable provisions of these Regulations without the application of this Chapter X, including the depiction of the required open space (15%) set forth in Chapter VIII of these Regulations. Such conventional plan need not contain all information required by Chapter IV of these Regulations but shall contain only such information as is necessary to permit the Commission to determine that the conventional plan represents a feasible subdivision of the land at Normal Gross Lot Dimensions. If approved by the Commission as representing a feasible conventional subdivision plan, the total number of lots in such conventional subdivision plan shall be the maximum total number of lots in the Cluster Subdivision.

f) Conformance. Any lot with reduced area approved under the provisions of this Chapter X shall be deemed to be a conforming lot notwithstanding the Normal Lot Size; provided, however, that such lot meets the requirements of the other applicable Sections of the Regulations. Any such lot shall be designated on the approved Cluster Subdivision Plan which is presented for recording.

SECTION X.A.6. OPEN SPACE AND DEVELOPMENT RESTRICTION

a) Calculation of Required Open Space. In return for the reduction in the Normal Gross Lot Dimensions, the proposed Cluster Subdivision shall require the dedication as Open Space of an area which is, at

a minimum, equal in size to the aggregate difference between Normal Lot Size and the Minimum Lot Area set forth in Section X.A.5.(a) applicable to each lot in the Open Space Subdivision; but, in any event, no less than one-third (1/3) of the Total Area of the Cluster Subdivision shall be Open Space. Such open space may include the open space required by Chapter VIII (15%) of these Regulations. The percentage of the Open Space which consists of Unbuildable Land shall be no greater than the percentage of Unbuildable Land for the Total Area of the Cluster Subdivision.

- b) Dedication of Open Space. Open Space shall be dedicated, located, preserved, and otherwise reviewed and regulated in accordance with all requirements of Section VIII.4. of these Regulations.

SECTION X.A.7. PROTECTION OF SURROUNDING AREAS

In reviewing the proposed Cluster Subdivisions, the Commission shall additionally utilize the following criteria:

- 1) The recommendations of the Eastford Plan of Development, as amended, relative to open space and recreation.
- 2) The suitability of areas within the proposed Cluster Subdivision for open space purposes in light of the topography, size, shape and character of the land to be subdivided, and its relationship to other existing or proposed areas of open space.
- 3) The maintenance, insurance, and other burdens placed upon the residents of the Cluster Subdivision, and/or the Town of Eastford.
- 4) The increase in the burden imposed by the proposed Cluster Subdivision on existing and proposed areas of open space.
- 5) The recommendations of the Board of Selectmen, the Inland Wetlands and Watercourses Commission, the Recreation Commission, the Conservation Commission, and any other public or private agencies or authorities providing comment to the Commission.
- 6) The level of access to the areas of open space afforded to members of the general public.

SECTION X.A.8. LOCATION OF OPEN SPACE

Open Space preserved in accordance with this Chapter X need not be included within the area of the subdivision for which approval has been sought, but may, at the option of the applicant, be located in such proximity to such subdivision as to insure that the residents of the proposed subdivision shall derive direct benefits from the open space so dedicated. In determining whether the residents of the proposed subdivision shall derive benefits from the proposed open space, the Commission shall consider:

- 1) The physical distance between the open space and the proposed subdivision, such that residents of the subdivision will have a view of, ready use of, or other benefit from, such open space.

- 2) Whether the proposed open space land to be dedicated is served by the same road as the subdivision, such that traffic generation will remain constant over the length of such road.
- 3) Whether the proposed open space provides a needed recreational or other facility; preserves a critical wildlife habitat or unique natural feature; or otherwise fulfills an important recreational/ environmental objective of the Town of Eastford in the general area of the subdivision such that property values in the proposed subdivision will be enhanced.

SECTION X.B. INTERIOR LOTS

SECTION X.B.1. PURPOSE

Although a general pattern of Frontage Lots is essential for the development of an adequate pattern of streets and highways, and for the provision of emergency and general public services to the occupants or users of lots, the Commission recognizes that occasional situations may arise where development as a Frontage Lot is infeasible or impractical due to topographic or other conditions. The Commission also recognizes that certain persons desire the greater privacy afforded by Interior Lots and are willing to accept the greater maintenance costs and risks inherent in such development. Therefore, Interior Lots shall be permitted in accordance with the provisions of these Regulations.

SECTION X.B.2. REQUIREMENTS

In accordance with the adopted Plan of Development, and in recognition of the fact that it will be difficult for occasional parcels of land to comply with the preceding minimum lot frontage requirements, some flexibility shall be provided by permitting Interior Lots while restricting them so that they do not frustrate the purpose of requiring minimum lot area and frontage. Accordingly, the Commission may approve Interior Lots in accordance with this Section X.B. Approved Interior Lots shall meet the following requirements:

- 1) Minimum Lot Area, Gross and Minimum Building Lot Area Rectangle: The requirements shall apply as those contained in Sections VI.2.(f).1. and VI.2.(f).2., but the calculation thereof shall exclude the accessway.
- 2) Minimum Lot Frontage: Twenty-five (25') feet.
- 3) Minimum Lot Setbacks: Seventy-five (75') feet front and rear setbacks, excluding the area of the accessway.
- 4) Future Development Patterns: The Commission shall not approve a new Interior Lot or Lots until it determines that such lot or lots provides the best development of the land, considering subject lot and adjacent lot configurations, topography and other natural resource characteristics, drainage and traffic impacts, accessibility by occupants and emergency vehicles during all weather conditions and seasons, driveway sightlines and utility service capabilities. The Commission shall determine that any proposed Interior Lot development is not detrimental to future land use or road layouts of the rear lot or lots, abutting landowners or

the community at large.

- 5) Compliance: Except for requirements modified by this rear lot section, each Interior Lot shall comply in all respects with the requirements of these Regulations.
- 6) Single-Family Dwelling Restriction: There shall be a maximum of one (1) single-family or two-family dwelling with permitted accessory buildings or uses on an Interior Lot, and no other uses are permitted on Interior Lots.
- 7) Accessway: All Interior Lots must have a fee-owned accessway from an accepted Town or State road at least twenty-five (25') feet in width, but less than fifty (50') feet in width. Said accessway must be capable of supporting a driveway which satisfies the provisions of Section VI.4. and which driveway is located entirely on the lot from the point at which the accessway touches the street up to the location of the dwelling on the lot, and such driveway must be depicted on the Subdivision Plan, but need not actually be constructed as depicted if the lot utilizes a common driveway in accordance with paragraph 9 below. The side of the lot from which the accessway leads shall be considered as the front lot line of any proposed Interior Lot.
- 8) Maintenance: The owner of an Interior Lot shall provide and maintain, as per approval specifications, the driveway, drainage and utilities within the accessway and shall be responsible for a continued maintenance and liability.
- 9) Contiguous Interior Lots: There shall be a maximum of two (2) adjacent or contiguous Interior Lots, including Interior Lots on abutting properties. Contiguous lots may share a common driveway which satisfies the provisions of Section VI.4. provided that no more than three (3) dwelling units are served, only two (2) of which are situated on Interior Lots.
- 10) No Landlocking: No Interior Lot or lots shall landlock rear land or restrict the potential for feasible future access, unless the Commission finds that there is no feasible alternative, either existing or future, to development as an Interior Lot.
- 11) Maximum Number of Interior Lots: There shall be no more than one (1) Interior Lot in a subdivision of five (5) lots or less. Subdivisions of more than five (5) lots may have no more than one (1) Interior Lot for every four (4) Frontage Lots. For the purposes of this subsection only, in calculating the number of allowable Interior Lots, the applicant may include any number of Frontage Lots legally divided or subdivided out of the subject parcel as it was constituted as of February 13, 1967 (the date upon which Subdivision Regulations were first adopted in Eastford).

CHAPTER XI - MISCELLANEOUS PROVISIONS

SECTION XI.1. TREES, SOIL REMOVAL AND ROADS

- a) For the purpose of providing wind breaks to reduce winter heat loss; and provide shade to reduce summer cooling costs, and thus promote energy efficiency; and to prevent flooding and control erosion, the preservation and protection of shade trees throughout the subdivision shall be encouraged, except where they interfere with roads and utilities.
- b) Approval of a subdivision by the Commission shall not constitute approval of the removal of soil, topsoil or other excavated material from the premises other than that from the road area, and then only to the depths shown on the approved plan.
- c) The land located within a subdivision shall be properly graded and left in a condition which will be free of rubble and debris, and property stabilized to eliminate erosion. Stumps, logs, construction materials, and other debris shall be hauled off site to an approved disposal facility .
- d) The Commission may require that street trees be planted on both sides of any street to be dedicated to the Town. Trees shall be spaced approximately fifty (50') feet apart subject to the variations made necessary by driveways, street corners and walks, and shall be located a minimum of ten (10') feet from the street line. Trees to be planted shall be 2 1/2" to 3 1/2" in caliper or larger, and shall have a minimum height of eight (8') feet. The kind of tree shall be subject to the approval of the Commission who shall not approve low branching trees, trees which are disease-bearing or cause damage to storm sewers, or trees which create a traffic hazard. Where the tree may interfere with utility poles and wires, the Commission may permit the location of required trees within the front ten (10') feet of the proposed lots. Existing trees along the proposed street which conform to these requirements may be substituted for new trees. Specimen or historic trees located within the right-of-way of any existing Town street shall not be removed without the prior approval of the Commission.

SECTION XI.2. PEDESTRIAN WALKWAYS/BIKEWAYS

In areas where the proposed street system does not conform to the anticipated pattern of pedestrian circulation, particularly in the area of existing or proposed parks, playgrounds, or open spaces, the Commission may require the dedication and construction of separate pedestrian walkways or bikeways on public easements no less than fifteen (15') feet in width.

SECTION XI.3. GAS PIPE LINE

A gas pipe line shall be deemed a hazard when carrying an internal pressure in excess of 200 pounds per square inch, and when located within forty (40') feet of a property line. To lessen such hazards, the subdivider shall:

- 1) Maintain forty (40') foot building setback lines on both sides of easement.
- 2) Locate wells, septic tanks and all appurtenances and connections on the same side of the pipe line as the buildings they serve.
- 3) Locate proposed streets and driveways so that they cross pipe lines at right angles as much as possible. In such street crossings, the pipe shall be in a vented casing the full width of the street right-of-way, and the distance from the top of the casing to the proposed road surface shall be at least four feet six inches (4'6").

SECTION XI.4. TEMPORARY SANITARY FACILITIES

If the Commission determines that the scope of the project warrants it, the developer shall be required to provide temporary sanitary facilities on the site.

SECTION XI.5 ACCESS TO BODIES OF WATER FOR FIRE FIGHTING

The Commission may require that easements be conveyed to the Town of Eastford providing emergency access from an existing or proposed street to a body of water capable of supplying water for fire fighting and the installation of a dry hydrant. The Commission may require that such easement be sufficiently improved to allow access by fire fighting equipment and vehicles. The dimensions of any such easement shall be as required to fulfill the stated purpose, depending on the topography, the nature of the proposed development, the volume of the body of water, and the recommendations of the Fire Chief. A subdivision with a proposed building area more than two thousand (2,000') feet from a water source capable of being utilized for fire fighting; or any subdivision which has such a water source within the limits of the total parcel to be subdivided; shall be reviewed by the Fire Marshal or the Fire Chief of the Eastford Independent Fire Company, and a written report submitted.

SECTION XI.6. PENALTY FOR FAILURE TO COMPLY

In accordance with Connecticut General Statutes §8-25, any person, firm, corporation, partnership or association making the subdivision or resubdivision of land without approval of the Commission shall be liable to a fine of Five Hundred (\$500.00) Dollars for each lot sold or offered for sale. In the event that any subdivider shall violate these Regulations, or the conditions or requirements of any subdivision approved hereunder, the Commission may, following a public hearing with notice by certified mail to the violator, void, in whole or in part, any such subdivision approval, and may cause notice thereof to be filed in the Eastford Land Records.

SECTION XI.7. AMENDMENTS

These Regulations may be amended by the Commission in accordance with the procedures set forth in Section 8-25 of the Connecticut General Statutes.

SECTION XI.8. VALIDITY

Should any Section or provision of the Regulations contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Regulations as a whole or any part thereof other than the part so declared to be invalid.

SECTION XI.9. ENACTING CLAUSE, SHORT TITLE AND REPEAL

The Eastford Planning Commission acting under authority of the General Statutes of the State of Connecticut, hereby adopts and enacts these Regulations as the "Subdivision Regulations of the Town of Eastford". The provisions of the Subdivision Regulations heretofore in force and any amendments thereof, so far as they are the same as in these Regulations, are to be deemed continued and not as new enactments. Any and all provisions of said Regulations as originally enacted which are inconsistent with the provisions of these Regulations are hereby repealed, but this shall not affect any violations thereof already existing or any penalty incurred and the same may be prosecuted as if these Regulations had not been adopted.

CHAPTER XII - IMPACT STATEMENT REQUIREMENTS

SECTION XII.1. PURPOSE

These impact statement regulations have been designed to assure that development of land is orderly and that conditions are not created which would result in the overcrowding of land, undue concentration of population, or increased congestion in the streets; to facilitate the adequate provisions for transportation, water sewage, schools, parks, and other public requirements and to assure that proposed streets are in harmony with existing roads; to assure there is provision for an adequate and convenient system for present and prospective traffic needs; and to provide that adverse environmental impacts are minimized.

SECTION XII.2. EVALUATION

The Commission shall evaluate each proposal on the basis of the purposes of these Regulations, the Town Plan of Development and information provided in the impact statements submitted. The Commission shall evaluate each proposal to determine the individual and overall impact of any proposal on the existing and/or proposed infrastructure of the Town, so as to assure the protection of the public health, safety and welfare. This evaluation shall be part of the subdivision review process.

SECTION XII.3. SIGNIFICANT PROPOSALS REQUIRING IMPACT STATEMENTS

- a) Those subdivision plans proposed to include fifty (50) acres or thirty (30) units, whichever is less, immediately or in the future.
- b) Those subdivision plans which are deemed by the Commission to have a regional impact in terms of drainage, traffic, groundwater quality or quantity, and/or environmental impact.

SECTION XII.4. WAIVER

The Commission may waive any or all of these requirements for preliminary or final review, when, in the opinion of the Commission, enforcement of these would not serve the Purpose set forth in Section XII.1. hereinabove. The Commission shall give full consideration to the size and extent of the proposal in deciding on the information required. To assist the applicant in these procedures, the Town will provide access to certain data necessary for the preparation of the impact statements. This data shall be available in the Eastford Town Office, unless otherwise indicated.

SECTION XII.5. INFORMATION FROM PUBLIC SOURCES

The Commission shall seek to assist the subdivider in obtaining public documents and information which may be available to it in order to assist the applicant to prepare an impact statement. Such information may include, but is not limited to:

Graphic Information:

- * Map(s) indicating the Town's Plan of Development and subsequent updates.
- * Map(s) indicating existing legal constraints on the land via property line ownership (Assessor's Office).
- * Map(s) indicating existing land use.
- * Map(s) showing inland wetlands and watercourses.
- * Map(s) showing soil conditions, slopes and soil classifications.
- * Map(s) indicating land filed under P.A. 490 for farm, forest, and open space.
- * Map(s) showing historic districts.
- * Map(s) showing existing road conditions and types of pavement.
- * Map(s) showing latest traffic counts for State highways.
- * Map(s) indicating flood hazard boundaries, National Flood Insurance Administration.
- * Map(s) indicating potential aquifer areas.
- * Map(s) indicating watershed regions in Town.
- * Map(s) indicating U.S.G.S. topographic lines.
- * Map(s) of recent or planned intersection changes, bridge construction, and road realignments.
- * Map(s) indicating major utility distribution lines, above ground and underground.
- * Map(s) indicating culvert location and land drainage areas.
- * Map(s) indicating police and fire locations in Town.

Documentary Information:

- * Current Subdivision Regulations.
- * Standard specification and details.
- * Inland Wetlands and Watercourses Regulations.
- * Community Development Action Plan (if any).
- * Windham County Soils Survey.
- * State and Local Health Regulations (Northeast District Department of Health).
- * Present capacity of the school system by school, capital and operating costs, per ADM, and current busing programs (Board of Education).

SECTION XII.6. SUBMISSION OF REPORTS BY APPLICANT

The applicant shall submit ten (10) copies of the impact reports to the Eastford Planning Commission with the Subdivision Application. These reports shall be spiral or three-ring loose-leaf bound and submitted on 8 1/2" x 11" size paper, vertical format. The scale of accompanying maps shall be 1 inch to 1,000 feet unless indicated otherwise or specifically defined in the Subdivision Regulations.

a) Area Location Maps. The proposed site shall be identified by map (1" = 400' maximum) showing its inter-relationship with the neighborhood. This map shall identify the name, location and distance in miles to the following facilities existing and proposed, which will service the site:

- * Elementary School(s).
- * Middle School.
- * High School.
- * Police and Fire Stations.
- * Recreational Areas, public and private.
- * Interconnecting access to existing roads.
- * Storm sewers.
- * Community water lines.

b) Population and Demographic Impact. These factors shall be summarized in the test by time phases:

- * Total projected population.

- * Family projections by adults and children under 18.
 - * Projected school age children.
- c) Educational Evaluation. An evaluation of the impact of the proposal on the school system. Such evaluation shall take into account, but not be limited to:
- * Existing individual school plant capacity.
 - * Town planned school expansion program.
 - * Financial impact based on latest ADM count, and local school educational costs, including operating and capital expenses.
 - * Impact on busing programs.
- d) Road and Traffic Impact. An evaluation of the existing road system surrounding the proposed development by pavement type, general road condition, accident rates, and adequacy for present and/or proposed development. An evaluation of the impact of the proposed development on these roads should be presented, including but not limited to:
- * Distance of the development from a major state or inter-state road, existing or proposed.
 - * Projected number of motor vehicle types to enter or depart the site, by peak hours and average daily traffic counts (ADT).
 - * Projected traffic flow patterns and the relation of these to existing and proposed roads.
 - * Projected impact of the traffic to be generated by the proposal to existing road capacities.
 - * Anticipated road and traffic improvements which will be required as a result of the proposal.
- e) Environmental Impact. An evaluation of the potential impact of the proposal on environmental factors, with particular emphasis paid to environmental factors such as:
- * Wetlands and watercourses.
 - * Potential aquifers.
 - * Flood plains.
 - * Areas with slope greater than 15%.
 - * Prime agricultural soils.

- * Mineral and construction material resources.
- * Wildlife habitats.
- * Public and private forests.
- * Historical sites, stone walls.
- * Natural and scenic resources.
- * Parks, natural reservations and sanctuaries.
- * Areas where development can cause harmful and irreparable damage from erosion and siltation.

Such impact information shall also include:

- 1) A description of the existing environmental setting.
 - 2) The favorable and adverse environmental impacts of the proposed action.
 - 3) Identification of alternatives to the proposed action including their impact on the environment.
 - 4) Identification of any irreversible commitment of natural resources which cannot be avoided.
 - 5) The growth-inducing aspects of the proposed action including changes in net growth, additional land development, and related aspects.
 - 6) Projected impact on land development surrounding the proposal.
 - 7) A brief description of soil and erosion measures expected to be undertaken.
- f) Public Safety. An evaluation of the proposal as to the potential impact on the existing police and fire facilities which would service the area. Such evaluation should include the following:
- * Estimate of time and distance from nearest fire station in Town.
 - * Estimate of time and distance to nearest fire station which may assist from an adjoining town.
 - * Closest source of water supply and estimate of volume available.
 - * Estimate of additional demand requirements on existing facilities, including any possible change in the Volunteer Fire Department status.

- * Proposed water supply system and its impact on fire protection.
- g) Housing Impact. An evaluation of the proposal on the effects of the supply and cost of housing in the community, including the impact on the community's and/or region's need for low and moderate housing.
- h) Open Space. An evaluation of the existing and proposed open space areas which will serve the proposed development. Such evaluation shall include all pertinent information relating to ownership of such land, extent of development, availability to other Town residents, and provisions for maintenance and upkeep of this area.
- l) Other Commissions may request further information.

CHAPTER XIII - APPENDICES

Appendix 1	Conn. Gen. Stats. §1-1(q)
Appendix 2	Standard Details
Appendix 3	Ordinances Concerning Land Use Issues
Appendix 4	Declaration of Covenants and Restrictions
Appendix 5	Community Water Supply System
Appendix 6	Rainfall Intensity Chart
	Seelye Chart
	Time of Concentration
	Gutter Flow Analysis
	Flow Characteristic Curves
	Storm Sewer System Design
Appendix 7	Existing Street Improvement Scenarios
Appendix 8	As-Built Certificate Form
Appendix 9	Standard Agreement
Appendix 10	Application Form
Appendix 11	Compliance Form

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