

SUBDIVISION REGULATIONS



PLANNING & ZONING COMMISSION

Amended to : September 1, 1986

**PLANNING AND ZONING COMMISSION
TOWN OF ROCKY HILL, CONNECTICUT**

MEMBERS

STUART WEBSTER, CHAIRMAN

CHARLES WISNIOSKI, VICE CHAIRMAN

PHILIP STRIPINIS, SECRETARY

CORNELIS GELDOF

JESSE HARRISON

ALTERNATES

**MICHAEL GERACE
CLIFFORD HART**

TOWN PLANNER

KIMBERLEY RICCI

AMENDMENTS

Amendment Date

Section(s) Amended

September 2, 1999

7E - Dead-end streets

TABLE OF CONTENTS

<u>SECTION</u>	<u>SUBJECT</u>	<u>PAGE</u>
1	Declaration of Policy	1
2	Definitions	1
3	Procedure	4
4	Hearings	5
5	The Subdivision Plan	5
6	Plan-Profile	7
7	Street Classification and Design Criteria	8
8	Street and Sidewalk Construction	10
9	Tree Preservation and Planting	11
10	Storm Drainage Requirements	11
11	Performance Bond and Inspection	13
12	General Requirements	15
13	Effective Date	21
14	Validity	21
15	Repeal	21

1. **DECLARATION OF POLICY**

These regulations are prepared to further the purposes set forth in Chapter 126, and Chapter 97, Section 7-120 of the General Statutes of the State of Connecticut, Revision of 1958 as amended, and for the promotion of greater efficiency and economy, the coordinated development of the Town of Rocky Hill and the general welfare and prosperity of its people, particularly in the following ways:

- A) To guide the future development of the Town of Rocky Hill with a comprehensive land use plan and population density so that the Town may realize its potentialities as a desirable place in which to live and work, with the best possible relationship among residential, commercial, and industrial areas within the Town and with due consideration (a) to the particular suitability of each of these areas for various uses, and (b) to existing conditions and trends in population, land use, and building development.
- B) To encourage an orderly pattern of residential development around existing subdivisions in the Town, in order to facilitate the adequate provision of schools and other public services on an economical basis.
- C) To bring about the most beneficial relationships between building and land; and to provide adequate, safe and convenient access for both pedestrian and vehicular traffic through the town and to the various buildings and lands within the town; to avoid congestion in the streets and highways of the town; to assure that adequate access to properties for fire fighting apparatus shall be provided.
- D) To assure adequate provision of water supply, surface drainage and sanitary sewerage; to assure that, in places deemed proper by the Commission, open spaces for parks and playgrounds shall be shown on the subdivision plan.
- E) To protect and conserve the value of buildings.

2. **DEFINITIONS**

For the purposes of these regulations, certain terms and words used herein shall be used, interpreted and defined as set forth in this section.

APPLICANT means any person, firm, corporation or partnership who shall apply to the Commission for approval of a subdivision, as hereinafter defined, either for himself or as a legally authorized agent for others.

COMMISSION means the Planning and Zoning Commission of the Town of Rocky Hill, County of Hartford, State of Connecticut.

CUL-DE-SAC See **DEAD-END STREET**

DATE OF SUBMISSION shall be the date of the next regularly scheduled Commission meeting.

DEAD-END STREET means a street or portion of a street with only one vehicular outlet.

EASEMENT is the authorization by a property owner for the use by another, and for a specified purpose, of any designated part off his property.

SUBDIVISION PLAN means the map(s), drawing(s), and all required supporting data upon which the subdivider's plan of subdivision is presented to the Commission for approval and which, if approved, will be submitted to the Town Clerk for recording.

LOT means an area of land under single ownership, designated by its owner, at the time of filing an application, as a separate unit to be used, developed, or built upon in compliance with the standards required by the Rocky Hill Zoning Regulations.

PARCEL means a piece or portion of land which is to be subdivided. For the purpose of these regulations the terms parcel and tract are synonymous.

PLAN AND PROFILE means the drawing or drawings depicting respectively the horizontal and vertical design for street construction and drainage.

PRINT means a blueprint, or photostat, lithoprint or other copy which reproduces exactly the data on the original drawing from which it is made.

RESERVE STRIP means land controlling access to an area dedicated or to be dedicated to public use.

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

STREET Any existing state or town highway, or a street shown (a) on a subdivision approved by the Commission, or (b) on a subdivision duly filed or recorded in the Office of the Town Clerk of the Town of Rocky Hill prior to the granting to the Commission and power to approve subdivisions, provided such street shall have been suitably improved to the satisfaction of the Commission and in addition shall meet the following minimum requirements:

- (i) The street right-of-way shall have been legally established by statutory authority, and shall have at least one intersection with another town street or state highway;
- (ii) The street right-of-way shall have a minimum width of 50 feet;

- (iii) The street shall be one that is not under consideration for discontinuance or realignment by the authority having jurisdiction;
- (iv) The street alignment and grades shall be in harmony with existing and proposed streets and the Plan of Development of the Town, and shall conform substantially to these regulations;
- (v) Street construction (sub base and base course) shall be sufficient to carry safely and adequately potential future traffic computed on the basis of land areas to be served and population density based on zoning requirements;
- (vi) Storm drainage disposal shall be adequate for present and additional storm drainage created by new subdivisions. It shall not increase the Town's obligation for additional storm drainage disposal on existing town streets;
- (vii) State highways shall be considered to meet the above standards.

STREET, ACCEPTED means any street which has become public by virtue of official acceptance by the Town.

STREET, APPROVED means any street whose location has been approved by official action of the Commission.

STREET PAVEMENT means the wearing or exposed surface of the roadway used by vehicular traffic.

STREET RIGHT-OF-WAY means the distance between property lines.

SUBDIVIDER means the owner of record at the time of filing of an approved subdivision plan.

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.

THESE REGULATIONS means the Subdivision Regulations of the Town of Rocky Hill, County of Hartford, State of Connecticut as contained herein, and includes amendments thereto.

*Rocky Hill Subdivision Regulations adopted April 5, 1950

TRACT - See PARCEL

ZONING REGULATIONS means the Zoning Regulations of the Town of Rocky Hill, Connecticut, which are in effect at the time a subdivision is approved by the Commission.

3. **PROCEDURE**

- A. **Application** - Whenever any subdivision is proposed to be made the subdivider shall file, in triplicate, an application to the Planning and Zoning Commission requesting consideration of a subdivision plan. The application shall be received in the office of the Town Planner not less than fourteen (14) days prior to the meeting at which time the Commission is to review said application.
- B. **Application fee** - An application fee consistent with a schedule established by the Town Council by ordinance in accordance with Section 8-1c of CT General Statutes shall be submitted at the time the subdivision application is submitted. The payment of the fee shall be made payable to the Town of Rocky Hill. Said fees may be changed from time to time by ordinance in accordance with a recommendation of the Planning and Zoning Commission. Amended 9-1-86.
- C. **Subdivision Plan** - The subdivider shall submit to the Planning and Zoning Commission ten (10) prints of the proposed subdivision at least fourteen (14) days prior to the meeting at which the Commission is to review said subdivision. Subdivision plan shall conform to Section 5 of these regulations. The Planning and Zoning Commission shall notify the subdivider of the time, date, and place of the meeting at which time the Commission will discuss the proposed subdivision.
- D. **Subdivision Plan Approval** - The Planning and Zoning Commission shall approve, modify and approve, or disapprove any subdivision plan submitted therewith within sixty-five (65) days from the date of the Commission meeting at which the proposed subdivision was first reviewed. A subdivision plan shall be deemed to be approved by the Planning and Zoning Commission should the Commission fail to act upon the subdivision plan as stated herein.
- E. **Filing of the Subdivision Plan** - The subdivider shall be required to submit a mylar print of the overall subdivision plan to the Planning and Zoning Commission. Approval of the mylar print shall be attested to by a majority of the Commission members and shall be so recorded on said print. Whenever a subdivision is proposed to be developed in sections the developer is required to submit a final plan of each section in addition to the overall subdivision separately and if approved the final mylar print of such section shall be attested to by a majority of the Commission members and prohibited from offering for sale or transfer a lot or lots within any section of the subdivision until such section plan has been approved by the Commission and recorded in the office of the Town Clerk. The subdivider shall have no more than ninety (90) days or separate section to record a mylar print in the office of the Town Clerk of Rocky Hill. Failure to record the approved plan within the prescribed ninety (90) days shall cause the Commission's approval of the plan to become null and void.

- F. **Alteration of Subdivision Plan** - If the approved subdivision plan is altered, changed, erased, or revised between the time the Commission's approval is endorsed on the plan and the time the plan is filed with the Town Clerk, the approval shall be null and void unless the alteration has been approved by the Commission, and so indicated on the plan.
- G. **Continued Responsibility** - An approval granted for a subdivision plan does not relieve the developer from the responsibility of carrying out all the requirements of these subdivision regulations.

4. **HEARINGS**

Before the subdivision plan shall have been approved or disapproved, the Commission may hold a public hearing on the plan.

No plan of resubdivision will be acted upon without a public hearing.

Notice of the public hearing shall be given by publication in a newspaper or general circulation in the municipality at least twice of intervals of not less than two (2) days, the first not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days prior to the date of such hearing, and by sending a copy thereof by registered or certified mail to the applicant.

5. **THE SUBDIVISION PLAN**

The subdivision plan submitted to the Commission for approval and subsequent recording shall be clearly and legibly reproduced on mylar. The plan shall preferably be drawn at a scale of 1" equals 40 feet, on sheet sizes of 24" x 36" or 18" x 24" or 12" x 18". Where more than one sheet is required, an index sheet of the same size, showing the entire subdivision, shall be submitted with the plan. The plan shall show the following information:

- a. Proposed name and identifying title.
- b. Date, approximate true north point, scale and datum.
- c. Name and address of owner, subdivider, and licensed land surveyor.
- d. Names and owners of record of abutting properties or developments.
- e. Location, names and dimensions of existing streets, highways, building lines, parks, other public properties, and all other easements.
- f. Location, widths, and names of all proposed streets and existing streets to be

widened and location, dimensions and status of all easements proposed by the subdivider.

- g. Lot area in square feet. All lots shall be numbered in accordance with a scheme approved by the Assessor and all lots shall have street numbers assigned in accordance with a scheme approved by the Building Inspector.
- h. The length and bearing angle of all street lines, and the radius, length, central angle and tangent of all curves shall be indicated. All dimensions shall be shown in feet and decimals of a foot. Merestones of regulation type and size marked Rocky Hill Highway Boundary Monuments, shall be set at all PC's and PT's, Angle Points, and PRC's of the street lines, and at other locations required by the Commission. Merestones shall also be used to mark boundaries of the subdivision. The location of all merestones shall be indicated on the subdivision plan.
- i. Sufficient data to enable any surveyor to determine readily the location of every street line, lot line, boundary line, and to reproduce such line upon the ground. This data shall be made by a Connecticut licensed land surveyor and tied in, where possible, with reference points previously established by a public authority or by a Connecticut licensed land surveyor.
- j. Location of existing permanent property line monuments, and the location of iron pins of 3/4" diameter, 4'- 0" long driven into the ground 1 1/2" above the finished grade at the corner of each subdivision lot. The location of existing permanent property line monuments and the location of existing iron pins should be labeled as existing with a notation as to type such as concrete, granite, Connecticut Highway Department, monument, Town of Rocky Hill monument or iron pin in concrete whichever the case may be. At corners requiring iron pins a solid circle about 1/16" in diameter at lot corners is required with a notation that all monuments and iron pins are to be set by the developer. When Rocky Hill monuments are to be set a square symbol with a notation "Rocky Hill monuments to be set by the developer" shall be inked on the plan.
- x. The accurate outline of all property which is offered, or to be offered, for dedication to public use, with the purpose indicated thereon, and of all property that is proposed to be reserved by deed covenant for the common use of the property owners of the subdivision.
- l. Certification by a Connecticut licensed land surveyor and attested as to conformance to Class A-2 survey standards as set forth in the Code of the Connecticut Technical Council, Inc., dated January 1945, or any amendments thereof.
- m. Certification by the Health Inspector, on the map showing the subdivision plan, as to adequacy of private sanitary sewerage disposal facilities for the proposed

subdivision, or certification by the Metropolitan District Commission if a public sanitary sewerage system is proposed.

- n. There shall be a tangent of not less than 200 feet between curves.
- o. The location of the property with respect to surrounding property and street. This shall include an area map showing existing and proposed streets within the subdivision and all surrounding streets.
- p. The location of retaining walls where needed to avoid soil erosion.
- q. The location of street name signs, stop signs, and other regulatory signs.
- r. Legal documents for any easements required inside as well as outside the proposed subdivision which shall be filed along with the Subdivision Plan in the office of the Town Clerk.

6. **PLAN-PROFILE**

When new streets or improvements of existing streets are involved in a subdivision of land, the subdivision plan shall be accompanied by complete plan profiles of each such street drawn at a scale of 1 inch equals 4 feet vertical on 24" x 36" plan-profile tracing cloth and showing:

- a. Existing ground surface on the center line and the proposed center line grade, as well as existing elevations on both street lines.
- b. By proper notation, location of bench mark. Elevations shall be based on the Metropolitan District Commission datum plane.
- c. Elevations where there is a change in grade.
- d. Existing and proposed curbs, sidewalks, street lights, street signs and fire hydrants.
- e. Percent Grade.
- f. Stations at grade changes, center line intersections, and 100 foot intervals.
- g. Locations, size and invert elevations of existing and proposed storm water drainage facilities and sanitary sewers.
- h. Typical cross-section of each street indicating location, dimensions and materials of sidewalks, curb and pavement improvements.

- I. Sufficient computation to permit the Commission to check the drainage design.
- j. Certification by a Connecticut licensed Land Surveyor and Civil Engineer.

7. **STREET CLASSIFICATION AND DESIGN CRITERIA**

Streets shall be sufficient width, suitably located, and adequately constructed, to accommodate the prospective traffic, to afford access of police, fire fighting, snow removal, and other road maintenance equipment, and shall be coordinated so as to compose a convenient system.

- A. The various highways, streets, and roadways in the Town of Rocky Hill are classified as Arterial Roadway, Major Roadway - Collector, Divided Boulevard Roadway, Minor Roadway Residential, or Minor Roadway Residential (low traffic volume) as described in a manual entitled, "Town of Rocky Hill, Connecticut Street Classification and Standard Roadway Details" prepared by W. G. Weaver and Associates, Consulting Engineers, February 1968 and any amendments thereto. All highway, street or roadway improvements, extensions, reconstruction or widening shall be in accordance with said manual and amendments thereto.
- B. **CONTINUATION OF EXISTING STREETS** - The arrangement of streets in the subdivision shall provide for the coordination of principal streets of adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement or traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. When the topographic or other conditions make such continuance impracticable in the opinion of the Commission, the above requirements may be modified.
- C. **SIDEWALKS** - Sidewalks shall be required except when waived by the Commission if in its opinion such improvements will not be necessary or desirable.
- D. **RESERVE STRIPS** - Where proposed streets do not extend to or are not adjacent to, the boundaries of the tract, they shall be separated from such boundaries by a distance not less than the minimum lot depth prescribed by the Zoning Regulations for the Zoning District in which the proposed subdivision is located. Reservation of title in any land controlling access to streets is prohibited.
- E. **DEAD-END STREETS** (Amended 8/18/99, Effective 9/2/99) - Where cul-de-sac streets must be included in a subdivision they shall not exceed 1200 feet in length and shall terminate in a circular turnaround having a minimum radius of 60 feet the Commission may require the reservation of an easement 20 feet wide to provide for

the continuation of pedestrian traffic and/or utilities. A cul-de-sac, where appropriate, is to be proposed as temporary if the adjacent property is not developed and is suitable for development. When a temporary cul-de-sac is proposed provisions are to be made in the turn-around for continuing the street and for the reversion of any resulting excess right-of-way to the abutting property owners.

Upon reversion of excess right-of-way, plans for land restoration are to be submitted and approved concurrently with the subdivision. Notes to this effect shall appear on the subdivision plan and be made part of the land transfer documentation for the lot(s) involved.

The Commission may waive any provision of this section of the Subdivision Regulations with a three-quarters vote of all the members of the Commission in cases where difficult geological, topographical, and/or environmental conditions would cause undue hardship to affected land owners. When there is a request for waiver of the culdesac length due consideration is to be given to emergency response time and vehicular maneuverability in addition to the aforementioned concerns.

- F. **BLOCK SIZES** - Blocks shall not be excessively long, thereby causing unnecessary circuitous travel on streets. In long blocks, the Planning and Zoning Commission may require the reservation of a 20 foot wide easement through the block to provide for crossing of utilities and pedestrians where needed or desirable. In general, no block shall be less than 200 feet in width, nor more than 1,200 feet in length. Each subdivision lot must front on an approved street at least 50 feet in width.
- G. **RELATION TO TOPOGRAPHY** - The street of a proposed subdivision shall bear a logical relationship to the topography, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets.
- H. **STREET INTERSECTION** - Except where impracticable, all streets shall join each other so that for a distance of at least 100 feet the street is approximately at right angles to the street it joins and in no case shall such angle of intersection be less than 60 degrees.
- I. **INTERSECTION WITH MAJOR ROADS** - Minor or secondary street openings into a major road shall, in general, be at least 500 feet apart.
- J. **VISIBILITY AT STREET INTERSECTIONS** - For a distance of fifty feet from the point of two intersecting property lines nearest to the street intersection all planting and screening shall be so designed and maintained as to assure adequate visibility for approaching pedestrians and vehicular traffic.
- K. **IMPROVEMENTS** - Unless otherwise waived by the Commission, the developer shall be required to install sidewalks, curbs, storm sewers and pavement on proposed

streets, as well as curb, sidewalk and pavement between the edge of the existing pavement and the new curb line on existing streets which bound or intersect the proposed subdivision. The developer shall also be required to install street signs, monuments, driveway aprons, fire hydrants, street lights and shade trees. Such improvements shall be installed in accordance with town, state highway or utility company standards.

- L. **CHANGE IN GRADE** - All changes in grade shall be connected by vertical curves so that clear visibility shall be provided for a safe distance.
- M. **STEEP GRADES AND CURVES** - A combination of steep grades and curves shall be avoided. Where the grade of a street intersecting another exceeds 5 per cent, the land on each corner of such intersection shall be so graded as to prevent a blind corner, and sufficient land shall be included in the street right-of-way at the intersection to permit permanent maintenance of visibility for safety of traffic.
- N. **WATER COURSES** - Where a major course separates an existing street from abutting property to be subdivided, provision shall be made for carrying such water course by means of culverts or other structures of design.
- O. **DEDICATION OF STREETS** - Approval of a Subdivision Plan shall not be deemed to constitute or effect an acceptance of any street by the Town. However, the filing of an approved Subdivision Plan shall constitute an irrevocable offer of dedication by the owner of the land to the Town.
- P. **DRIVEWAYS** - All driveways shall be provided with paved aprons beginning at the street right of way line and ending at the gutter of street face or curb lines.

8. **STREET AND SIDEWALK CONSTRUCTION REQUIREMENTS**

- A. The construction of all highways, streets, roadways and sidewalks, and all storm water drainage structures shall be in accordance with the manual described in Subsection 7A.
- B. Should any question arise regarding specifications for roads, bridges and other incidental construction, the requirements of the "State of Connecticut, State Highway Department, Specifications for Roads, Bridges and Incidental Construction Form 809" and all amendments thereto, shall apply.
- C. All utilities including Cable TV shall be installed underground during construction of the road.

9. **TREE PRESERVATION AND PLANTING**

A. **EXISTING TREES**

Existing trees and shrubs which because of their location, species and conditions are suitable for preservation shall be shown on the subdivision plan and shall be preserved. All dead and diseased trees shall be removed.

B. **NEW TREES**

Where trees are planted along streets, they shall be outside the proposed right-of-way, as defined in Section 8, Subsection A. and at intervals of approximately 50 feet.

Where no trees are preserved in the front yard, each lot shall have trees of not less than 1-1 ½" caliper with a minimum straight trunk height of six feet, planted in compliance with section C below.

C. **GENERAL POLICY**

Such preservation of existing trees and planting of new trees shall be subject to the approval of the Commission, which shall be guided by the recommendations of the Town Tree Warden.

10. **STORM DRAINAGE REQUIREMENTS**

A. All existing water-courses shall be shown on the subdivision plans.

B. The storm drainage of proposed roads shall be intercepted by a drainage system and may be discharged upon an existing street. The entire drainage system, both on-site and off-site, shall be either piped in the road right-of-way, or be within easements on the subdivision plan or in existing water courses shown on the plan.

C. The distance between catch basins shall not exceed 350 feet unless approved by the Town Engineer.

D. An easement required for the drainage of storm water shall be not less than 20'-0" wide. Where land is held in joint ownership on both sides of the proposed easement the location of a pipe at any point shall be not less than 5'-0" nor more than 15' - 0" respectively from the boundary of such easement. If land is not held in joint ownership on both sides of the proposed easement the location of a pipe at any point shall be along the center line of such easement.

E. All storm drainage systems shall be based on the "C.E. MaGuire Comprehensive Drainage Study, Rocky Hill, Connecticut" prepared by C. E. MaGuire, Incorporated, Architects, Engineers Planners, dated August, 1975 and all amendments thereto.*

F. The following types of pipes shall be used for drainage installations:

- 1) Reinforced concrete pipes for surface drainage storm sewer systems and cross culverts.
- 2) Where clearance is limited by existing utilities - ACCMP or pipe arches will be used.
- 3) On grades over 10% - use ACCMP.
- 4) Where uneven support is expected - use ACCMP.

G. Minimum Pipe Sizes to be used for:

- 1) Storm Sewer system - 15"
- 2) Culverts in rural areas - 18"
- 3) Sub-surface drainage installation - 6" ACCMP (Perf.)

H. **STRUCTURES TO BE USED**

- 1) Catch Basins
 - a) Type "C" Catch Basin to collect highway system drainage.
 - b) Type "C-L" Catch Basin used in median strip and where traffic passes over structure.
- 2) Drop Inlet Structures
 - a) On culverts carrying water courses
 - b) When outlet pipe discharges directly beyond full slope
 - c)
 - c) Structures at toe of slope used as manholes
- 3) Water Shed and Diversion of Water

Care must be exercised in the design of all drainage facilities not to divert water from one watershed to another.

*Adopted January 12, 1977

I. No roof drainage or drainage from cellars shall empty or discharge onto roadways.

J. **DRAINAGE ANALYSIS MAP** - A drainage analysis map based on MDC datum

showing the tributary watershed at a scale not larger than 1" = 200' shall be furnished when required by the COMMISSION.

11. **PERFORMANCE BOND AND INSPECTION**

- A. **INSTALLATION OF IMPROVEMENTS** - The subdivider shall install all improvements specified in the Subdivision Plan. He shall also be responsible for the cleaning up of all debris, removal of dead trees and other vegetation, and rehabilitation of the disturbed land and establish a permanent lawn upon the open area of the lots after completion of the site work required in connection with the development of the land. Before recording the approved subdivision plan, there shall be submitted a performance bond in an amount, which in the opinion of the Commission, is sufficient to cover the costs of improvements shown on the subdivision plan. In any event, no lot shall be sold and no site preparation or construction work shall be started before the Commission has granted approval of the Subdivision Plan. The Commission may accept assurance, in writing from each of the utility companies whose facilities are proposed to be installed in the subdivision, in lieu of bond.
- B. **BOND** - A performance bond executed on a form approved by the Planning and Zoning Commission shall be required prior to the recording of the approved plans. Said bond shall be in the form of a collateral agreement whereby cash and lot liens shall be provided. Said funds and lot liens will be held to ensure completion of said subdivision plan and work, as indicated, and will only be released and/or reduced pursuant to approval of the Town of Rocky Hill Planning and Zoning Commission. The cost of all subdivision improvements shall be based on current recognized construction costs estimated in itemized form by the developer and reviewed and approved by the Commission. After completion of any portion of the subdivision improvements, the subdivider may request a reduction of the amount of the bond to a sum necessary to cover the costs of the remaining improvements but shall not be less than fifty (50%) percent of the original bond. Amended 9-1-86.
- C. **LIABILITY INSURANCE** - The developer shall furnish to the Planning Commission a certificate of insurance agreeing to hold the Town free and harmless from any and all suits or claims which may arise as a result of said subdivision work and construction. Such policy shall remain in effect until such time as the roads are accepted by the Town, or the performance bond is totally released, whichever is latest.
- D. **INSPECTION** - The Planning and Zoning Commission or its appointed agent shall assure that all Town specifications and regulations are met during the construction of the required improvements. In any case of a new street or improvement in an existing street, the work shall be inspected by the Commission or its authorized agent at the following stages of construction.

- a) Rough grading completed;
- b) Drainage and all other underground facilities installed and prior to backfilling;
- c) subbase;
- d) base;
- e) binder;
- f) surface source

The developer shall not proceed to work on any stage subsequent to the first until such inspection has been made by the Commission or its authorized agent, on the preceding stage and approval in writing has been obtained on the preceding stage. The developer shall give at least forty-eight hours advance notice to the Commission or its authorized agent for a required inspection. If it shall appear, during the course of construction of any new street, or any other improvement required by the Commission in connection with the approval of the plans, profiles and specifications therefor, the additional extra work or requirements are necessary owing to unforeseen conditions such as, but not limited to, springs, ancient drains, swampy conditions, side hill drainage from cuts, ledge rock or other conditions which were not apparent at the time of approval by the Commission. The Commission, based upon a written report from its agent, may modify the terms and conditions of the approval so as to require additional work to be done as may be necessary to conform to accepted road construction practice.

- E. **RELEASE OF BOND** - Upon completion of the required improvements to the satisfaction of the Commission and receipt of an as-built map prepared by a Connecticut Licensed Land Surveyor certifying to the accuracy and conformity with previously approved Subdivision Plans and delivery of an instrument for street and drainage and open space land easement dedication satisfactory to the Commission and to Town Counsel, and fulfillment of any other requirement or condition of approval, the Commission may release the surety company and the principal of their liability in the performance bond. If the improvements are not installed as required, the Commission may recommend that the bond be declared in default and the surety company be called upon to perform.

12. **GENERAL REQUIREMENTS**

- A. The proposed subdivision shall conform to the Plan of Development and to the Zoning Regulation requirements. However, the Commission may waive certain subdivision requirements by a three-quarters vote of all members of the Commission in cases where certain geographical or topographical or geological conditions exist which would cause undue hardship or injustice to the land owner if a literal interpretation of the Subdivision Regulations was enforced. The Commission shall

state upon its record reasons for which a waiver is granted as well as indication that the spirit of the Subdivision Regulations and the public convenience and welfare will not be adversely affected.

- B. Land subject to flooding and land deemed by the Commission to be uninhabitable shall not be plotted for residential occupancy nor for any use which might be hazardous to health, life and property.
- C. The developer of any proposed subdivision or resubdivision which has within or adjacent to its boundaries a stream, brook, or any other body of water shall indicate on the Subdivision Plan such stream, brook, or other body of water, and the one hundred (100) year flood encroachment lines of such stream, brook, or other body of water. The area within the one hundred (100) year flood encroachment lines shall be offered to the Town as public open space land. The Town shall have sixty five (65) days from the first date the Planning and Zoning Commission reviews the subdivision plans to accept the offer of the open space land. Failure by the Town to accept the open space land within the allotted sixty five (65) days shall automatically be deemed a rejection by the Town of the open space land and the developer may add such open space land to the contiguous subdivision lots if he chooses. However, no building or structure shall be permitted to have a finished floor elevation below the one hundred (100) year flood elevation. If the Town accepts the offer of the Open Space Land the developer and or owner must deliver a Warranty Deed in favor of the Town for such Open Space Land within ninety (90) days after the Planning and Zoning Commission signs the final subdivision plans. Recording of the approved subdivision plans will be delayed until the Warranty Deed has been received and accepted by the Town.
- D. If a proposed subdivision involves land regulated as an Inland Wetland under the provisions of the Rocky Hill Inland Wetland Regulations and the agency responsible for administering the Inland Wetlands Regulations has not already reviewed the application, the applicant shall file a copy of the after submission of same to the Planning and Zoning Commission and the Planning and Zoning Commission shall give due consideration to any report filed with it by such agency prior to rendering a final decision on such Subdivision Application.
- E. In general, no reserve strips of land which may prove to be untaxable for improvements shall be permitted.
- F. If the Commission shall have given approval of the subdivision plan for the entire area of a proposed subdivision, the developer may develop the Subdivision in sections, however, no transfer, sale, lease or agreement to sell shall be made of any land in a proposed subdivision until the plan of such subdivision or portion thereof shall be finally approved by the Commission as shown by an entry of the plan by the signature of a majority of the Commission, and until bond has been posted and the

plan has been recorded or filed in the office of the Town Clerk. The developer of a Subdivision which is proposed to be developed in sections shall be required to complete all improvements in one section as shown on the approved Subdivision Plans prior to recording and transferring any lots in any subsequent section except the Commission may waive the installation of the final street pavement course. The developer may make improvements in accordance with the approved subdivision plans in any section of the subdivision prior to completion of improvements in a previous section. The Commission shall not be required to consider an application for approval of a subdivision plan or any portion or section thereof while another application for subdivision of the same parcel is pending or has previously been approved by the Commission.

- G. The developer of any subdivision shall provide land to be dedicated for public use, except that the Planning and Zoning Commission may at its discretion waive this requirement if fewer than ten (10) acres are involved. The parcel so dedicated shall be at least forty thousand (40,000) square feet net land area excluding any street right-of-way for each ten (10) acres. Such land for public use shall be graded to properly dispose of surface water and shall be seeded with field grass in open areas; all brush and debris and dead and diseased vegetation shall be removed and the land left in condition for purposes intended. A Warranty Deed for such land, properly executed to the Town of Rocky Hill, shall be submitted to the Town prior to recording the approved subdivision plan.

The Town of Rocky Hill shall have sixty five (65) days from the first date the Planning and Zoning Commission reviews the subdivision plans to accept the offer of the land for public use. Failure by the Town to accept the land for public use within the sixty five (65) days shall be deemed a rejection by the Town of land or public use and the developer may add such land for public use the contiguous subdivision lots if he chooses.

- H. Any subdivision proposed to be developed under cluster development shall provide open space land in accordance with the requirement of the Rocky Hill Zoning Regulations.
- I. Temporary street name signs shall be installed and maintained by the developer after the roadway binder has been put in place. Prior to the Developer offering the streets to the Town of Rocky Hill for acceptance permanent street name signs shall be installed. Permanent street name signs must conform to the Town of Rocky Hill specifications.
- J. All regulatory traffic control signs must be installed as shown on the approved subdivision plan prior to street acceptance. Signs must conform to the Town of Rocky Hill specifications.

- K. The developer shall be required to insure the removal of ice and snow from the sidewalks within the subdivision until such time as the streets in the subdivision have been accepted by the Town of Rocky Hill.
- L. Prior to the Town of Rocky Hill accepting the streets within the subdivision the developer is required to periodically sweep, or spray with water or calcium chloride or other acceptable method all streets within and adjacent to the subdivision so that dust pollution and dirt accumulation is kept at a minimum.
- M. Any person, firm, or corporation making any subdivision of land shall complete all work in connection therewith within five (5) years after the approval of the plan for such subdivision. The Commission's endorsement of approval of the plan shall state the date on which such five (5) year period expires. In the case of the subdivision plan approved after the adoption of these regulations failure to complete all work within such five (5) year period shall result in the automatic expiration of the approval of such plan provided the Commission shall file on the land records of the Town such expiration notice, and no further lots shall be conveyed in the subdivision except with approval by the Commission of a new application for subdivision approval by the Commission of a new application for subdivision of the subject land. For the purpose of this section work shall mean all physical improvements required by the approved subdivision plan other than staking out of lots.
- N. **EROSION CONTROL** - The developer shall be required to control erosion and dusty conditions from occurring by grading, loaming and seeding all disturbed areas as expeditiously as practical.
- O. **SANITARY SEWER**
 - a) Sanitary sewers shall be installed in all residential subdivisions which are developed in lands which form the drainage areas of any public sanitary sewer trunk line, which public sanitary sewer trunk line is existing, or is in process of being constructed, or can be reasonably expected to be extended to serve the subdivision within a period of five years. For the purpose of determining if a sanitary trunk line can be reasonably expected to be extended within a period of five years, the Commission shall accept verification concerning the five year time period from the Metropolitan District, Bureau of Public Works.
 - b) A subdivision which is not to be serviced by a public sanitary sewer shall contain soil with absorptive values suitable for the disposal of septic tank effluent from private sanitary sewer systems.
 - c) For the purpose of approval of a plan of a subdivision which is to contain private sanitary disposal systems, the soil of each residential lot shall have a minimum uniform seepage rate time of 20 minutes to drop one inch. The

applicant shall include with the application for plan approval, soil tests for each proposed lot in the subdivision, prepared, sealed and certified by a civil engineer registered in the State of Connecticut.

- d) All private sanitary sewage disposal systems shall be in accordance with the State of Connecticut Public Health Code, and approved by the Rocky Hill Health Officer or his designee.

In no event shall a building permit be issued for any lot in a subdivision until the building inspector has received a soil test for the said lot, prepared, sealed and certified by a civil engineer registered in the State of Connecticut.

- e) If a developer intends to construct a subdivision with sanitary sewers and to construct dwellings for occupancy prior to the availability of a public sewer service, the developer shall obtain approval from the Metropolitan District, Bureau of Public Works, to seal the subdivision sanitary sewer in order to render the system unusable until connected to the public sewer system. A sewer so sealed shall be termed "Capped Sewer".

- f) Dwellings erected for occupancy in a capped sewer subdivision may be provided with a private sanitary sewer system in accordance with the requirement of this section.

The use of all private sanitary sewer systems shall be discontinued when the capped sewer is unsealed and becomes active by reason of connection to the public sewer system.

- g) The requirements of (f) notwithstanding, the sewage may be disposed of by means of a collective or communal system of treatment and disposal,

provided such system is approved by and acceptable to the State Health Department, the Metropolitan District and the Town of Rocky Hill Health Department.

A community sewage plant shall be considered as a temporary installation, and shall not be used longer than 90 days after connection to the Metropolitan District sewer comes possible.

- h) When sanitary sewers are constructed prior to house construction, the sanitary building sewer to serve each lot in the subdivision shall be installed to a point not less than 6 feet within the lot if sidewalks are proposed.

- i) When a house is built in a subdivision containing capped sewers, the house connection (building sewer) shall be extended to the house, a plumbing connection shall be made to the building drain, and the building drain shall

be installed to a point where the stack and the building drain can readily be connected and there capped to prevent the building drain being used to convey sewage. The building drain shall not be an obstruction in the basement, and shall be arranged so that the basement floor will not be disturbed when connection of the building drain and stack is made in the future. Pending the uncapping and active uses of the building drain, a relief vent shall be connected from the building drain to the stack vent in accordance with the Town of Rocky Hill Plumbing Code.

- P. Due regard shall be given to the preservation and potential enhancement of existing natural features, large trees, scenic points, and other assets of a community nature.
- Q. No resubdivision shall be approved if, in the judgement of the Commission, it would result in the establishment of lots substantially smaller in size than the typical lot originally established by the existing subdivision or resubdivision unless the applicant is the owner of all the lots therein.
- R. The design of roads, both horizontal and vertical alignment; drainage systems, including and design and location of structures and piped sanitary sewer systems; sewage disposal systems, and water supply and distribution constitute professional engineering and as such shall be sealed by a registered professional engineer. A land surveyor's seal or an architect's seal is not acceptable for this phase of land subdivision design work. The phase of land subdivision work which relates to topography maps and the delineation of the boundary lines of the outside perimeter as well as the interior lots and streets constitutes land surveying within the meaning of the statute and as such shall be sealed by a registered land surveyor. A professional engineer's seal or an architect's seal is not acceptable.

S. **PUBLIC WATER UTILITY PROVISION**

- a) All residential subdivisions shall be serviced with the Metropolitan District Public Water Lines unless specifically waived by the Commission when, in its opinion, this requirement would cause hardship. The Commission shall consider the extent of the subdivision and the need to provide fire protection before granting a waiver.
- b) All lots within a residential subdivision shall be served with a lateral water line installed during the road construction.

The lateral water line shall be installed after the main water line has been sterilized. The lateral water line shall be installed to a point not less than twelve inches within the lot.

- c) The lateral water line shall enter the lot at a point which is approximately at

the center of the lot frontage, unless there exists on the lot a house foundation which requires a lateral service at a different point on the lot frontage.

- d) A water line which is installed within the lot to service a house shall be constructed as a straight line from the water line stop-cock, and shall enter the side of the house facing the stop-cock.

T. **FIRE HYDRANTS**

- a) Fire hydrants, shall be installed at the developer's expense and approved by the Rocky Hill Fire Marshal.

In residential subdivisions the hydrants shall be spaced at intervals not exceeding 500 feet, unless a greater space between hydrants is approved by the Fire Marshal.

In no event shall the distance between a hydrant and any house location in a subdivision exceed 300 feet.

U. **STREET LIGHTING BILL**

Prior to the acceptance of the street by the Town of Rocky Hill, the street lighting bill shall be paid in full by the developer. Adopted 7-16-83.

13. **EFFECTIVE DATE**

- A. These regulations shall be in full force and effect from and after May 1, 1979. However, an application for approval of a subdivision plan for residential property submitted to the Commission prior to the date of adoption of these revised regulations shall be approved by the Commission under the terms of the prior subdivision regulations of the Town of Rocky Hill, and the construction of improvements required in such (or prior) approval may be continued to completion in accordance with the then applicable specifications.

14. **VALIDITY**

- A. If any section, paragraph, subdivision, clause, phrase or provision of these regulations shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of these regulations as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

15. **REPEAL**

- A. The subdivision regulations previously adopted by the Town of Rocky Hill are

hereby repealed.