

SUBDIVISION REGULATIONS

TOWN OF WOLCOTT, CONNECTICUT

OCTOBER 25, 1997
Revised January 2, 1998

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**SUBDIVISION REGULATIONS
OF THE
TOWN OF WOLCOTT, CONNECTICUT**

October 25, 1997

Revised January 2, 1998

PREAMBLE

These Regulations are the amended Subdivision Regulations of the Town of Wolcott, Connecticut, adopted by the Wolcott Planning and Zoning Commission under the provisions of Chapter 126 of the Connecticut General Statutes. These Regulations supersede regulations previously in effect, originally adopted on October 3, 1977 and subsequently amended.

It is declared that the principle objectives of the Planning and Zoning Commission are to regulate and control development of the Town; prevent the creation of situations that are detrimental to the health and general welfare of the Town, its residents and its landowners; to encourage the best possible land use; to preserve the Town's farmland, wildlife habitat, wetlands, watercourses and natural resources; and to conserve and preserve desirable open space.

The Commission considers land subdivision as not merely an aggregation of lots but as part of a plan for the orderly and coordinated development and growth of the Town. To that end, as mandated by the Connecticut General Statutes, these Regulations are adopted and provide that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health or safety; that proper provision shall be made for water supply, surface drainage and sanitary sewerage; that provision shall be made for adequate open spaces for parks and playgrounds and protection of wetlands; in areas adjacent to brooks, rivers and other lands subject to flooding, that proper provision will be made for protective flood control measures; and that the proposed roads are in harmony with existing roads, and existing or proposed principal thoroughfares shown on any plan of development for the Town, especially with regard to safe intersections, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs.

SECTION I – GENERAL PROVISIONS

- 1.1 Applicability: The Wolcott Planning and Zoning Commission hereby adopts these Subdivision Regulations, which shall apply to the subdivision and resubdivision of land within the Town of Wolcott, Connecticut. Any subdivision or resubdivision of land within the Town of Wolcott shall conform to the requirements of these Regulations. No subdivision or resubdivision of land shall be made by any person until an application for such subdivision or resubdivision has been submitted to and approved by the Wolcott Planning and Zoning Commission and a Record Subdivision Map therefore has been endorsed by said Commission as approved and thereafter filed by the applicant in the Office of the Wolcott Town Clerk.
- 1.2 Definitions: Certain words used in these Regulations are defined and explained as follows:
- 1.2.1 Applicant: The term "applicant" refers to the person, firm, corporation or other entity proposing a subdivision or resubdivision.
- 1.2.2 Application: The term "application" shall mean an application for the approval of a proposed subdivision or resubdivision submitted in accordance with these Regulations.
- 1.2.3 Area of Special Flood Hazard: The term defines the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.
- 1.2.4 Base Flood: This term is defined as the flood having a one percent chance of being equaled or exceeded in any given year.
- 1.2.5 Commission: The term "Commission" refers to the Wolcott Planning and Zoning Commission.
- 1.2.6 Improvement or Public Improvement: The terms "Improvement" or "Public Improvement" shall mean any change or alteration to the existing conditions of the subdivision site: a) for the purpose of complying with these Regulations, or any approval granted hereunder, or b) depicted on any Final Subdivision Plan approved hereunder, or c) 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 and drainage facilities; erosion and sedimentation control measures; buildings; earth filling or removal, seeding and grading; the establishment or construction of parks, playgrounds, recreational buildings, equipment, structures, fields, and similar facilities; and facilities designed to detain, redirect store, or treat storm water discharge.

- 1.2.7 Land: The term "Land" shall mean all real property, including improvements thereof and thereon, and all estates, interests, and rights therein of any kind or description, including, but not limited to, easements, rights-of-way and water and riparian rights, provided that these interests run with the subject real property.
- 1.2.8 Lot: The term "lot" is defined as: (1) a parcel or plot of land meeting the requirements of the Zoning Regulations of the Town of Wolcott and located on a Town maintained street; (2) a parcel of land which is owned separately from any adjoining lot or lots as evidenced by deed or deed recorded in the land records of the Town of Wolcott; or (3) building lot shown on a subdivision map approved by the Wolcott Planning and Zoning Commission and filed in the land records of the Town of Wolcott.
- a. Standard Lot: The term "standard lot" shall mean a lot meeting the minimum lot area and yard requirements for the zoning district in which the lot is located, as set forth in the Wolcott Zoning Regulations, currently under Article Four.
 - b. Interior Lot: The term "interior lot" shall mean a lot meeting the minimum lot area, access and yard requirements for an "interior lot" in the zoning district in which it is located, as set forth in the Wolcott Zoning Regulations, currently under Paragraph 4.2.1 of Article Four.
 - c. Open Space Lot: The term "open space lot" shall mean a lot meeting the area and yard requirements in open space subdivisions as set forth in the Wolcott Zoning Regulations, currently in Article Ten.
 - d. Open Space Subdivision: The term "open space subdivision" shall mean a subdivision or resubdivision planned and approved in accordance with the requirements of the Wolcott Zoning Regulations, currently set forth in Article Ten.
- 1.2.9 Maps and Plans: The following maps and plans as required by these Regulations shall have the following meanings:
- a. Site Development Plan shall mean the plan submitted in accordance with Section 3.2 of these Regulations showing the existing land conditions in relation to the proposed modifications to the land necessary to accommodate the development of the subdivision.
 - b. Record Subdivision Map shall mean the plan of the subdivision submitted in compliance with Section 3.3 of these Regulations and considered to be the official document to be filed in the Land Records of the Town of Wolcott, upon the approval of the Commission and endorsement by its Chairman or Secretary.

- c. Construction Plans shall mean the plans submitted in compliance with Section 3.4 of these Regulations and governing the construction of all proposed roads, drainage and other improvements, including all proposed regrading, cuts, fills, soil or rock removal and tree removal.
 - d. Grading, Sediment and Erosion Control Plan shall mean the necessary documentation submitted in compliance with Section 3.5 of these Regulations and prepared in accordance with the latest edition of the Connecticut Guidelines for Erosion and Sediment Control, the technical standards of the U.S.D.A. Soil Conservation Service and the Connecticut Department of Environmental Protection.
- 1.2.10 Open Space: The term "Open Space" includes, but shall not be limited to: land left in its natural, undisturbed state; agricultural land for which development rights have been assigned or otherwise permanently alienated; land areas and facilities for non-commercial, non-profit recreation; and similar land use areas for wildlife habitat, passive and active recreation, ground water recharge, scenic preservation, and the like.
- 1.2.11 Owner: The term "owner" shall mean the owner of record in the Land Records of the Town of Wolcott.
- 1.2.12 Person: The term "person" shall mean any individual, firm, corporation or other legal entity.
- 1.2.13 Street: The term "street" shall mean (a) an existing state highway as defined by Section 13a of the Connecticut General Statutes; (b) an existing public highway, street or road accepted by the Town of Wolcott by user or pursuant to Section 13a of the Connecticut General Statutes; (c) a proposed public highway, street or road in a subdivision or resubdivision for which a Record Subdivision Map has been approved by the Commission; and (d) streets laid out in accordance with Section 13a of the Connecticut General Statutes.
- 1.2.14 Subdivision and Resubdivision: Requirements applicable to subdivisions shall also apply to resubdivisions. The terms "subdivision" and "resubdivision" shall have the same meaning as defined in the Connecticut General Statutes, as may from time to time be amended. Chapter 126 of the 1958 Supplement to the Connecticut General Statutes as amended to January 1, 1993, defines these terms as follows:
- “Subdivision” means the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.

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

- a. For the purpose of definition of "subdivision", any lot, parcel, tract or acreage owned separately from an adjoining lot, parcel, tract or acreage on August 18, 1959 (the date on which subdivision regulations for the Town of Wolcott were originally adopted), as evidenced by deed or deeds recorded in the Office of the Wolcott Town Clerk, on or prior to said date, is considered to be a "tract" or parcel.
 - b. Any division of such tracts or parcels by recording or conveyance or filing of maps in the Office of the Town Clerk is considered to be an act of subdivision. When the total of such division equals three in number, from and after said date of August 18, 1959 and occurring over any period of time and in any sequence, a subdivision has been made within the meaning of Chapter 126 of the Connecticut General Statutes and is subject to these Subdivision Regulations.
 - c. The initial division of a tract or parcel into two parts for the purpose, whether immediate or future, of sale or building development, is not a subdivision under Chapter 126 and these Subdivision Regulations, but any additional division of either of such two parts is subject to these Regulations.
 - d. The recorded Record Subdivision Map need only show the part which is the third and any subsequent division of the tract. It is recommended, however, that all divisions be shown, to the degree practicable, on the Record Subdivision Map in order to clarify land records and property assessment records and to build up the available survey data in the Town.
- 1.3 Procedure: The Commission, in reviewing any proposed subdivision or resubdivision, and the person proposing a subdivision or resubdivision, shall follow the procedures hereinafter specified. The Commission shall not approve any subdivision or resubdivision unless it conforms to the standards hereinafter specified. The Commission may from time to time by resolution, adopt forms, policies and procedures for the administration of these Regulations.
- 1.4 Approval: Approval may be granted subject to conditions and safeguards necessary to carry out the letter and the purpose and intent of these Regulations and to protect the public health, safety and welfare and property values. No Record Subdivision Map of a subdivision or resubdivision shall be endorsed by the Commission to permit filing in the Office of the Wolcott Town Clerk until all conditions of approval have been met.

- 1.5 Effective Date: The date of endorsement as provided for under Paragraph 1.4 above shall be considered the effective date of approval for the purpose of determining the ninety (90) day mandatory filing date specified in Section 8-25 and the five year period for completion of all physical improvements to avoid expiration of approval of the subdivision or resubdivision as provided for in Section 8-26c of Chapter 126 of the General Statutes. Said ninety (90) day period within which the endorsed map shall have been filed in the Office of the Wolcott Town Clerk may be extended by the Commission for two additional periods of ninety (90) days and the approval shall remain valid until the expiration of such extended time.
- 1.6 Maps and Plan Approval: All applications, maps, plans, documents and data required by these Regulations in conjunction with a proposed subdivision or resubdivision shall be in such form as required by these Regulations and shall be subject to the acceptance and approval of the Commission.
- 1.7 Utilities: The Commission, supported by reports and recommendations from appropriate municipal boards and commissions, shall be the final authority as to whether a subdivision shall be provided with municipal water supply and/or sanitary sewage disposal. In the case of a subdivision to which sanitary sewers and/or water and/or electric and/or street lighting are to be furnished from a public source, all necessary mains, branch offsets to each lot, fire hydrants and street lighting equipment shall be installed in accordance with the specifications of the applicable corporation and/or municipal department and without cost to the Town.
- 1.8 Reserve Strips: The Commission shall not approve any proposed division of land which would create a parcel or strip of land between the boundary line of the tract and the end of a proposed through street. This provision shall not be so construed, however, as to prohibit the creation of a building lot between the boundary of the tract and the end of a proposed permanent dead-end street. This requirement shall be applicable to those streets proposed for immediate construction and those rights-of-way dedicated for future street extensions.
- 1.9 Improvement of Existing Town Streets: Where a subdivision or resubdivision, in the opinion of the Commission, requires large and/or untimely expenditures by the Town to improve its existing streets leading to and/or abutting the proposed subdivision or resubdivision to adequately serve the proposed development, the Commission shall disapprove the application for said subdivision or resubdivision until the Town Council and the Board of Finance have recommended and approved such expenditures. In the alternative, the Commission may approve said application subject to the condition that the applicant make said improvements to conform to minimum requirements of these Regulations and the Town of Wolcott Regulations Pertaining To The Construction And Acceptance Of Streets and the cost of said improvements to be covered by a Performance Bond in an amount and with surety satisfactory to the Town Council and the Commission and in a form approved by Town Attorney.

- 1.10 Professional Responsibility: All technical work done in conjunction with the submission of subdivisions shall be in accordance with the Rules and Regulations of the State Board of Registration for Professional Engineers and Land Surveyors, effective Oct. 1, 1976. The technical responsibilities of the registered Professional Engineer and the Land Surveyor in regard to subdivision work are specified in Section 20-300-10a of the above document and are as follows:
- a. 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 Statutes and as such shall be sealed by a registered land surveyor. A professional engineer's seal or an architect's seal is not acceptable.
 - b. 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, currently practicing civil engineering. A land surveyor's seal or an architect's seal is not acceptable for this phase of land subdivision design work.
- 1.11 Authorization of Construction: Construction and installation of roads, drainage, sewers, and other improvements to comply with the requirements of these Regulations shall not be deemed authorized and shall not be commenced until the proposed subdivision or resubdivision has been approved and the Record Subdivision Map has been endorsed by the Commission. In lieu of the above, Start of Work may be authorized by the Commission as provided for under Paragraph 2.5.13 herein.
- 1.12 Supervision of Construction: All construction and installation of roads, drainage and other improvements required by these Regulations shall be subject to inspection by the Town Engineer or his authorized agent. The Town Engineer may establish such rules and procedures as are necessary for the proper inspection of construction.
- 1.13 Penalties: Anyone making any subdivision of land after the adoption of these Regulations without the approval of the Commission is subject to penalties provided by the Connecticut General Statutes. Chapter 126 of the Statutes specifies that any person, firm or corporation making any subdivision of land without the approval of the Commission shall be fined not more than five hundred dollars for each lot sold or offered for sale or so subdivided. The Town of Wolcott may seek other lawful remedies to uphold the purpose and intent of these Regulations.

SECTION II - APPLICATION REQUIREMENTS AND PROCEDURE

- 2.1 **Presentation:** All formal applications, map, plans, documents and data required by these Regulations shall be filed with the Planning and Zoning Office prior to a regularly scheduled meeting of the Commission or may be presented to the Commission at a regularly scheduled meeting of the Commission. A schedule of regular Commission meetings is on file with the Town Clerk. Any such material may also be transmitted by mail or may be presented to the Chairman or Secretary of the Commission or at a Commission meeting other than a Regular Meeting. Sec. 8-26b of the General Statutes provides that such materials shall be considered formally submitted on the first regularly scheduled meeting of the Commission following the date of presentation, unless otherwise voted by the Commission.
- 2.2 **Informal Preliminary Considerations:** The Planning and Zoning Commission recommends that, prior to submission of a formal application for approval of a subdivision, the applicant prepare and present a preliminary plan of the subdivision for informal discussion with the Commission, the local health authority and, when appropriate, the Inland Wetlands Commission. Presentation of a preliminary plan is recommended to facilitate general consideration of factors and problems affecting development of the land to be subdivided before the applicant proceeds with formal application and the preparation of final map, plans, and documents required for formal consideration by the Commission. If the plan is presented in preliminary rather than in final form, any alterations or changes recommended by the Commission may be made more readily and economically by the applicant. Neither the preliminary plan nor the informal consideration by the Commission, however, shall be deemed to constitute any portion of the official and formal procedure of applying for and approving subdivisions of land under the provisions of the General Statutes of the State of Connecticut. The Informal Preliminary Consideration procedure shall in no way bind, bar nor estop the Commission from taking any action it deems appropriate and making any decisions it deems advisable upon the filing of a formal application.
- 2.2.1 **Preliminary Plan:** The preliminary plan should show sufficient information to allow the Commission to make a general planning review under the standards of these Regulations. The Commission recommends that the preliminary plan be drawn at a scale of not less than 100 feet to the inch and should indicate at minimum existing and proposed property lines, proposed lots, existing and proposed drainage, designated inland wetlands and regulated areas, water courses, ponds, swamps and existing contours from available sources on USGS maps, existing buildings, principal wooded areas, rock outcrops and preliminary grading and spot elevations on proposed roads at intersections and changes in grade. Information should extend a reasonable distance beyond existing property lines and should include all land of the applicant. Six (6) paper prints of the preliminary plan should be submitted.

- 2.2.2 Informal Review and Discussion: The Commission may hold an informal discussion meeting with the applicant. Whether or not the Commission meets with the applicant to discuss the preliminary plan, within sixty-five (65) days after receipt of the preliminary plan, the Commission will advise the applicant of any recommended improvements or changes in order to guide the applicant in preparing maps and plans for formal subdivision application.
- 2.3 Formal Application Requirements: In order to make formal application for approval of a subdivision, and before the Commission shall formally consider any proposed subdivision, the applicant shall submit the following:
- 2.3.1 Application: Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission and signed by the applicant or his lawful agent; if the subdivision is proposed by a person, firm, or corporation other than the owner of the land to be subdivided, the application shall also be signed by the owner or his lawful agent.
- 2.3.2 Application Fee: An application fee of \$25.00 for each lot shown on the RECORD SUBDIVISION MAP shall accompany the application but in any event the minimum fee for each application shall be not less than \$50.00. All application fees shall be made payable to the Town of Wolcott. The Commission, by resolution, may waive the fee required for resubmission of an application disapproved by the Commission within the previous 90 days. An additional inspection fee as provided for under Paragraph 2.5.10 below shall be paid upon approval of the application and prior to the endorsement of the RECORD SUBDIVISION MAP.
- 2.3.3 Site Development Plan: A SITE DEVELOPMENT PLAN shall be submitted with the Application and shall conform to all of the requirements of SECTION 3.2 of these Regulations. In the following instances, the Commission, in its sole discretion, upon written request of the applicant, may waive the requirement to submit a Site Development Plan:
- a. a resubdivision; or
 - b. a subdivision of not more than five (5) lots, none of which are interior lots, all fronting on an existing street.
- 2.3.4 Record Subdivision Map: A RECORD SUBDIVISION MAP shall be submitted with the Application and shall conform to all the requirements of SECTION 3.3 of these Regulations.
- 2.3.5 Construction Plans: Construction plans of all streets and related improvements, including grading, shall be submitted with the application and shall conform to all the requirements of SECTION 3.4 of these Regulations.

- 2.3.6 Sediment and Erosion Control Plan: A Sediment and Erosion Control Plan meeting the standards of Section 3.5 of these Regulations and in compliance with the Connecticut General Statutes shall be submitted with the Application, for certification by the Commission. Said Plan shall comply with these Regulations and the minimum acceptable standards established in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended from time to time. A Soil Erosion and Sediment Control Plan shall be submitted with any application for development where the disturbed area of such development is cumulatively more than one-half acre. The Commission may waive the submission of said Plan when the applicant represents in written form that no grading is proposed other than minor grading below the one-half acre area threshold and that the removal or disturbance of the natural topsoil, trees and other vegetative covering is not necessary to the installation of subdivision improvements.
- 2.3.7 Technical Report: Six (6) copies of a technical report shall be submitted with the Application, presenting pertinent survey data and construction design computations for proposed improvements including, but not limited to, streets, drainage and driveways, which report shall also include the following:
- a. the proposed method of providing public sanitary sewer service;
 - b. when subsurface sewage disposal systems are proposed, the applicant shall have deep pit and percolation tests performed in the area of each proposed septic system under the supervision of the Chesprocott Health District and shall submit the results of the soils tests taken together with a statement from the health authority approving the subdivision for private sewage disposal systems;
 - c. the proposed method of providing water supply, including the proposed location of any on-site wells. If public water supply is to be provided, evidence shall be submitted that application has been made for extension of service and that satisfactory water supply, pressure and service are available to serve the proposed subdivision;
 - d. A Stormwater Management Plan per the standards, performance criteria, and guidelines outlined in the Connecticut Stormwater Quality Manual, 2024 (CSQM), as well as other local, state and federal stormwater requirements, satisfactory to the Commission, with offsite easement and drainage rights included. **(effective 3/3/25)**

- 2.3.8 Connecticut Department of Transportation Permit: Where a proposed subdivision street or storm drain joins with a State Highway, the applicant shall obtain evidence of application for a permit for such connection from the Connecticut Department of Transportation and shall present a copy of such evidence of application to the Commission.
- 2.3.9 Inland Wetlands Agency License: When any portion of the land on which the subdivision or resubdivision is proposed contains regulated inland wetlands and/or watercourses, as defined in the Inland Wetlands and Watercourses Regulations of the Town and confirmed by field delineation by a Soils Scientist, the applicant shall file an application with the Wolcott Inland Wetlands and Watercourses Commission, including a copy of the Subdivision Application and maps, no later than the day such Application is filed with the Commission. A license for the proposed activity must be received by the Commission prior to final action by the Commission.
- 2.3.10 Other Information: In accordance with Sec. 8-3i of the General Statutes, when any portion of the land on which the subdivision or resubdivision is proposed is within the watershed of a water company, as defined in Sec. 25-32a of the General Statutes, the applicant shall submit evidence that said water company has been provided with written notice of the Application within seven (7) days of the date of the Application.
- 2.4 Additional Requirements: Upon receipt, the Commission shall make a cursory initial review of the Application and information submitted under Paragraph 2.3. The Commission may, by resolution, also require the submission of additional information as follows for further review by the Commission or their authorized agent:
- 2.4.1 Groundwater Management Plan: If seasonal groundwater elevations could affect the structures, sewage disposal systems or roadways; a system of underdrains shall be shown on the plans.
- 2.4.2 Additional Evidence: Additional evidence shall be submitted to establish to the satisfaction of the Commission that the land to be subdivided is of such character: that it can be used for building purposes without damage to health or public safety; that proper provision will be made for water drainage and sewerage; that proper provision will be made for protective flood control measures in areas contiguous to brooks, rivers or other bodies of water subject to flooding; that open spaces for parks and playgrounds will be established in places deemed proper by the Commission; and that any proposed street shown on the subdivision plan is compatible with existing or proposed streets shown on the Plan of Development and will be constructed in accordance with the Town Regulations Pertaining To The Construction And Acceptance Of Streets.

- 2.5 Formal Consideration: After the above application requirements have been met, the Commission shall follow the procedures hereafter specified.
- 2.5.1 Review: The Commission shall give consideration to the proposed subdivision or resubdivision and shall determine whether the maps and Plans and accompanying certificates and documents conform to the requirements of these Regulations. If the Commission determines that the application maps and information provided are seriously deficient and/or technically incorrect in several areas, in lieu of immediate denial for revision, correction and resubmission, the Commission may allow the applicant to pay an additional fee to offset the cost to the Town and the Commission for additional technical review. The Commission may request the submission of such additional information as is needed to make a reasonable review of the proposed subdivision in accordance with the policy and requirements of these Regulations. Failure to submit a complete Application will be cause for disapproval of the Application.
- 2.5.2 Referrals: In accordance with Sec. 8-26b of the General Statutes, when a subdivision is proposed, the area of which will abut or include land in an adjoining municipality, the Commission shall submit a copy of the maps and plans to the Central Naugatuck Valley Regional Planning Agency at least 30 days before approving the subdivision. The report of such Agency shall be purely advisory. Referrals shall also be made to other governmental bodies, as applicable, under the provisions of Sec. 8-26f of the General Statutes.
- 2.5.3 Hearing: The Commission may hold a public hearing regarding the subdivision Application if, in its judgment the specific circumstances require such action. The Commission shall hold a public hearing on any Application for a resubdivision. Notice of any public hearing shall be given as required by law. Whether or not a public hearing is held, every applicant shall be afforded the opportunity to appear before the Commission to discuss the Application before final action by the Commission. The Commission shall notify the applicant of the date, time and place of the meeting of the Commission at which the Final Subdivision Plan is to be considered at least three (3) days prior to said meeting. The applicant or his authorized representative should attend said meeting.
- 2.5.4 Timing of Decision: The Commission shall approve, modify and approve or disapprove any subdivision application or any map, plan, certificate, document or data submitted therewith within 65 days after the public hearing thereon or, if no public hearing is held, within 65 days after the official date of submission thereof, unless the applicant consents in writing to an extension of the period, not to exceed a further period of 65 days. If the Commission requests the submission of additional information such as under Paragraph 2.4, such information shall be submitted within the 65-day period. Failure to submit the requested information will be grounds for disapproval of the application. If said application requires an approval by the Inland Wetlands and Watercourses Commission, the Commission shall not render a decision until after receipt of said Inland Wetlands approval.

2.5.5 Approval: After the public hearing, if any, or after the meeting afforded the applicant, the Commission:

- a. shall approve the subdivision or resubdivision application if the Commission shall find that said Application, maps, plans, documents and data submitted therewith conform to the requirements of these regulations; or
- b. may modify and approve said Application, maps, plans, documents and data submitted therewith, if the Commission finds that the Application, if modified in accordance with the Commission's directions, will conform to the requirements of these Regulations, providing that nothing herein shall be construed as imposing a requirement upon the Commission to modify a pending Application, and any such modification shall be in the sole discretion of the Commission; or
- c. shall disapprove said Application, maps, plans, documents and data, if the Commission shall find that the same do not conform to the requirements of these Regulations.

2.5.6 Conditions: The Commission may impose stipulations on the approval of any application for subdivision or resubdivision and all approvals shall be conditioned upon the applicant's presentation and recording of any deeds or easements, in the form prescribed in Paragraph 2.5.8 hereof, required by the Commission, payment of the applicable inspection fee and upon the applicant's execution and filing of a performance bond, in the form prescribed in Paragraph 2.5.9 hereof, guaranteeing the completion of any required improvements within the period allowed by the General Statutes. Approvals of applications which have been modified by the Commission shall be conditioned upon the applicant's implementation of the Commission's modifications. The applicant shall comply with all such conditions of approval within 90 days of the date of action of the Commission. Failure to do so shall render the approval null and void. The Commission, at its sole option, may extend this 90 day period for good cause shown or to accommodate the applicant's request to initiate construction of subdivision improvements prior to recording of the Record Subdivision Map.

2.5.7 Notice: Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the Town of Wolcott and addressed by certified mail to any person applying to the Commission, by its secretary or clerk, under his signature in any written, printed, typewritten or stamped form, within fifteen (15) days after such decision has been rendered. Such notice shall be a simple statement that such application was approved, modified and approved or disapproved, together with the date of such action. The failure of the Commission to act thereon shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand, provided that an extension of time not to exceed a further period of sixty-five (65) days may be had with the consent of the applicant. The grounds for its action shall be stated in the records of the Commission.

- 2.5.8 Easements and Deeds: Any open spaces for parks, playgrounds, conservation and recreation to be dedicated to the Town or any other public or non-profit organization and any easements for storm drainage, water supply, sanitary sewers, streets or public rights-of-way shall be confirmed by written deeds and easements with complete descriptions. Said deeds and easements shall be in a form satisfactory to Town Attorney and shall, when required by the Commission, be accompanied by a map or survey of the property subject to the conveyance, in a form acceptable for recording in the land records. Written descriptions shall contain appropriate references to said maps or surveys and the Record Subdivision Map. Unless specifically waived by the Commission, all conveyances to the Town, hereunder, shall be by Warranty Deed, accompanied by a Certificate of Title. The applicant shall bear the cost of all recording fees.
- 2.5.9 Performance Bond: The applicant shall file a bond with the Commission, said bond to be in an amount and with surety and conditions satisfactory to the Commission, securing to the Town of Wolcott the actual construction, installation, and completion of all improvements in accordance with these Regulations and to the satisfaction of the Commission or Town Council, including without limitation, streets, drainage, placing of monuments and so forth, within the period allowed by the General Statutes. Said bond shall be irrevocable and shall be in form and amount and with a surety acceptable to the Commission and Town Attorney and shall be either a Letter of Credit from a suitable Connecticut bank or shall be a cash bond. If the Commission at any time should determine that the posted bond has, for any valid reason, become invalid or inadequate, no further zoning permits shall be issued on any lots until all required work in connection with such subdivision has been completed or another appropriate and acceptable bond has been filed with the Commission.
- 2.5.10 Inspection Fee: The applicant shall pay an inspection fee to cover the costs associated with Town inspection of construction throughout the construction period. The amount of said fee shall be calculated at 1.5% of the total subdivision improvement costs, as approved by the Commission on the advice of the Town Engineer, and including the costs of soil sediment and erosion control measures and the time escalation factors associated with the time period of construction. Any cost items associated with work covered by permits from other municipal departments may be excluded, provided said permit fees account for the necessary municipal inspections. Said fee shall be made payable to the Town of Wolcott and shall be paid before authorization of any site construction activity. Said fee shall not be refundable for any reason whatsoever.

- 2.5.11 Right of Entry for Correction of Violations: The applicant shall file a written agreement executed by the owner of the premises and the applicant in a form approved by Town Counsel which permits the Town of Wolcott or its designee to enter upon the premises and to perform all work necessary to correct and abate any violations of these Regulations and of stipulations which the applicant has made and failed to execute within the required time. Such right of entry shall arise upon the certification of such violation(s) by the Planning and Zoning Commission or its qualified engineer designee and shall continue for such time thereafter as is required for the Town or its designee to remedy such default.
- 2.5.12 Endorsement and Filing of Record Subdivision Map: The Commission shall not endorse the Record Subdivision Map to permit filing with the Town Clerk until all conditions of approval have been met, all required easements and deeds have been presented, all required subdivision improvements have been completed in accordance with the plans as approved or an acceptable performance bond in lieu thereof has been filed with the Commission and the statutory 15 day appeal period has expired. Upon the satisfaction of all conditions and Modifications imposed by the Commission in approving an Application for subdivision or resubdivision, including the posting of acceptable performance surety, and promptly after the time for taking an appeal from the action of the Commission has elapsed, the Chairman or Secretary of the Commission shall endorse approval on the Record Subdivision Map which shall then be delivered to the applicant for filing or recording by the applicant in the Office of the Town Clerk within 90 days of the date such plan is delivered to the applicant. Any endorsed Record Subdivision Map not so filed or recorded within said 90 days shall become null and void, except that the Commission may extend the time for such filing for two (2) additional periods of ninety (90) days and the plan shall remain valid until the expiration of such extended time. Filing and recording fees shall be paid by the applicant. The Record Subdivision Map shall not be so filed or recorded until it has been so endorsed, and the filing or recording without such endorsed approval shall be void. The date of endorsement for the Record Subdivision Map shall be noted on the Map by the Chairman or Secretary of the Commission and said date shall constitute the date from which is measured the five year period allowed under Sec. 8-26c of the General Statutes for completion of work. Said five (5) year expiration date shall also be noted on the Record Map. The endorsed Record Subdivision Map, and any other maps and plans showing modifications upon which final approval of the application for subdivision or resubdivision was conditioned, shall constitute the approved subdivision or resubdivision.

2.5.13 Start of Work: No work of any kind, including but not limited to construction, grading, paving, and so forth, shall be commenced on improvements included in an application for subdivision or resubdivision, nor shall any permit (including but not limited to, zoning, building, driveway and sanitation) for such improvements be issued until the Record Subdivision Map has been endorsed and filed or recorded as prescribed in this Section. In lieu of endorsement and recording of the Record Subdivision Map, the Commission, at the written request of the applicant, may allow the applicant to commence work in accordance with the approved plans subject to the following:

- a. The applicant shall post a site protection and restoration bond in an amount and surety acceptable to the Commission, adequate to cover the installation and maintenance of all sedimentation and erosion measures and/or to allow for restoration and restabilization of the property should the subdivision be abandoned. In no event shall said bond be less than 15% of the full performance surety bond that would otherwise have been required. In addition, the applicant shall pay the required inspection fee as provided for in Paragraph 2.5.10 herein.
- b. There shall be no removal of materials of any kind from the site without the specific approval of the Commission.
- c. The applicant shall provide the Commission with all necessary easements concerning off-site drainage and other off-site considerations.
- d. The applicant shall file the written right of entry agreement stipulated under Paragraph 2.5.11 above.
- e. The applicant shall adhere to all administrative rules and procedures regarding notifications and inspections of the site improvements in progress, as though the project were fully bonded and recorded.
- f. Receipt of written authorization for the work from the Commission.

At such time as the applicant may wish to record the approved, Record Subdivision Map, a performance surety bond shall be posted in an amount based upon an estimate, prepared by the Town Engineer, of the value of the remaining work, in accordance with Paragraph 2.5.9, which estimate shall be reviewed and approved by the Commission. Under no circumstances shall this amount be less than the required 15% maintenance bond value. In addition, the applicant shall furnish all remaining easements and deeds as provided under Paragraph 2.5.8 above. Notwithstanding the above, no Zoning Permit shall be issued on any residential lot until the Record Subdivision Map has been recorded and the subbase of road construction necessary to access said lot has been installed to the satisfaction of the Town Engineer. Further, no Certificate of Zoning Compliance to permit the occupancy of any residence shall be issued until the base course of pavement has been installed on all roads necessary to provide convenient, all-weather access to such residence.

2.5.14 As-Built Plans: Upon the completion of any improvements included in an approved Application for subdivision or resubdivision, the applicant shall file with the Commission construction plans, meeting the Standards of Section 3.4, showing the streets, drainage and other subdivision improvements "as-built" and also showing the location of any sanitary sewers, water mains and/or underground electric and telephone utilities. The applicant's land surveyor and/or engineer shall sign and seal said plans, certifying that all of the required improvements have been completed in the location and at the elevations shown thereon. In lieu of such submission, the applicant's land surveyor and/or engineer may update and certify the mylar construction plans submitted under Section 2.3.5 and approved by the Commission. Such filing shall also include a certification, signed and sealed by a land surveyor and/or engineer licensed to practice in the State of Connecticut that such surveyor and/or engineer has inspected all construction work and all improvements have been completed in accordance with plans and specifications approved by the Commission.

2.5.15 Release of Bond: Before the release of the performance bond provided for in Section 2.5.9 of these Regulations:

- a. the roads, road improvements, road drainage and other utility systems shall have been inspected and approved by the Commission and/or the Town Engineer;
- b. Evidence of final acceptance of water and sewer facilities by the Sewer and Water Commission shall be provided;
- c. all other improvements in the subdivision or resubdivision shall have been inspected and approved by the Commission;
- d. "as-built plans" shall have been filed with the Commission pursuant to Section 2.5.14 and approved by the Town Engineer and the Commission;
- e. the applicant shall execute and file with the Town of Wolcott a maintenance bond as described in Section 2.5.17 below;
- f. the applicant shall provide written certification from a licensed professional engineer certifying that all improvements have been completed in compliance with the approved plans and the Town of Wolcott Regulations;
- g. the Town Attorney shall submit a letter recommending acceptance of the improvements;
- h. Evidence of Town Council acceptance of all public improvements shall be provided.

2.5.16 Partial Release of Bond: The applicant may request a partial release of a performance bond, in accordance with the Commission's "Bond Release Policy For Subdivisions". When and if the Town Engineer determines that a particular Stage of work on the public improvements as called for in the final plans approved by the Commission has been completed, he may recommend the partial release of that portion of the bond, the balance of which shall be sufficient to guarantee completion of the public improvements. Each such partial release must be approved by the Commission upon recommendation of the Town Engineer. In no event shall a bond be released below 15% of the actual cost of improvements.

2.5.17 Maintenance of Improvements: The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks, trash removal and other services, if required, until acceptance of said improvements by the Town of Wolcott.

- a. Maintenance Bond: The applicant shall be required to file a Maintenance Bond with the Town prior to dedication, in order to assure the satisfactory condition of the required improvements, for a period of one (1) year after the date of their acceptance by the Town. The Maintenance Bond shall be in an amount equal to 15% of the cost of improvements and shall be in a form and with surety acceptable to the Commission.
- b. Release of Maintenance Bond: Before the final release of the Maintenance Bond, the Town Engineer shall submit a letter to the Commission approving all improvements and recommending release of the Maintenance Bond.

SECTION III - STANDARDS FOR MAPS AND PLANS

- 3.1 General: The maps and plans required by these Regulations shall show the information and be prepared in accordance with the standards hereinafter specified. All such maps and plans shall be prepared and shall bear the name and seal of a land surveyor or engineer and shall include the following information:
- 3.1.1 The Title of the Map.
 - 3.1.2 The name of the subdivision, which shall not duplicate or too closely approximate the name of any previous subdivision in the Town.
 - 3.1.3 The name and address of the owner of the land to be subdivided and the name and address of the applicant, if different from the owner.
 - 3.1.4 Date, scale, true north point, Town and State.
 - 3.1.5 As required by Paragraph 1.10 entitled PROFESSIONAL RESPONSIBILITY, the seal of the responsible Professional Engineer or Land Surveyor, as appropriate.
 - 3.1.6 Location map, accurately drawn to a scale of 1" = 800", consisting of a reproduction of a portion of the Town's base map, indicating the relation of the proposed subdivision and proposed streets to the existing street system, including if practical, closest intersection of existing streets.
 - 3.1.7 In the event the proposed subdivision is of such size as to require more than one sheet, an Index or Key Map shall show the entire subdivision with lots, lot numbers, streets, street names, and delineation of areas covered by each section or sheet. A generalized version of said key map shall be incorporated onto each sheet.
- 3.2 Site Development Plan: The Site Development Plan shall be drawn to a scale of not less than 1" = 100'. The plan shall show existing land conditions and the proposed layout of the subdivision, including lots, streets and improvements for the proposed subdivision or resubdivision and a tentative layout of all contiguous land of the owner that may be subdivided in the future. The purpose of the plan is to allow the Commission to complete a general planning review of the proposed subdivision or resubdivision including its relationship to the future subdivision or resubdivision of contiguous land of the owner. Four (4) blue line or black line prints shall be submitted. The plan shall show at least the following information.
- 3.2.1 Information applicable to all maps and plans as described in Paragraph 3.1 above.

- 3.2.2 Existing and proposed property lines and street lines, including all contiguous land of the applicant; adjoining property lines and street lines and existing structures within a distance of 200 feet from the property of the owner; and names of all adjacent subdivisions or property owners as shown on the current records of the Tax Assessor.
- 3.2.3 Existing and any proposed relocation of water courses and streams whether intermittent or continuous flowing (if such relocation requires the approval of the Connecticut Department of Environmental Protection, said approval must accompany formal application); existing and proposed ponds, and drainage easements and rights-of-way; the location and limits of all swamps, floods plains, and other land subject to potential flooding; conservation areas; and any designated inland wetlands as shown on the "Inland Wetlands and Water Courses Map" of the Town of Wolcott, confirmed or refined by field investigation by a certified Soils Scientist.
- 3.2.4 Existing topography with contours at an interval not exceeding two (2) feet based on field or aerial survey. The datum for all elevations shall be U.S.G.S.
- 3.2.5 Proposed lots and lot numbers; existing and proposed open spaces for parks, open space, playgrounds, conservation and recreation areas.
- 3.2.6 Existing permanent buildings and structures.
- 3.2.7 Principal wooded areas and the approximate location of any large isolated trees; any ledge outcrops and existing stone walls and fences within the subdivision.
- 3.2.8 Dimensions of all proposed property and street lines; lot area and the total acreage of land to be included in the proposed subdivision and resubdivision; total area of roads; and areas of open space.
- 3.2.9 Proposed width of all streets, rights-of-way and easements; the proposed width of all pavement; and proposed street names.
- 3.2.10 Existing and proposed monuments; municipal boundary lines; and the Zoning District in which the parcel is situated and any zoning district lines or municipal boundary lines.
- 3.2.11 Existing and proposed storm drains, catch basins, manholes, ditches, water courses, headwalls, sidewalks, gutters, curbs and other structures; and existing and proposed water mains, sanitary sewers and related facilities.
- 3.2.12 Spot elevations on both existing and proposed roads to indicate tentative grading of roads.

- 3.2.13 Proposed lot development for each lot within the subdivision, including building setback lines, locations of house, garage, driveway, the approximate location of any seepage test holes, test pits and borings, including test results; locations proposed for water supply well sites; and the location and dimensions of the disposal systems and the reserve area for future fields.
- 3.2.14 Proposed grading showing proposed two (2) foot contours along all proposed roads and in other areas proposed for regrading by excavation or filling; and the limits of any areas proposed to be preserved and protected from excavation or filling.
- 3.3 Record Subdivision Map: The Record Subdivision Map shall be prepared with an accuracy meeting or exceeding standards for a Class A-2 property survey as defined by the Connecticut General Statutes, Sec. 20-300b, as amended, STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT as published by the Connecticut Association of Land Surveyors, Inc. The map shall be clearly and legibly drawn and shall be submitted on good quality mylar or on other materials that would be suitable for filing in the public Land Records on sheets having a size prescribed by Section 7-31 of the Connecticut General Statutes, as amended and as the same may, from time to time; be amended. The Record Subdivision Map shall preferably be drawn to a scale of 1" = 40' but in no case smaller than 1" = 100'. In addition, an additional mylar copy of the Record Subdivision Map and four (4) blue line or black line prints of the map shall be presented to the Commission. The map shall show the following:
- 3.3.1 Information applicable to all maps and plans as described in Paragraph 3.1 above.
- 3.3.2 Existing and proposed property and street lines including adjoining property lines, street lines within a distance of 200 feet from the proposed subdivision or resubdivision; and the names of all adjacent subdivisions or property owners from current Assessor's records.
- 3.3.3 Dimensions on all existing and proposed property and street lines to the hundredth of a foot; all bearings on all straight lines, and the central angle, tangent distance, length and radius of all arcs; and dimensions along property lines to the centerline of intersecting water courses and streams.

- 3.3.4 Proposed lots and lot numbers; existing and proposed open spaces for parks, stream protection and other open space, conservation and recreation; the square footage and acreage of all lots including areas of wetlands and of contiguous upland soils; area of open spaces; and the total acreage of land included in the subdivision or resubdivision. All lots shall be numbered beginning with the numeral "1" and shall continue consecutively throughout the entire subdivision with no omissions or duplications. No fractions or letters shall be used unless necessary for clarity in a resubdivision. Continuous subdivisions or resubdivisions having the same name shall not duplicate numbers but shall continue the sequence of the numbers used previously for the contiguous subdivision or resubdivision. All lot numbers shall be conspicuous and noted on the map in the approximate center of the lots.
- 3.3.5 Existing and any proposed relocation of water courses and streams, whether intermittent or continuous flowing (including a Department of Environmental Protection Permit, if appropriate); wetland boundaries; existing and proposed ponds, and easements and rights-of-way; the location and limits of all easement or reservation areas for the protection of wetlands, swamps, flood plains and other land subject to potential flooding, and conservation areas; and the limits of any areas to be reserved or protected from excavation or filling.
- 3.3.6 Existing permanent buildings and structures.
- 3.3.7 The width of all streets, rights-of-way and easements; street names.
- 3.3.8 Existing and proposed monuments, the survey relationship of proposed streets to nearby monumented Town streets, State highways or U.S.G.S. points, wherever practical, and any Municipal Boundary Lines.
- 3.3.9 If proposed lots are not to be served by the Town of Wolcott Sanitary Sewer system, the notes: "Lots _____ approved for building with Sewage Disposal Systems provided in accordance with the State of Connecticut and the Town of Wolcott Sanitary Regulations in effect at time of application"; "Lots _____ approved for building with Sewage Disposal Systems in accordance with the State of Connecticut and Town of Wolcott Sanitary Regulations if effect at time of application and designed by a licensed engineer"; "Lots _____ disapproved"; and the words "Approved by the Chesprocott Regional Health District" with a designated place for the signature of the Director and the date of signing.
- 3.3.10 The certification, signature and seal of the registered Land Surveyor.
- 3.3.11 The words "Approved by the Wolcott Planning and Zoning Commission" with a designated place for the signature of the Chairman or Secretary, and date of signing and including the mandatory date on which all work on the subdivision must be completed.

3.4 Construction Plans: Construction plans for all proposed roads, drainage and other improvements shall be submitted on good quality mylar or on other materials that would be suitable for filing in the public Land Records along with four (4) blue line or black line prints. Plan and profile drawings of all proposed streets, storm drains, sanitary sewerage and water systems, gas and electric utility service lines, street lighting, catch basins, sedimentation basins, manholes, ditches, tree planting, signs, water courses, headwalls, sidewalks, gutters, curbs and other structures shall be submitted on good quality plan-profile mylar sheets, or on other materials that would be suitable for filing in the public Land Records, and shall be drawn to a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'. Profile drawings and elevations shall be based on U.S.G.S. benchmarks or other permanent benchmarks approved by the Commission; the benchmarks used shall be noted on the plan. When multiple sheets are required, appropriate match lines shall be indicated. Plan profile drawings shall show the following information in accordance with good engineering practice and appropriate for the particular subdivision:

3.4.1 Information applicable to all maps and plans as described in Paragraph 3.1 above.

3.4.2 For streets, the existing grades at the center line and both street lines and the proposed grade at the center line, at intervals not exceeding 50 feet; street lines and edge and width of pavement; sample street cross sections; and existing and proposed contours at intervals of 2 feet within a minimum of 50 feet of the street lines both sides or 25 feet beyond the limits of grading, whichever is greater. In areas of steep topography and/or cuts or fills exceeding five (5) feet, at the discretion of the Town Engineer, supplementary grading plans shall be submitted, at a scale of 1" = 40', showing existing and proposed grades, including grading proposed to achieve necessary driveway access to each abutting lot.

3.4.3 All roadways and easements shall be stationed along their center lines. At intersecting roadways, the starting station for the side road shall be the point at which the side road centerline intersects the main road center line. Centerline geometry shall be indicated, including length, radius and central angle of all curves and bearings of all tangent sections.

3.4.4 All intersections with existing roadways shall have plan, profile, and typical sections of existing roadway each side of the intersection, and the sight distances shown in accordance with standards acceptable to the Town Engineer.

3.4.5 If requested by the Commission or Town Engineer, detailed grading plans at street intersections.

3.4.6 Depth, invert, slope, size, and type of all pipes, culverts, ditches, manholes, catch basins, headwalls and water courses; typical ditch and water course cross sections. Top of frame elevations and station-offset for all structures. The Commission may require additional water course cross sections both upstream and downstream in order to review hydraulic conditions.

- 3.4.7 Location of lot lines intersecting the street line; lot numbers and street names.
- 3.4.8 Sidewalks, curbs, gutters and special structures.
- 3.4.9 Detail drawings of all items not included in the Town of Wolcott **Regulations Pertaining To The Construction and Acceptance of Streets**, Including any bridges, box culverts, deep manholes, and other special structures.
- 3.4.10 The station-offset for all proposed monuments shall be shown.
- 3.4.11 Method of erosion control during construction.
- 3.4.12 Street lighting plan, location of street trees and kind and location of street signs.
- 3.4.13 Signature and seal of a professional engineer licensed to practice civil engineering in Connecticut
- 3.4.14 The words "Approved by the Town Engineer, Town of Wolcott" with a designated place for the signature of the Town Engineer and date of signing.
- 3.4.15 The Commission may require additional technical assistance in evaluating an application submitted or a modification to an application, if it finds that the nature and intensity of the activity may constitute a significant impact to the Town of Wolcott and that the expertise required to review such application is outside that of the Commission. The expense of the additional technical assistance shall be estimated by the Commission, or its agent, and the estimated cost of reviewing the application times one hundred fifty percent (150%) shall be paid by the applicant and deposited with the Commission or its designated agent. Such deposit shall be made prior to review of the application, or at any time during the review process.

Upon completion of the technical review and final action by the commission on the application, the Commission shall determine the costs incurred for the review and refund any excess monies to the applicant. Applicants shall not be responsible for costs incurred for technical assistance which exceed one hundred fifty percent (150%) of the Commission estimate.

- 3.5 Sediment and Erosion Control Plan: The entire area of the subdivision shall be shown on the Sediment and Erosion Control Plan depicting the proposed regrading, cuts, fills, soil or rock removal and tree removal. The Plan shall be drawn on good quality mylar or other materials that would be suitable for filing in the public Land Records to the same scale as the Record Subdivision Map. Contours and elevations shall be based on the same benchmarks as provided in Section 3.4. The Plan shall be accompanied by a narrative, describing the development schedule for the various activities, design criteria, construction details and procedures, and an operations and maintenance program. In addition to the mylar tracing, four (4) blue line or black line prints shall be submitted. The Sediment and Erosion Control Plan may be combined with the Site Development Plan with the concurrence of the Town Engineer and shall show at least the following information:
- 3.5.1 Information applicable to all maps and plans as described in Paragraphs 3.1 and 3.2 above.
 - 3.5.2 The quality of material (in cubic yards) to be cut or filled on the site and the quantities and types of any materials intended to be brought onto, or to be removed from the site.
 - 3.5.3 The method for the control of erosion and siltation where necessary, using the guidelines contained in Section 4.16 of these Regulations and the policies and procedures outlined in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985) as amended from time to time.
 - 3.5.4 The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities.
 - 3.5.5 The sequence of grading and construction activities, installation and/or application of soil erosion and sediment control measures and final stabilization of the development site.
 - 3.5.6 Signature and seal of the professional responsible for Plan preparation.
 - 3.5.7 The words "Approved by the Town Engineer, Town of Wolcott" with a designated place for the signature of the Town Engineer and date of signing.
 - 3.5.8 The words "Certified by the Wolcott Planning and Zoning Commission" with a designated place for the signature of the Chairman or Secretary and date of signing.

SECTION IV – DESIGN STANDARDS

- 4.1 General: Subdivisions and resubdivisions, including related streets, drainage and other improvements required by these Regulations, as well as the **Regulations Pertaining To The Construction And Acceptance Of Streets**, which are part of these Regulations and set forth in the Appendix herein, shall be planned, designed and constructed in accordance with the standards hereinafter specified. Construction plans shall be prepared in accordance with good engineering practice and construction of improvements shall be carried out in a workmanlike manner and in a logical sequence.
- 4.2 Plan of Development: Subdivision and resubdivision shall be planned and designed in general conformity with the current Plan of Development, adopted by the Commission for the Town or the neighborhood encompassing the subdivision, particularly with regard to: a) location and classification of streets; b) sanitary sewers, water supply and drainage systems and service areas; and c) reservation of land for parks, recreation, open space and conservation.
- 4.3 Alternate Standards: The Commission may approve alternate design and construction standards when: a) such standards are prepared by a professional engineer licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut; b) the Commission determines that such standards will be in accord with the purpose and intent of these Regulations; and c) if constituting a modification of standards specified in other ordinances or regulations, such alternate standards are approved by the agency, board or commission responsible for administration of such ordinances or regulations.
- 4.4 Building Lots: Proposed building lots shall be of such shape, size, location, topography, access and character that buildings can be reasonably constructed thereon and that they can be occupied and used for building purposes without danger to the health and safety of the occupants and the public. A proposed lot which is found unsuitable for building because of water or flooding conditions, topography, ledge rock, unsuitable soils or other conditions, shall be combined with a contiguous lot that is suitable until necessary improvements to the lot have been made and approved by the Commission and a revised Record Subdivision Map has been submitted to and approved by the Commission. In any areas prone to flooding, the subdivision layout shall be consistent with the need to minimize flood damage. All public utilities and facilities shall be located, elevated and constructed to minimize or eliminate flood damage. Adequate drainage shall be provided so as to reduce potential flood hazards. Proposed building lots shall conform to the following standards:
- 4.4.1 Topography: Proposed building lots shall be planned, designed and arranged to make best use of and preserve the natural terrain, hilltops and views, avoiding unnecessary regrading, to preserve substantial trees, woods and water resources and to promote wherever practical the utilization of passive solar energy techniques.

- 4.4.2 Access: Each lot shall have frontage on a street in accordance with the provisions of the Wolcott Zoning Regulations. Each lot shall be capable of accommodating automobile access from such street to a parking space or spaces on the lot by means of a driveway, having a maximum grade of 5% within 50 feet of the edge of the road pavement and not greater than 12% beyond 50 feet, with safe alignment and sight distances and meeting the street in a manner that maintains the standard cross section for the street as shown in Appendix A. That portion of the driveway from the edge of the road pavement to a point 10 feet inside the lot and any portion exceeding a grade of 10% shall be paved. Driveways serving approved interior lots may require greater standards.
- 4.4.3 Lot Size: Each lot shall conform to the requirements of the Zoning Regulations for the Town of Wolcott, Connecticut, unless required by these Regulations to be larger in order to accommodate on-site sewage disposal and/or private water supply systems, both as needed by the intended use of the lot and applicable requirements of the Chesprocott Regional Health District, or to comply with other requirements of this Sec.
- 4.4.4 Lot Lines: Insofar as practicable, the side lot lines of all lots shall be at right angles or radial to the street on which the lot has frontage. It shall be the discretion of the Commission to disapprove any lot crossed by a municipal boundary line and in the event of such disapproval, such boundary line shall be made to constitute one of the lot lines.
- 4.4.5 Construction Easements: Temporary construction easements for grading slopes shall be provided on the front 25 feet of each lot.
- 4.5 Natural Features: The planning and design of the subdivision, including related streets, drainage and other improvements, shall provide for preservation of natural features of the tract to the maximum extent possible, by:
- 4.5.1 avoiding cuts or fills which result in potential soil erosion and excessive tree removal or which disturb water resources;
- 4.5.2 avoiding relocation of or encroachment upon natural water courses and ponds;
- 4.5.3 avoiding filling or excavation of or encroachment upon swamps, flood plains and other land subject to potential flooding;
- 4.5.4 avoiding removal of mature trees and desirable woods and other vegetation; and
- 4.5.5 providing for preservation of all swamps and for the protection thereof by easement, reservation area or other controls to prevent excavation, filling or encroachment unless the Wolcott Inland Wetlands and Watercourses Commission has determined that the swamp is already permanently damaged, does not provide significant support for wildlife and/or ground water recharge or does not function in an effective manner in the control of flooding in the natural drainage system.

4.6 Street Design: Streets shall be planned and designed for acceptance by the Town of Wolcott, in accordance with the **Regulations Pertaining To The Construction And Acceptance of Streets** and to conform to the following standards:

4.6.1 Classification: Proposed streets in the subdivision and any existing abutting streets shall be classified by the Commission as one of the following:

- a. Secondary Street: a street of considerable existing or potential continuity, serving as a feeder to a neighborhood or a collector of several local streets, including commercial streets primarily providing access to abutting lots used for commercial, business and industrial purposes or providing circulation within commercial, business and industrial areas.
- b. Local Residential Street: a street primarily providing access to abutting lots used for residential purposes.
- c. Minor Street: a street, including a private street or lane, of limited length and no continuity into adjoining areas, solely for the purpose of providing access to abutting lots used for residential purposes.

4.6.2 Street Planning: Proposed streets and rights-of-way shall be planned in such a manner as to provide safe and convenient access to proposed lots and safe and convenient circulation for present and prospective traffic within the neighborhood in which the subdivision is located. In planning streets, due consideration shall be given to accomplishing an attractive layout and development of the land. Streets should in general follow the contour of the land and should have a location and grade which preserves natural terrain, substantial trees, woods and other natural features and which enhances property values in the subdivision. The layout of proposed streets which may be projected into adjoining properties shall be carried to the boundary line; no reserve strips will be permitted. Unless otherwise approved by the Commission, streets shall provide for the continuation of existing streets in adjoining areas and for projection into adjoining properties when subdivided.

4.6.3 Intersections: The following standards shall apply to street intersections:

- a. No more than two streets shall intersect at one point. In general, intersections shall be spaced not less than 200 feet apart on Minor and Local Residential Streets and not less than 800 feet apart on Secondary Streets.
- b. Streets shall intersect one another at as near to a right angle as is practical tor a distance of at least 150 feet from the intersection. No streets shall intersect at an angle of less than 60 degrees.

- c. At street intersections, property line corners shall be rounded by an arc having a minimum radius of 15 feet.
 - d. Blocks shall be at least 350 feet deep and shall not exceed a length of 1200 feet, except that the Commission may approve a greater length if topography or other constraints make compliance difficult, impractical or impossible.
 - e. Permanent sight easements shall be provided across the corners of lots at intersections to assure safe lines of sight.
- 4.6.4 Street Lines: Street lines on each side of a proposed street shall be parallel or shall be concentric arcs, except at intersections and turnarounds designed in accordance with these Regulations. No street right-of-way shall be widened beyond the minimum width specified in these Regulations for the purpose of securing additional street frontage for proposed lots.
- 4.6.5 Existing Streets: Proposed subdivisions abutting an existing Town street or State Highway shall provide for slope and drainage rights and for the proper widening of the right-of-way of such street or highway to the width appropriate for the classification given such street or highway by the Commission, and for such widening and improvement of pavement as is deemed necessary to serve the needs of the proposed subdivision.
- 4.6.6 Street Names: All proposed streets serving one or more lots shall be named and shall bear names which are appropriate to the character of the Town and which do not duplicate or too closely approximate in spelling and sound existing street names in Wolcott or any adjoining municipality. All street names shall be subject to the approval of the Commission.
- 4.6.7 Cross Section: The street cross section shall be designed with a cross section in accordance with the classification of the street and the **Regulations Pertaining To The Construction And Acceptance Of Streets** of the Town of Wolcott.
- 4.6.8 Pedestrian Circulation: In areas where the proposed street system does not conform to a convenient pattern of pedestrian circulation, particularly in the vicinity of parks, schools, playgrounds or other public or semi-public places, the Commission may require the provision of twenty (20) foot easements for the establishment of pedestrian ways and the construction of sidewalks therein.
- 4.6.9 Storm Drainage: An adequate storm water management system shall meet all requirements under the Connecticut Stormwater Quality Manual, 2024 (CSQM) and be in accordance with regulations pertaining to the Construction and Acceptance of Streets of the Town of Wolcott. **(effective 3/3/25)**

- 4.7 Construction of Streets: The construction plans for streets and street drainage required by these Regulations shall be approved by the Town Engineer. All construction of such improvements shall be carried out subject to supervision and inspection by the Commission and the Town Engineer and shall be built in accordance with the **Regulations Pertaining To The Construction And Acceptance Of Streets** for the Town of Wolcott, adopted by the Town Council and approved by the Planning and Zoning Commission and made a part of these said Regulations as they appear in Appendix A herein.
- 4.8 Inspection: The Town Engineer and/or the Commission, or their authorized agent, shall have free access to the construction work at all times and shall be authorized to take material samples, cores and other tests to determine compliance with the standards of these Regulations. They may require the applicant, at his own expense, to have such tests made and certified by a Connecticut licensed professional engineer.
- 4.9 Sewer and Water: Each lot shall be provided with adequate and safe means of sewage disposal and water supply on a continuous, long term basis to meet the requirements of uses permitted on the lot under the Wolcott Zoning Regulations. Provision shall be made for sewage disposal and water supply by the following methods:
- 4.9.1 On-Site Facilities: The Commission may approve on-site facilities for sewage disposal and water supply on a lot when all of the following conditions are met:
- a. The lot contains an area, adequate in size, dimension, location and slope, with suitable soils, to accommodate a leaching field system and a reserve area for future fields, in accordance with standards of the State of Connecticut and the Town of Wolcott;
 - b. The lot is approved by the Chesprocott Regional Health District;
 - c. A note is placed on the Record Subdivision Map specifying that the design and construction of on-site sewage disposal and water supply facilities are subject to approval by Chesprocott Regional Health District or other authorities having jurisdiction.
- 4.10 Street Signs: Street name signs shall be installed at all street intersections in locations approved by the Board of Selectmen. Such signs shall be of a design and material approved by the Town Engineer.
- 4.11 Monuments and Pins: Monuments shall be provided on both street right-of-way lines at the beginning and termination of each street and at each deflection or tangent point in between. Monuments shall be made of prestressed concrete or granite and shall be not less than five (5) inches square by 30 inches in length with a suitably marked top. Each monument shall be set in place, after all street construction is completed, with the marked point set on the point of reference and shall be installed in a manner conforming to standards of the Connecticut Association of Land Surveyors.

- 4.11.1 Iron Pins: In addition to required monuments, iron pins, not less than 3/4 inch in diameter and 24 inches in length consisting of a suitable rod or pipe, shall be placed: a) at each point of intersection of a lot line and the right-of-way line of a street; and b) at all other lot corners, and shall be installed in a manner conforming to standards of the Connecticut Association of Land Surveyors. Monuments may be substituted for iron pins. Pins, however, are not required at each change in direction of an irregular lot line such as along a stream or stone wall.
- 4.12 Underground Utility Lines: New electric and telephone wires shall be installed underground unless the Commission determines, based on a written report submitted by the applicant, that such underground installation is inappropriate or unfeasible for all or a part of the subdivision or resubdivision. In making such determination, the Commission shall take into account: a) the type of service existing in the area adjacent to the subdivision; b) topographic and construction conditions; and c) the size of the subdivision or resubdivision. Wherever possible, except for required crossings of streets, such underground utilities shall not be located under the street pavement.
- 4.13 Street Trees: Where the Commission determines there are insufficient existing trees within the proposed subdivision or resubdivision, it may require the planting of additional street trees. In general, street trees shall be planted approximately 50 feet apart on both sides of any street, subject to variations made necessary by driveways, street corners and walks, in locations approved by the Commission. Trees to be planted shall be at least 2 ½ inch diameter, measured 6 inches above ground and shall have a minimum height of 10 feet. The species of trees shall be subject to the approval of the Commission. Where the trees may interfere with utility poles and wires, the Commission may permit the location of required trees within the front 10 feet of the proposed lots. Existing trees along the proposed street which conform to these requirements may be substituted for new trees at the discretion of the Commission.
- 4.14 Street Lights: At minimum, streetlights shall be provided in all subdivisions at all intersections, cul-de-sacs, dead-end streets and other potentially hazardous areas and shall conform to acceptable standards of the local utility company. A street lighting plan and details of proposed lighting fixtures shall be included on the subdivision plans.
- 4.15 Fire Ponds: The Commission may, in its sole discretion, require, for fire protection, the construction of ponds(s), including dry hydrants, in any subdivision or resubdivision. The ponds shall be constructed in accordance with the standards and practices of the U.S.D.A. Soil Conservation Service and shall have a minimum capacity as determined by the Commission after consulting with the Wolcott Board of Fire Commissioners. The fire pond shall be accessible from a street via a right-of-way in favor of the Town and said right-of-way shall have a width of 30 feet to allow emergency vehicles clear and safe entry, free of trees, brush and other objects.
- 4.16 Dead-End Streets: Dead-end streets shall terminate in a circular turnaround built in accordance with the Wolcott Street Regulations.

- 4.16.1 Number of Lots: The number of lots on all dead end streets and those dead end streets that may be extended in the future shall be determined by the Commission based on topography, soil conditions and traffic safety, provided, however, that the maximum number of lots on a permanent dead end street shall not exceed 12 lots. Notwithstanding the foregoing, in the event a parcel of property that exists on a currently existing permanent dead end street containing 12 or more building lots has not been subdivided subsequent to September 1, 1959, the effective date of the Town's first of subdivision regulation, such parcel may be subdivided into two building lots provided each such resulting lot satisfies all applicable Town zoning and subdivision requirements, irrespective of the total number of lots already existing on such permanent dead end street. **(effective 3/31/25)**
- 4.16.2 Permanent Turnarounds: No part of the area within a right-of-way for a permanent turnaround shall be included as part of an abutting lot. When the street is accepted as a Town street, the entire area of the turnaround shall be included in the deed to the Town.
- 4.16.3 Temporary Turnarounds: After giving consideration to topography, zone, wetlands, traffic levels, lot sizes and general traffic circulation patterns, the Commission, at its sole discretion, may approve a street that ends at the property line of an adjacent tract of land, and such streets shall terminate in a temporary turnaround. The area of the turnaround outside of the 50 foot right-of-way required for a street shall be deeded to the abutting lot owners with a temporary easement in favor of the Town. Said easement shall remain in effect until the street is extended, at which time the easement shall be terminated. When said extension is constructed, the developer of said extension shall remove all pavement beyond the normal street pavement width and shall landscape the area so as to blend into the adjacent lot.
- 4.17 Erosion, Sediment and Runoff Control: The control measures and facilities for the Soil Erosion and Sediment Control Plan shall meet all Storm Water Management standards performance criteria and design guidelines contained in Connecticut Stormwater Quality Manual, 2024 (CSQM) as well as other local, state and federal stormwater requirements **(effective 3/3/25)**:
- 4.17.1 Cut and fill slopes shall not be steeper than 2:1 unless stabilized in a manner as approved by the Commission when handled under special conditions.
- 4.17.2 Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
- 4.17.3 Cut and fills shall not endanger adjoining property.

- 4.17.4 Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- 4.17.5 Fill shall not encroach on natural water courses or constructed channels, unless approved by the appropriate agencies.
- 4.17.6 Grading will not be done in such a way so as to divert surface water onto the property of another landowner without the expressed consent of that landowner and the approval of the Commission.
- 4.17.7 During grading operations, necessary measures for dust control will be exercised.
- 4.17.8 There shall be no increase of direct runoff resulting from the construction and development of the subdivision or resubdivision into any natural or artificial drainage system during the peak discharge period of a 100-year storm (**effective 3/3/25**), unless specifically authorized by the Town Engineer and approved by the Commission.
- 4.17.9 At the discretion of the Town Engineer, increases in direct runoff from the subdivision or resubdivision during the peak discharge period from a 50-year storm may be required to be stored in either a retention or detention pond designed in accordance with the standards and procedures established by the U.S.D.A. Soil Conservation Service and acceptable engineering practices. Suitable arrangements shall be made for access and maintenance of such facilities, to the satisfaction of the Town Engineer and the Commission.
- 4.18 Open Spaces, Parks and Playgrounds: In all subdivisions of land under these Regulations, the Commission may require the applicant to provide and officially dedicate Open Space areas of appropriate size and location as deemed proper by the Commission, or, in lieu thereof, the Commission may authorize the applicant to pay a fee to the Town of Wolcott, or to pay a fee to the Town and appropriately designate a lesser area of land.
- 4.18.1 Appropriateness: In determining the appropriateness of an Open Space area disposition, the Commission shall give due consideration to the Plan of Development objectives and in particular any Open Space component, other Conservation and Open space studies, reports and plans, the recommendations of the Conservation and Recreation Commissions, the density of population and the existing public open spaces in the vicinity of the subdivision, as well as the subject tract's characteristics with respect of the following objectives:
- a. the conservation and protection of wildlife and natural or scenic resources including lakes, ponds rivers, streams stream belts, including wetlands, aquifers, significant trees, particular trees of special size or unusual type, ridges, ravines, stone fences and walls, ledge outcroppings and other unusual physical features, including the protection of historic or archaeological sites and the accommodation of established hiking trails; and

b. the expansion of existing open space areas: and

c. the meeting of neighborhood and/or community-wide recreational needs.

In determining the location of proposed Open Space, the Commission may consider the potential for combination with other existing or proposed Open space on adjoining properties owned by any public or private institution.

4.18.2 Minimum Reservation: Where Open Space reservation and disposition is deemed appropriate, such land shall consist of not less than 10% of the total area of the tract to be subdivided. The minimum area of any such Open Space shall be one acre unless the area is an addition to an existing or proposed park, playground, Open Space, greenway or other public land. When a subdivision is submitted in sections, an Open Space area need not be included in each section, provided a comprehensive Open Space plan is submitted and approved, and the integrity of such Open Space is guaranteed in accordance with the provisions of Section 4.17.4a below. This approval shall be a prerequisite for approval of the first section submitted and a proportionate part of the total Open Space area so approved shall be established with the first and each section submitted, including suitable permanent and/or interim access to such land.

4.18.3 Referrals: The Commission may refer for review and comment any subdivision plan and proposal for the provision of Open Space land to the Conservation Commission, the Land Trust, the Recreation Commission, the Inland Wetlands Commission, New Haven County Soil and Water Conservation District and/or any other appropriate agency as it deems necessary. The Commission shall refer any proposal under which the Town would acquire a property interest in the Open Space to the Town Council for their comments.

4.18.4 Disposition Methods and Procedures: The Commission shall determine the most appropriate method of disposition after due consideration of the relationship of the subject Open Space and its specific characteristics to the Plan of Development and the objectives cited above; the desirability and suitability of public access and use; and the scope of the subdivision proposal.

A. Preservation Method/Entity Having Title: The integrity of the Open Space land may be guaranteed by utilization of one or a combination of the following options or other suitable alternative, all subject to the approval of the Commission:

1. Conveyance in fee simple to the Town of Wolcott.
2. Conveyance in fee simple to the Wolcott Land Trust or other non-profit entity (with the approval of the applicant), subject to the approval of the Town Council.

3. Conveyance in fee simple to the State of Connecticut, subject to the approval of the Town Council.
4. Conveyance in fee simple to a homeowners' association (see Paragraph 4.18.7 below).
5. Establishment of restrictive covenants through the conveyance of conservation easements or other preservation restrictions, with or without public access, to the Town.
6. Conveyance of a recreation easement to the Town, the State, or a private, non-profit recreational entity, subject to the approval of the Town Council.
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 severance and conveyance of development rights.

The applicant shall designate in its application which of the foregoing entities is 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 one of the public entities set forth above. The Commission may not require conveyance to an entity described in subsection 2 above, or to a private entity, except when consented to 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:

- (a) the ownership of any existing Open Space on adjacent properties or the proximity to non-adjacent Open Space which might reasonably be interconnected in the future;
- (b) the proposed use of the Open Space for active or passive uses, and the extent of maintenance, supervision, or management required;
- (c) the potential benefits which the Open Space might provide to residents of the Town if it were accessible to them;
- (d) the size, shape, topography and character of the Open Space;

- (e) the recommendations of the Wolcott Plan of Development Update; and
- (f) the reports or recommendations of any State or Town Boards and Commissions, including but not limited to the Town Council, the Inland Wetlands Commission, the Conservation Commission, the Open Space Committee, the Parks and Recreation Commission, the Central Naugatuck Valley Regional Planning Agency and the Connecticut Department of Environmental Protection.

B. Evidence of Acceptance: If the method of preservation is to be other than a conveyance to the Town of Wolcott, the application shall contain evidence that the entity proposed to own the Open Space is willing to accept ownership of it and responsibility for its preservation and maintenance.

C. Required Provisions: Regardless of the preservation method or manner of ownership of the Open Space, the instrument of conveyance must include provisions satisfactory to the Commission and be approved by the Town Attorney as to form and substance, to ensure that the Open Space is dedicated to its intended purpose and that provision is made for the proper maintenance of those portions requiring maintenance.

D. Demarcation: The boundary lines of all Open Space areas shall be established 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 ensure identification in the field. The Commission may, at the request of another Commission or Land Trust, require the further delineation of the approximate limits of Open Space, utilizing markers provided by that Commission or Land Trust, to avoid inadvertent disturbance of the Open Space by adjoining homeowners.

4.18.5 Access, Use and Condition of Open Space: Open Space areas intended to be accessible to the public shall typically abut or have direct public access to a public street and, as appropriate, any existing adjacent park or public land. Where access is intended, all such areas shall include access roadways to be graded and improved in a manner suitable for safe pedestrian and vehicular traffic. Such 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 percent (12%), except that the Commission may waive any of these requirements where access is less critical, such as in passive wildlife preserves or fragile ecosystems.

Land to be provided as Open Space for the purpose of conservation and protection of wildlife and natural or scenic resources shall typically be preserved in its natural state, except for such improvement or maintenance as may be expressly permitted

or required by the Commission. With the approval of the Commission after a public hearing held thereon, structures and facilities for recreational purposes, including without limitation playground equipment, swimming pools, tennis courts and golf courses, may be constructed. Open Space areas shall not be used for the storage of equipment and shall not be graded, cleared, or used by the applicant or others as a repository for brush, stumps, earth, building materials or debris, unless specifically authorized by the Commission. The Commission need not accept Open Space land composed entirely or substantially of inland wetlands, unless it considers such areas to have special, natural habitat or other environmental value. Not more than 25% of the minimum required Open Space area shall consist of designated inland wetlands and/or steep slopes in excess of 30%, unless otherwise deemed appropriate by the Commission. Open Space area devoted to artificially created storm water retention and/or detention facilities shall not be counted in determining compliance with the minimum required Open Space area.

- 4.18.6 Improvements and Bonding: The Commission may require that any land to be dedicated for active 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. When other site improvements are required, they shall be clearly shown on the final subdivision improvement maps or alternatively on a separate site improvements plan and they shall be approved by the Commission prior to the filing of the Record Subdivision Map.

To ensure proper construction of any required Open Space Improvements, the Commission shall require the applicant to post a performance bond, letter of credit, or other acceptable surety in an amount and with terms acceptable to the Commission and the Town Attorney. Unless otherwise modified by the Commission, all required Improvements of Open Space shall be completed prior to the conveyance of fifty (50%) percent of the lots within the subdivision.

- 4.18.7 Property Owners' Associations: The Commission may, upon the request of the applicant, permit the ownership and maintenance of the Open Space 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:

1. Creation of the association or corporation prior to the sale of any lot.
2. Mandatory membership in the association by all original lot owners and any subsequent owner, with non-amendable by-laws or other restrictions which require the association to maintain the land reserved for Open Space, park and playground purposes, with power to assess all members for necessary costs.

3. Provisions/restrictions which will be permanent and binding on all future property owners, and will not be affected by any change in land use.
4. 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.
5. Any deed of conveyance shall contain language providing the association with the right to obtain reasonable 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.
6. The deed of conveyance shall provide that if maintenance or preservation of the dedication no longer complies 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.

Any conservation easements or other Open Space covenants or restrictions shall be subject to the approval of the Commission and be approved by the Town Attorney as to form and content. After approval, said documents shall be filed by the applicant in the Office of the Town Clerk.

- 4.18.8 Legal Conveyance/Transfer: Properly executed legal documents, including warranty deeds for any title transfers, shall be prepared in accordance with the provisions of this Section and shall be submitted in triplicate with the final subdivision map to be endorsed and filed. All deeds and conveyances necessary to establish the proposed Open Space shall be appropriately executed and in the possession of the Commission prior to the endorsement of the Record Subdivision Map. All conveyances shall restrict subsequent sale or other disposition to a similar trust or corporation to be approved by the Commission, or to the Town to be maintained as open space. All warranty deeds shall be accompanied by a certificate of title prepared by an attorney admitted to the Bar of the State of Connecticut, certifying that such conveyance passes good title to the described property or property interest, and that it is free and clear of any defect or encumbrances, or that such encumbrance has been subordinated to the conveyance. All documents must be acceptable to the Commission and the Town Attorney, and shall refer to the Record 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 Town Council. During such escrow period, until such time as the deeds are recorded on the Town Land Records, the applicant shall pay all property taxes due and owing to the Town. In the event that the Town Council does not accept the dedication within one year of the submission of the

warranty deed, the deed shall be returned and the applicant 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 by the Town. All Open Space preserved by means of easements or restrictions shall comply with the requirements of Connecticut General Statutes 47-42(a) through 47-42(c).

- 4.18.9 Dedication for Other Municipal Purposes: In the event the applicant desires to transfer to the Town land for other municipal purposes such as future schools, firehouses, etc., the dedication provisions of this Regulation shall be complied with. The Commission may consider such a municipal dedication as credit toward any Open Space disposition requirements, but may not require such dedication.
- 4.18.10 Alternatives to Reservation: If the Commission determines that an Open Space reservation of land within the proposed subdivision is not consistent with the adopted Plan of Development Update, or is otherwise not appropriate or practical, such as due to location in the Town, inadequate size or inconsistency with any Town Open Space Plan or its recreation program, the applicant shall select one or a combination of the following alternatives to the otherwise required reservation for Open Space within the subdivision, which selection is subject to approval by the Commission under the provisions of Paragraph 4.18.
- A. Alternate #1: In lieu of any reservation of Open Space, payment to the Town of Wolcott of a fee, in an amount equal to 10% of the fair market value of the land to be subdivided prior to approval of the subdivision, such value being as determined by an appraiser jointly selected by the Commission and the applicant; or
 - B. Alternate #2: Conveyance to the Town of Wolcott of land suitable for Open Space purposes and located outside the land to be subdivided, which land shall either i) be equal in area, or larger at the discretion of the applicant, to 10% of the area of the land to be subdivided, or ii) have a fair market value equal to, or greater at the discretion of the applicant, to, 10% of the fair market value of the land to be subdivided as determined by an appraiser jointly selected by the Commission and the applicant; or
 - C. Alternate #3: Reservation of land for Open Space within the subdivision equal in area to less than 10% of the total area of the land to be subdivided plus either payment to the Town in lieu of reservation as provided in Alternate #1 or conveyance of land to the Town of Wolcott as provided in Alternate #2, or a combination thereof, in amounts and/or area equal to the percentage point difference between the required 10% and the lesser percentage of the land actually reserved.

4.18.11 Payment of Fee In Lieu of Open Space:

- A. Statutory Authorization: In accordance with Connecticut General Statute 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 Wolcott or pay a fee to the Town and transfer land to the Town of Wolcott in lieu of the disposition of land by one of the methods set forth in Section 4.18.4 hereinabove. 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 10% 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. The cost of the appraisal shall be incurred by the subdivider. All payments received under this method shall be placed in an "Open Space Trust Account". Such fund shall be established and used solely for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.
- B. Time of Payment: The required payment in lieu of Open Space may be made as follows:
1. As a lump sum by the applicant, covering all or certain lots prior to endorsement of the Record Subdivision Map, in which case the provisions of Paragraph C are not applicable for the subdivision or those certain lots for which payment has been made; or
 2. A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision, shall be made at the time of sale of each approved parcel of land in the subdivision, subject to the provisions set forth in Paragraph C following.
- C. Identification, Guarantee and Release: The Record Subdivision Map will bear a note specifying the payment-in-lieu of obligation of the subdivision, i.e., the lump sum amount and the fraction method payment if applicable and the amount for each. When the fraction method of payment is used, the said payment shall be secured by a lien against each lot in the amount of the required payment for any lot and shall be recorded in the Office of the Wolcott Town Clerk. The said lien shall be in a form approved by Town Attorney, identifying the payment required to the Town of Wolcott, and shall be unencumbered by any mortgage or encumbrance having priority over said lien, as evidenced by a Certificate of Title, in a form approved by Town Attorney.

- D. Payment and Trust Fund: Payments in lieu of Open Space are to be made by certified check or bank check, made payable to the Town of Wolcott and delivered to the Treasurer of the Town of Wolcott. The check should bear an annotation or be accompanied by a memorandum identifying the subdivision (including Town Clerk's map file number) and lot number to be credited with the payment, and calling for deposit of the payment in the "Open Space Trust Account". The Treasurer will issue a receipt identifying such credit and the Treasurer will maintain a ledger or other record of such payments by subdivision name and lot number.

- E. Expenditures: Expenditures from the "Open Space Trust Account" are to be made in accordance with standard appropriation procedures and in accordance with the provisions of the Ordinance establishing the "Open Space Trust Account" for purposes permitted by Sec. 8-25b C.G.S. All Town proposals for acquisition of land or rights in land for Open Spaces will be referred to the Planning and Zoning Commission in accordance with Sec. 8-24 of the Connecticut General Statutes.

4.18.12 Exemptions from Open Space Disposition Requirements: In accordance with Public Act 90-239, Section 1, the provisions of this Section 4.19 shall not apply if:

- A. The transfer of all land in a subdivision of less than five (5) parcels 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 recorded in the Land Records of the Town.

- B. The subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, equal to 20% 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.

- C. The subdivision is the result of an assembly of lots or parcels for which Open Space was previously set aside and which assembly is now subdivided into a new configuration of lots. Such assembly and prior dedication of Open Space shall be evidenced by such documents as the Commission may require to assure compliance with the intent of these Regulations.

- D. The subdivision involves parcels currently improved with buildings and which is being made solely for the purpose of mortgaging and financing. The applicant shall be required to submit such evidence and documents as the Commission may require to assure compliance with the intent of these Regulations.

E. The subdivision is a resubdivision of a parcel consisting of one or more lots previously included in an approved subdivision for which Open Space land was previously set aside and which is now subdivided into a new configuration of lots. Open Space reservation requirements of this Section 4.18 shall be applicable for any areas of land for which Open Space was not previously reserved or required. Such subdivision and prior dedication of or exemption from Open Space requirements shall be evidenced by such documents as the Commission may require to assure compliance with the intent of these Regulations.

4.19 Passive Solar Techniques: The Applicant shall utilize passive solar energy techniques which maximize solar heat gain, minimize heat loss during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. These passive solar techniques shall include but are not limited to the following:

4.19.1 The proposed principal building shall be located and oriented so that the longest side of the building faces within 30 degrees of true south.

4.19.2 The street and lot layout plan shall, as far as practicable, provide for east-west street orientations to facilitate the development of properly oriented passive solar buildings. For purposes of this Regulation an east-west street refers to any street with its axis within 30 degrees of true east-west.

4.19.3 Proposed buildings shall be located to avoid shadows cast by other buildings, vegetation and natural and man-made topographical features wherever practicable.

4.19.4 Provided soil and topographic conditions permit, primary and reserve leaching fields shall be planned and located to the south of a proposed house location whenever such location enhances solar access to the south wall due to regrading and tree removal associated with the installation of the sewage disposal system.

4.19.5 Each lot within the subdivision shall be evaluated to determine if south wall solar access protection is available meeting solar access requirements of the Wolcott Zoning Regulations.

4.19.6 At the discretion of the Commission, taking into consideration the need for solar access protection, the applicant shall be required to include solar easements or restrictive covenants with the deeds of each lot.

SECTION V - CONSTRUCTION STANDARDS

- 5.1 General: All streets, drainage and other improvements required by these Regulations shall be constructed in accordance with the standards herein specified and in accordance with The Regulations Pertaining To The Construction And Acceptance Of Streets, Wolcott, Connecticut and all materials and construction methods shall conform to these specifications, except as may be amended herein. In all matters pertaining to highway construction and design, the Town Engineer shall be the final judge as to proper practice.
- 5.2 Preconstruction Conference: A preconstruction conference shall be held between the Applicant and/or the construction contractor who is to perform construction work on any public improvement within the Town of Wolcott, the Town Engineer, and any affected public service personnel and/or utility company. At this meeting an agreement shall be arrived at concerning time schedules for the improvements required and the Town construction standards governing this construction. In addition, a tentative completion and inspection schedule shall be established.

SECTION VI - WAIVER OF PROVISIONS

- 6.1 Where unique or severe problems of topography, wetland or other conditions exist which affect the subject land and are not generally applicable to other land in the area, the Commission may, by affirmative vote of three-quarters of all its members, waive certain requirements of these Regulations and may approve alternate standards, when a) such standards are prepared by a professional engineer licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut and b) the Commission determines that such waiver and alternate standards will not have a significant adverse effect on adjacent property or on the public health and safety or in any way impair the purpose and intent of these Regulations.

SECTION VII - VALIDITY

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

SECTION VIII - EFFECTIVE DATE

- 8.1 These Regulations and any amendments thereto shall be in full force and effect from the date set forth in their adoption by the Commission.

WOLCOTT PLANNING AND ZONING COMMISSION

ADMINISTRATIVE POLICY #1 (accompanying the Subdivision Regulations of the Town of Wolcott)

SUBDIVISION BONDS, SECURITY AND ADMINISTRATION

- A. General: A bond or other security is required by the Subdivision Regulations for the following purposes:
 - A-1: to guaranty and secure the completion of all required subdivision improvements, such as but not limited to the following, as applicable to the particular subdivision; grading, streets, common driveways, curbs, driveway aprons, sidewalks, storm drainage facilities, sanitary sewers, street trees and property monuments (Par. 3.4); and
 - A-2: to guaranty the installation, maintenance and completion of measures for soil erosion and sediment control and restoration of the site (Par. 3.5).
- B. Agreements: All bonds or other security will be represented by a signed agreement setting forth, among other things, the purpose of the bond, the project to which is applicable, the time period for completion of the work that is secured and the obligations of the applicant or principal and the rights of the Town of Wolcott. The agreement may consist of standard forms provided from time to time by the Commission and shall in all cases be subject to review and approval by the Wolcott Town Attorney as to form, sufficiency and manner of execution.
- C. Type of Security Acceptable: The following types of bonds, each of which is subject to approval by the Town Attorney under Item B, are typically acceptable or required:

C-1. Cash Bond: required a) to secure the soil erosion and sediment control measures and site restoration (Item A-2), b) for 10% of the completion bond, and c) for any completion bond under \$25,000 and may be provided for the full completion bond; “cash bond” security consist of one of the following:

- a. bank check made payable to the Town of Wolcott;
- b. certified check made payable to the Town of Wolcott;
- c. a savings account in a Connecticut bank plus letter from the bank assigning the account to the Town, together with a withdrawal slip signed and made out to the Town, all including the passbook delivered to the Town.

C-2. Letter of Credit: an irrevocable letter of credit to the Town from a suitable Connecticut bank (generally a bank eligible to receive Town of Wolcott bank deposit).

D. Amount of Bond: The amount of the bond will be set by resolution of the Wolcott Planning and Zoning Commission on advise of the Town Engineer. In determining the amount, the following are applicable:

- D-1. The applicant is requested to present a listing of quantities of items to be completed or installed and may provide an estimate of cost to install and complete; and
- D-2. The amount will be the sum of the cost of individual construction and installation items as if let to bid by the Town at the current time, plus 10% for each year of the term of the bond.

If the applicant has completed substantial work based upon written authorization for the work by the Commission (Par. 2.5.13), upon the written request of the applicant the Commission may by resolution reduce the required face value of the completion bond, determined in D-2 above, to recognize work completed and secure, after receipt of a written report of such completion, with advice as to the necessary amount of security for the remainder, is received from the Town Engineer.

- E. Partial Release of Completion Bond: The owner of the subdivision may request, in writing, a partial release of a completion bond, posted to allow endorsement of the RECORD SUBDIVISION MAP. Requests for such partial release will be considered for the three stages of completion only. The requests shall be for the total value of the items of work listed in the Stages below and all work in each stage must be completed. No bond reduction/release will be considered for only a portion of the three stages.
- E-1 Stage A: requires the completion of: 1) storm drainage system, 2) sanitary sewers, 3) boxing of the road and the formation of the road subgrade.
- E-2 Stage B: requires the completion of: 1) road binder course paving, 2) curbing, 3) safety improvements i.e., guide rails, 4) rough grading of road shoulders and embankments.
- E-3 Stage C: requires the completion of all of the improvements as per the approved subdivision plans. This stage includes but is not limited to final paving, loam and seeding, removal of temporary erosion control measures, street lighting, tree plantings, setting of pins and monuments, and approval by the Town Attorney of the legal descriptions, including deeds for the transfer of all required roads and easements to the Town of Wolcott. All the requirements of the Subdivision Regulations shall be met prior to release of the bond for stage 3. In no event will the completion bond be released below 15% of the amount determined in D-2 above, unless the improvements have been accepted by the Wolcott Town Council and the mandatory maintenance bond has been posted.

E-4 Form of Request: a request for a bond reduction must be submitted in writing to the Planning and Zoning Commission along with an “As-Built” map of the improvements completed (Par. 2.5.14). The following certification signed and sealed by a licensed Professional engineer or Land Surveyor shall be included on the “As-Built” map:

"I _____ (Name) _____, Reg. # _____, have examined the construction in the _____ (Name of Subdivision) _____ subdivision, completed to date, and shown on this map, and have found all of the improvements shown have been constructed in accordance with the Town of Wolcott Standards and Approved Subdivision Plans.

Signature

Date

- F. Term of the Bond: The term of the bond, or time or date for completion, will be set by the Wolcott Planning and Zoning Commission typically as part of the resolution approving the subdivision. The term will be for a reasonable period for completion in a workmanlike manner and will take into account: a) construction seasons, b) access and utilities needed by occupants of the lots, and c) security and stability of the site. In general, the term will not exceed two (2) years, unless a longer period is needed for larger projects and an approved written construction program is in effect with provisions for automatic extensions for each year thereafter, for a total period of not less than five (5) years. The applicant may divide the subdivision into sections for the purpose of staging, with particular terms for bonding each section.
- G. When to be Presented: All required bonds are to be presented, in satisfactory amount, form, security and manner of execution, prior to endorsement of the RECORD SUBDIVISION MAP. The Commission, at the time of approval of the subdivision, may authorize construction of improvements prior to endorsement of the RECORD SUBDIVISION MAP but the cash bond for soil erosion and sediment control and site restoration must be in place prior to commencement of construction (See Par. 2.5.13 and 3.5; Item C-1).

H. Applicant Obligation; Review: It is the obligation of the applicant to prepare or cause to be prepared the agreement form (Item B), to seek and provide the necessary financial security and to deliver the agreement and security to the Planning and Zoning Commission Office at the Wolcott Town Hall. The Zoning Enforcement Officer or the Town Engineer on notice by the Zoning Enforcement Officer will refer the agreement and security to the Town Attorney for approval (Item B). The Town Attorney will return the agreement and bond to the Zoning Enforcement Officer with a written report of approval, disapproval or requirement for modification. The Town Attorney may have conferred with the applicant or the applicant's counsel or financial representative. Upon receipt of a report of disapproval or requirement for modification, the Zoning Enforcement Officer or the Town Engineer on notice by the Zoning Enforcement Officer, will notify the applicant and the applicant is expected to present a new or modified bond proposal.

I. Records, Filing and Storage:

- I-1 The Zoning Enforcement Officer will maintain a written log of all subdivision bonds, and for each identify the applicant, the project and its location, amount of the bond, type of bond, the security and completion date, and where the bond is filed. In general, the log will contain a separate page for each completion bond, so that the date of release and delivery can also be indicated as well as the date and amount of any reductions in the face value of the bond.
- I-2 All bond agreements, letters of credit and savings account bonds, passbooks and papers are to be stored in a locked box retained by the Zoning Enforcement Officer in the Planning and Zoning Office vault.
- I-3 A special bank account in the name of the Town of Wolcott will be established by the Town Treasurer. All bank checks and certified checks are to be transmitted to the Town Treasurer for deposit in such account by the Town Treasurer.

J. Release of Bonds: It is the responsibility of the applicant to request bond releases. Requirements for release of bonds are set forth in Par 2.5.15 (as-built plans, maintenance bonds, etc.) and as follows:

J-1 Cash bonds for soil erosion and sediment control and site restoration will be authorized to be released by vote of the Wolcott Planning and Zoning Commission upon receipt of a written report of completion received from the Town Engineer.

The Zoning Enforcement Officer will record the bond release in the bond log and written notice of release, signed by the Commission or the Zoning Enforcement Officer is to be presented to the Town Treasurer. The Treasurer will withdraw the bond sum from the special bank account (Item I-3) and deliver same to the Zoning Enforcement Officer. The Zoning Enforcement will either notify the applicant to call for the bond sum or will transmit the bond sum check to the applicant with a written cover transmittal memo.

J-2 Savings account, letter of credit and cash completion bonds will be authorized to be released by vote of the Wolcott Planning and Zoning Commission upon receipt of a written report of completion received from the Town Engineer. If the completion bond includes a cash bond, the Commission or the Zoning Enforcement Officer will transmit a copy of the Commission action, and authorization, to the Town Treasurer. The Zoning Enforcement Officer will note the action in the bond log, remove the bond and papers from the locked box in the Planning and Zoning Office safe and either notify the applicant to call for any security (passbook, withdrawal slip, letter of credit) or will transmit same to the applicant with a written cover transmittal memo. Cash bond security will be withdrawn and returned as provided in Item J-1.

K. Notice, Completion and Calling:

- K-1 For the purpose of tracking the completion of work and the bond expiration or due dates, the Wolcott Planning and Zoning Commission has its resolutions on file and may maintain a log, but will largely rely upon the information in the bond log maintained by the Zoning Enforcement Officer. The Town Engineer is also expected to make use of the Zoning Enforcement Officer's bond log for administration of completion.
- K-2 It is the intent of the Commission, or the Zoning Enforcement Officer or the Town Engineer on behalf of the Commission, to send written notice of an approaching completion date at least 60 days before such date. The notice will include a reminder that the bond may be called if the work is not complete or if the completion date has not been extended (Item L).
- K-3 The Planning and Zoning Commission and the Zoning Enforcement Officer may call (draw upon) and soil erosion and sediment control bond or site restoration bond to repair or secure the control measures on the site in the event of failure of the applicant so to repair and secure and 48 hours after verbal or written notice as been given to the person designated by the applicant as responsible for the control and restoration measures. The Commission and Zoning Enforcement Officer may so call (draw upon) the bond as soon after such verbal or written notice is given, or attempted in good faith to be given, as the Town Engineer deems necessary to take control or restoration action to protect public health or safety in emergency circumstances.
- K-4 In the event of default, completion bonds will be called by vote of the Commission after notice of default, in form acceptable to the Wolcott Town Attorney, has been sent by Certified Mail to the applicant, the principal on the bond and the surety. It is expected that the Town Attorney will take appropriate action to recover under the completion bond.

L. Time Extensions: The Wolcott Planning and Zoning Commission, upon request in writing by the applicant with reasons stated, may by resolution approve one or more extensions for completion of street, drainage and other improvements in particular subdivisions when, after consulting with the Town Engineer, it is determined that:

- a. The soil erosion and sediment control and site restoration measures are found to be secure;
- b. the completed work is secure and there are adequate safeguards to protect the public and the occupants of lots from hazards;
- c. the extension is for a reasonable period of time and the applicant has demonstrated a suitable new program for completion; and
- d. the security represented by the bond continues through the extension period to a new completion date (need written acknowledgement from banks).

The original time for completion plus the sum of all extensions shall not exceed (5) years from the original RECORD SUBDIVISION PLAN endorsement date. If after such five (5) years no lots in the subdivision have been conveyed and there is little or no progress with completion of improvements, the Commission will resolution declare the subdivision approval to be void and will so annotate the RECORD SUBDIVISION MAP on file in the Office of the Wolcott Town Clerk. If after such five (5) years one or more lots have been conveyed or some significant progress has been made with construction of improvements, the Commission will call the bond as provided in Item K and the Town will arrange to complete the work under the bond recovery and otherwise at the expense of the applicant.

M. Maintenance Bonds: The form type and manner of administration of maintenance bonds (see Par. 2.5.17) are the same as above.

WOLCOTT PLANNING AND ZONING COMMISSION

ADMINISTRATIVE POLICY #2 (accompanying the Subdivision Regulations of the Town of Wolcott)

NOTES ON SUBDIVISION MAPS AND PLANS

- A. General: Maps and plans will contain certain notes constituting references and restrictions. When applicable to a particular subdivision, the wording hereinafter specified shall be used for notes except as otherwise approved by the Town Engineer or the Commission.
- B. Remaining Land: Whenever the subdivision does not encompass all land of the applicant, the unsubdivided portion shall be labeled:

“Remaining Land of _____, Not an Approved Building Lot”.

- C. Water Supply: When proposed to be provided by a public water system:

“Lots on this map are approved on the condition that each lot is to be provided with public water supply. No structures on the lots shall be occupied until such water supply is available”.

- D. On-site Utility Systems:

“Lots on this map are approved for on-site sewage disposal (and/or water supply) systems. The design of each system is subject to the approval of the Director of the Chesprocott Regional Health District prior to the approval of any building permit”.

E. Sight Easements: Pertaining to areas delineated over lots at street corners:

“The sight easements shown on this map establish the perpetual right of the owner of the abutting street or highway, or his authorized agents, to clear, regrade and maintain the area within these easements at such elevation that there is a clear line of sight anywhere across the easement area between an observers eye at an elevation of 3.5 feet above the pavement edge and an object one foot above the pavement edge”.

F. Construction Easements:

“A temporary easement to the owner of each street on this map, for grading of slopes shall exist over all land within 25 feet of the right-of-way line of such streets, which easement shall expire one year after the date of acceptance of the street by the Town of Wolcott”.

G. Turnaround Easements: When appropriate:

"Temporary easement for turnaround and general highway purposes, which shall expire automatically one year after the date of acceptance by the Town of Wolcott of any extension of the street."

H. Channel Lines: When appropriate:

“Within the channel lines, no building or other structure shall be located and there shall be no grading or filling of land in such a manner as to reduce the water flow capacity of the channel area”.

- I. Special Flood Hazard Area - Regulated Floodway: When appropriate, pertaining to land located within a Special Flood Hazard Area or within the limits of a Regulated Floodway:

"Land, including lots shown to be located within the Special Flood Hazard Area (and/or Regulated Floodway) are subject to potential, periodic or frequent flooding. See Ordinance Concerning Flood Plain Management, as may be amended from time to time."

WOLCOTT PLANNING AND ZONING COMMISSION

ADMINISTRATIVE POLICY #3 (accompanying the Subdivision Regulations of the Town of Wolcott)

NOTES AND REFERRALS

- A. General: The Commission will give notice of hearings, meetings and actions as required by Connecticut General Statutes and in accordance with procedures hereinafter specified.

- B. Hearings: Notice of any public hearing on an application shall be given by publication in a newspaper having a general circulation in the Town of Wolcott at intervals of not less than two (2) days, the first not more than 15 days, nor less than 10 days, and the last not less than two (2) days prior to the date of such hearing and by sending a copy thereof by certified mail to the applicant.

- C. Other Applicant Notices and/or Applications: When appropriate:
 - C-1: Inland Wetlands: If an application involves land regulated as an inland wetland or watercourse under the provisions of the General Statutes, the applicant shall submit an application to the Wolcott Inland Wetlands and Watercourses Commission no later than the day the application is filed with the Planning and Zoning Commission for the subdivision or resubdivision. The Commission shall not render a decision on the subdivision until the Inland Wetlands Commission has submitted a report with its final decision to the Commission.

C-2: Water Company: Whenever an application for subdivision of land is planned on any site which is within the watershed of a water company, as defined in the General Statutes, 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 of Wolcott and with the Wolcott Planning and Zoning Commission. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of the subdivision application.

D. Referrals - Regional: Whenever a subdivision of land is planned, the area of which will abut or include land in the Town of Wolcott and another municipality within a region having a regional planning agency, the Commission shall, before approving the plan, submit it to the Central Naugatuck Valley Regional Planning Agency and to any other regional planning agency of the region in which the other municipality is located. The Commission will expect a report from any such regional planning agency within 30 days and will not act on the plan until such report is received or the 30 day period has expired, whichever occurs first.

E. Referrals - Adjoining Municipality: Whenever a subdivision of land is planned on any site in which: (1) Any portion of the property affected is within five hundred feet of the boundary of the adjoining municipality, (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site, (3) a significant portion of the sewer or water drainage from the project will flow through and significantly impact the drainage or sewerage system within the adjoining municipality, or (4) water runoff from the improved site will impact street or other municipal or private property within the adjoining municipality, the Commission shall notify the clerk of the adjoining municipality of the pendency of said application. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application. No hearing may be conducted on any such application unless the adjoining municipality has received the required notice.

- F. Referrals – Other: The commission will refer maps, plans and documents to other municipal officials and agencies, such as the following, for advisory reports and consultation and/or for approvals as may be required by law:
- F-1 Town Engineer: maps plans and reports with particular reference to design and construction plans and the Soil Erosion and Sediment Control Plan.
 - F-2 Chesprocott Regional Health District: maps and plans, with particular reference to any on-site water supply or sewage disposal systems.
 - F-3 Sewer and Water Commission: maps and plans, with particular reference to sanitary sewerage and central water supply system extensions.
 - F-4 Mayor & Council: maps and plans, with particular reference to storm drainage, sanitary sewerage and public water supply system extensions of the Town systems.
 - F-5 Zoning Enforcement Officer: map and plans, with particular reference to lots and zoning requirements.
 - F-6 Building Official: Maps and plans, with particular reference to land located within a Special Flood Hazard Area or a Regulated Floodway.
 - F-7 State Department of Transportation: maps and plans, with particular reference to street and utility connections with State Highway systems.
 - F-8 County Soil and Water Conservation District: maps, and plans and reports, with particular reference to the Soil Erosion and Sediment Control Plan.
- G. Decisions: The Commission may approve, modify and approve or disapprove any subdivision application or maps and plans. The grounds for its action shall be stated in the records of the Commission.

- H. Notice of Decision: Notice of the decision of the Commission shall be published in a newspaper having substantial circulation in the Town and addressed by certified mail to the applicant by the Commission's secretary or clerk, under his signature in any written, printed, typewritten or stamped form, within 15 days after such decision has been rendered. Such notice shall be a simple statement that the application has been approved, modified and approved or disapproved, together with the date of such action.

- I. Failure to Decide: Failure of the Commission to act on any application shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand.

WOLCOTT PLANNING AND ZONING COMMISSION

ADMINISTRATIVE POLICY #4 **(accompanying the Subdivision Regulations of the Town of Wolcott)**

PREPARATION OF SUBDIVISION MAPS AND PLANS

A. General: The maps and plans required by the Subdivision Regulations shall be prepared in accordance with the standards hereinafter specified and shall show the information required under SECTION III of the Regulations. All such maps and plans which are presented for approval by the Commission shall be prepared by and shall bear the name of, a live seal (i.e. raised seal or live stamp original) of, and signature of a land surveyor and/or professional engineer, each as required by law, and licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut. In addition, the State of Connecticut Public Records Administrator, with the approval of the Connecticut State Library Board, establishes regulations concerning the Filing Requirements for Maps that are received and placed on file in the office of the town clerk. The following is a summary of State standards* applicable to Record Subdivision Maps and any other maps and plans which are presented to the Commission for endorsement and filing in the Office of the Wolcott Town Clerk:

A-1: Maps shall be of a process approved by the Public Records Administrator and the process shall be identified by the procurer (i.e. the person who draws the map for filing, or the person or company who creates the reproduction for filing).

A-2: Maps shall be produced by one (1) of the following processes:

- a. wash-off photographic polyester film;
- b. fixed line photographic polyester film; or
- c. original ink drawing on polyester film or linen.

- A-3: Maps for filing shall be identified as to the reproduction process used by the producer, i.e. "wash off" or "fixed line photographic." The process shall be certified by a live (original) stamp applied by the producer. This stamp will be affixed with indelible red ink. The stamp, which shall include the name of the producer and the process used, shall be 1" x 2". Original ink drawings will be so identified using the same process as above.
- A-4: Each map, plan of drawing shall contain a live seal (raised seal or live stamp original) of the design professional.
- A-5: Maps, plans or drawings for filing shall have no part attached/glued to its surface, and legibility of all data shall be beyond question.

* Effective January 1, 1992, Sections 11-8-19 to 11-8-26, Regulations of Connecticut State Agencies.

- B. Site Development Plan: The Site Development Plan shall be drawn to a scale of not less than 1' = 100'. The plan shall show existing land conditions and the proposed layout of the subdivision, including lots, streets and improvements for the proposed subdivision and a tentative layout of all contiguous land of the owner that may be subdivided in the future. The purpose of the plan is to allow the Commission to complete a general planning review of the proposed subdivision including its relationship to the future subdivision of contiguous land of the owner. The plan shall contain all of the applicable information required for all plans as set forth under Par. 3.1 and shall show all of the information required under Par. 3.2 and, if the plan is used to show the provisions for sediment and erosion control, a signature block shall be added entitled "Sediment and Erosion Control Plan certified by" with a designated place for signature of the certifying agent and the date of signing.
- C. Record Subdivision Map: The Record Subdivision Map shall be prepared with an accuracy meeting or exceeding standards for a Class A-2 Property Survey as defined by the Connecticut General Statutes, Sec. 20-300b, as amended, STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT, as published by the Connecticut Association of Land Surveyors, Inc. The map shall be clearly and legibly drawn and submitted on good quality translucent cloth or printed on polyester film .003 thick or better. Sheet sizes shall be 36" x 24", 24" x 18" or 18" x 12". The Map should be drawn to a scale of 1" = 40' but in no case at a scale of less than 1" = 100'. The Map shall contain all of the applicable information required for all plans as set forth under Par 3.1 and shall show all of the information required under Par. 3.3

- D. Construction Plans: Construction plans for all proposed roads, drainage and other improvements shall be drawn on good quality translucent cloth or polyester film .003 thick or better. Plan and profile drawings shall be prepared for all proposed streets, storm drains, sanitary sewerage and water systems, gas and electrical utility lines, street lighting, catch basins, sediment basins, manholes, ditches, tree plantings, signs, water courses, headwalls, sidewalks, gutters, curbs and other structures and shall be submitted on the above tracing material and drawn to a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'. Profile drawings and elevations shall be based on U.S.G.S benchmarks or other permanent benchmarks approved by the Commission; the benchmarks used shall be noted on the plan. Construction drawings shall contain all of the applicable information required for all plans as set forth under Par. 3.1 and shall show all of the information required under Par. 3.4 in accordance with good engineering practice and appropriate for the particular subdivision.
- E. Sediment and Erosion Control Plan: A subdivision or resubdivision involving construction of streets, drainage and other improvements, and/or general site grading or which otherwise involves a disturbed area of one-half (1/2) acre or more is required to have a Sediment and Erosion Control Plan in effect prior to, during and upon completion of construction. The Control Plan may be integrated with other maps, plans and documents and is intended to cover all construction areas, roads, drainage and other improvements and areas planned for general regrading and should provide for overall control measures and facilities as individual lots are used and developed.

- E-1. Definitions: Applicable definitions from PA 83-388 of the Connecticut General Assembly are as follows:
- a. "Disturbed area" means an area where the cover is destroyed or removed leaving the land subject to accelerated erosion.
 - b. "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice, and gravity.
 - c. "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
 - d. "Sediment and Erosion Control Plan" (see Par. 3.5 of Regulations).
 - e. "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.
 - f. "Soil" means any unconsolidated mineral and organic material of any origin.
- E-2. Control Plan: The **Control Plan** shall show the entire area of the subdivision, depicting the proposed regrading, cuts, fills, soil or rock removal and tree removal, shall be drawn on good quality translucent cloth or polyester film .003 thick or better, to the same scale as the Record Subdivision Map and based on the same benchmarks. The plan shall contain the information required for all plans as set forth under Par. 3.1, the applicable information required under Par. 3.2 and all of the information required under Par. 3.5.

- E-3. Certification: To be eligible for certification, a sediment and erosion control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Town Engineer. The Control Plan shall be accompanied by a narrative, to the extent applicable to the particular subdivision, describing elements such as the following:
- a. The development;
 - b. The schedule for grading and construction activities including start and completion dates, sequence of grading and construction activities, sequence for installation and/or application of soil erosion and sediment control measures and sequence for final stabilization of the project site;
 - c. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
 - d. the construction details for proposed soil erosion and sediment control measures and storm water management facilities;
 - e. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;
 - f. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;
 - g. any other information deemed necessary and appropriate by the applicant or requested by the Commission or the Town Engineer.

E-4. Minimum Standards:

- a. Plans for soil erosion and sediment control shall be developed in accordance with the Subdivision Regulation using the principles as outlines in Chapters 3 & 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The soil erosion and sediment control plan shall result in a development that minimizes erosion and sedimentation during construction, is stabilized and protected from erosion when completed, and does not cause off-site erosion and/or sedimentation.
- b. The minimum standards are those set forth in Sec. 4.17 of the Subdivision Regulations as well as in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. The Town Engineer, the Commission or the County Soil and Water Conservation District may approve alternate standards at the request of the applicant, if technically sound reasons are presented.
- c. The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended, is to be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission or the Town Engineer.

E-5. Certification:

- a. The Town Engineer or the Commission, or the County Soil and Water Conservation District if so requested, shall either certify that the Sediment and Erosion Control Plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply. Certification by the Commission shall be incorporated in the resolution approving a subdivision application.

- b. The Town Engineer or the Commission will coordinate certification of the control Plan with related action of other agencies, such as the Wolcott Inland Wetlands and Watercourses Commission.

E-6. Conditions:

- a. The estimated cost of measures and facilities of control sediment and erosion shall be covered by a cash restoration bond, required at the time of application approval and as specified in Par. 2.5.9 & 2.5.13.
- b. No site development shall commence unless the Sediment and Erosion Control Plan is certified, the bond has been posted and the control measures and facilities in the Plan, scheduled for installation prior to site work, have been installed and are functional.
- c. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified Control Plan
- d. All control measures and facilities shall be maintained in effective condition to ensure the compliance with the certified Control Plan.

E-7. Inspection: Soil erosion and sediment control measures of the certified Control Plan are subject to inspections, as provided in Par. 2.5.10, to ensure compliance with the certified Plan and that control measures and facilities are properly performed or installed and maintained. The Commission may require the applicant to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified Plan and are being operated and maintained.

**REGULATIONS PERTAINING
TO THE
CONSTRUCTION AND ACCEPTANCE OF STREETS
WOLCOTT, CONNECTICUT**

NOVEMBER 1, 1997

Adopted by the Wolcott Town Council

Effective: _____

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TOWN OF WOLCOTT, CONNECTICUT
REGULATIONS PERTAINING
to the
CONSTRUCTION AND ACCEPTANCE OF STREETS

SECTION 1 - GENERAL PROVISIONS

- 1.1 **General:** This document sets for the policies, rules, procedures, standards and specifications adopted by the Town Council of the Town of Wolcott essential for the execution of the responsibilities granted to the Council by the Connecticut General Statutes for the administration and enforcement of the construction and maintenance of streets in the Town of Wolcott.
- 1.2 **Title:** This document is entitled "Regulations Pertaining to the Construction and Acceptance of Streets" and may herein after be cited as the "Street Regulations"
- 1.3 **Definitions:** Certain words used in these regulations are defined and explained as follows:
- 1.3.1 **Form 814:** Form 814 shall mean a document entitled "State of Connecticut, Department of Transportation, Standard Specifications For Roads, Bridges And Incidental Construction", and any subsequent revisions or issues, and is made part of these Regulations.
- 1.3.2 **Mayor:** The Mayor of Wolcott can designate an agent to be responsible for the inspection and supervision of construction as carried out under these regulations and who would be responsible for the issuance of permits and performance of duties under the direction of the Mayor.
- 1.3.3 **Street:** The term "street" shall mean a) an existing "state highway" as defined by Section 13a-1 of the Connecticut General Statutes, as amended; b) an existing public highway, street or road accepted by the Town of Wolcott by use or pursuant to Section 13a-48 of the Connecticut General Statutes, as amended; and c) a proposed public or private highway, street or road in a subdivision or resubdivision for which a Record Subdivision Map has been approved by the Planning & Zoning Commission.
- a. Arterial streets shall mean all State-numbered routes within the Town of Wolcott.
- b. Secondary street shall mean a street of considerable existing or potential continuity that carries or will carry vehicular traffic generally through one section of Town to an arterial street or another secondary street, as determined by the Planning & Zoning Commission.

- a. Local Residential Street shall mean a public or private street that carries or will carry vehicular traffic usually for a short distance, to an arterial or secondary collector street as determined by the Planning & Zoning Commission. If a Local Residential Street is of limited length and with no potential for continuity and extension, with the approval of the Planning and Zoning Commission and the Mayor said street may be constructed to the standards for a Minor Street.
- b. Minor Street, including Private Lane, shall mean a public or private street that carries or will carry vehicular traffic, usually for a very short distance, to an Arterial, Secondary or Local Residential street as determined by the Planning & Zoning Commission. A private lane shall provide access to no more than eight (8) building lots.

1.3.4 Town: The term "Town" shall mean the Wolcott Planning and Zoning Commission relative to all subdivision activity and to the Mayor or his designated agent for all other activity.

SECTION 2 - APPLICATION PROCEDURE

2.1 Applicability: The provisions specified herein are applicable to:

- 2.1.1 The construction of streets for which a subdivision map has been approved by the Wolcott Planning & Zoning Commission;
- 2.1.2 The reconstruction of pavement, drainage or other improvements within or relating to any existing Town street; and
- 2.1.3 The construction of new streets by the Town.

2.2 Maps: Maps showing street right-of-way and rights-of-way or easements for drainage shall:

- 2.2.1 Be drawn in ink on good quality mylar on sheets having a size prescribed by Section 7-31 of the Connecticut General Statutes, as amended, and shall be to a scale of at 1"=40';
- 2.2.2 Bear the seal of a registered land surveyor licensed to practice in the State of Connecticut; and
- 2.2.3 Be accurate to the standards of a Class A-2 transit survey of the Connecticut Association of Land Surveyors and shall be so stipulated on the maps.

2.3 Plans: Plans of improvements and profile maps shall be prepared on 24" x 36" sheets, at a plan scale of 1" = 40' and a profile horizontal scale of 1"=40' and a profile vertical scale of 1"=4', unless otherwise directed by the Town Engineer and shall bear the seal of a professional civil engineer licensed to practice in the State of Connecticut.

- 2.4 Application for Street Construction Permit: Application for a Street Construction Permit shall be made in writing to the Town and shall include the following documents:
- 2.4.1 Two (2) copies of the maps showing the street right-of-way and drainage easements and two (2) copies of the construction plans for street, drainage and other related improvements. Plans and maps submitted to the Planning & Zoning Commission as part of a subdivision application may be substituted for the purpose of this requirement;
 - 2.4.2 A fee of \$50.00; (Does not apply to street construction within an approved subdivision) and
 - 2.4.3 In the event that such proposed construction is within, or relates to an existing Town street, evidence of Workmen's Compensation and Contractors' Liability insurance with the Town named as an insured shall be presented.
- 2.5 Permit Procedures - Issuance: A street construction permit shall be issued in writing by the Town subject to:
- 2.5.1 The completion of plans for the construction of streets, drainage and other necessary plans requested and approved by the Town and which also may be required to be approved by the Planning & Zoning Commission;
 - 2.5.2 Payment to the Town of Wolcott of an inspection fee of 1.0 % of the construction costs estimated by the Town; (Does not apply to that construction already covered by an approved subdivision) and
 - 2.5.3 The filing of a Performance Bond in the amount specified by the Town and in a form approved by Town Attorney.
- 2.6 Permit Procedures - Length of Permit: The Street Construction Permit shall be valid for a period of time that the Town deems necessary for the completion of construction. Permits may be extended for a period not to exceed one (1) year upon written approval of the Town. Upon the expiration of the extended time period, the Town shall either a) require re-application for the uncompleted work or b) pay for the completion of the work by calling the Performance Bond.
- 2.7 Performance Bond: The applicant shall execute an agreement and file a bond with the Town, said bond to be in an amount and with surety and conditions satisfactory to the Town, securing to the Town of Wolcott the actual construction, installation, and completing of all improvements to the satisfaction of the Planning & Zoning Commission and Mayor, including without limitation, streets, drainage, placing of monuments and so forth, within a period not to exceed five (5) years from the filing of the bond. Said bond shall be in form and amount and with a surety acceptable to the Town and Town Attorney and shall be either a letter of credit, executed by a financial institution licensed to do business in the State of Connecticut, or shall be a cash bond. Said bond shall be for a term of not less than two (2) years with provisions for automatic extensions for each year thereafter for a total period of at least five (5) years.

- 2.8 As-Built Plans: Upon the completion of any road or drainage improvements and prior to the final release of the bond, the applicant shall file with the Town construction plans, showing the streets, drainage and other subdivision improvements as built and also showing the location of any sewer water mains, underground electric and telephone utilities. In lieu of such submission, the applicant's land surveyor and/or engineer may update and certify the mylar construction plans submitted under Section 2.2 and 2.3 of the Regulations and approved by the Town. Such filing shall also include a certification, signed and sealed by a land surveyor and/or engineer licensed to practice in the State of Connecticut, as appropriate, that such surveyor and/or engineer has inspected all construction work and all improvements have been completed in accordance with plans and specifications approved by the Town.
- 2.9 Acceptance of Streets: Upon completion of improvements, a petition may be made in writing to the Town for the acceptance of a street by the Town Council. Such petition shall be signed by the owner(s) of the street and shall include the following:
- 2.9.1 A copy of a map to be filed in the Town Clerk's office showing-all street and drainage rights-of-way or easements;
- 2.9.2 A mylar tracing showing as-built street, drainage and other improvements certified by a professional civil engineer and a licensed surveyor as appropriate;
- 2.9.3 Conveyance Deeds and Certificates of Title for the rights-of-way of the street and drainage structures and of any easements in support thereof, unless furnished at the time of subdivision approval. In addition to Conveyances and Certificates of Title, such petition shall include:
- a. A Waiver of Mechanic's Liens;
 - b. Letter from the Tax Collector indicating full payment of taxes due; and
 - c. Any other certificates and document required by Town Counsel.
- Upon receipt of the required documents, the Town shall review said documents for accuracy and completion and shall refer them to the Town Council with a recommendation for acceptance. The Town Council shall then place the petition for acceptance on the call of the next regular meeting provided, however, that all requirements of these Regulations and if applicable, the Subdivision Regulations, have been fulfilled.
- 2.10 Release of Bond: Before the release of the performance bond provided for in Section 2.7 of these Regulations:
- a. The streets, street improvements and street drainage shall have been inspected and approved by the Town and accepted by the Town Council;
 - b. As-Built Plans shall have been filed with the Town pursuant to Section 2.8; and
 - c. The applicant shall execute an agreement and file a bond to guarantee maintenance of streets, drainage and other improvements in accordance with these Regulations. The maintenance bond must be in effect for a period of one (1) year from the release of the performance bond. If the applicant fails to correct any deficiencies identified during the maintenance period, in a timely fashion and acceptable to the Town, the Town at its sole discretion may authorize the performance such corrective maintenance, the cost of which will be reimbursed from said bond.

- 2.11 Liability Insurance: The Manufacturers and Contractors Liability insurance specified under Sec. 2.4.3 shall include no less than the following:
- 2.11.1 Public liability limits of \$ _____.
 - 2.11.2 Property damage limits of \$ _____ including blasting and underground damage resulting from the use of mechanical equipment, on work covered by this document.
 - 2.11.3 Coverage with respect to all subcontractors doing any part of the work covered by the Permit.
 - 2.11.4 If the policy is changed or canceled during the policy period, the policy shall provide that written notice will be given to the Mayor and/or the Planning and Zoning Commission of the Town of Wolcott at least thirty (30) days before the effective date of such change or cancellation period.
 - 2.11.5 The Town of Wolcott shall be named as an additional insured.
 - 2.11.6 Such additional coverage as requested by the Town.
- 2.12 Inspection Procedures: The Mayor, the Town Engineer and, where appropriate, the Planning & Zoning Commission, shall have free access to the construction work at all times and shall be authorized to take material samples, corings and other tests as deemed necessary to determine compliance with the standards of these Regulations. They may require the applicant, at his own expense, to have such tests made and certified by a Connecticut licensed professional engineer.
- 2.13 Notification: The applicant or contractor for the street, drainage or other subdivision improvements shall notify the Town in writing of his intention to start any construction project at least five (5) days prior to starting the work. Should the applicant or such contractor close down the construction project for a period exceeding one (1) week, due to weather conditions or other cause, the applicant or such contractor shall notify the Town in writing of such closing; he shall notify the Town in writing of his own intention to resume the project at least two (2) working days prior to resuming the work. In addition, the applicant or such contractor shall give timely written notice to the Town for inspection purposes at least 48 hours before each of the following stages of work:
- 2.13.1 Commencement of site clearance and after the limit of clearing has been flagged;
 - 2.13.2 Commencement of excavation and grading of streets, and installation of embankments;
 - 2.13.3 Commencement of installation of drainage and other utilities;
 - 2.13.4 Commencement of backfilling structures and drainage pipes, facilities and other utilities;
 - 2.13.5 Commencement of placement of the rolled gravel base course on the subgrade of a street; and
 - 2.13.6 Commencement of construction of each stage of the paved surface of a street.

The Town or its agent shall have two (2) working days in which to inspect the completed work in each of the above stages of the project prior to approving the work. No work shall be commenced on succeeding stages of construction until the required inspection has been made and approval given in writing by the Town. The Town may issue a Stop Work Order and may suspend the Street Construction Permit if, in its judgment, the construction project or any stage thereof is not being carried out in accordance with these Regulations or if unforeseen field circumstances are encountered for which the approved plans are insufficient. The Town shall withdraw such Order and reinstate the Permit when it is determined that there is compliance with these Regulations.

- 2.14 Barricades and Protection: When any excavation is made Within the right-of-way of any Town street, the applicant or his contractor shall provide a railing or suitable barricade so as to enclose such excavation or material placed in the right-of-way. The railing or barricade shall be continued and maintained during the entire time such excavation is exposed or open. A sufficient number of lighted flashing warning lights approved by the Town shall be provided for public safety, and affixed to some part of such railing or barricade or in such other proper manner over or near such excavation and excavated material, and so kept from the beginning of the twilight of the evening through the whole of the night, and every evening and night during the time such excavation shall be open, exposed or in state of repair. The applicant or his contractor shall comply with any order of the Town for provision of barricades and shall furnish a Town police officer in uniform when so ordered.
- 2.15 Rights of Safe Passage: The applicant or his contractor shall provide safe and convenient passage for public travel around or over any excavation in a Town street or highway and shall keep such passage free from earth, stones, trenches or any other material which may hinder travel of pedestrians or vehicles. The applicant or his contractor shall comply with any order of the Town for protection of safe passage. Street gutters shall not be obstructed in any manner so as to prevent or retard flow of water therein.

3.2.4 Gradient: The minimum grade for all streets shall be 1.0%. The maximum grade for any street shall not exceed the following:

- | | | |
|----|---------------------------------|-----|
| a. | Secondary streets | 10% |
| b. | Local Residential streets | 10% |
| c. | Minor streets and Private lanes | 12% |
| d. | Turnarounds | 4% |

3.2.5 Vertical Curvature: Appropriate vertical curves for transition, including super elevated curves meeting acceptable engineering standards, shall be established on all streets and at street intersections to ensure adequate sight distance in accordance with the classification of the street. Except at intersections, vertical curves shall provide a minimum sight distance of 200 feet along the edge of pavement. Where any street approaches an intersection, a transition area, having a maximum grade of 3%, shall be provided for a minimum of 50 feet measured from the right-of-way line of the street intersection.

3.2.6 Horizontal Alignment: Connecting curves between tangents shall be provided for all deflection angles. Minimum tangents not less than 100 feet in length shall be provided between curves on Secondary and Local Residential streets and the minimum radius of curvature at the centerline of streets shall be as follows:

- | | | |
|----|-------------------------------|----------|
| a. | Secondary street | 200 feet |
| b. | Local Residential street | 150 feet |
| c. | Minor street and Private lane | 125 feet |

3.2.7 Intersections: New street intersections shall be at least 200 feet from any existing intersection, or other proposed intersection, or shall be part of an existing or proposed intersection. The minimum sight distances at intersections shall be as follows:

- | | | |
|----|-------------------------------|----------|
| a. | Secondary street | 250 feet |
| b. | Local Residential street | 250 feet |
| c. | Minor street and Private lane | 200 feet |

The Town and/or Town Engineer may require a greater distance if in their sole discretion conditions of alignment gradient and/or operating speed of the roadway so warrant. Streets shall intersect at 90-degree angles where feasible, but in no instance less than 70 degrees. Where unusual topographic conditions warrant, the Town may, through written approval allow modification of this standard. Intersections of right-of-way lines shall be connected with a curve having a radius of 20 feet. Edges of pavement at all intersections shall be connected with a radius of 30 feet.

3.2.8 Cross Section: Streets shall be designed with a cross-section as specified in Exhibit B.

3.2.9 Street Name: Streets shall bear names which are appropriate to the character of the Town and which do not duplicate or too closely approximate in spelling or sound existing street names in the Town of Wolcott. All street names shall be subject to the approval of the Planning & Zoning Commission.

TOWN OF WOLCOTT
RESIDENTIAL SUBDIVISION STREETS
DESIGN GUIDELINES

TABLE 1

Specification	Street Classification		
	Secondary Street	Local Residential Street	Minor Street
Design Speed	45	30	30
Stopping Sight Distance	---	200 Ft.	200 Ft.
Intersection Sight Distance	450 Ft.	250 Ft.	200 Ft.
R. O. W. Width	50. Ft.	50. Ft.	50. Ft.
Pavement Width	30. Ft.*	28. Ft.	24. Ft.
Minimum Horizontal Curve Radius	450 Ft.	200 Ft.	150 Ft.
Minimum Tangent	100 Ft.	100 Ft.	100 Ft.
Minimum Centerline Grade	1.%	1.%	1.%
Maximum Centerline Grade	10.%	10.%	12. %

Note:

* All or portions may be increased to 36 feet.

3.2.10 Curbing: Bituminous concrete lip curbing or equal shall be used under the following conditions:

- a. wherever sidewalks are used
- b. road gradient exceeds a 7% grade
- c. road fills over 5 feet high
- d. all non-residential areas
- e. for 50 feet on both sides of an including sag vertical curves
- f. where required by the Town

3.2.11 Sidewalks: Sidewalks may be required by the Planning & Zoning Commission for the following conditions:

- a. within one-half mile of public schools and non-public schools specified by the Planning & Zoning Commission
- b. retail areas
- c. public bus stops
- d. within 500 feet of public parks
- e. where required by the Planning & Zoning Commission

3.2.12 Guide Rails: Guide rails shall be used:

- a. where the proposed edge of pavement is 4 feet or higher over the adjacent ground and the side slope is 3: 1 (horizontal to vertical) or greater within 25 feet of the edge of pavement.
- b. where water bodies over 3 feet deep are located along the shoulder
- c. at bridge abutments, utility poles, and other fixed obstructions

3.3 Street Construction: Streets shall be constructed in accordance with the following standards and procedures:

3.3.1 Survey and Field Layout: Instrument surveys shall be made, maintained and recorded as follows:

- a. A centerline survey of the street shall be run in the field and suitable construction ties established to all control points. Stations shall be established to all control points. Stations shall be established at 50-foot intervals and at all points of curvature and points of tangency. Offset hubs shall be provided as part of the centerline survey.
- b. A construction stake shall be placed perpendicular to the tangent, or radial in the case of curves, at each station on both sides of the streets and clear of all construction. The construction stake shall be marked with the station, offset to centerline and cut or fill to profile grade as measured from line clearly marked on the stake.
- c. A stake sheet showing the stations, profile grade, stake offsets and grades, and cuts or fills shall be prepared and presented to the Town before the formation of subgrade.

- d. Permanent benchmarks shall be established throughout the duration of the project and recorded with the Town throughout the length of the project at 1,000-foot intervals or as directed by the Town. The datum for benchmarks shall be Town, State, or U.S.G.S. datum; an assumed datum may be used only with the permission in writing from the Town.
 - e. Grade stakes shall be protected and preserved until the construction work is approved by the Town.
- 3.3.2 Clearing and Grubbing: The area of the right-of-way required to be regraded in accordance with the standard cross section shall be cleared of trees, stumps, brush, roots, large rocks, ledge and other unsuitable materials, except that trees suitable for street trees or buffer plantings shall be left standing as directed by the Town, or approved as part of the Subdivision Plan.
- 3.3.3 Preparation of Subgrade: The subgrade will be prepared as follows:
- a. All trees and roots shall be stripped to below the pavement. All soft spots, peat, loam, organic material, spongy soil, boulders, ledge and other unsuitable material shall be removed and replaced by material conforming to Form 814, Article M.02.07. Where ledge rock is encountered, it shall be removed to a depth of 18 inches below subgrade and the area backfilled with gravel.
 - b. Embankments shall be constructed of suitable fill material deposited in successive layers not exceeding 12 inches in depth after compaction; embankments to an elevation of three (3) feet above free water surface at the time of filling shall be constructed of rock and/or free draining material conforming to Form 814, Article M.02.07. No stone over five (5) inches in its greatest dimension shall be placed within 18 inches of the elevation of the subgrade.
 - c. The subgrade shall be compacted by distributing the hauling equipment over the area by the use of tread type of equipment or power rollers of at least 16 tons, or by other means approved by the Town. The subgrade shall be brought to a uniform surface to conform to the shape of the required cross section.
 - d. Where rock fill is used, fill shall be installed in lifts no greater than three (3) feet to the desired depth.
 - e. The Town may require the installation of underdrains beneath the street pavement or in the right-of-way where necessary to protect the stability of the pavement.

- 3.3.4 Rolled Gravel Base Course: The Rolled Gravel Base course shall be constructed as follows:
- a. On the prepared and approved subgrade, a two-course rolled gravel base shall be constructed having a compacted depth of 8 inches where the subgrade is earth. Where ledge or rock is encountered the Rolled Gravel Base shall have a depth of 12 inches. The gravel material and construction methods shall conform to Form 814, Article M.02.02 Gradation B. The Rolled Gravel Base shall be constructed as per Section 3.02 of Form 814.
- 3.3.5 Processed Aggregate Course: The Processed Aggregate Course shall be placed on the compacted Rolled Gravel Base. The Processed Aggregate shall have a compacted depth of 6 inches and the materials and method of construction shall conform to Form 814, Article M.05 and Section 3.04.
- 3.3.6 Binder Course: The Binder Course shall consist of Class 1 bituminous concrete placed on the approved Processed Aggregate Base Course. The Binder Course shall have a compacted depth of 1-1/2 ". Construction materials and methods shall conform to Form 814 Article M.04 and Section 4.06. The Binder Course shall be installed when the air temperature is not less than 40 degrees (F) and rising and there is no frost in the ground.
- 3.3.7 Surface Course: The Surface Course shall consist of Class 1 bituminous concrete placed on the approved Binder Course. Construction methods and materials shall conform to Form 814, Article M.04 and Section 4.06. The surface course shall not be constructed until all the utilities under the paved surface have been in place and backfilled through one winter season (November 1 through March 1). In lieu of waiting through the winter season the surface course may be placed at any time provided: 1) continuous compaction tests were conducted by a certified testing laboratory during the backfill of all utilities and the compaction tests meet the applicable requirements of Form 814; 2) when the air temperature is not less than 40 degrees and rising; and 3) there is no frost in the ground.
- 3.3.8 Curbs: Where necessary bituminous concrete curbs shall be constructed on the outer edge of the completed pavement. Curbs shall be machine-formed, having a cross section approved by the Town, a height of six (6) inches and a base width of nine (9) inches. The curb material method of construction shall conform to Form 814, Article M.04.01 and Section 8.15. Where driveways exist or are planned, depressed curbing must be installed.
- 3.3.9 Slopes: Cut or fill slopes beyond the sidewalk area shall not exceed one (1) foot of rise or fall for each three (3) feet of horizontal distance, but the Mayor may require a variation in the degree of slope to whatever extent is necessary to maintain the stability of the bank under the particular conditions. All earth surfaces of slopes and other disturbed areas shall be covered with a minimum of four (4) inches of topsoil and suitably seeded or planted to prevent soil erosion. The Town may require the removal or lowering of embankments adjacent to street intersections in order to assure adequate sight distance at the intersection. No cut or fill sections beyond the right-of-way shall extend into property outside the subdivision or property not owned by the applicant, unless appropriate slope rights are obtained for the Town; in the absence of such slope rights, appropriate retaining walls shall be constructed within the subdivision to prevent encroachment upon adjoining property.

3.3.10 Guide Rails: Guide rails shall consist of metal beam rails, shall conform to Form 814, Article M.10.02 and shall be installed in accordance with Form 814 Section 9.10. Metal beam anchorages shall conform to Section 9.11 of Form 814.

3.3.11 Site Clean-up: All large rocks, boulders, felled trees, stumps and brush shall be removed from the street right-of-way and shall be deposited and suitably covered at an approved location on the property.

3.4 Storm Drainage Design: Storm drainage for streets shall be planned and designed in accordance with the following standards:

3.4.1 General: Storm drainage systems shall be designed by a qualified Professional Civil Engineer, licensed by the State of Connecticut, and reviewed and approved by the Town.

Unless otherwise approved by the Town, roads and driveways shall be designed so that there will be no discharge of storm drainage to the travel surface of an existing or proposed road, nor into the immediate area of a water supply well or sewage system. Surface drainage shall not be permitted to discharge directly to adjacent land without a drainage easement. The minimum drainage easement width is twenty (20) feet.

Where a new project has frontage on an existing road, sufficient improvements shall be made by the developer in the said road to ensure proper channeling of gutter flows, and existing drainage deficiencies shall be corrected to control erosion, flooding and other hazards.

3.4.2 Culvert Design: The following average storm return frequencies shall be the minimum standard used for drainage designs.

10-year: All enclosed drainage within roads, from catch basins to outlets, etc.

25-year: All through culverts under roadways, for streams, and swales, and ditches.

50-year: Major streams with watersheds of between 1 and 10 square miles.

100-year: All bridges in general, or all culverts in particular which are major waterways, rivers, etc., which are subject to seasonal flooding, and as otherwise determined by the Town, or with watersheds larger than 10 square miles, plus cross culverts on dead-end roads.

3.4.3 Discharge: The discharge of all storm water shall be into suitable streams or rivers or into Town drains of adequate capacity. In subdivisions and property adjoining the proposed subdivision, proper easements and discharge rights shall be secured by the applicant for the Town before approval of the final map and acceptance of the drainage plan unless such discharge is into acceptance of the drainage plan unless such discharge is into an established water course. Where the existing watercourse and/or Town storm drain system is inadequate, it shall be the responsibility of the developer to upgrade the facility at no cost to the Town.

3.4.4 Design Standards:

- a. The Rational Method may be used to design drainage systems serving watersheds of less than 100 acres, except where detention basins are required. The Soil Conservation Service hydrology methods (TR-55, TR-20) shall be used for watershed of over 100 acres and all detention basins.
- b. The minimum size of storm drains shall be 15 inches in diameter. The minimum size of culverts shall be 18 inches in diameter. All culverts shall have a flared end or headwall at the inlet and outlet. Storm drainpipes shall be designed to flow without surcharge for the specified storm frequency, using the Manning Equation. The minimum slope of pipe is 0.5 percent.
- c. The size of culverts shall be determined in accordance with the Federal Highway Administration Hydraulic Engineering Circular No. 5 and the outlet control should be checked.
- d. The maximum distance between manholes or catch basins on curbed roads shall be 300 feet. Double catch basins with curbs must be provided at all sag vertical curves. Catch basins shall also be provided to serve intersections, turnarounds, and high-pedestrian use areas as determined by the Town. All catch basins shall have sediment sumps.
- e. Open channels may be permitted at the discretion of the Town. The size of the waterway shall be sufficient in size to convey the peak discharge of a design storm with a twenty-five (25) year return frequency, except for large watersheds which require greater flows. The channel shall be suitably stabilized against erosion. The sides shall have a maximum slope of two (2) feet horizontal to one foot vertical (2:1) and top-soiled and seeded or otherwise stabilized as indicated on approved plans.
- f. All pipes shall have 30 inches of cover, except where waived by the Town.
- g. The allowable headwater at culverts shall be 18 inches below the road crown, except that it shall not inundate upstream private property without proper land rights.
- h. All channels, riprap, siltation basins, and related soil erosion control measures shall be designed in accordance with the D.E.P. "Guidelines for Erosion and Sediment Control".
- i. All storm drains shall outlet to a riprap sediment trap designed to collect road sand and debris at the point of discharge.

3.5 Drainage Construction: Storm drainage shall be constructed in accordance with the following standards:

- 3.5.1 Pipe: All storm drainage pipe shall be Class 4 reinforced concrete pipe (RCP) and shall conform to the requirements of Form 814, Section 6.51. Where water is encountered in the pipe trenches, or where the Town shall direct the installation of underdrains, the pipe shall be perforated ACCMP, perforated aluminum pipe, or perforated PVC or CPP and shall conform to the requirements of Form 814, Section 7.51. In general, underdrains shall be installed on the uphill side of the road.

3.5.2 Methods: Storm drainage pipe shall be laid in accordance with the following procedures:

- a. Prior to laying pipe, the trench shall be excavated to the required depth, the bottom of which shall be graded to afford a uniformly firm bearing for the pipe throughout its length. Where rock is encountered, it shall be excavated to not less than six (6) inches below the bottom of the trench and this depth shall be refilled with bedding material and thoroughly tamped and shaped. Where the nature of the foundation material is poor, it shall be removed and backfilled with gravel or crushed stone approved by the Town.
- b. All pipe shall be carefully laid, true to the lines and grades given, bell end upgrade and with the ends fully entered into the bell ends.
- c. Line and grade stakes shall be set by a Connecticut licensed land surveyor or professional engineer and shall be maintained in good order until the work has been inspected and approved by the Town. The use of laser beams is acceptable for maintaining line and grade.
- d. In sandy, silty or other soil in which there is a danger of washing or cave-ins, the joints of concrete pipe shall be thoroughly wetted and caulked, or the pipe shall be installed with gaskets.
- e. All metal pipe shall be carefully joined and firmly clamped together by approved connecting bands which shall be properly bolted in place before any backfill is placed.
- f. The backfill around the pipe and to a depth of at least eight (8) inches on top of pipe shall consist of bedding material, where the drainage pipe is necessary to serve as underdrain for the street or to control the water table, the remainder of the trench may be backfilled with bank-run gravel upon approval of the Town.
- g. Inlet conditions at all culverts shall be confined to a maximum headwater depth of 1.2 times the diameter of the culvert.
- h. "Modified Riprap" conforming to the requirements of Form 814, Section 7.03 and M.12.02-3, shall be placed at inlets, outlets, in channel beds at bends or curves as required to prevent scouring, erosion and/or siltation of streams and culverts.
- i. The inlets and outlets of all exposed drainage culverts shall be protected by reinforced concrete culvert ends, concrete end walls, and, where necessary, appurtenant wing walls. All end walls shall conform to the requirements of Form 814, Section 5.06. All culvert ends shall conform to the requirements of Form 814, Article M.08.01.22.
- j. Catch basins, manholes, drop inlets, end walls and constructed in accordance with Form 814, Section 5.07.

3.6 Sidewalks: Where sidewalks are to be installed, as determined by the Planning & Zoning Commission, they shall be constructed of portland cement concrete as follows:

3.6.1 Width and Location: Sidewalks shall be a minimum of four (4) feet in width and shall be located within the street lines with one edge abutting the property line.

3.6.2 Concrete Sidewalks: Portland cement concrete sidewalks shall be laid on a six (6)-inch gravel base conforming to Article M.02.01 of Form 814, tamped and rolled, and shall be constructed of concrete four (4) inches in thickness. Materials shall conform to Form 814, Article M.03.01 for Class "A" concrete and shall be constructed in accordance with Form 811, Section 9.21.

3.7 Miscellaneous:

3.7.1 Street Signs: Street name signs shall be installed at all street intersections in locations approved by the Town. Directional and warning signs shall also be installed in locations approved by the Town.

3.7.2 Monuments: Monuments shall be provided on both street right-of-way lines at the beginning and termination of each street and at each deflection or tangent point in between. Monuments shall be made of granite or prestressed concrete and shall be set in place, after all street construction is completed, with the marked point set on the point of reference in accordance with standards of the Connecticut Association of Land Surveyors.

3.7.3 Underground Utilities: Electric and telephone lines and facilities in new streets shall be installed underground unless the Planning & Zoning Commission has determined that such underground installation is in whole or in part inappropriate or infeasible. Wherever possible, such lines and facilities shall not be located under the street pavement. The lines and facilities shall be installed after the street right-of-way has been graded but prior to installation of the base course for the street pavement.

3.7.4 Street Trees: In those cases where street trees are to be planted as determined by the Town and/or the Planning & Zoning Commission, such trees shall be planted approximately 50 feet apart on both sides of any street, subject to variations made necessary by driveways, street corners and walks, and shall be located within six (6) feet of the edge of the pavement. Trees to be planted shall be 2 ½"-3" measured six inches above ground and shall have a minimum height of ten (10) feet. The species of trees shall be subject to the approval of the Town. Where the trees may interface with utility poles and wires, the Town may permit the location of required trees within the front ten (10) feet of the abutting lots. Existing trees along the street which conform to these requirements may be substituted for new trees at the discretion of the Town.

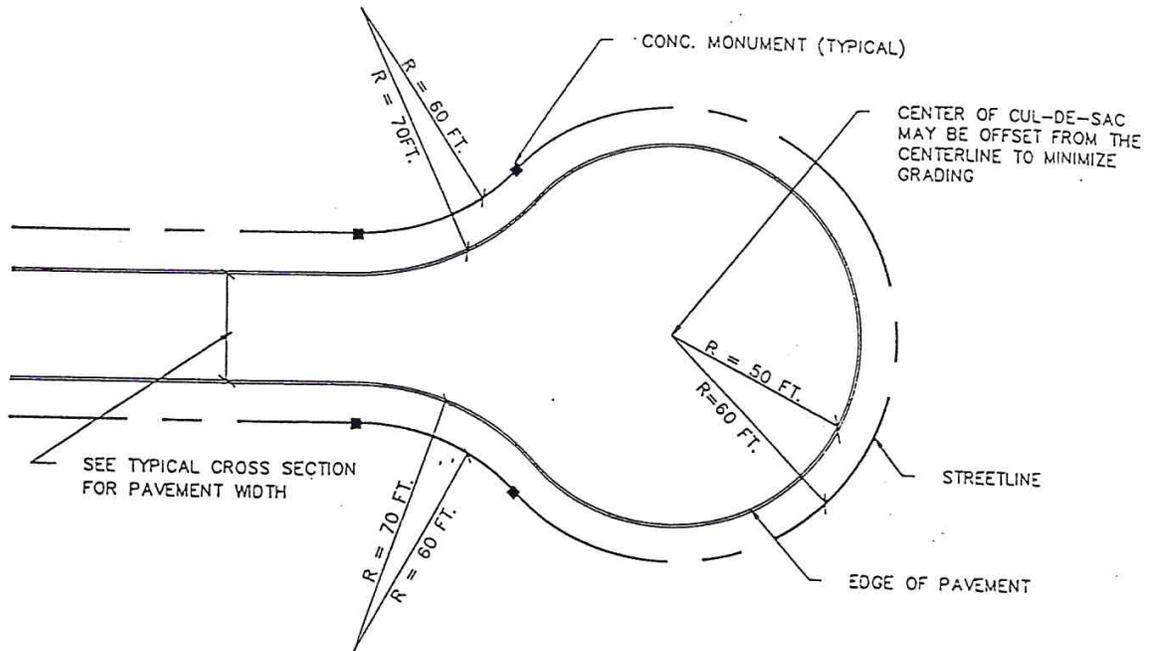


Exhibit A
TURNAROUND

	A	B
ARTERIAL STREETS	60	36
SECONDARY STREETS	50	30
LOCAL RESIDENTIAL STREETS	50	28
MINOR STREETS AND PRIVATE LANES	50*	26

* MAY BE REDUCED TO 30 FEET FOR PRIVATE LANES AS PER SECTION 3.2.1.

GUIDE RAILS REQUIRED WHEN THE CENTERLINE GRADE IS 4 FEET OR MORE ABOVE THE FINISHED ENBANKMENT GRADE AT A POINT 25 FEET OR LESS FROM THE EDGE OF PAVEMENT

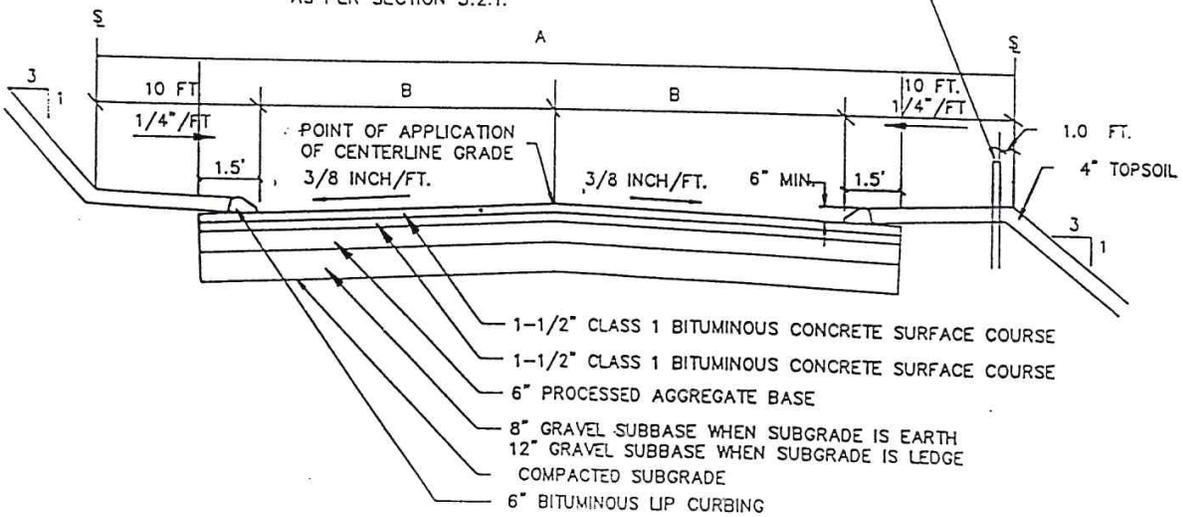


Exhibit B
TYPICAL CROSS SECTION