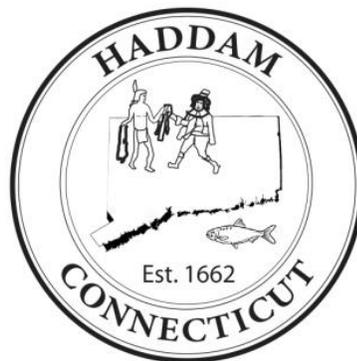


TOWN OF HADDAM



SUBDIVISION REGULATIONS

Effective January 1, 2011

SUBDIVISION REGULATIONS
HADDAM, CONNECTICUT

Subdivision Regulations for the Town of Haddam, Connecticut, were first adopted by the Haddam Planning & Zoning Commission on March 17, 1956, and revised on the following dates:

January 17, 1961
May 11, 1964
March 6, 1973
January 1, 1976
March 1, 1982
February 4, 1985
June 15, 1985
September 11, 1985
April 26, 1987
October 2, 1989
November 20, 1989
April 26, 1990
June 28, 1990
February 28, 1991
November 1, 1993
May 1, 1995
August 7, 1995
October 2, 1995
November 9, 1995
December 4, 1995
December 7, 1998
December 1, 2001
December 3, 2002
June 2, 2007
August 15, 2008
January 22, 2009
December 2010

SECTION 1

GENERAL PROVISIONS

- 1.1 Approval Required: These Regulations shall apply to the subdivision and resubdivision of land within the Town of Haddam. No subdivision or resubdivision of land shall be made by any person, firm or corporation until a map for such subdivision or resubdivision has been approved by the Haddam Planning and Zoning Commission and has been recorded in the Office of the Haddam Town Clerk.
- 1.2 Procedure: The Haddam Planning and Zoning Commission, in reviewing any proposed subdivision or resubdivision, and the person, firm or corporation proposing a subdivision or resubdivision, shall follow the procedures hereinafter specified. The Commission shall not approve any subdivision or resubdivision unless it conforms to the standards hereinafter specified, or as modified under the provisions of Section 5 of these Regulations.
- 1.3 Endorsement: No subdivision or resubdivision shall be considered approved until the Haddam Planning and Zoning Commission has endorsed its approval on the record subdivision map.
- 1.4 Map and Construction Approval: All applications, maps, plans, documents and data required by these Regulations in connection with a proposed subdivision or resubdivision shall be subject to the approval of the Haddam Planning and Zoning Commission. All construction and installation of roads, drainage and other improvements required by these Regulations shall be carried out in accordance with the Regulations for Public Improvement.
- 1.5 Authorization of Construction: Construction and installation of roads, drainage and other improvements shall comply with the requirements of these Regulations and the requirements in the *Town of Haddam Regulations for Public Improvements*, and shall not be authorized or commenced until the proposed subdivision or resubdivision has been approved by the Haddam Planning and Zoning Commission in accordance with Paragraph 2.4.4 of these Regulations.
- 1.6 Definitions: The terms “subdivision” and “resubdivision” as used in these Regulations are defined in the General Statutes of the State of Connecticut, Chapter 126 of the 1958 Supplement to the General Statutes of the State of Connecticut, revised to January 1, 1997, as amended, defines “subdivision” and “resubdivision” as follows:

- a. 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.
 - b. 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.
- 1.7 Penalties: Any person, firm or corporation making any subdivision or resubdivision of land without the approval of the Haddam Planning and Zoning Commission shall be subject to the penalties in accordance with the General Statutes of the State of Connecticut.

SECTION 2

APPLICATION REQUIREMENTS AND PROCEDURES

- 2.1 Presentations: Ten (10) copies of all applications, maps, plans, documents and data required by these Regulations shall be presented to the Haddam Planning and Zoning Commission at least ten (10) days before any Regular Meeting of the Commission held in accordance with the announced schedule of meetings filed with the Haddam Town Clerk. Such material may be presented at any other meeting of the Commission or to the Chairman or Secretary of the Commission at some time other than at a Commission meeting, but shall not be considered received until the first subsequent Regularly Scheduled Meeting of the Commission. (See Paragraph 2.4.1)
- 2.2 Informal Preliminary Consideration: The Haddam Planning and Zoning Commission recommends that, prior to submission of an official application for approval of a subdivision or resubdivision, the applicant prepare and present a preliminary plan of the subdivision or resubdivision for informal review by the Commission, the Town Engineer, Town Planner and Zoning Enforcement Officer. The preparation of the preliminary plan is recommended to facilitate general consideration of factors and problems affecting development of the land to be subdivided or resubdivided before the applicant proceeds with the official application and the preparation of final maps, plans, and documents required for formal consideration by the Commission. If the subdivision 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 or resubdivisions of land as contemplated under the provisions of the General Statutes of the State of Connecticut. In particular, neither the preliminary plan nor the informal consideration by the Commission shall be deemed to constitute part of the official procedure described in Chapter 126, of the 1958 Supplement to the General Statutes of the State of Connecticut, revised to January 1, 1997, as amended until such time as the applicant submits, along with the maps, a duly signed application, with the applicant's name and address, identifying the property, and the required application fee.
- 2.2.1 Preliminary Plan: The preliminary subdivision or resubdivision plan should be drawn to a scale of not less than 100 feet to the inch and should show existing and proposed property and street lines, proposed lots, existing and proposed drainage, watercourses, ponds, swamps and existing contours from available U.S.G.S. maps or other sources. The

Commission recommends that the preliminary plan conform in all respects to the requirements for a Site Development Plan as specified in Paragraph 3.2 of these Regulations, in order to facilitate consideration by the Commission. Three copies of the blue line or black line prints of the preliminary plan should be submitted.

- 2.3 Formal Application Requirements: In order to make formal application for approval of a subdivision or resubdivision, all supporting information as required in Section 40B of the *Regulations for Public Improvements* as well as the application, maps, plans and documents shall be submitted as follows:
- 2.3.1 Application: Application for approval of a subdivision or resubdivision shall be made to the Haddam Planning and Zoning Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant or lawful agent; if the subdivision or resubdivision 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 lawful agent.
- 2.3.2 Site Development Plan: A site development plan shall be submitted with the application and shall conform to all of the requirements of Paragraph 3.2 of these Regulations and Section 40B.3 of the *Regulations for Public Improvements*.
- 2.3.3 Record Subdivision Map: A record subdivision map shall be submitted with the application and shall conform to all of the requirements of Paragraph 3.3 of these Regulations. The number and type of copies of the map, as specified in Paragraph 3.3 shall be submitted with the application.
- 2.3.4 Construction Plans: Construction plans, including plan-profile drawings, for any proposed streets, storm drains, sanitary sewers, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs and other structures shall be submitted with the application and shall conform to all of the requirements of Paragraph 3.4 of these Regulations. The number and type of copies of the construction plans, as specified in Paragraph 3.4, shall be submitted with the application.
- 2.3.5 Grading Plan: A grading plan shall be submitted with the application and shall conform to all of the requirements of Paragraph 3.5 of these Regulations. The Commission may allow the grading plan to be drawn on the site development plan if it is practical to do so.

2.3.6 Erosion and Sedimentation Control Plan: A soil erosion and sedimentation control plan shall be submitted with any subdivision application for development. The plan shall meet all of the requirements set forth in Section 40 B. 9 of the *Regulations for Public Improvements*.

Such plan shall be referred to the Middlesex County Soil and Water Conservation District for its technical review and advisory opinion for all subdivisions located within the Gateway Conservation Zone, as defined in Section 25-102C of the General Statutes of Connecticut, as amended, and as shown on the "Town of Haddam, Connecticut, Comprehensive Zoning Map", dated February 19, 1970, as amended. The plan shall conform to paragraph 3.6 of these Regulations and Section 4 of the *Haddam Zoning Regulations*. The Commission may allow the erosion and sedimentation control plan to be drawn on the site development plan if it is practical to do so.

2.3.7 Stormwater Runoff Control Plan: A stormwater runoff control plan providing measures for on-site retention and/or detention and controlled release of stormwater runoff shall be submitted when a proposed subdivision contains an area of over five (5) acres or more than five (5) lots. Smaller subdivisions may be required to provide such measures, if deemed necessary by the Commission to protect the public health, safety and welfare. The plan shall conform to Paragraph 3.7 of these Regulations. The Commission may allow the stormwater runoff control plan to be drawn on the site development plan and/or construction plan if it is practical to do so.

2.3.8 Cutting Plan: A cutting plan with ten (10) copies showing existing tree species to be removed, their approximate height, diameter and age; and a description of the cutting or removal activities to be undertaken shall be submitted. After consideration of the site conditions and the potential impact of the proposed subdivision on the site, the Commission may request the applicant to indicate the general boundaries and descriptions of tree stands which are to be left undisturbed. (Example: "This 20 acre mixed hardwood stand is primarily composed of pole to sawlog size red oak, scarlet oak, black oak, red maple, hickory, black birch and beech. Hemlock is scattered throughout the stand, and the understory is composed of dense areas of mountain laurel.")

2.3.9 Health District Statement: When the subdivision is not to be served by sanitary sewers and/or public water supply, a statement from the Chatham Health District shall be obtained and submitted by the

applicant certifying that: 1) the land to be subdivided and the subdivision plan can be made satisfactory for private sewage disposal and/or water supply systems.

2.3.10 Connecticut Department of Transportation: When a proposed road, storm drain or driveway joins with a State Highway, the applicant shall demonstrate that a permit can be obtained for such connection from the Connecticut Department of Transportation as indicated in Section 40B.14 of the *Regulations for Public Improvements*.

2.3.11 Additional Evidence: The Commission may require the submission of additional evidence 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 danger to health or the 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; that historically significant or important structures or uses are preserved; that important natural and man-made topographical features are preserved; that existing scenic areas are protected; and if the Commission shall have adopted a plan of development affecting the area of the proposed subdivision, that any proposed street shown on the subdivision plan is in harmony with existing or proposed thoroughfares shown on said plan, especially in regard to safe intersections with such thoroughfares.

When proposed development activity in a subdivision is planned within 500 feet of an established watercourse or water-body or near an area recognized on the Town's Archeological Assessment Map, the Commission may request an applicant to refer the proposal to the Office of State Archeology for evaluation as to whether or not an archeological impact statement is necessary to determine the site's archeological significance.

All subdivision proposals shall be reviewed to assure that all other necessary permits have been received from State and Federal agencies and that all requirements of the Regulations for Public Improvement have been addressed.

2.3.12 Extension of Filing Time: Applications are expected to be complete at the time of filing, with all aforementioned items except such additional evidence as the Commission may subsequently require pursuant to

Section 2.3.11. It is recommended that any applicant failing to file a complete application (in expectation of supplying missing material sometime after the filing), accompany the application with a written request for an extension to a specified calendar date, not to exceed 35 days from the time the application is submitted, specifying the particular items intended for completion on or before that date and the reasons for not waiting until those items are ready before filing the application. It is also recommended that the applicant accompany this request with a written offer granting the Commission a 30 day extension to its statutory time limit, pursuant to Section 8-7D of the General Statutes.

2.4 Formal Consideration: The following procedures shall be followed by the Commission in its formal consideration of the proposed subdivision or resubdivision:

2.4.1 Receipt: The official receipt of an application shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission or its agent of such application, or thirty-five days after such submission, whichever is sooner.

The date of receipt shall be the beginning of the sixty-five (65) day period during which the Commission must make a decision on the application, unless it holds a public hearing in accordance with Paragraph 2.4.2.

In reviewing the application, 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. Detailed engineering review of plans will not be initiated by the Commission for subdivision plans that fail to comply with basic Zoning Regulation criteria. The Commission will evaluate the application as submitted, and may act on that application anytime thereafter, from the day of the official receipt until the end of the Commission's statutory decision time. However, if the Commission votes to grant a filing extension for certain specific items, in response to a request submitted in writing by the applicant pursuant to Section 2.3.11 it will not act on the application until either the extension time has lapsed, or the material for which the extension was granted has been received, whichever comes first. Similarly, the Commission may act at a later time, if it has been granted a written extension by the applicant, to its statutory decision time. Applicants may submit additional supporting

information or revised plans after the date of filing, but prior to the close of a public hearing (if one is held), and only in response to potential deficiencies noted by the Commission or in response to a request by the Commission for additional evidence pursuant to Section 2.3.11 of these Regulations.

- 2.4.2 Public Hearing: The Commission may vote to hold a public hearing on any subdivision application. The Commission shall hold a public hearing on any application for a resubdivision. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the municipality at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days prior to the date of such hearing, and by sending a copy thereof by registered or certified mail to the applicant. If a public hearing is held the applicant shall post a sign, not smaller than thirty six (36) by thirty six (36) inches, facing the street, and visible from the street, and not more than 10 feet from a town or private road and not more than 30 feet from a state road, bearing the following words with letters not less than three (3) inches high and provided by the Land Use Office:

PUBLIC NOTICE

**This property is the subject of an application
before the Haddam Planning and Zoning Commission.
For information, call the Land Use Office at 860-345-8531.**

Such sign shall be posted at least ten (10) days before any public hearing (not including the day of the public hearing or the day the sign is erected) on the application.

The applicant shall, at the time of the Commission meeting at which the matter is to be acted upon, or at the time of the public hearing, submit an affidavit of compliance with this provision and a photo of the actual sign.

Every applicant shall be afforded the opportunity to appear before the Commission. All public hearings shall be held within sixty-five (65) days after receipt of the application, and completed within thirty five (35) days after the hearing commences.

- 2.4.3 Decision: A decision on an application for subdivision approval, on which no hearing is held, shall be rendered within sixty-five (65) days after receipt of such application. A decision on an application for resubdivision or subdivision approval, on which a hearing is held, shall

be rendered within sixty-five (65) days after completion of such hearing. The applicant may consent to one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.

Notwithstanding anything herein to the contrary, if the application involves an activity regulated pursuant to Connecticut General Statutes Sections 22a-36 to 22a-45 inclusive, the Commission may not act until it receives a report from the Wetlands Commission with its final decision. If the time for a decision would elapse prior to the thirty-fifth day after a decision by the Wetlands Commission, the time period for a decision by the Planning and Zoning Commission shall be extended to thirty-five days after the decision of the Wetlands Commission.

2.4.4 The Commission, after a public hearing, if any, shall make a decision on the subdivision or resubdivision application within the period of time permitted in Paragraph 2.4.3 in conformance with one of the following:

1. Final Approval: Final approval shall be granted if the Commission finds that the subdivision map, plans, accompanying health district statement, other certificates, documents, and data conform to the requirements of these Regulations, and the Regulations for Public Improvements, and that a bond agreement has been executed to guarantee the completion of all required subdivision improvements, including but not limited to, all drainage piping and sediment control basins, underground utilities, fire protection devices, street pavement binder course and curbing. The developer may seek approval for a portion of the entire development in order to complete the development in phases.

The Commission, in its sole discretion, may allow construction of such subdivision improvements in sequential segments upon such schedule as it may determine. A request for such sequential construction must be made by the applicant. Appropriate bonds for the completion of each such sequential segment will be required as above. Only those areas or portions of the subdivision plan for which improvements have been completed, as set forth above, and bonded, will be considered as having been granted final approval.

2. Conditional Approval: Conditional approval may be granted if the Commission finds that one or more of the requirements set forth in Paragraph 2.4.4.1(Final Approval) have not been met, with the exception of the Health District approval, which must have been issued.

Conditional approval may be granted after placing a notation on the record subdivision map conditioning that no subdivided lot of the property shown on the map shall be conveyed and no building permit shall be issued for any lot shown thereon until the Commission has granted final approval and the plan has been endorsed. In cases where conditional approval has been granted the applicant shall post an Erosion and Sediment Control bond and a Restoration Bond as described in the *Regulations for Pubic Improvements Section 50A*, at an amount to be determined by the Town Engineer. Prior to the removal of conditions prohibiting the conveyance of any of the subdivided lots shown on the record subdivision map and the issuance of a building permit for any subdivided lot shown on the map, the applicant shall submit a certificate of compliance in the manner provided in Paragraph 2.4.10. The Commission shall grant final approval if it finds that all of the requirements in Paragraph 2.4.4.1, have been met. Conditional Approval shall lapse two years from the date it is granted, except that the Commission may grant a renewal for an additional period of two years at the end of any two year period. The record subdivision map shall note the date on which such conditional approval expires. Any person, firm or corporation who, prior to such final approval sells or offers for sale any lot subdivided pursuant a conditional approval shall be fined not more than \$500 for each lot sold or offered for sale.

3. Conditional or Final Approval with Modifications: The Commission may specify in its decision additions or modifications it would like to see made to the record subdivision map, plans and/or other documents to preserve the purpose and intent of these Regulations, and, on the basis of these modifications, may grant either conditional or final approval if it finds that all the requirements in Paragraph 2.4.4.1 (Final Approval), or 2.4.4.2, (Conditional Approval), have been met.

4. Disapproval: In granting final approval, conditional approval, conditional approval or final approval with modifications, or disapproval to an application, the Commission shall state in its records any modifications or conditions and the grounds for its action. Within fifteen (15) days of its action, the Commission shall give notice of its decision by publication in a newspaper having a substantial circulation in the Town and by sending a copy thereof by certified mail to the applicant. Such notice shall be a simple statement that such application was approved, conditionally approved, with modifications if any, or disapproved, together with the date of such action; but the applicant shall also receive from the Commission, under the same cover with the copy of the published notice, a statement of any modifications or conditions required, and the grounds for its action. The Commission

shall not be required to consider an application for approval of a subdivision plan while another application for subdivision of the same or substantially the same parcel is pending before the Commission.

2.4.5 Appeals: Any person aggrieved by the decision of the Commission may appeal within fifteen (15) days from the date when notice of the decision was published, to the superior court for the judicial district within which the town lies.

2.4.6 Easements and deeds: Any open spaces for parks and playgrounds to be deeded to the Town and any easements for storm drainage, sanitary sewers, or public rights-of-way shall be confirmed by written easements and deeds describing the land involved and the Privileges of the Town in a form satisfactory to the Town Counsel. Such easements and deeds shall be presented prior to endorsement of the record subdivision map.

2.4.7 General Provisions for Map Endorsement, Completion of Improvements and Bonding: The Commission may authorize endorsement of the record subdivision and site development maps by the Chairman or Secretary to allow the filing of the mylars with the Town Clerk as follows, within fifteen (15) days after the legal appeal period has lapsed:

1. Modification and Approval Endorsement: The Commission may modify any element of a subdivision plan to conform with the standards and requirements of these Regulations and approve such plan as so modified. Such modification may involve, for example, the alternation of the size, shape, location, and boundaries of lots; or the elimination of such lots for use as building sites in which case the Record Subdivision Map shall be appropriately marked with a conspicuous notation of such elimination. Whenever the Commission shall modify and approve the plan of subdivision, it shall be the responsibility of the applicant to prepare and file revisions of all documents as deemed necessary to reflect such modification with the Commission. No Record Subdivision Map shall be endorsed or delivered to the applicant until all such revisions have been received by the Commission. The Commission shall require whatever layout changes it feels are necessary to eliminate or improve any problems relating to health, fire safety, traffic safety, storm drainage, and the provision of future streets in accordance with these Regulations. Such requirements may include, though not be limited to:

a) Traffic signs, control facilities, and area lighting;

- b) Improvement of sight distances;
- c) Conformance to Plan of Development street plan;
- d) Reduction of the number of driveways on streets designated as arterial by the Plan of Development or as collector streets in these Regulations;
- e) Widening, repaving, or otherwise improving existing streets if the subdivision is to substantially increase traffic flow;
- f) Additional storm drainage structures;
- g) Sidewalks.

2. Completion of Improvements: Should an applicant not intend to post a performance bond, such applicant may opt to construct all the subdivision improvements prior to transferring a lot or obtaining a certificate of occupancy for any building on the lot. In this case, the Commission may endorse the Record Subdivision Map granting final approval only after the applicant has submitted as-built plans and documentation showing completion of the improvements (to the satisfaction of the Commission) or after the applicant posts a performance bond covering the incomplete portion of the required subdivision improvements.

All easements, street right-of-ways, and open space to be deeded to the Town shall have a written geometric description prepared, based upon survey data. In addition, a maintenance bond covering the subdivision improvements may be required. A separate cash performance bond shall be posted for all erosion and sediment control and site stabilization measures.

3. Bonding: To assure that proposed subdivision improvements are completed, the applicant may opt to post a performance bond in lieu of completing all required improvements prior to endorsement of the Record Subdivision Map. When a performance bond is to be posted by the applicant, the bond shall be posted in an amount acceptable to the Commission prior to:

- a) the endorsement of the Record Subdivision Map;
- b) the conveyance of any lot; or
- c) the issuance of any zoning permits.

A bond cannot be issued to satisfy that portion of any subdivision approval where engineered septic systems are required.

2.4.8 Bonding Criteria: Performance and Restoration Bonds:

1. To assure that a proposed development, excluding buildings, conforms to an approved site development plan and other required documents, a soil erosion and control bond, restoration bond and performance bond may be required by the Planning and Zoning Commission. When a performance bond is required, it shall be posted prior to the endorsement of the final site development plan, the issuance of any zoning permits and the sale of any lots. Approval of the plan shall become effective on the date when a copy of an endorsed final plan and other required documents are filed and recorded in the Office of the Town Clerk. No construction work shall be started prior to final approval of said subdivision plan. *See Town of Haddam Regulations for Public Improvement Section 50A for more information on Bonds.*
2. A performance bond shall be posted in the Land Use Office in accordance with one of the following methods and in a form that is acceptable to the Town Attorney:
 - a) A cash bond; or
 - b) A Letter of Credit
3. The amount of the performance bond shall be established by the Commission based on a recommendation by the Town Engineer. Applicants shall furnish the Commission with a listing of the estimated quantities of materials needed to complete improvements. The bond shall cover the full cost of the improvements as if let-to-bid by the Town without advantages of on-site building materials, in-kind services or the sale of removed earth material. In addition, the bond shall include a 15% contingency.
4. The amount of the performance bond shall be sufficient to cover the cost of all proposed or required site improvement such as site clearing, street grading; roadway paving and street planting; the installation of curbs, gutters, storm drainage facilities, landscaping, sidewalks, monuments, bridges, guide rails, street

and traffic control signs and culverts; erosion and sediment control measures; site stabilization measures; and all other such improvements that the Commission deems necessary to promote public health and safety and to safeguard the Town from undue expense in regard to the future maintenance of said improvements. All improvements shall be designed in accordance with established standards, rules and regulations applicable in the Town of Haddam. The Commission may require that a separate cash performance bond be posted for all erosion and sediment control and site stabilization measures.

5. Upon completion of the required improvements, the applicant shall submit to the Commission all of the supporting and supplemental information specified in Section 60B of the *Regulations for Public Improvements*.
6. The Commission shall authorize the release of the performance bond as established in Section 60 C.2 of the Regulations for Public Improvements after all required improvements have been completed to the satisfaction of the Commission and other appropriate Town Departments. In addition, a maintenance bond shall be required prior to the release of any performance bond as set forth in Section 60 C.3 in the *Regulations for Public Improvements*.
7. Terms: The maximum term of a performance bond is 5 (Five) years from the date of endorsement of the Record Subdivision Map.
8. Modification of Terms: All required subdivision improvements are expected to be completed within the term specified by the Commission. The Commission may extend the term of the project providing:
 - a. The owner requests an extension in writing, specifying a new completion date; and
 - b. The Commission approves the granting of an extension; and
 - c. Consents and/or extensions are included in the bond file and the bond updated accordingly.

9. Extensions may be approved by the Commission only upon the following findings:
 - a. That the extension will not imperil the health, safety and property values in the subdivision nor hinder the reasonable use of lots in the subdivision for which title may have been transferred; and
 - b. That the owner has presented a reasonable program and schedule for completion of the work; and
 - c. That good cause for the extension has been demonstrated by the owner, such as (i) assurance of better quality of construction, (ii) weather conditions and other natural causes outside the control of the owner or (iii) if the extension is not granted, risk of erosion or other consequences related to the building season and the condition of the site; and
 - d. That the extension is necessary to achieve the reasonable completion of the required improvements in a timely manner and not beyond the time when the improvements are actually needed and must be functional.

10. Reduction of Bond Amount: Reduction of the face amount of the performance bond may be approved by the Commission. All such requests shall be forwarded to the Town Planner and Town Engineer for review and comments. In approving any such bond reduction, the Commission will be guided by the following:
 - a. That the application for the reduction is made in writing by the owner;
 - b. That the Commission will request written reports from the Town Engineer specifying the items of incomplete work and providing an estimate of the current costs of completion; the Commission will also request the owner to present as-built drawings of the construction work prepared by a professional engineer;
 - c. That no reduction will be made until at least 80% of the required work is completed;

- d. That no reduction will be made until all required roads including the pavement binder course and curbing, drainage, water supply systems and sanitary sewerage are in reasonable, functioning condition;
 - e. That the remaining bond amount is equal to the cost of all remaining improvements, as well as the 15% contingency factor specified in Section 2.4.8.3 above;
 - f. That there will be no reduction to an amount less than 10% of the total value of the bond;
 - g. That only one (1) reduction of the face amount of a bond will be approved;
 - h. That consents for reduction (copy of resolution of the Commission) will be attached to the bond on file.
11. Default of Bond: If the improvements are not installed as required, the Commission is under no obligation to accept the work. The Commission may recommend to the Board of Selectmen that the bond be declared in default and that it take the necessary action to call the bond.
12. Maintenance Bonds: To assure proper maintenance of all site improvements and structures, a maintenance bond in the amount of 10% of the original estimated cost of all site improvements shall be submitted to the Town. The maintenance bond shall be in effect for a minimum period of one year from the date the improvements are accepted by the Town. The bond shall be posted prior to the issuance of any Certificates of Zoning Compliance. The applicant shall repair construction defects and faulty workmanship within the time frame of the bond.

If the applicant fails to remedy any such defects within a reasonable time, the Town may without prejudice to any other remedy, cause the required repairs to be made and paid for with the proceeds of the maintenance bond.

- 2.4.9 Filing and Recording: Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the Commission to act, be filed or recorded by the applicant in the Office of the Town Clerk within ninety days of the expiration of the appeal period, or in the case of an appeal, within ninety days of the termination of such appeal by

dismissal, withdrawal or judgment in favor of the applicant, and any plan not so filed or recorded within the prescribed time shall become null and void, except that the Commission may extend the time for such filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extended time. All such plans shall be delivered to the applicant for filing or recording not less than thirty days after the time of taking an appeal from the action of the Commission has elapsed, and in the event termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant. The plans shall be filed and recorded by the Town Clerk only if the approval of the Commission has been endorsed thereon and only upon further certification by the Commission that all the regulations set forth herein have been fully complied with.

2.4.10 Certificates of Compliance: Before release of any subdivision bond, or before the Commission endorses any subdivision map to permit filing with the Town Clerk when no subdivision bond has been posted, the Commission may request the applicant to present "as-built" drawings prepared by a licensed land surveyor, and a statement, or professional engineer licensed to practice in the State of Connecticut.

2.4.11 Health District Statement Required: When the subdivision is not to be served by sanitary sewers and/or public water supply, a statement from the Chatham Health District shall be obtained, and submitted by the applicant, prior to approval of the subdivision certifying that the land to be subdivided and the subdivision plans are and can be made satisfactory for private sewage disposal and/or water supply systems.

2.4.12 Subdivision to be Completed Within Five Years of Approval of Plan: Any person, firm or corporation making any subdivision of land shall complete all work in connection with such subdivision within five (5) years after the approval of the plan for such subdivision; the Commission's endorsement of approval on the plan shall state the date on which such five-year period expires.

In the case of a subdivision plan approved on or after October 1, 1977, failure to complete all work within such five-year period shall result in automatic expiration of the approval of such plan provided the Commission shall file on the land records of the town notice of such expiration and shall state such expiration on the subdivision plan on file in the office of the Town Clerk and no additional lots in the subdivision shall be conveyed by the subdivider or a legal successor in interest as such subdivider except with approval by the Commission of a new application for subdivision of the subject land. If lots have been

conveyed during such five-year period, the municipality shall call the bond or other surety on said subdivision to the extent necessary to complete the bonded improvements and utilities required to serve those lots. "Work" for purposes of this section means all physical improvements required by the approved plan, other than the staking out of lots, and includes but is not limited to the construction of roads, storm drainage facilities, the setting aside of open space and recreation areas, installation of telephone and electric services, planting of trees or other landscaping, and installation of retaining walls or other structures.

Any subdivision plan approved on or before October 1, 1989, shall expire not more than seven (7) years from the date of such approval.

The Commission may grant one or more extensions of time to complete all or part of the work in connection with a subdivision, provided the time for all extensions shall not exceed ten (10) years from the date the subdivision was approved.

SECTION 3

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 in this section as well as in the *Regulations for Public Improvement*. All such maps and plans shall be prepared by and shall bear the name and seal of a land surveyor or engineer, licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut. The maps and plans shall be tied to the Connecticut Grid System coordinates for all subdivisions of three (3) or more lots, with at least two coordinates for each plan sheet. Pertinent survey data and computations shall be presented to the Haddam Planning and Zoning Commission for review upon request.
- 3.1.1 General Site Suitability and Flood Precautions: The site shall be suitable for development in the manner proposed without causing hazards to persons or property, on or off the site, from flooding, erosion, subsidence or slipping of the soil, or other dangers, annoyances or inconveniences. All subdivision proposals: (1) shall be consistent with the need to minimize flood damage; (2) shall have public utilities and facilities such as septic systems, electrical, and well water systems located and constructed to minimize flood damage; and (3) shall have adequate drainage provided to reduce exposure to flood damage.
- 3.2 Site Development Plan: The site development plan shall be drawn at a preferred scale of 40 feet to one (1) inch, but in no case smaller than 50 feet to (1) inch. The plan shall show existing conditions and the proposed layout of lots, streets and improvements for the proposed subdivision and all contiguous land of the applicant 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 adjacent properties and the future subdivision of contiguous land of the applicant(s), and ascertain the developability of each of the proposed building lots in conformance with relevant laws and regulations, public safety and welfare. Ten (10) blue line or black line prints shall be submitted. The plan shall show at least the following information:
- 3.2.1 Title of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Haddam.

- 3.2.2 Name and address of the owner of the land to be subdivided; name and address of the applicant if different from the owner.
- 3.2.3 Date, scale, north point, Town and State.
- 3.2.4 Existing and proposed property lines, wells, septic systems, lots requiring engineered septic systems, labeled as per Section 2.3.9., and street line; adjoining property lines, wells and septic systems, and street lines for a distance of 200 feet; the names of all adjacent subdivisions or property owners, including property owners across the street; and the protected circumference to be shown around each well.
- 3.2.5 Existing and proposed inland wetlands and watercourses, ponds, swamps, easements and rights-of-way.
- 3.2.6 Existing contours at an interval not exceeding two (2) feet based on field or aerial survey using the same benchmarks as provided in Paragraph 3.4 and the identification of all slopes greater than 25%.
- 3.2.7 Proposed lots and lot numbers; existing and proposed open spaces for parks and playgrounds.
- 3.2.8 Existing and proposed permanent buildings, structures, and driveways connecting these to the nearest road or street (see accessibility requirements of Section 4.3.5).
- 3.2.9 Approximate dimensions on all proposed property and street lines; approximate lot area and the total acreage of land included in the subdivision; proposed setback distances for any proposed building within 60 feet of a property or lot line or edge of an inland wetland or watercourse; and edge and setback distances, if any, for any excavation or fill within 60 feet of an inland wetland and watercourse.
- 3.2.10 Proposed width of all streets, rights-of-way and easements; the proposed width of all pavement; and street names.
- 3.2.11 Existing and proposed monuments, merestones, and iron pipes.
- 3.2.12 The zoning district or districts in which the subdivision is situated and any zoning district boundary lines; any Town boundary line.

- 3.2.13 Existing and proposed storm drains, sanitary sewers, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs, and other structures.
 - 3.2.14 Location of all deep test pits and percolation test holes
 - 3.2.15 Any ledge outcrops and existing stone walls and fences within the subdivision.
 - 3.2.16 Detailed soils as mapped by the National Resource Conservation Service.
 - 3.2.17 Special flood hazards areas, floodways and base flood elevations.
 - 3.2.18 The minimum rectangle specified in Section 13.1.14. of the Haddam Zoning Regulations.
 - 3.2.19 Any significant natural or man-made topographical features, including, but not limited to, existing tree lines, existing structures of a historical nature, including all buildings over 100 years old, existing or historical patterns of land use, including meadows, fields, wood lots, specimen trees, as well as the location of old foundations, wells, dams and the location of abandoned uses such as old factory sites, burial grounds, quarries, mines or other similar features.
 - 3.2.20 A title block in the lower right hand side of the map that includes the subdivision name, property owner name, yield plan, amount of lots, amount of open space, zoning, acreage, and assessors map and parcel.
- 3.3 Record Subdivision Map: The record subdivision map shall be prepared and certified by a land surveyor licensed in the State of Connecticut and shall be clearly and legibly drawn in ink on any other material approved by the Public Records Administrator, and shall be 36 inches long and 24 inches wide or 18 inches long and 12 inches wide or 24 inches long and 18 inches wide, at a recommended scale of 40 feet to one (1) inch, but in no case smaller than 100 feet to one (1) inch, and accompanied by ten (10) prints. The map shall have a horizontal datum concurrent with the Connecticut State Plane Coordinate Grid System (CSPCGS) 1983 North American Datum (NAD83) with CSPCGS Coordinates indicated at a minimum of four (4) points distributed on the perimeter. Final Plans shall be prepared with an accuracy meeting or exceeding A-2 Standards as defined in the Regulations of State Agencies Adopted pursuant to the Connecticut General Statute Section 20-006 or as the same may be amended from time to time.

- 3.3.1 Title of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Haddam.
- 3.3.2 Name and address of the owner of the land to be subdivided; name and address of the applicant if different from the owner.
- 3.3.3 Date, graphic and written scale, north point, Town and State.
- 3.3.4 Existing property and street lines; adjoining property lines and street lines for a distance of 200 feet; and the names of all adjacent subdivisions or property owners.
- 3.3.5 Existing wetlands and watercourses, ponds, and existing and proposed easements and rights- of-way.
- 3.3.6 Proposed lots and lot numbers; lots requiring engineered septic systems, labeled as per Section 2.3.9. existing and proposed land to be permanently dedicated as open spaces for conservation, parks and/or playgrounds in accordance with Section 4.6 of these Regulations; the square footage or acreage of all lots, remaining areas, and open spaces and the total acreage of land included in the subdivision. Remaining areas, unless they are a pre-existing approved lot, should be clearly labeled "remaining land of (name of owner/applicant) - this is not an approved lot", in accordance with Section 4.3 of these Regulations.
- 3.3.7 Existing permanent buildings and structures.
- 3.3.8 Dimensions on all lines to the hundredth of a foot and all bearings on all straight lines and the central angle, tangent distance and radius of all arcs.
- 3.3.9 The width of all streets, rights-of-way and easements.
- 3.3.10 Existing and proposed monuments, merestones and iron pipes.
- 3.3.11 Any Town boundary line.
- 3.3.12 Location maps (scales 1" = 1,000' and 200') showing the location of the subdivision and its open space land in relation to existing roads in Town, abutting parcels and also showing schematically how the land to be subdivided relates to the original parcel as it existed in March 17, 1956 when Haddam first adopted a subdivision ordinance.

3.3.13 An index map, if the proposed subdivision is divided into sections or is of such size that more than one sheet is required, showing the entire subdivision with lots, lot numbers, streets, street names and delineation of areas covered by the section or sheet.

3.3.14 The survey relationship of proposed streets to nearby monumented Town streets or State Highways where practical.

3.3.15 The following words:

<p>Approved by the Haddam Planning and Zoning Commission</p> <p>Final Approval: Lot No(s) . : _____ Signature: _____ Chairman/Secretary</p> <p>Date: _____ Expiration Date: _____</p> <p>Conditional Approval: Lot No(s) : _____ Signature: _____ Chairman/Secretary</p> <p>Date: _____ Expiration Date: _____ Approved at Hearing Dated : _____</p>
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3.3.16 Except where all other data related to the subdivision approval is presented directly on the subdivision map, a cross-reference table giving: (A) the name, (B) identifying number, if any, (C) date, (D) date of latest revision, (E) town office with which it has been filed, (E) date filed, for all other maps and drawings that are part of the subdivision approval process, to include, as applicable, the site development plans, construction plans, grading plans, erosion and sedimentation control plan, stormwater runoff plan, and (for lots that don't have a health certificate) engineered septic system plans, followed by the words:

Verified _____ Date: _____
Town Official

3.3.17 An electronic copy of the of the record subdivision (unsigned) saved as a PDF file or read-only file with reference to State Plane Coordinates. This document shall be identical to the recorded mylar. Electronic copies may be emailed to the Town Planner or submitted on a disk at the time the mylar is signed by the chair of the Commission.

3.4 Construction Plans: Construction plans, including all plan and profile drawings for all proposed roads, drainage and other improvements shall be submitted on mylar and shall conform to all requirements in Section 40B of the *Regulations for Public Improvement*.

3.5 Grading Plan: The area shown on the grading plan may be limited to the portion of the subdivision affected by proposed cuts and fills. The grading plan shall be drawn on the same type of media provided for in Paragraph 3.3 to the same scale as the site development plan. Contours and elevations shall be based on the same bench marks as provided in Paragraph 3.4. In addition to a grading plan, the Commission may request the submission of cross section drawings covering the proposed excavation area. The grading plan shall show at least the following information:

3.5.1 Title of the subdivision.

3.5.2 Name and address of the owner of the land to be subdivided; name and address of the applicant if different from the owners.

3.5.3 Date, and graphic and written scale, north point, Town and State.

3.5.4 Layout of existing and proposed lot lines and street lines.

3.5.5 Existing and proposed contours at an interval not exceeding two (2) feet based on field or aerial survey conforming to the requirements in Section 40 B of the *Regulations for Public Improvements*.

3.5.6 Existing and proposed drainage, inland wetlands and watercourses.

3.5.7 Existing and permanent buildings and structures.

3.5.8 Location of all test holes, test pits or borings.

3.6 Erosion and Sedimentation Control Plan

3.6.1. General Requirements for Erosion Control:

The plan shall conform to the requirements in Sections 40B 9 and 10 in the *Regulations for Public Improvement*.

- a. Location of areas to be stripped of vegetation and other exposed or unprotected areas.
- b. A schedule of operations to include starting and completion dates for major development phases, such as land clearing and grading, street, sidewalk, and storm drainage installation, etc.
- c. Seeding, sodding, or revegetation plans and specifications for all unprotected or unvegetated areas.
- d. Location and design of structural sediment control measures, such as diversions, waterways, grade stabilization structures, debris basins, etc.
- e. Timing of planned sediment control measures.
- f. General information relating to the implementation and maintenance of the sediment control measures.

3.6.2 Excavations, Fills and Grading:

- a. Cut and fill slopes shall not be steeper than 2:1 unless stabilized by a retaining wall or cribbing, except as approved by the Commission under special conditions.
- b. Adequate provisions shall be made to prevent surface water from damaging the cut face of excavations or the sloping surfaces of fills.
- c. Cut and fills shall not endanger adjoining property.
- d. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
- e. Grading shall not be done in such a way so as to divert water onto the property of another landowner without the expressed consent of that landowner and the Commission.
- f. Fills shall not encroach on natural watercourses or constructed channels.

- g. During grading operations, necessary measures for dust control shall be exercised.
- h. Grading equipment will not be allowed to cross live streams except by means of bridges and culverts or other methods as approved by the Commission.
- i. Site work shall not damage or disturb existing topographical features designated by the Planning and Zoning Commission for preservation in the subdivision approval.

3.6.3. Implementation Procedures:

In submitting the Erosion and Sedimentation Control Plan, the applicant shall comply with the following:

- a. The plan should be fitted to the topography and soils so as to create the least erosion potential.
- b. Wherever feasible, natural vegetation should be retained and protected.
- c. Only the smallest practical area of land should be exposed at any one time during development.
- d. When land is exposed during development, the exposure should be kept to the shortest practical period of time.
- e. Where necessary, temporary vegetation and/or mulching should be used to protect areas exposed during development.
- f. Sediment basins (debris basins, desilting basins or sediment traps) should be installed and maintained to remove sediment from runoff waters and from land undergoing development.
- g. Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development. Computations for runoff shall be in accordance with methods described in Technical Release No. 55, Urban Hydrology, Engineering Division, Soil Conservation Service, U.S.D.A., January, 1975, as amended.
- h. The permanent final vegetation and structures should be installed as soon as practical in the development.

3.6.4 Conditions Relating to Erosion Control:

- a. The Commission shall refer such plan to the Middlesex County Soil and Water Conservation District for all subdivisions located within the Gateway Conservation Zone. The Commission may refer this plan to such District or other agency or person for technical assistance on any proposal.
- b. Ten (10) sets of plans for the control of erosion and sedimentation, if required, shall be submitted to the Commission, or its duly authorized representative.
- c. Measures to be taken to control erosion and sedimentation shall be covered by a cash bond as specified in the *Regulations for Public Improvement*.

3.7 Stormwater Runoff Control Plan:

- 3.7.1 Stormwater Runoff Control Plan with ten (10) copies providing measures for on-site retention and/or detention and controlled release of stormwater runoff shall be submitted when a proposed subdivision contains an area of over five (5) acres or more than five (5) lots. Smaller subdivisions may be required to provide such measures if deemed necessary by the Commission to protect the public health, safety and welfare.
- 3.7.2 Measures for the retention and/or detention and controlled release of stormwater runoff from the subdivision shall conform to Section 90 of the *Regulations of Public Improvement*.
- 3.7.3 The ability to retain and maximize the ground water recharge capacity is encouraged. Design of the stormwater runoff control system shall give consideration to providing ground water recharge.

3.8 Cutting Plan: Such plan shall be in conformance with Section 2.3.9.

3.9 All roads and public improvements shall comply with the standards set forth in the Town of Haddam *Regulations for Public Improvements*.

SECTION 4

DESIGN AND CONSTRUCTION STANDARDS

- 4.1 General: Proposed subdivisions and resubdivisions and all street, drainage and other improvements required by these Regulations shall conform to the standards set forth in the Town of Haddam *Regulations for Public Improvement*.
- 4.2. Supervision and Inspection: Construction of all required improvements shall be carried out in accordance with the requirements established in Section 50 of the Regulations for Public Improvement and Department of Public Works. All work shall be done in compliance with the Schedule of Inspections in Section 50 of the *Regulations for Public Improvements*.
- 4.3 Building Lots: Proposed building lots shall be of such shape, size, location, topography and character that buildings can be constructed reasonably and that they can be occupied and used without danger to the health and safety of the occupants and the public. Any land which is not part of the open space to be permanently reserved as open space pursuant to Section 4.6 and which the applicant is not proposing for approval as a building lot, and any lot which the Commission does not approve because it does not meet zoning or subdivision standards and/or is unsuitable for occupancy and building by reasons of water or flooding conditions, unsuitable soil, topography, ledge rock or other conditions shall be combined with another contiguous lot that is suitable, or shall be marked "Remaining land of (Name of present owner) – This is not an approved lot" on the subdivision map. Such land shall meet the applicable zoning and subdivision regulations for a subdivision road access and/or driveway slope access for a lot and its general suitability for on-site septic sewage disposal. At the very least, the applicant shall demonstrate that the parcel can meet the requirements as a single lot. Such land may not be used for building purposes until a revised application and subdivision map have been submitted to and approved by the Commission, in conformance with the requirements of these Regulations.
- 4.3.1 Lot Size: Each lot shall have sufficient area and suitable dimensions to provide ample space for a private water supply system, where public water supply is not available, and for the proper layout, installation and future connection of a private sewage disposal system, both in accordance with good engineering practice and the applicable requirements of the Connecticut State Department of Health and the Director of Health of the Town of Haddam. Each lot shall conform to the

Zoning Regulations of the Town of Haddam and any revisions and amendments thereto.

4.3.2 Lot Numbers: 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. Adjoining subdivisions and sections of a subdivision having the same title shall not duplicate numbers but shall continue the sequence of numbers used previously for the adjoining land. All lot numbers shall be conspicuous and noted on the map in the approximate center of the lots.

4.3.3 Lot Lines: Insofar as practicable, the side lot lines of all lots shall be at right angles to the street on which the lot faces or shall be radial to the street line. It shall be at the discretion of the Commission to refuse to permit municipal boundary lines to cross any lot, and in the event of such refusal, such boundary lines shall be made to constitute one of the lot lines. Whenever a parcel being subdivided has existing natural or man-made boundaries or demarcations such as fences, stone walls, meadows, wood lots, or tree lines, the lot lines for lots in the subdivisions shall, as nearly as possible, conform to these existing features.

4.3.4 Interior Lots: The Commission may allow interior lots in a subdivision in conformance with Section 4.1.b of the *Haddam Zoning Regulations*. The maximum number of interior lots in any proposed subdivision, including all subsequent sections, phases and/or resubdivisions in the aggregate, shall be calculated as follows:

Total Lots in Subdivision	Interior Lots Allowed
up to 5	1
6 - 11	2
12 - 22	1 additional
23 - 33	1 additional
each additional 11 lots	1 additional

4.3.5. Lot Access: The proposed plan for the development or house site in each lot must demonstrate that it can be independently accessible via its own driveway, and that driveway:

- a. Must exit directly onto a town or state road and shall conform to the requirements of Section 130 of the Town of Haddam *Regulations for Public Improvement*,
- b. Must have the review and approval of the Haddam Inland Wetlands and Watercourses Agency, if it affects wetlands and watercourses;
- c. No more than two (2) driveways may run adjacent to each other.

4.3.6 Temporary Dead End Streets proposed in a yield plan under Section 4A.3.c. of the Haddam Zoning Regulations shall not be considered as meeting the criteria set forth in this section unless the Commission has approved the connecting road on the adjacent property or the applicant can demonstrate their legal right to use an abandoned, discontinued, or unmaintained road or right-of-way to create a thru-road.

4.3.7 Street Design: All Streets shall be planned and designed to conform to the standards set forth in the Town of Haddam *Regulations for Public Improvements*:

4.4 Purpose

The purpose of these standards is to assure that proposed roads shall be in harmony with existing or other proposed roads with regard to smooth traffic flow and safe intersections with such roads. To the extent possible, roads shall follow natural contours. Where the land to be subdivided abuts a road shown on the most current map entitled "Town Roads Haddam, Connecticut, Connecticut Department of Transportation, TR-60, scale 1" = 1,000 feet", the road shall conform to standards and specifications set forth herein. Where the land to be subdivided does not abut a state or local road shown on the map cited above, the subdivider shall, as the Planning and Zoning Commission may determine either: 1) provide and construct a road from the subdivision to such town or state road, in accordance with the standards and specifications contained herein; or 2) widen, alter or improve an existing road in accordance with the standards and specifications contained herein.

4.5 Functional Classification

The basis for determining the applicable design standards for any road in the Town of Haddam will be the road's Functional Classification as defined below:

- a. Business/Industrial/Collector Road: A street used or intended primarily for access to and from individual business or industrial lots, receiving traffic from more than two access roads, or collecting traffic from local access roads and channeling traffic to principal arterial roads.

- b. Cul-de-sac: A dead-end road with a turnaround. Cul-de-sacs shall not exceed 1000 feet in length. The cul-de-sac length shall be measured along the center line of the proposed right of way, starting at an existing thru road streetline, and ending at a proposed property line or building lot.
- c. Dead-End Road: A proposed road, or any extension of an existing road, or any combination or pattern of roads or extension thereof, having only one outlet to a through State or Town road.
- d. Temporary Dead-End Road: A dead-end road not to exceed 1,000 feet in length, with a permanent turnaround and designed and intended for the extension on the same parcel or adjacent lots. Upon written request by the applicant, temporary dead-end roads may exceed a 1,000 foot length only under the following conditions:
 - 1. Action has been initiated by the Town of Haddam pursuant to the provisions of S8-24 of the General Statutes or action has been initiated by the Commission pursuant to the provisions of S9-29 of the General Statutes and a plan adopted by the Commission designed to convert the temporary dead-end into a thru road.
 - 2. The temporary dead-end road shall be provided with a turnaround meeting the requirements of Section 4.4.5 of these regulations and shall not exceed a reasonable interim length for safe and convenient vehicular access, including emergency vehicles, as determined by the Commission.
 - 3. Alternatively, the Commission may require that the applicant provide for a turnaround no further than 1000 feet along that road from the nearest through road, and condition the approval of lots fronting on the dead-end road beyond the 1000 foot length subject to:
 - a. Subsequent review and approval of the remainder of the road on adjacent property, by the Commission the additional section of road on the applicant's property, or, for those lots that would have adequate frontage and access off the turnaround or:
 - b. Completion of construction of the turnaround.

4. A temporary turnaround shall be at the closed end of a dead-end road which may be projected into adjoining property at some future date and that provides sole access to one or more building lots. Land for a turnaround on a temporary dead end street, which may at some future date be projected into adjoining property, shall be provided in the form of a temporary easement bearing a note on the map, "Easement for temporary turnaround which automatically terminates upon extension of street".
 5. A temporary dead end road proposed in a yield plan under Section 4A.3.c. of the *Haddam Zoning Regulations* shall not be considered as meeting the criteria set forth in this section unless the Commission has approved the connecting road on the adjacent property or the applicant can demonstrate the legal right to use an abandoned, discontinued, or unmaintained road or right-of-way to create a thru-road.
- e. Permanent Dead-End Road: A dead-end road with a permanent turnaround and designed and intended to permanently terminate at the turnaround, rather than for future expansions.
 - f. Local Road: Streets used or intended primarily for access to and from residential lots or parcels.
 - g. Private Road: A road permitted subject to a restriction specifying that the road shall be privately maintained, and is not offered to, accepted or maintained by the Town of Haddam. Upon written request of the applicant, the Commission may approve a proposed permanent private road if the Commission finds that such street shall not carry more traffic than is expected of a local or collector road, that such road will not impair the orderly development of the neighborhood, that there will be safe and convenient circulation for vehicles and pedestrians, including emergency vehicles, and that there will be suitable arrangements for maintenance and repair.
- 4.5 Improvements on Existing Roads: Whenever any subdivision is proposed for land abutting or accessible by any existing improved, unimproved or unpaved road and the Commission determines that approval of the subdivision plan would endanger the public safety or compromise the general welfare unless such road were widened, altered and/or improved beyond the limits of the proposed subdivision, the Commission may disapprove such plan until the Board of Selectmen and Board of Finance have recommended and the Town Meeting has authorized expenditures for such widening, alteration, and/or improvements. If the applicant opts to provide the improvements, the

Commission must receive a letter from the Board of Selectmen agreeing to the applicant's proposal.

- a. **Performance Criteria:** In order to determine the effect of the proposed subdivision on public safety and welfare, the Commission will consider whether:
 1. The road alignment, right-of-way and pavement width and grades will be in harmony with existing and proposed roads and the Plan of Development of the Town, especially in regard to safe intersections with such roads.
 2. The road construction will be sufficient to carry safely and conveniently public service and emergency vehicles and potential future traffic computed on the basis of projected population of the proposed subdivision and will not significantly increase the Town's obligation for road upgrading, maintenance and repair which results from the development of the subdivision.
 3. Storm drainage systems will be sufficient to carry increased storm drainage created by the proposed subdivision and associated access road improvements; and the increased storm drainage will not significantly increase the Town's obligation for storm drainage systems on existing roads or other public or private lands.
- b. **Minimum Standards and Specifications for Improvements on Existing Roads:** The Commission shall be guided by the recommendations of the Board of Selectmen and the Town Engineer. In general, the improvements shall be in accordance with the guidelines set forth in the Regulations for Public Improvement.

4.6 **Open Space:** Open space for recreation and/or conservation purposes, parks and playgrounds shall be provided and reserved in each subdivision or resubdivision for residential purposes as deemed necessary and in locations deemed proper by the Commission.

- a. **Purpose of Open Space:** To preserve desirable open space, tree cover, historic sites, recreation areas, scenic vistas, stream valleys, wetlands and water-related resources, and other environmentally important and/or sensitive lands and soils.
- b. **Character and Access:** Open space shall be of such size, location, shape, topography and general character so as to be useful in order to satisfy the needs and the purpose of open space as determined by the

Commission. Proper access shall be provided to all open space areas, as determined by the Commission.

- c. **Acreage:** Unless otherwise directed by the Commission, 25 percent of the total area of the subdivision or resubdivision shall be reserved as open space, a percentage of which may be adjusted up or down depending on the preponderance of substantial environmentally sensitive land, ledge outcropping and/or surface water. (Street right-of-ways shall not be included in the computation of the required open space area.)

- d. **Ownership of Open Space:** Areas designated as open space shall be dedicated in one or more of the following manners subject to Commission approval:
 - 1. The open space may be dedicated to the Town of Haddam or State of Connecticut by deed; or
 - 2. The open space may be conveyed to an interested nonprofit land conservation trust or corporation; or
 - 3. The open space may be dedicated to the Town or a nonprofit land conservation trust in the form of a preservation easement; or
 - 4. The open space may be owned in common by lot owners in the development providing the open space land remains undivided and that the use of the open space is limited to the property owners in the development or their guests; or
 - 5. The open space may be retained by the developer providing the open space land is subject to conservation and preservation restrictions and the terms of those restrictions have the Commission's approval.
 - 6. The open space may be in the form of easements on each lot. In such instances the lot sizes shall be increased accordingly. (i.e. To determine the maximum number of lots allowed under the above arrangement, add the total acreage of the lots to the total acreage of open space outside the lots then divide by 125 percent.)
 - 7. The open space shall be monumented at all major corners and any changes of direction and at the midpoint of any boundary line exceeding 500 feet.

- e. **Use of Open Space Land:** Open space land shall be preserved in its natural state and the use of such land shall be limited to appropriate conservation, open space and recreational purposes as determined by the Commission. Suitable legal agreements, including conservation and preservation easements and restrictions, approved in form and content by Town Counsel, shall be required by the Commission. With the approval of the Commission, the conveyance may allow for the construction of structures and facilities for recreational purposes, such as playground equipment, tennis courts and golf courses, to the extent deemed environmentally appropriate. The Commission may also allow the grazing of farm animals on open space land provided no grazing occurs in wetlands. Open space land shall not be used for the storage of equipment or deposition of debris and shall not be excavated, filled or regraded and trees shall not be removed except in accordance with a grading and cutting plan that has been approved by the Commission.

- f. **Waiver of Open Space:** The Commission may determine that a lesser open space area is sufficient or that such a reservation of open space is not necessary providing one or more of the following situations exist:
 - 1. Existing parks, playgrounds, recreational areas or other public open space is currently available within one-quarter (.25) mile of all proposed lots;
 - 2. The minimum reservation area is less than one (1) acre; and/or;
 - 3. There exists conservation or preservation restrictions or other deed restrictions on the property and/or the general size of the lots does not warrant open space dedication (e.g. subdivisions where the average lot size exceeds 200% of the minimum lot size requirements and/or development activity is limited to a specific area on each lot and the lots are not resubdividable).
 - 4. The applicant seeks to convey the lot(s) to a parent, child, brother, sister, grandparent, aunt, uncle or first cousin per Section 8-25 of the Connecticut State Statute. These lots must be conveyed without consideration and may not be transferred for a period of five years.

4.7 **Fire Protection Plan:** The applicant shall prepare a Fire Protection Plan, in cooperation with the Water Resources Committee of the Haddam Volunteer Fire Department, to provide adequate fire protection to the buildings and residents of any new subdivision, including any subsequent or prior resubdivisions of the same parcel of land, which contains more than four (4) building lots. Such plan shall receive the prior written approval of the

committee before submission to the Commission with the subdivision application.