

TOWN OF SOUTHBURY
SUBDIVISION REGULATIONS

Adopted January 17, 1966
Effective Date January 18, 1966

Latest Revision Effective
December 1, 2010

PART IV

SUBDIVISION REGULATIONS*

SECTION 1 – GENERAL PROVISIONS

- 1.1 Regulation
- 1.2 Definition
 - 1.2.1 Applicant
 - 1.2.2 Board
 - 1.2.3 Commission

***Editor's note**—Printed in this Part are the subdivision regulations of the Town of Southbury, Connecticut, adopted on January 17, 1966 by the Southbury Planning Commission, pursuant to Chapter 126 of the General Statutes of the State of Connecticut, and made effective on January 18, 1966 at 9:00 a.m. The Regulations were amended by the Southbury Planning Commission on July 11, 1973, which amendments became effective July 24, 1973 at 9:00 a.m. Subsequent amendments are listed as follows:

| <i>Effective Date</i> | <i>Reference</i> |
|-----------------------|---|
| June 3, 1974 | Par. 4.20 |
| April 21, 1975 | Par. 1.2.6, 1.2.7, 2.2.1, 2.3.9, 2.4.1, 2.5.4f, 3.2.5, 3.3.5, 3.6, 4.8.2, 4.8.3, 4.8.5, 4.9.1 |
| May 28, 1976 | Par. 2.3.2 |
| March 16, 1978 | Par. 1.4, 1.5, 1.7, 2.2, 2.3, 2.7, 2.8, and 2.9 (as renumbered); Par. 3.2.8, 3.3.15, 3.4.10, 4.12.8, 4.13.2, 4.13.4, 4.14.1c, 4.14.2e, and Cross Sections A and B |
| December 15, 1978 | Par. 2.1, 2.2.2, 2.5, 2.6, 4.18 |
| February 27, 1979 | Admin. Policy #2, Par. B; Admin. Policy #3, Par. A, Par. D; Admin. Policy #5, Par. A, Par. E, Par. F |
| March 19, 1980 | Par. 1.2.4, 2.2.10, 2.4.4g, 3.2.5, 3.2.18, 3.3.5, 3.5.5, 4.23 |
| March 22, 1980 | Par. 2.2.4, 2.2.5, 2.2.6, 2.2.7, 2.3.4f, 2.4.4b, 2.4.4h, 2.5, 2.6, 2.8, 2.9, 3.2.3, 3.3, 3.3.3, 3.4.1, 3.5.1, 3.2.4, 3.3.4, 3.4, 3.4.2, 3.4.8, 3.5, 3.5.4, 4.4, 4.8, 4.9, 4.9.2, 4.10.2c, 4.11, 4.11.5, 4.11.13, 4.11.15, 4.12.1e, 4.12.2, 4.13.2, 4.13.5, 4.16.2, 4.17, 4.17.1, 4.22; Admin. Policy #4, Par. F, Par. G |
| October 1, 1981 | Solar Access: Par. 1.2.9 through 1.2.13; Par. 2.3.4g; Par. 3.2.3, 3.2.19 and 3.3.3; Par. 4.8.1, 4.8.4, 4.9.5, 4.10.2c, 4.11.2b, 4.18.1, 4.22 and 4.24; Admin. Policy #6 – Energy Conservation in Subdivisions. |
| January 1, 1986 | Soil Erosion and Sediment Control; Pa. 1.2.14; Par. 2.2.6 (and renumbering); delete Par. 2.3.1 (and renumber); Par. 2.4.2 and 2.4.4g (and renumbering); Par. 2.6, including 2.6.1 through 2.6.3; Par. 2.8 and 2.9; Par. 3.6; Par. 4.4 and 4.25; Admin. Policy #2, Par. E-7. |
| July 1, 1989 | Par. 1.2.15; 2.2.12; 4.11.13 (diagram), 4.18.1; Admin. Policy #5, Par. D-7. |
| January 15, 1991 | Par. 1.24, 4.23.2-4.23.4 |
| July 26, 1991 | Par. 2.2 Application Requirements: Delete Par. 2.2.2, Application fee, and substitute new Par. 2.2.2, Application fee, referring to fee schedule ordinance |
| May 27, 1999 | Par. 4.18.3; Admin. Policy #5C. Note-the amendment was held in abatement pending outcome of court decision until June 2001. |
| February 1, 2004 | Par. 4.18.5 Fee in Lieu of Open Space |
| January 1, 2007 | Par. 2.4.4 k Electronic Submittals Par. 2.8 As-built Plans; Certification |
| August 8, 2008 | The entire document was updated and amended. |
| December 1, 2010 | Par. 1.2.4 Flood Plain; Par. 2.5.4.1 Digital data format; Par 4.23.3; Par 4.23.4 Special Flood Hazard |

SOUTHBURY PLANNING COMMISSION

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SECTION 1 - GENERAL PROVISIONS

- 1.1 Regulation: These Regulations shall apply to the subdivision and resubdivision of land within the Town of Southbury, Connecticut. Any subdivision or resubdivision of land within the Town of Southbury shall conform to the requirements of these Regulations. No subdivision or resubdivision of land shall be made by any person, firm or corporation until an application for such subdivision or resubdivision has been submitted to and approved by the Southbury Planning Commission and a map thereof has been endorsed by the Commission as approved and filed by the applicant in the Office of the Southbury Town Clerk.
- 1.2 Definitions: Certain words used in these Regulations are defined and explained as follows:
- 1.2.1 Applicant: The term “applicant” refers to the person, firm or corporation proposing a subdivision or resubdivision.
- 1.2.2 Board: The term “Board” refers to the Board of Selectmen of the Town of Southbury.
- 1.2.3 Commission: The term “Commission” refers to the Southbury Planning Commission.
- 1.2.4 Flood Plain: The terms “base flood”, “base flood elevations”, “floodway” and “Special Flood Hazard Area” as used in these Regulations are defined in a certain ordinance entitled Flood Plain Management Ordinance, Town of Southbury, Connecticut as follows:
- a. base flood means the flood having a one percent chance of being equaled or exceeded in any given year.
 - b. base flood elevation is the particular elevation of the base flood as specified on the Flood Insurance Rate Map for Zone A and AE.
 - c. floodway means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1.0 foot anywhere along the length of the watercourse; the regulated floodway is delineated on the Flood Insurance Rate Map, which is part of such ordinance.
 - d. Special Flood Hazard Area consists of Zone A and Zone AE, delineated on the map entitled “FIRM: Flood Insurance Rate Map,

New Haven County, effective December 17, 2010, prepared by the Federal Emergency Management Agency, as such Zones may be amended from time to time by such Agency, which map is a part of such ordinance.

- 1.2.5 Form 816: The term “Form 816” refers to a document entitled “State of Connecticut Department of Transportation; Standard Specifications for Roads, Bridges and Incidental Construction, Form 816” and incorporates any subsequent amendments or issues thereof.
- 1.2.6 Subdivision and Resubdivision: Requirements applicable to subdivision shall also apply to resubdivisions. The terms “subdivision” and “resubdivision” as used in these Regulations are defined in Chapter 126 of the Connecticut General Statutes.
- 1.2.7 Watercourses: The term “watercourses” shall be construed to consist of watercourses as defined in the Inland Wetlands and Watercourses Regulations Southbury, Connecticut.
- 1.2.8 Wetlands: The term “wetlands” shall be construed to consist of wetlands as defined in the Inland Wetlands and Watercourses Regulations Southbury, Connecticut.
- 1.2.9 Solar Access: The term “solar access” means the access to unobstructed direct sunlight required by a solar collector for its efficient operation.
- 1.2.10 Solar Energy Systems: The term “solar energy system” is an energy system that converts solar energy to useable thermal, mechanical, chemical or electrical energy to meet all or a significant part of a dwelling’s energy requirements. As used in these regulations, the primary application of a solar energy system is the conversion of solar radiation to thermal energy to meet all or a significant part of a dwelling’s heating and domestic hot water requirements.
- 1.2.11 Passive Solar Energy System: The term “passive solar energy system” refers to a solar energy system where the collector and thermal storage components are integrated, requiring no transport medium for solar-heated fluid and usually being an essential architectural component of the building.
- 1.2.12 Solar Collector: The term “solar collector” refers to a device or combination of devices, structures or parts of a device or structure that require access to sunlight in order to transform direct solar energy into thermal, mechanical, chemical or electrical energy that will contribute to a structure’s energy supply.

- 1.2.13 Building Orientation: The term “building orientation” refers to the relationship of a building’s longest axis to the true south compass point. Optimal building orientation for detached housing usually occurs when the building’s longest axis is east to west (90° from true south) with acceptable variations of 10° to the northwest and 25° to the southwest.
- 1.2.14 Soil Erosion and Sediment Control Plan: See Town of Southbury Soil Erosion and Sediment Control Ordinance, including related definitions.
- 1.2.15 Steep Slopes: The term “steep slopes” refers to those portions of land with slope/topography, in excess of 25%.
- 1.2.16 Retention and Detention: Retention means to prevent storm water runoff from leaving the project site and discharging into receiving waters. The storm water will be held on site until the effects of percolation, evapotranspiration and/or slow controlled release return the areas to a normal dry state. Retention systems are typically designed to mitigate the increase in volume of runoff from a development. Detention means the gradual and controlled delay of storm water runoff discharge into receiving waters. Detention basins are typically designed to mitigate the increase in peak runoff rates from a development.
- 1.3 Procedure: The 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.
- 1.4 Approval and Delivery of Map: All subdivisions and resubdivision shall be approved only by majority vote of a quorum of the Commission. Any plan for a 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 under Section 8-8 of the Connecticut General Statutes, or in the case of an appeal, within ninety days of the termination of such appeal by dismissal, withdrawal or a 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 plans shall be delivered to the applicant for filing or recording not less than thirty days after the time for taking an appeal from the action of the Commission has elapsed, and in the event of an appeal, not less than thirty days after the termination of such appeal by dismissal, withdrawal or a judgment in favor of the applicant.

- 1.5 Effective Date and Filing: The date on which the Commission votes to approve a subdivision or resubdivision is the effective date of approval. No subdivision plan or resubdivision plan shall be recorded or filed with the Town Clerk until the approval of the Commission has been endorsed thereon by the Chairman or Secretary of the Commission, and the filing or recording of a subdivision or resubdivision plan without such approval shall be void.
- 1.6 Maps and Plan 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 Commission.
- 1.7 Authorization of Construction: All site work, including tree removal, lot clearing, construction and installation of roads, drainage and other improvements on any tract of land proposed for subdivision or resubdivision is not authorized and shall not commence until a) an application for such subdivision or resubdivision has been approved by the Commission, b) any conditions of approval precedent to such construction and installation have been met, c) the construction and installation are authorized by resolution of the Commission and d) the time for taking an appeal from the action of approval by the Commission has elapsed, and in the event of an appeal, termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant.
- 1.8 Supervision of Construction: All construction and installation of roads, drainage and other improvements required by these Regulations shall be carried out under the supervision of the Board of Selectman or their authorized agent. The Board of Selectmen may establish such rules and procedures as are necessary to the proper supervision and inspection of construction.
- 1.9 Administrative Policy: The Commission may from time to time by resolution adopt forms, policies, procedures and interpretations for the administration of these Regulations.
- 1.10 Other Laws: These Regulations are in addition to and do not supersede other laws, ordinances or regulations governing the development of land and buildings.

SECTION 2 - APPLICATION REQUIREMENTS AND PROCEDURES

- 2.1 Presentations: All applications, maps, plans, documents, and data required by these Regulations shall be submitted by mail or by hand to the Southbury Planning Commission at the office of the Commission in the Town Hall. Such material shall be considered received on the date of the next Regular Meeting of the Commission immediately following the day of submission at the office of the Commission, or 35 days after such submission, whichever is sooner.
- 2.2 Pre-Application Planning Review: The Commission recommends that prior to submission of an official application, the applicant prepare a preliminary plan of the subdivision or resubdivision for informal review by the Planning staff in order to encourage a high quality of design that includes safe and habitable building lots, suitable roads and utilities, preservation of valuable natural and historic appearances and beauty of the neighborhood and community.
- 2.3 Application Requirements: In order to make application for approval of a subdivision or resubdivision, the applicant shall submit the following:
- 2.3.1 Application: Application for approval of a subdivision or resubdivision shall be made to the Commission in writing on forms prescribed by the Commission and signed by the applicant or his lawful agent; if the subdivision 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 his lawful agent.
- 2.3.2 Application Fee: An application fee shall be paid to the Town of Southbury in accordance with a certain ordinance entitled "Fee Schedule Ordinance" adopted by the Town of Southbury and the same may be amended from time to time.
- 2.3.3 Site Development Plan: A SITE DEVELOPMENT PLAN, meeting the standards of Par. 3.2, shall be submitted with the application. Six (6) blue line or black line prints shall be submitted. The Commission, upon written request of the applicant, may determine that a SITE DEVELOPMENT PLAN is not needed and need not be submitted in the following cases:
- a. a resubdivision; or
 - b. a subdivision of not more than five (5) lots fronting on an existing public street.
- 2.3.4 Subdivision Map: Six (6) blue line or black line prints of a RECORD SUBDIVISION MAP, meeting the standards of Par. 3.3, shall be

submitted with the application; six (6) prints of any RECORD SUBDIVISION MAP subsequently revised shall be submitted.

- 2.3.5 Construction Plans: Six (6) blue line or black line prints of the CONSTRUCTION PLANS, as applicable to the application and meeting the standards of Par. 3.4, shall be submitted with the application; six (6) prints of any CONSTRUCTION PLANS subsequently revised shall be submitted.
- 2.3.6 Soil Erosion and Sediment Control Plan: As required under Par. 4.25, six (6) copies, including blue line or black line prints of maps and plans, of a SOIL EROSION AND SEDIMENT CONTROL PLAN, meeting the standards of Par. 3.6 shall be submitted with the application; six (6) copies of any CONTROL PLAN subsequently revised shall be submitted.
- 2.3.7 Grading Plan: A GRADING PLAN, meeting the standards of Par. 3.5, shall be submitted with the application, covering substantial or critical areas of the subdivision that may be subject to excavation, grading, deposit or removal of earth or stone materials such as to complete road, drainage or other subdivision improvements or to prepare building lots, including driveway access, sewage disposal areas and building sites for development. When requested in writing by the applicant and the applicant states that no excavation, grading, deposit or removal of earth or stone materials is proposed other than minor work incidental to street construction, landscape and building construction, the Commission may by a three-quarters vote of all the members of the Commission vote that a grading plan is not needed and need not be submitted. In addition, on request by the applicant and approval by the Commission, the GRADING PLAN may be shown on or combined with the SITE DEVELOPMENT PLAN. Six (6) blue line or black line prints of the GRADING PLAN shall be submitted with the application; six (6) prints of any GRADING PLAN subsequently revised shall be submitted.
- 2.3.8 Seepage Tests: When the subdivision is not to be served by sanitary sewers, the applicant shall present the results of soil tests taken in order to determine the suitability of soil conditions for private sewage disposal systems. A deep hole test and a percolation test shall each be located on that portion of the lot on which it is anticipated that the primary leaching field of the disposal system will be located and on the portion of the lot on which it is anticipated that the reserve leaching field of the disposal system will be located. Tests shall be made in accordance with specifications and procedures of the State of Connecticut. The location and results of all tests shall be submitted to the Commission.

- 2.3.9 State Highway Connection: Where a proposed street, storm drainage system or driveway joins with a State Highway, the applicant shall present a copy of a letter or other document giving evidence that the construction plans have been submitted to the Connecticut Department of Transportation with an application for a permit for such connection in accordance with the Connecticut General Statutes.
- 2.3.10 Wetlands and Watercourses: If an application involves land regulated as an inland wetland or watercourse under the provision of Chapter 440 of the Connecticut General Statutes, the applicant shall submit an application to the Southbury Inland Wetlands Agency no later than the day the application is filed for subdivision or resubdivision. The Commission shall not render a decision until the Inland Wetlands Agency has submitted a report with its final decision to such Commission. In making its decision, the Commission shall give due consideration to the report of the Inland Wetlands Agency.
- 2.3.11 Flood Hazard Assurances: When the subdivision includes land within a Special Flood Hazard Area, written assurances shall be presented as follows, prepared by and bearing the seal of a professional engineer licensed as such by the State Board of Examiners for Professional Engineers and Land Surveyors of the State of Connecticut:
- a. that the flood carrying capacity of any altered or relocated watercourse in the Special Flood Hazard Area will be maintained;
 - b. that any proposed encroachment on the regulated floodway by construction of improvements or excavation, grading or depositing of materials, will not result in any increase in flood levels in the Town during the occurrence of the base flood discharge; and
 - c. that each lot is capable of accommodating an on-site sewage disposal system, and on-site water supply system if applicable, in a manner that avoids impairment of the system and contamination from the system during flooding.
- 2.3.12 Slope and Wetlands Analysis: To conform to open space standards of these regulations, as stated in Par. 4.18 and Administrative Policy No. 5, the applicant shall submit a plan which accurately depicts the areas of wetlands and steep slopes on the parcel. This plan shall provide the Commission with calculations including percentage of land in these categories for the entire tract and for the open space parcel.

- 2.4 Additional Requirements: Upon review of the application and information submitted under Par. 2.3, the Commission may require the submission of additional information as follows:
- 2.4.1 Sanitation Report: The applicant shall submit a written report, prepared by a professional engineer licensed to practice in the State of Connecticut, describing the tests and results thereof submitted under Par. 2.3.8 and certifying either that each lot is satisfactory for private sewage disposal and/or water supply systems constructed in accordance with the standards of the State of Connecticut or specifying the location or conditions under which each system would meet such standards.
- 2.4.2 Design Data: Pertinent survey data and construction design computations shall be presented for review by the Commission and the Board of Selectmen.
- 2.4.3 Additional Evidence: Additional evidence shall be submitted to establish the following to the satisfaction of the Commission:
- a. 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;
 - b. that proper provision will be made for water, drainage and sewerage;
 - c. 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;
 - d. that open spaces for parks and playgrounds will be established in places deemed proper by the Commission;
 - e. 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;
 - f. that any street proposed as a cul-de-sac is possible and practical and there is not a practical means to continue the street through to an abutting property.
 - g. if any street in the subdivision is not to be dedicated to the Town, that proper provision will be made for ownership, operation and

maintenance of the street and the drainage system and other appurtenances thereto;

- h. that provision has been made in the planning and design of the subdivision to enable the use of solar energy systems to the maximum extent possible.

2.5 Formal Consideration: After the above application requirements have been met to the satisfaction of the Commission, the following procedures shall be followed by the Commission in its formal consideration of the application:

2.5.1 Submission Review: The Commission shall determine that the application submitted under Par. 2.3 is complete. Failure to submit a complete application will be cause for disapproval of the application.

2.5.2 Review by Others: The Commission may transmit copies of the maps and plans to the Director of Health of the Town of Southbury and construction plans to the Board of Selectmen for their review and recommendations. Copies may also be sent to other Town boards and commissions, other public agencies and officials and to consultants as in the opinion of the Commission may be advisable, for their information, review and recommendations.

2.5.3 Hearing: A public hearing regarding an application for approval of a subdivision may be held by the Commission, if, in its judgment, the circumstances require such action. The Commission shall hold a public hearing on any application for a resubdivision. Notice of any public hearing shall be given as required by law. Whether or not a public hearing is held, every applicant shall be afforded the opportunity to appear before the Commission to discuss the application before final action by the Commission.

2.5.4 Decision: After the public hearing, if any, or after the meeting afforded the applicant, the Commission shall approve the application if it shall find that the maps, plans, documents and data conform to the requirements of these Regulations. Approval shall include and be conditioned upon the following as applicable to the particular application:

- a. a date when construction of roads, drainage and other improvements is authorized and a date when such construction shall be completed, which completion date shall not be later than two (2) years after the date when construction is authorized;
- b. completion of any required road, drainage or other subdivision improvements, including common driveways serving more than

- one lot, prior to endorsement of the RECORD SUBDIVISION MAP or, in lieu of completion prior to endorsement, execution of an agreement and posting of a bond guaranteeing such completion;
- c. presentation of conveyances to the Town for easements or dedication of open spaces, and street right-of-ways;
 - d. presentation of evidence of approval from the Connecticut Department of Transportation for any proposed street or storm drainage system which joins with a State Highway;
 - e. presentation of evidence that final arrangements have been made for provision of any proposed public water supply by a public utility company;
 - f. presentation of a copy of a permit from the Southbury Inland Wetlands Agency, as may be required under the regulations of such Agency, for conduct of any activity necessary to complete required streets, drainage and other subdivision improvements;
 - g. presentation of evidence that the SOIL EROSION AND SEDIMENT CONTROL PLAN has been certified in accordance with the Town of Southbury Soil Erosion and Sediment Control Ordinance;
 - h. where the subdivision involves construction of improvements or excavation, grading or depositing of materials in a Special Flood Hazard Area, presentation of a copy of the Flood Hazard Area Permit issued by the Building Official of the Town of Southbury under the Flood Plain Management Ordinance;
 - i. presentation of one mylar of the record map and one mylar of the road construction plans and six prints of all maps and plans as modified and approved by the Planning Commission, for required signatures;
 - j. presentation of one (1) mylar of the Record Subdivision Map at a scale of 1 inch = 1,000 feet and presentation of a mylar at a scale equal to the Assessor's scale for that area.
 - k. authorization for the Commission Chairman or Secretary to endorse the RECORD SUBDIVISION MAP when all conditions of approval have been met.

1. In addition to the final plans submitted in hard copy format, a digital data file shall be provided to the Town in one of the following formats:

PDF, JPEG; TIFF and BMP

All digital files must be mapped to scale and submitted to the Town on CD-ROM. A documentation form is to be completed and included with each digital submission. The datums used for each project are to be included with each digital submittal. The town has adopted NAD83, Connecticut State Plane, feet as its horizontal datum and NAVD 88 as its vertical datum. It is therefore preferred that projects and their submittals tie to these datums.

If the developer is unable to provide a digital submission to the town at the time of final approval or final acceptance; or if the electronic submission fails to comply with these requirements, a charge of \$50 per each 24"x36" plan and \$25 for each 18"x24" or smaller plan will be collected prior to the filing of the final approval map on the land records. Cost will be based on the number of sheets in the final plan set.

In granting approval the Commission may attach such conditions that it deems necessary to modify the RECORD SUBDIVISION MAP, plans or documents and to preserve the purpose and intent of these Regulations. If the Commission does not approve the application and all the accompanying maps, plans, certificates and documents, it may modify and approve or disapprove the application or any accompanying item. In approving, modifying and approving, or disapproving an application or accompanying item, the Commission shall state in its records any conditions of approval, any modifications required, and the grounds for its action. The Commission shall give notice of its decision as required by law.

- 2.6 Easements and Deeds: Any open spaces, parks or playgrounds to be dedicated to the Town and any easements for storm drainage, sanitary sewers or right-of-ways to be dedicated to the Town shall be confirmed by written conveyance describing the land involved and privileges of the Town in a form satisfactory to the Town Counsel. Open spaces, parks, playgrounds, easements and right-of-ways which are not to be dedicated to the Town shall also be confirmed by written conveyances, in a form satisfactory to Town Counsel describing the land involved and the privileges of the owner of the open space, easement or right-of-way. The conveyance shall be accompanied by an appropriate map delineating the land involved in accordance with the standards of Par. 3.3 unless such land is shown on the RECORD SUBDIVISION MAP.

- 2.7 Construction of Improvements; Bonds: Prior to endorsement of the RECORD SUBDIVISION MAP, the construction of improvements and measures for soil erosion and sediment control shall be guaranteed by the following bonds provided by the applicant, however, the Commission may at its discretion and by resolution authorize the applicant to proceed with construction of common driveways and other improvements prior to such endorsement:
- 2.7.1 Erosion Control Bond: Measures to control erosion and sedimentation under a certified SOIL EROSION AND SEDIMENT CONTROL PLAN shall be guaranteed by a letter of credit or cash bond provided by the applicant in form and amount acceptable to the Commission and the Town Counsel, which guarantee shall remain in full force and effect until the CONTROL PLAN measures have been completed and the guarantee release as provided in Par. 2.10.
- 2.7.2 Completion Bond: The applicant shall execute an agreement and file a bond with the Commission to guarantee completion of streets, drainage and other improvements within a period, not exceeding two (2) years as determined by the Commission under Par. 2.5.4. The bond shall be in a form and amount acceptable to the Commission and to the Town Counsel and shall be a letter of credit or cash bond, and said bond shall secure to the Town the actual construction, maintenance and installation of such improvements.
- 2.7.3 Duration of Completion Bond: Such agreement and completion bond, or portion thereof, covering street drainage and other improvements to be dedication to the Town, expressly excluding underground electric and telephone wires and common driveways serving more than one lot, shall remain in full force and effect until such improvements have been accepted for public use and maintenance by the Town and a maintenance bond has been posted as specified in Par. 2.10; the agreement and bond or portion thereof, covering improvement not to be dedicated to the Town shall remain in full force and effect until released as provided in Par. 2.10 and a maintenance bond has been posted as specified in Par. 2.10.
- 2.8 Filing and Recording: The endorsed Record Subdivision Map, showing any modifications upon which final approval of the subdivision was contingent, shall constitute the approved subdivision map. Any persons, firm or corporation making any subdivision of land, except as provided in Section 8-26g of the Connecticut General Statutes, shall complete all work in connection with such subdivision within five years after the approval of the plan for such subdivision; the commission's endorsement of approval of the plan shall state the date on which such five year period expires. Within the 90 days after delivery of the endorsed MAP to the applicant, the applicant shall file and record the MAP in the

Office of the Southbury Town Clerk, except that the Commission may extend the time for such filing and recording for two (2) additional periods of 90 days and the MAP shall remain valid until the expiration of such extended time. Filing and recording fees shall be paid by the applicant.

- 2.9 As-Built Plans; Certification: Before the release of any subdivision completion bond, or before the Commission endorses any RECORD SUBDIVISION MAP to permit filing or recording with the town clerk when no bond has been posted, the applicant shall present construction plans, meeting the standards of Par. 3.4, showing the streets, drainage and other subdivision improvements as built, including the location of any water mains, sanitary sewers, and gas mains, and also showing clearly where the as-built plans differ from the approved CONSTRUCTION PLANS.

Before release of the erosion control bond required under Par. 2.7.1, the applicant's land surveyor or engineer shall certify that the measures to control erosion and sedimentation have been completed in accordance with the certified SOIL EROSION AND SEDIMENTATION CONTROL PLAN.

- 2.10 Release of Bond: Before release of any erosion control bond and before release of any subdivision completion bond, or before the Commission endorses any RECORD SUBDIVISION MAP to permit filing or recording with the Town Clerk when no completion bond has been posted, the following shall be in effect:
- a. the roads, drainage and other required improvements in the subdivision shall have been inspected and approved by the Board of Selectmen;
 - b. the as-built plans shall have been submitted to the Commission as specified in Par. 2.9;
 - c. the measures to control erosion and sedimentation shall have been certified as complete as specified in Par. 2.9;
 - d. certification from a surveyor shall have been received stating that all required monuments and pins have been set in place; and
 - e. the applicant shall execute an agreement and file a bond to guarantee maintenance of and to cover deficiencies in the required road, drainage and other subdivision improvements.

In the case of improvements which are not to be offered for acceptance by the Town, the maintenance bond shall run for a period of one (1) year from the date of such release or filing; in the case of improvements which are offered for

acceptance by the Town, the maintenance bond shall terminate no earlier than one (1) year after the date of acceptance of the improvements by the Town. The maintenance bond shall be in a form as required in Par. 2.7 and shall be an amount approved by the Commission as not less than 10% nor more than 50% of the current costs of original improvements.

SECTION 3 - STANDARDS FOR MAPS AND PLANS

- 3.1 General: The maps and plans required by these Regulations shall show the information and shall be prepared in accordance with the standards hereinafter specified. All such maps and plans shall be prepared by and bear the name and seal of a land surveyor or professional engineer, or both, as required by law and licensed by the State Board of Examiners for Professional Engineers and Land Surveyors of the State of Connecticut. Pertinent survey data and computations shall be presented to the Commission or Board of Selectmen for review upon receipt.
- 3.2 Site Development Plan: The SITE DEVELOPMENT PLAN shall be drawn to a scale of not less than 1" = 100'. The plan shall show existing 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, in order to allow the Commission to conduct a general planning review of the proposed subdivision including its relationship to the future subdivision of all contiguous land of the applicant. 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 Southbury.
 - 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, including revision dates and a brief description of each revision; scale; true and magnetic north points; Town; and State.
 - 3.2.4 existing and proposed property and street lines; indication of all property lines and street lines within 200 feet of the tract and the names of all subdivisions or property owners within 200 feet of the tract.
 - 3.2.5 existing and any proposed relocation of watercourses, including streams, ponds and swamps, whether intermittent or continuous flowing; identification of any wetlands, which shall be confirmed by competent soil tests and survey in the field if requested by the Commission under Par. 2.3; the boundaries and classification codes of soil types under the National Cooperative Soils Survey of the Soil Conservation Service, US Department of Agriculture; existing and proposed easements, right-of-ways and conservation areas.
 - 3.2.6 existing contours at an interval not exceeding five (5) feet based on field or aerial survey and using the same official Town, State, or US bench mark as provided in Par. 3.4.

- 3.2.7 proposed lots and lot numbers: the provision of open spaces, parks and playgrounds when, and in places, deemed proper by the Commission which open spaces, parks and playgrounds shall be shown on the subdivision plan.
- 3.2.8 existing permanent buildings and structures; the location proposed for a dwelling or other principal building on each lot, and the proposed driveway access thereto.
- 3.2.9 principal wooded areas and the approximate location of all large trees.
- 3.2.10 all ledge outcrops and existing stone walls and fences within the subdivision.
- 3.2.11 dimensions on all proposed property and street lines; lot area and the total acreage of land included in the subdivision.
- 3.2.12 proposed width of all streets, right-of-ways and easements; the proposed width of all pavement; and proposed street names.
- 3.2.13 existing and proposed monuments and pins; any municipal boundary line; and zoning district and any district boundary line.
- 3.2.14 existing and proposed storm drains, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs and other structures; and existing and proposed water mains, sanitary sewers and related facilities.
- 3.2.15 spot elevations on both existing and proposed roads to indicate tentative grading of roads.
- 3.2.16 the location of any seepage test holes, test pits and borings; locations proposed for water supply well sites; and the location and dimensions of the area suitable for leaching fields for on-site sewage disposal systems and the reserve area for future fields.
- 3.2.17 the limits of any areas proposed for regrading by excavation or filling; and the limits of any areas proposed to be reserved and protected from excavation or filling.
- 3.2.18 the location and limits of areas subject to potential flooding; the boundaries of any Special Flood Areas and floodways and the base flood elevation data therefor; and the lowest floor elevations that would be applicable for a building on any lot in the Special Flood Hazard Area in accordance with the Flood Plain Management Ordinance.

- 3.2.19 the location and limits of historical and archeological sites.
 - 3.2.20 the limits of any areas of tree removal necessary to provide effective use of a passive solar energy system, based on an assumed mature tree height of fifty feet.
 - 3.2.21 the location of proposed water storage tanks necessary to provide fire protection or the location of existing or proposed ponds.
- 3.3 Record Subdivision Map: the RECORD SUBDIVISION MAP shall be prepared with an accuracy meeting or exceeding standards for a “Class A-2” type of survey as specified in the “Code of Recommended Practice for Standards of Accuracy of Surveys and Maps”, approved by the State Board of Examiners for Professional Engineers and Land Surveyors. The MAP shall be certified by a live stamp applied by the producer and affixed with indelible red line and be clearly and legibly drawn on good quality translucent cloth or printed on polyester film .003 thick or better. Sheet sizes should be drawn to a scale of 36” by 24”, 24” by 18”, or 18” by 12”. The MAP should be drawn to a scale of 1”= 40’, but in no case at a scale of less than 1”= 100’. The MAP shall show the following:
- 3.3.1 title of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Southbury.
 - 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, including revision dates and a brief description for each revision; scale; true and magnetic north points; Town; and State.
 - 3.3.4 existing and proposed property and street lines; indication of all property lines and street lines within 200 feet of the tract and the names of all subdivision or property owners within 200 feet of the tract.
 - 3.3.5 existing and any proposed relocation of watercourses including streams, ponds and swamps, whether intermittent or continuous flowing; any wetlands; the boundaries of any Special Flood Hazard Areas and floodways, and the lowest floor elevations that would be applicable for a building on any lot in the Special Flood Hazard Area in accordance with the Flood Plain Management Ordinance; existing and proposed easements and right-of-ways; the location and limits of all easements or reservation areas for the protection of watercourses, wetlands, flood plains and other land subject to potential flooding, and conservation areas; and the limits of any areas to be reserved or protected from excavation or filling.

- 3.3.6 proposed lots and lot numbers; the provision of open spaces, parks and playgrounds when, and in places, deemed proper by the Commission; the square footage or acreage of all lots and open spaces, and the total acreage of land included in the subdivision.
 - 3.3.7 existing permanent buildings and structures.
 - 3.3.8 dimensions on all existing and proposed property and street lines to the hundredth of a foot, and all bearings or deflection angles on all straight lines, and the central angle, tangent distance and radius of all arcs; and dimensions along property lines to the centerline of intersecting water-courses and streams.
 - 3.3.9 the width of all streets, right-of-ways and easements; street names.
 - 3.3.10 existing and proposed monuments and pins; any municipal boundary line.
 - 3.3.11 a location map showing the location of the subdivision in relation to existing streets in the Town at a scale of not less than 1" = 2000'.
 - 3.3.12 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.
 - 3.3.13 the survey relationship of proposed streets to nearby monumented Town streets or State highways where practical.
 - 3.3.14 the words "Approved by the Southbury Planning Commission" with a designated place for the signature of the Chairman or Secretary and date of approval and the words "Expiration Date per Sec. 8-26c, Connecticut General Statutes" with a designated place for such date.
- 3.4 Construction Plans: Construction Plans for all proposed streets, drainage and other improvements shall be drawn on good quality polyester film .003 thick or better, and the mylar presented under Par. 2.5.4i shall meet such standards. Plan and profile drawings shall be prepared for all proposed streets, storm drains, gutters, catch basins, manholes, ditches, water- courses, headwalls, sidewalks, curbs, water mains, sanitary sewers and other structures and shall be drawn on good quality mylar having a sheet size of 36" by 24" and shall be drawn to a horizontal scale of 1"=40' and a vertical shape of 1" = 40'. Profile drawings and elevations shall be based on official Town, State or U.S. bench marks; the bench marks used shall be noted on the plan. Construction drawings shall show at least the following information in accordance with good engineering practice and as appropriate for the particular subdivision:

- 3.4.1 title of the subdivision; date, including revision dates and a brief description of all revisions; scale; north point; Town; and State.
 - 3.4.2 for streets, the existing grades at the centerline and at both street lines and the proposed grade at the centerline; street lines and edge and width of pavement; a typical street cross section; a cross section at all cross culverts at a scale of one inch equals five feet; and, if requested by the Commission or Board of Selectmen, cross sections every 50 feet at a scale of one inch equals five feet.
 - 3.4.3 limits of disturbed area for street construction.
 - 3.4.4 depth, invert, slope and size of all pipes, ditches, culverts, manholes, catch basins, headwalls and watercourses; ditch and watercourse cross sections.
 - 3.4.5 approximate location of lot lines intersecting the street line; lot numbers and street names.
 - 3.4.6 sidewalks, curbs, gutters, water mains, sanitary sewers, fire protection structures and other structures.
 - 3.4.7 detail drawings of any bridges, box culverts, deep manholes, and other special structures.
 - 3.4.8 if requested by the Commission or Board of Selectmen, detailed grading plans at street intersections.
 - 3.4.9 for common driveways serving more than one lot, a typical cross section.
 - 3.4.10 the words "Approved by the Southbury Planning Commission" with a designated place for the signature of the Chairman or Secretary and date of approval.
 - 3.4.11 the words "Approved by the Board of Selectmen, Town of Southbury" with a designated place for the signature of the First Selectman and date of approval.
 - 3.4.12 the words "For location of underground electric, telephone and other facilities of public utilities, inquire of appropriate utility company".
- 3.5 Grading Plan: The area shown on the GRADING PLAN may be limited to the portion of the subdivision affected by the proposed re-grading, cuts and fills, or soil or rock removal, such as, but not limited to, borrow areas, low areas to be filled, substantial cut or fill areas along proposed streets and necessary cuts and fills to achieve a driveway grade of 12% or less. The GRADING PLAN shall be

drawn on good quality translucent cloth or printed on polyester film .003 thick to the same scale as the RECORD SUBDIVISION MAP or larger.

- 3.5.1 title of the subdivision; date, including revision dates and a brief description of each revision; scale; true and magnetic north points; Town; and State.
 - 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 owner.
 - 3.5.3 layout of existing and proposed lot lines and street lines; the boundary of the area to be re-graded, cut or filled.
 - 3.5.4 existing and proposed contours at an interval not exceeding five (5) feet based on field or aerial survey; a profile of both existing and proposed grades of any proposed driveway within the area to be re-graded; if requested by the Commission, cross section drawings of the area to be re-graded.
 - 3.5.5 existing and proposed drainage and watercourse; the boundaries of any Special Flood Hazard Areas and floodways and the base flood elevation data thereof.
 - 3.5.6 existing and permanent buildings and structures.
 - 3.5.7 location of all test holes, test pits and borings.
 - 3.5.8 the words "Approved by the Southbury Planning Commission" with a designated place for the signature of the Chairman or Secretary and date of approval.
- 3.6 Soil Erosion and Sediment Control Plan: When a SOIL EROSION AND SEDIMENT CONTROL PLAN is required under Par. 4.25, such CONTROL PLAN shall contain the information and be prepared in accordance with the Town of Southbury Soil Erosion and Sediment Control Ordinance. The CONTROL PLAN may be integrated with the SITE DEVELOPMENT PLAN, construction plans, GRADING PLAN and other maps, plans and documents required by these Regulations, shall cover all land that constitutes a "disturbed area" as defined in such Ordinance. The preparer of the CONTROL PLAN shall certify to the Commission, or to the Board of Selectmen or its authorized agent, that the CONTROL PLAN conforms to the minimum standards of such Ordinance.

SECTION 4 - DESIGN AND CONSTRUCTION STANDARDS

- 4.1 General: Subdivisions and resubdivisions, including related streets, drainage and other improvements required by these Regulations, shall be planned, designed and constructed in accordance with the standards hereinafter specified. Construction plans shall be prepared in accordance with good engineering practice; construction of improvements shall be carried out in a workmanlike manner and in a logical sequence. The design and construction of improvements shall also conform to the “William-Steiger Occupational Safety and Health Act of 1970”, administered by the U.S. Department of Labor, Occupational Safety and Health Administration.
- 4.2 Plan of Development: Subdivisions shall be planned and designed in general conformity with any plan of development, adopted by the Commission under Chapter 126 of the Connecticut General Statutes for the Town or the neighborhood encompassing the subdivision, particularly with regard to a) location and classification of streets and their relationship to the *Plan of Conservation and Development*, b) sanitary sewer, water supply and drainage systems and service areas and c) reservation of land for parks, recreation and open space.
- 4.3. Alternate Standards: The Commission may approve alternate design and construction standards when a) such standards are prepared by a professional engineer licensed as such by the State Board of Examiners for Professional Engineers and Land Surveyors of the State of Connecticut, b) the Commission determines that such standards will be in accord with the purpose and intent of these Regulations and c) if constituting a modification of standards specified in other ordinances or regulations, such alternate standards are approved by the agency responsible for administration of such ordinances or regulations.
- 4.4 Board of Selectmen: The construction plans for streets, drainage and other subdivision improvements proposed to be dedicated to the Town (excluding private streets and common driveways and their related improvements) shall, in the subdivision application review process, be referred to the Board of Selectmen for review, written comment and recommendation.
- 4.5 Inspection: The construction of streets, drainage and other subdivision improvements shall be subject to inspection and approval by the Board of Selectmen or their authorized agent. The Board of Selectmen and the Commission, or their authorized agent, shall have free access to the construction work at all times and shall be deemed authorized to take material samples, cores and other tests as deemed necessary to determine compliance with the standards of these Regulations. They may require the applicant, at his own expense, to have such tests made and certified by a Connecticut licensed professional engineer.
- 4.6 Notification: The applicant or contractor for the street, drainage or other subdivision improvements shall notify the Road Foreman or his designee in

writing of his intention to start any construction project at least three (3) days prior to starting the work. Should the applicant or such contractor close down the construction project for a period exceeding one (1) week, due to weather conditions or other cause, the applicant or such contractor shall notify the Road Foreman or his designee in writing of such closing; he shall notify the Road Foreman or his designee in writing of his intention to resume the project at least three (3) days prior to resuming the work. In addition, the applicant or such contractor shall give timely written notice to the Road Foreman or his designee for inspection purposes at least 48 hours before each of the following stages of work:

- 4.6.1 prior to commencing site clearance and after the construction work has been staked out;
- 4.6.2 prior to commencing excavation and grading of streets, and installation of embankments;
- 4.6.3 prior to commencing installation of drainage and other utilities;
- 4.6.4 prior to backfilling structures and drainage pipes, facilities and other utilities;
- 4.6.5 prior to placement of the base course on the subgrade of a street; and
- 4.6.6 prior to commencing construction of the paved surface of a street.

The Road Foreman or his designee shall have three (3) days in which to inspect the completed work in each of the above stages of the project prior to approving the work. No work shall be commenced on succeeding stages of construction until the required inspection has been made and approval given by the Road Foreman or his designee. The Road Foreman or his designee may issue a Stop Work Order if in its judgment the construction project or any stage thereof is not being carried out in accordance with these Regulations or if unforeseen field circumstances are encountered for which the approved plans are insufficient. The Road Foreman shall withdraw such Order when it determines that there is compliance with these Regulations.

- 4.7 Construction Timing and Completion: The street, drainage and other improvements required by these Regulations shall be completed on or before the completion date specified by the Commission under Par. 2.5.4. Upon written request of the applicant, the Commission may by resolution extend such completion date for good cause and provided that the Commission is satisfied that a) there is adequate evidence that the completion bond will remain in full force and effect for the term of such extension, b) sufficient improvements have been installed to support any existing use or development within the subdivision, c) the

construction work is proceeding in accordance with plans as approved, and d) the public health and safety will not be impaired by the extension; otherwise, the Commission may by resolution determine that the subdivision or resubdivision is in default and fails to conform to the conditions of approval. In addition, the construction work shall be carried out in a logical sequence that provides for adequate drainage and avoids soil erosion at each stage of the work and that provides safe and convenient access to any occupied buildings within the subdivision or resubdivision.

- 4.8 Natural Features: The planning and design of the subdivision, including streets, drainage and other improvements and the location proposed for dwellings or other buildings, driveways, parking areas, and on-site sewage disposal systems, shall be made with consideration for and preservation and appropriate use of natural features of the tract to the maximum extent practicable as follows:
- 4.8.1 by taking into account the development potential and limitations of existing soils on the tract, including but not limited to ground water table, depth to bedrock, erosion potential, vegetation and suitability for on-site sewage disposal and ground water recharge;
 - 4.8.2 by planning the location of buildings and facilities requiring clearing and/or regrading so as to retain the special scenic, historic and landscape features of the tract, such as may be identified in the Pre-Application Planning Review process, and to avoid excessive erosion, to protect water resources, and to avoid adversely affecting the solar access of the tract;
 - 4.8.3 by protecting stonewalls, exposed rock formations, large trees and desirable woods, and other vegetation, including plant materials which serve as wind barriers and aid energy conservation;
 - 4.8.4 by protecting and avoiding encroachment upon wetlands, watercourses, including water bodies, and flood plains and other land subject to potential flooding, unless modification of a wetland, watercourse or water body is authorized by permit approved by the Southbury Inland Wetlands Agency; and
 - 4.8.5 by providing for additional protection of wetlands, watercourses, water bodies and flood plains, historical features and critical scenic and environmental areas, by reservation area or easement shown on the RECORD SUBDIVISION MAP.
- 4.9 Building Lots: Proposed building lots shall be of such shape, size, location, topography, access and character as to be occupied and used for building purposes, whether dwelling, business or industrial as permitted by law, without adverse impact to the health and safety of the occupants, the neighborhood or the

public. Any proposed lot which is found unsuitable for occupancy or building, such as by reason of water or flooding conditions, topography, ledge, rock, unsuitable soils or other conditions, shall be combined with another contiguous lot or lots that are suitable. Proposed building lots shall also conform to the following additional standards:

- 4.9.1 Terrain: Proposed building lots shall be planned to make best use of the natural terrain, to preserve substantial trees, woods, wetlands, water-courses and other natural features and to be capable of use without extensive regrading which would result in potential erosion and sedimentation and excessive vegetation removal or which would adversely affect the ability of the lot to accommodate on-site sewage disposal and/or water supply facilities. Unless otherwise approved by the Commission and authorized by the Southbury Inland Wetlands Agency, each lot shall be capable of accommodating buildings permitted by the Zoning Regulations, together with driveway access, parking spaces and suitable sites for on-site sewage disposal and water supply, without disturbing wetlands and watercourses.
- 4.9.2 Access: Each lot shall have access on an existing public street or a street in a subdivision for which a RECORD SUBDIVISION MAP has been approved by the Commission. Each lot shall be capable of accommodating automobile access from such street to the proposed dwelling location by means of a driveway having a grade no greater than 12%, at any point on the driveway, having safe alignment and sight distances and meeting the street in a manner that maintains the standard cross section for the street in accordance with its classification under Par. 4.11. Any driveway serving more than one lot, as provided for in Par. 1.7 of the Zoning Regulations Town of Southbury, Connecticut shall be designed with a cross section in accordance with a drawing entitled "Typical Cross Section for Common Driveways", which drawing is hereby made a part of these Regulations.
- 4.9.3 Lot Size: Each lot shall conform to the Zoning Regulations Town of Southbury, Connecticut, unless required by these Regulations to be larger in order to accommodate on-site sewage disposal and/or water supply systems or to comply with other requirements of this section.
- 4.9.4 Lot Numbers: All lots shall be numbered consecutively beginning with the numeral "1". Sections of subdivision under the same name shall have consecutive lot numbers.
- 4.9.5 Lot Lines: Insofar as practicable, the side lot lines of all lots shall be at right angles or radial to the street on which the lot has frontage, unless the purpose of lot line orientation other than those mentioned is to secure

greater solar access or protection or control thereof. It shall be within the discretion of the Commission to disapprove any lot crossed by municipal boundary lines, and, in the event of such disapproval, such boundary line shall be made to constitute one of these lot lines.

4.10 Sewer and Water: Each lot shall be provided with adequate and safe means of sewage disposal and water supply on a continuous, long term basis to meet the requirements of uses permitted on the lot under the Zoning Regulations Town of Southbury, Connecticut. Provision shall be made for sewage disposal and water supply by one of the following two methods:

4.10.1 Systems: Each lot shall be served by and provided with a curb connection to a public sanitary sewer system owned or to be owned by the Town of Southbury; each lot shall also be served and provided with a service connection to a public water supply system owned by a public utility company, or owned or to be owned by the Town of Southbury or the Pomperaug Valley Water Authority. Such systems shall meet all of the applicable sanitation and administrative requirements of the Director of Health and the State of Connecticut.

4.10.2 On-Site: The Commission may approve provision for sewage disposal and water supply by means of on-site facilities for and on each lot when all of the following conditions are met:

- a. the Commission determines that public systems are not available or cannot reasonably be provided or extended by the applicant to serve the lot.
- b. the lot contains an area, adequate in size, dimension, location and slope, with suitable soils, to accommodate a leaching field system and a reserve area for future fields, in accordance with standards of the State of Connecticut;
- c. provided soil and topographic conditions permit, primary and reserve leaching fields shall be planned and located to the south of the proposed house location whenever such location will aid the use of solar energy systems due to improved solar access caused by regrading and tree removal associated with the installation of the sewage disposal system;
- d. if the lot is to be served by both on-site sewage disposal and water supply systems; the lot shall contain an area of not less than 40,000 square feet and shall be of such shape that a square with 150 feet on each side will fit on the lot, unless either a larger lot is required by the Zoning Regulations or unless the report submitted under

Subdivision Regulations Par. 2.4.1 certifies that a smaller lot is satisfactory;

- e. the lot is approved by the Director of Health; and
- f. a note is placed on the RECORD SUBDIVISION MAP specifying that the design and construction of on-site sewage disposal and water supply facilities are subject to approval by municipal or other authorities having jurisdiction *

*See Par. C of Administrative Policy #4 wording of note.

4.11 Street Planning and Design: All streets and common driveways in the subdivision shall have one (1) of the following classifications in accordance with the function of the street as approved by the Commission:

- a. Primary Collector Street: a street of considerable existing or potential continuity, providing access to or intercommunications among large areas of the Town, collecting vehicle trips from Secondary Collector Streets and local streets; Primary Collector Routes, existing or proposed, may be shown on the adopted Plan of Conservation and Development.
- b. Secondary Collector Street: a street, that has existing potential continuity, collecting vehicle trips within neighborhoods and from smaller areas of the Town, some sparsely settled; Secondary Collector Streets may be shown on the adopted Plan of Conservation and Development, and may also include any street giving direct access to or circulation within business and economic development areas.
- c. Local Residential Street: a street providing access to abutting lots used for residential purposes and feeding Primary and Secondary Collector Streets.
- d. Private Residential Street: a private street providing access to more than two (2) and up to eight (8) abutting lots used for residential purposes and that gains access to a Local Residential, Secondary Collector or Primary Collector Street. Private Residential streets shall not be through circulation routes.
- e. Common Driveway: an access way serving two (2) interior lots as defined in Par. 1.7 of the Zoning Regulations.
- f. In addition the Commission shall assign each existing street abutting the subdivision one (1) of the above classifications.

4.11.1 Street Planning: Proposed streets and right-of-ways shall be planned in accordance with the following criteria:

- a. Streets shall provide safe and convenient circulation for both present and prospective traffic within the subdivision and within the neighborhood where the subdivision is located.
- b. Streets should, in general, follow the contour of the land and should have a location and grade which accomplishes an attractive layout and development of the land, which preserves natural terrain, large isolated trees and desirable woods and other vegetation and which will enhance property values in the subdivision. When few natural constraints exist which limit street layout and location, such as, but not limited to, steep slopes and unsuitable soils, streets shall have an east-west orientation to the greatest extent possible with acceptable variation of 10° to the northwest and 25° to the southwest in order to provide for orientation of lots and buildings to the south, and thereby to encourage the use of solar energy systems.
- c. Permanent deadend streets should be avoided. Proposed streets which may be projected into adjoining property shall be carried to the boundary line, and the intent to extend into the adjacent tract shall be clearly marked on the Record Subdivision Map. Permanent deadend streets should be short in length, typically 250 feet to 500 feet, unless a greater length is needed because there is no reasonable alternative for access to the land and development of the land would be unreasonably precluded.
- d. Unless otherwise approved by the Commission, proposed streets shall provide for continuation of existing streets terminating at the boundary of the subdivision.
- e. Thoroughfares shall be provided as indicated on any plan of development adopted by the Commission and otherwise where necessary as a feeder to a residential neighborhood or to serve a business or industrial area.

4.11.2 Right-of-Way: Streets and common driveways shall have the minimum width of right-of-way hereinafter set forth according to their classification and as approved by the Commission as necessary for anticipated traffic capacity, type of traffic, turning movements and construction requirements. A greater width of right-of-way may be required for particular cases to accommodate turn lanes, safe traffic flow and adequate sight lines.

- a. Primary Collector Street: 60 feet
- b. Secondary Collector Street: 50 feet to 60 feet
- c. Local Residential Street: 50 feet
- d. Private Residential Street: 50 feet
- e. Common Driveway: 30 feet serving residential interior lots; 50 feet serving business and economic development interior lots.

4.11.3 Street Lines: Street lines on each side of a proposed street shall be parallel or shall be concentric arcs, except at intersections and turnarounds designed in accordance with these Regulations. No street right-of-way shall be widened beyond the width specified in these Regulations, such as for the purpose of securing additional street frontage for proposed lots.

4.11.4 Relationship to Existing Streets: Proposed subdivisions and any proposed street therein shall be planned to coordinate with existing streets as follows:

- a. Abutting Streets: Proposed subdivisions abutting an existing Town street or State highway shall provide for proper widening of the right-of-way of such street or highway to the width appropriate for the classification given such street or highway by the Commission. Provision, including actual construction shall also be made for improvements in the travelway as to width, grade, and alignment (vertical and horizontal), base, drainage and pavement as, in the opinion of the Commission, may be made necessary by the creation of the subdivision.
- b. Access: Any proposed street in a subdivision shall connect to an existing Town street or State highway or to any other street in the proposed subdivision approved by the Commission and where the applicant has access rights.
- c. Suitability of Access: The existing street to which the proposed subdivision street connects shall be of sufficient width and have a suitable travelway, grade and alignment as determined by the Commission to provide adequate access for fire protection, other emergency, utility and highway maintenance services to the subdivision and sufficient to accept the traffic to be generated through the proposed subdivision street without undue hazards to vehicles and pedestrians.

4.11.5 Deadend Streets: Unless otherwise approved by the Commission, cul-de-sacs, streets permanently closed at one end by building lots and which will not be extended in the future, shall provide sole access to not less than two (2) nor more than twenty (20) building lots. Temporary deadend streets, which may be projected into adjoining property at some future date, may provide access to a lesser or greater number of lots but shall not exceed a reasonable interim length for safe and convenient vehicular access, including emergency vehicles, as determined by the Commission.

4.11.6 Turnarounds: A turnaround with a minimum diameter of 120 feet for the right-of-way shall be provided at the closed end of a permanent deadend street. A turnaround with a minimum diameter of 100 feet for the right-of-way shall be provided at the closed end of a deadend street which may be projected into adjoining property at some future date and which provides sole access to one or more building lots. Right-of-way for a turnaround on a temporary deadend street, which may at some future date be projected into adjoining property, shall be provided in a form of a temporary easement accompanied by a note on the RECORD SUBDIVISION MAP providing for automatic termination of the easement upon extension of the street.

4.11.7 Width of Pavement: Streets shall be designed with the following width of pavement centered between the street or right-of-way lines:

- a. Primary Collector Street: 36 feet
- b. Secondary Collector Street: 26 feet
- c. Local Residential Street: 22 feet - 26 feet
- d. Private Residential Street: 20 feet
- e. Common Driveway: 15 feet serving residential interior lots; 26 feet serving business and economic development interior lots.

4.11.8 Grade: The minimum grade for any street or common driveway shall be 1.0%, except that a minimum grade of from 0.5% to 1.0% may be established for 100 feet or less and as tangents of vertical curves. The maximum grade for any street shall not exceed the following according to its classification:

- a. Primary Collector Street: 8%
- b. Secondary Collector Street: 10%

- c. Local Residential Street: 10%
- d. Private Residential Street: 12%
- e. Common Driveways: 12% serving residential interior lots and 8% serving business and economic development interior lots.

4.11.9 Vertical Curves: Appropriate vertical curves for transition shall be established on all streets and at street intersections to insure adequate sight distance in accordance with the classification of the street. Except at intersections, vertical curves shall provide a minimum sight distance of 200 feet along the edge of pavement. Where any street approaches an intersection at a grade of 4% or more, a transition area, having a maximum grade of 2%, shall be provided for a minimum of 50 feet measured from the right-of-way line of the street intersected.

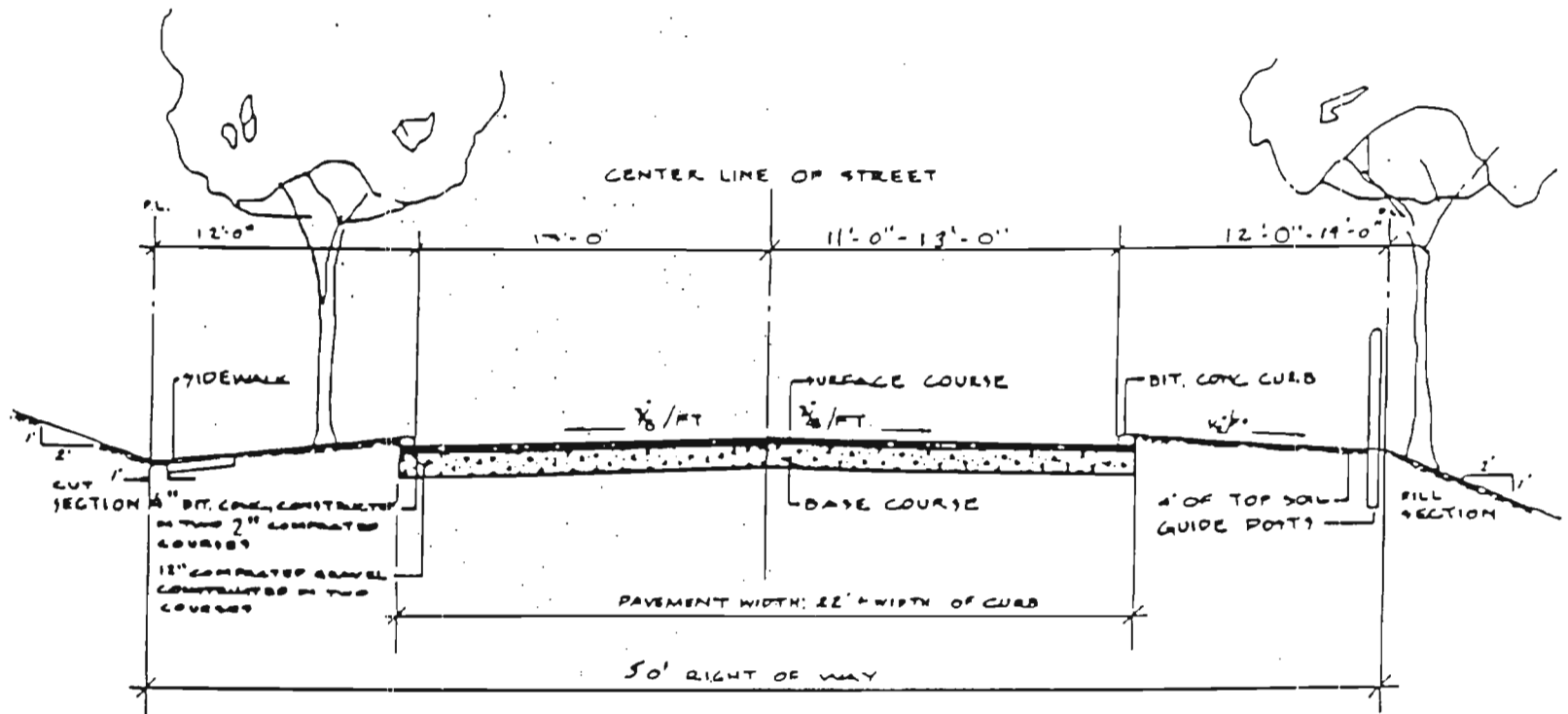
4.11.10 Intersections: The following standards shall apply to street intersections:

- a. No more than two streets shall intersect at one point. Intersections shall be spaced not less than 400 feet apart, except when in the opinion of the Commission, conditions justify a variation from this requirement.
- b. Streets shall intersect one another at as near to a right angle as is practical; no intersection shall be at an angle of less than 60 degrees.
- c. At street intersections, property line corners shall be rounded by an arc having a minimum radius of 25 feet.

4.11.11 Alignment: Connecting curves between tangents shall be provided for all deflection angles in excess of five (5) degrees. Suitable tangents shall be provided between curves and the minimum radius of curvature at the centerline of streets shall be as follows:

- a. Local Residential Street 250 feet
- b. Thoroughfare 600 feet

4.11.12 Cross Section: Local Residential Streets and Thoroughfares shall be designed with a cross section in accordance with drawings entitled "Typical Street Cross Section", which drawings are hereby made a part of these Regulations.

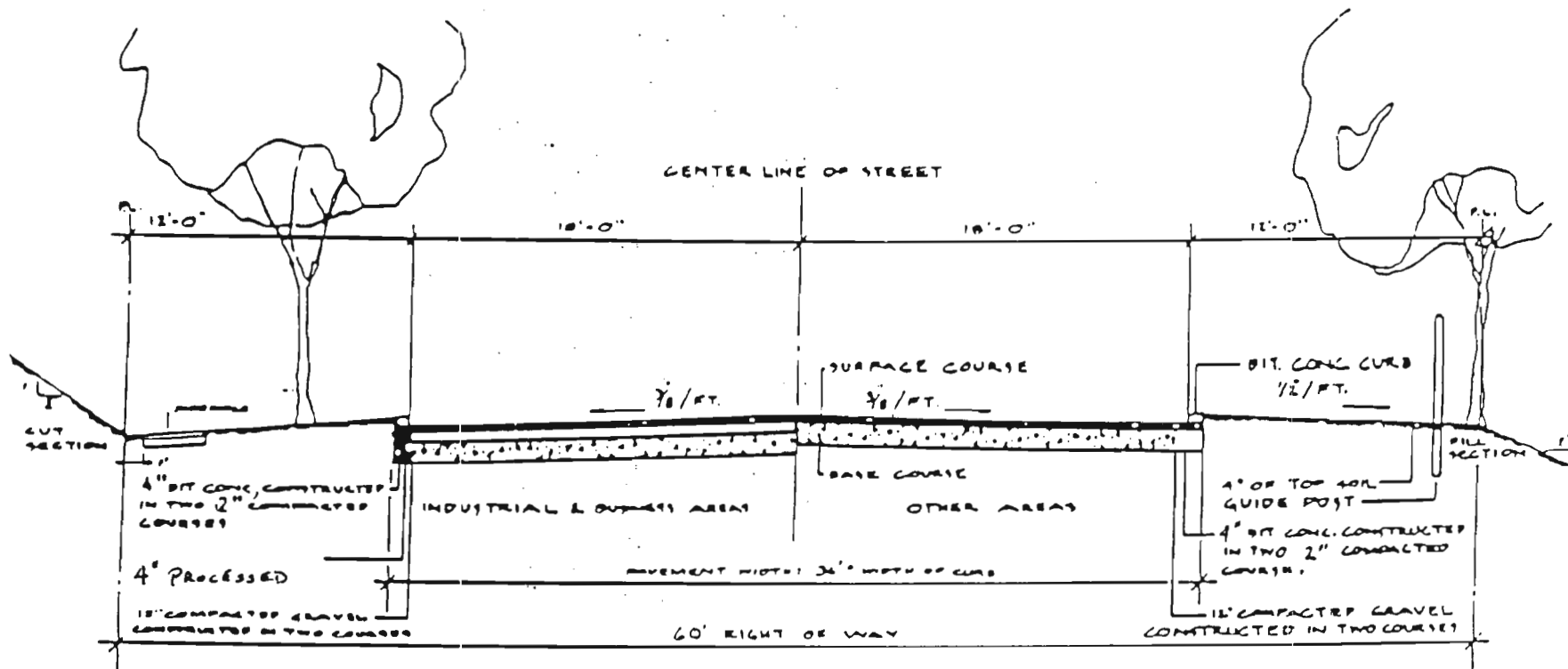


TYPICAL STREET CROSS SECTION 'A' LOCAL RESIDENTIAL STREET

Town of Southbury, Connecticut

July 24, 1973

Revised March 16, 1978
 Revised August 31, 1989
 Revised August 08, 2008



TYPICAL STREET CROSS SECTION B THOROUGHFARE

(BUSINESS & INDUSTRIAL AREAS - OTHER AREAS)

Town of Southbury, Connecticut

July 24, 1973

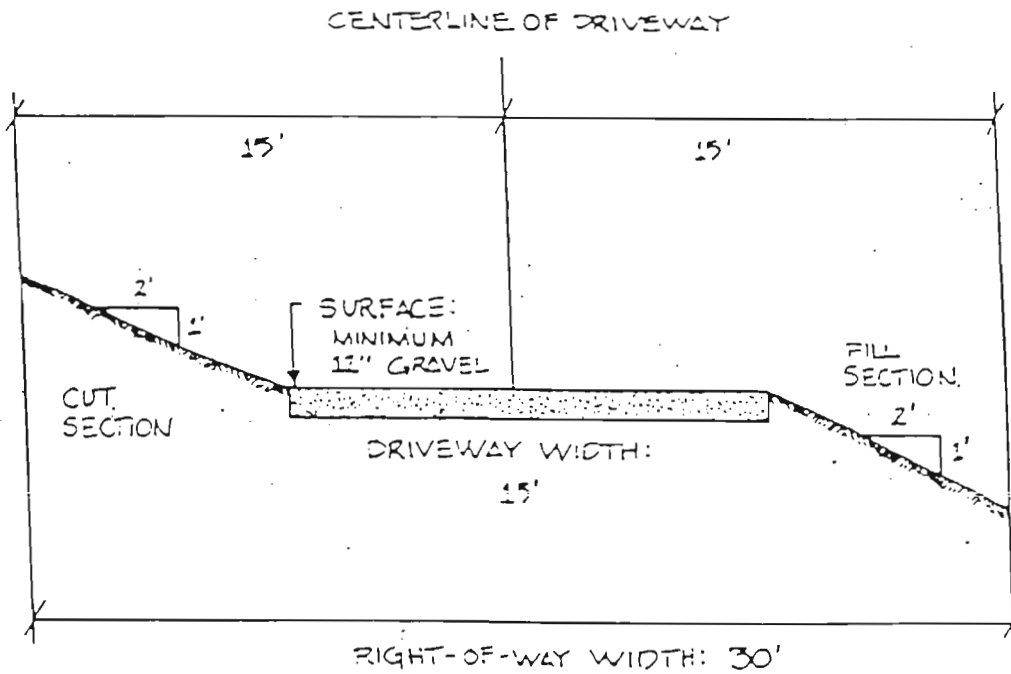
Revised March 16, 1978

Revised August 31, 1989

Revised August 08, 2008

TYPICAL CROSS SECTION FOR
COMMON DRIVEWAYS

TOWN OF SOUTHURY, CONNECTICUT



Note: All curves in driveways shall have a flat shoulder in cut section of sufficient width to allow adequate clearance for emergency vehicle overhangs.

Adopted: March 19, 1980
Amended: August 8, 2008

4.11.13 Street Names: Each proposed street, whether public or private, and each private right-of-way or easement serving three (3) or more lots shall have a name shown on the RECORD SUBDIVISION MAP. Such streets, right-of-way and easements shall bear names which are appropriate to the character of the Town and which do not duplicate or too closely approximate in spelling or sound existing street names in the Town of Southbury or any adjoining town. All such names shall be subject to the approval of the Commission.

4.11.14 Private Streets: For streets that are not to be dedicated to the Town, provision shall be made for ownership, operation and maintenance of the street and the drainage system and other appurtenances thereto, in a manner that the Commission finds will give adequate assurance of long term operation and maintenance of the required improvements and access for occupants of lots and for fire protection, other emergency and utility services. The provision to be made, such as by neighborhood association or otherwise, shall be established at the time of filing of the RECORD SUBDIVISION MAP. Any such street shall be suitably identified on the MAP as a private street that is not maintained by the Town of Southbury.

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

4.12.1 Survey: Instrument surveys shall be made, maintained and recorded as follows:

- a. A centerline survey of the street shall be run in the field and suitable construction ties established to all control points. Stations shall be established to all control points. Stations shall be established at 50 foot intervals and all points of curvature and points of tangency. The beginning of this line shall be designated at Station 10 + 0 and shall be the intersection point of the proposed centerline with the centerline of the connecting street.
- b. A construction stake shall be placed perpendicular, or radial in the case of curves, at each station on both sides of the streets and clear of all construction. The construction stake shall be marked with the station, offset to centerline and cut or fill to profile grade as measured from the top of the stake.
- c. A stake sheet showing the stations, profile grade, stake offsets and grades, and cuts or fills shall be prepared and presented to the Road Foreman or his designee before construction starts.

- d. Permanent bench marks shall be established and recorded with the Road Foreman or his designee throughout the length of the project at 1,000 foot intervals or as directed by the Board. The datum for bench marks shall be Town, State or U.S. datum; and assumed datum may be used only with the permission in writing from the Board.
- e. Grade stakes shall be protected and preserved until the construction work is approved by the Road Foreman or his designee. Any grade stake disturbed during construction shall be promptly replaced.

4.12.2 Clearing: The entire area of the right-of-way required to be graded in accordance with the standard cross section shall be cleared of trees, stumps, brush, roots, large rocks, ledge and other unsuitable materials, except that trees suitable for street trees shall be left standing as directed by the Road Foreman or his designee and shall be protected to ensure their survival. Any such street tree which has not survived at the time a petition is filed with the Board of Selectmen for acceptance of the street by the Town shall be replaced with a tree as specified in Par. 4.22.

4.12.3 Preparation of Subgrade: The subgrade shall be prepared as follows:

- a. All trees and roots shall be stripped to below the base course of the pavement and for the full width of the pavement. All soft spots, peat, loam, organic material, spongy soil, boulders, ledge and other unsuitable material shall be removed and replaced by material approved by the Road Foreman or his designee. Where ledge rock is encountered, it shall be removed to a depth of 12 inches below subgrade, and the area backfilled with gravel.
- b. Embankments shall be constructed of suitable fill material deposited in successive layers not exceeding 12 inches in depth after compaction; embankments to an elevation of three (3) feet above free water surface at the time of filling shall be constructed of rock and/or free draining soil conforming to Form 816, Section M.02.07. No stone over five (5) inches in its greatest dimension shall be placed within 12 inches of the elevation of the subgrade.
- c. The subgrade shall be compacted by power rollers of at least 10 tons or by other mechanical means approved by the Road Foreman or his designee. The subgrade shall be brought to a uniform surface to conform to the shape of required cross section.

4.12.4 Base Course: The base course shall be constructed as follows:

- a. On the prepared and approved subgrade, a two-course rolled gravel base shall be constructed having a depth of 12 inches after compaction. The gravel material and construction methods shall conform to Form 816, Section 3.02 and M.02.03.
- b. For Thoroughfares located in business and industrial areas, there shall be spread on the prepared and approved gravel base four (4) inches of crushed stone aggregate meeting standards of and prepared in accordance with Form 816, Section 3.04.

4.12.5 Surface Course: On the prepared and approved base course there shall be constructed a two-course surface of bituminous concrete, each course 2 inches in depth after compaction. Construction methods and material shall conform to Form 816, Section 4.06 and Section M.04.01, Bituminous Concrete Paving Mixtures Binder Course Grading II. No surface course shall be installed during the period from October 1st through May 1st or when the temperature is below 50°F. unless written permission is obtained from the Road Foreman or his designee and unless a period of at least 60 days has elapsed with the drainage, subgrade and base course in place.

4.12.6 Curbs: Bituminous concrete curbs shall be constructed on the outer edge of the completed pavement. Curbs shall be machine formed, having a cross section approved by the Board of Selectmen, a height of size (6) inches and a base width of 10 inches. The curb material shall conform to Form 816, Section M.04.01. The surface of the pavement where the curbing is to be constructed shall be cleared of all loose and foreign material, shall be dry and shall be coated with an R.C-2 or other bitumen just before placing the material. The material shall be properly compacted to the required cross section by use of a suitable machine specifically designed for the purpose. After completion of the curbing, traffic shall be kept at a safe distance for a period of not less than 24 hours and until the curbing has set sufficiently to prevent injury to the work.

4.12.7 Slopes: Cut or fill slopes beyond the sidewalk area shall not exceed one (1) foot of rise or fall for each two (2) feet of horizontal distance, but the Road Foreman or his designee may require a decrease in the amount of slope to whatever extent is necessary to maintain the stability of the bank under the particular soil conditions. All earth surfaces of slopes, and areas that have been disturbed in any way due to grading and construction of the street, shall be covered with a minimum of four (4) inches of top soil and suitably seeded or planted to prevent soil erosion. The Road

Foreman or his designee may require the removal or lowering of embankments adjacent to street intersections in order to assure adequate sight distance at the intersection. No cut or fill sections beyond the right-of-way shall extend into property outside the subdivision or property not owned by the applicant, unless appropriate slope rights are obtained for the Town; in the absence of such slope rights, appropriate retaining walls shall be constructed within the subdivision to prevent encroachment upon adjoining property.

4.12.8 Underdrains: The Road Foreman or his designee may require the installation of suitable underdrains beneath the street pavement or in the right-of-way where necessary to protect the stability of pavement to eliminate potential drainage or icing problems or to correct other undesirable or unsafe conditions. Construction methods and materials for underdrains shall conform to Form 816, Section 7.51 and Sections M.08.01-3, M. 08.01-10, M.08.01-15, M. 08.01-25, M. 08.01-26 and M.08.03.

4.12.9 Guide Posts: Guide posts shall be installed along all streets where the presence of such guide rails would reduce the possibility of accidents by better delineating the roadway alignment or reduce accident severity by deflecting vehicles into safer paths or protecting vehicles from collisions with fixed objects. Any one of the following conditions indicates that consideration should be given to the installation of a guide rail:

- a. Height of roadway embankment is more than 4 feet.
- b. Side slopes are steeper than 4:1.
- c. A sharp curve exists on a road with an otherwise straight alignment.
- d. Road abuts unusually high embankments or steep terrain which might give motorists a feeling of insecurity.
- e. Roadside fixed objects are present.
- f. Approaches to bridge piers, abutments, trees, or other obstructions.
- g. A sudden constriction in pavement width exists.
- h. Shoulder or pavement widths are reduced.

Guide rails shall not be used in lieu of addressing alignment or slope problems associated with the roadway design through proper engineering or sound construction practices. They shall be utilized when all reasonable efforts have been made to eliminate the problems and an extra measure of safety is warranted.

Where constructed guide rails shall comply with the following specifications and the related drawings.

Timber Guide Rails:

1. Description: Work under this item shall consist of furnishing and installing wood posts and guide rail at the location given on the plans and in accordance with the dimensions and details shown on the plans, or as ordered by the Engineer.

2. Materials:
 - a. All lumber shall conform to Voluntary Product Standard PS-70 and be certified according to applicable standard grading and dressing rules and shall bear the official grade and/or trademark of the association under whose rules it is produced.

 - b. Wood: Posts shall be nominal 10" x 10". Rails shall be nominal 5' x 8". All wood shall be #2 Southern Yellow Pine (Southern Pine Inspection Bureau Grading), or equal. All wood to be new, solid, sound, and surface dry with a maximum moisture content of 19%. All wood shall be clearly marked with the official grading information.

 - c. Fasteners: Carriage bolts shall be galvanized steel and shall conform to the requirements of ANSI-B18.5 for round head, square neck bolts and to ASTM-A3-7. Washers shall be plain steel and shall conform to the requirements of ANSI-B18.22.1. Nuts shall be steel hex nuts conforming to the requirements of ASNI-B18.22.2.

 - d. Treatment: All wood shall be .40 pressure treated with Koppers Wolman CCA Salt Treatment to AWPI Standard LP-22 or equal.

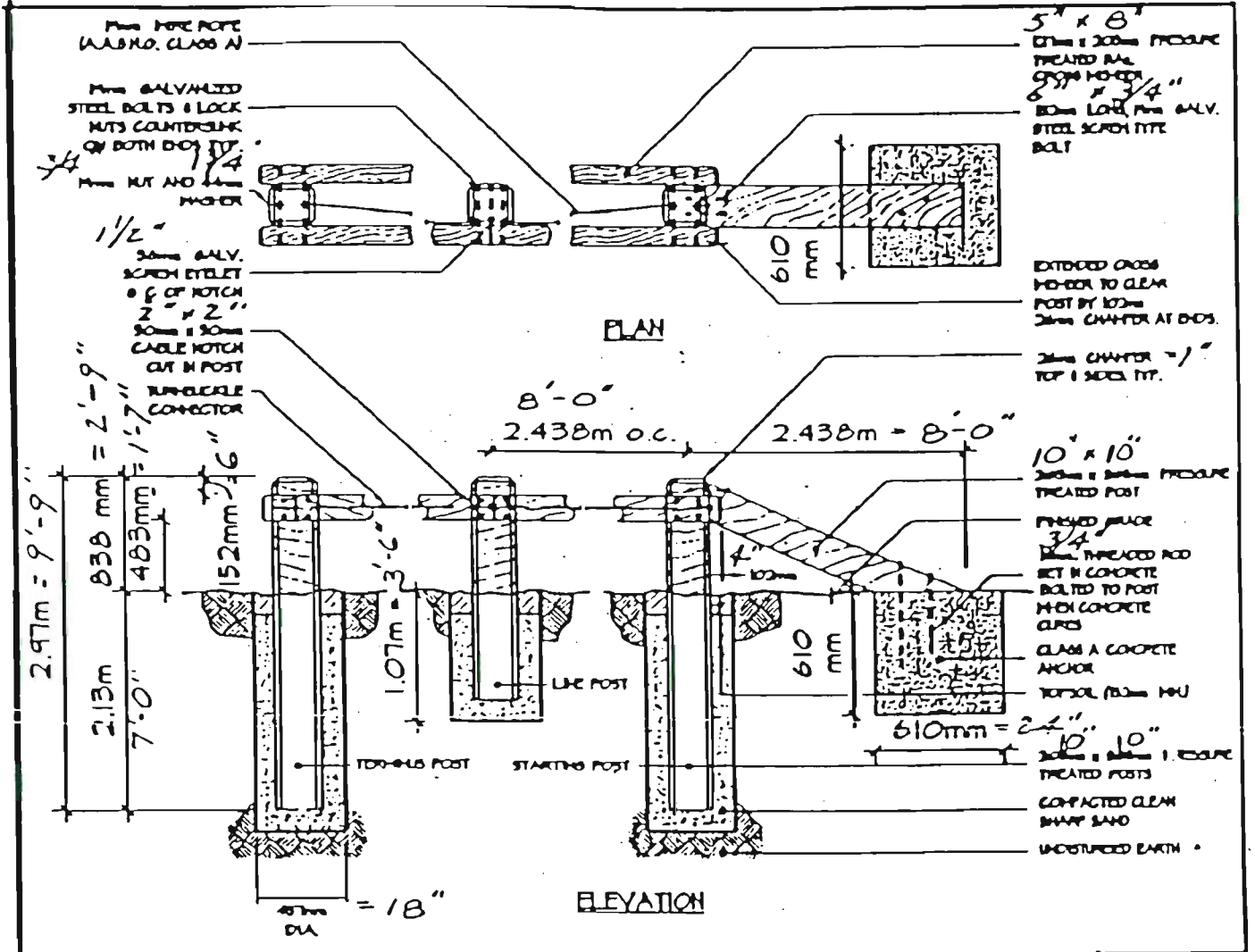
3. Construction Methods: The posts shall be set in holes dug in thoroughly compacted soil and the bottom of the hole shall be thoroughly rammed so that the posts will have a stable foundation.

Should rock or boulders be encountered in making the excavation, this material shall be removed so as to make a hole of sufficient size to set the posts to the normal depth as called for on the plan.

The posts shall be spaced as shown on the plans, set plumb and normally with the front face at a uniform distance from the edge of the traveled way.

The holes shall be backfilled with an approved material which shall be thoroughly compacted.

The guide rail shall be mounted on the post as shown on the plans utilizing galvanized bolts to anchor the rail to the posts. The rail members shall be accurately cut so as to provide even bearing over entire surface of joints. No shimming of any kind will be allowed in making joints nor will open joints be accepted. All exposed edges of member shall be chamfered.



PLAN HERE POPE (A.S.H.O. CLASS A)

PLAN GALVANIZED STEEL BOLTS & LOCK NUTS COUNTERSINK ON BOTH ENDS. NUT AND WASHER 1/2"

30mm GALV. SCREW EYELET 0.5" OF NOTCH 2" x 2" 30mm x 30mm CABLE NOTCH CUT IN POST MULTIPLE CONNECTOR

5" x 8" (127mm x 203mm) PRESSURE TREATED RAIL CROSS MEMBER 6" x 3/4" (152mm x 19mm) GALV. STEEL SCREW EYELET

EXTENDED CROSS MEMBER TO CLEAR POST BY 100mm 30mm CHAMFER AT ENDS. 30mm CHAMFER = 1" TOP & SIDES FT.

10" x 10" (254mm x 254mm) PRESSURE TREATED POST FINISHED GRADE 3/4" THREADED ROD SET IN CONCRETE BOLTED TO POST WITH CONCRETE CLIPS CLASS A CONCRETE ANCHOR TOPSOIL (200mm MIN) 610mm = 24" 10" x 10" (254mm x 254mm) PRESSURE TREATED POSTS COMPACTED CLEAN SHARP SAND UNDISTURBED EARTH

7
LIIO

TYPICAL TIMBER GUIDERAIL DETAIL
NOT TO SCALE

4.12.10 Debris and Equipment: All large rocks, boulders, felled trees, stumps and brush shall be removed from the street right-of-way. All temporary structures, tools, equipment and waste materials shall be removed from the street right-of-way upon completion of the work.

4.13 Drainage Planning and Design: Storm drainage shall be planned and designed in accordance with the following standards:

4.13.1 General: The storm drainage system shall provide for drainage from the entire area of the subdivision and shall take into account land outside the subdivision which normally drains across the area of the subdivision as well as the effects of the subdivision upon down stream drainage systems. The drainage system for the subdivision shall make use of and protect, and improve as needed, the natural drainage system; no artificial ditches shall be constructed. The drainage system shall provide for the following:

- a. adequate drainage of proposed streets, including future extensions thereof into adjoining property;
- b. interception of channel drainage coming from any adjoining property or street;
- c. protection of locations necessary for on-site sewage disposal and water supply facilities; and
- d. prevention of flooding and soil erosion.
- e. collection and proper disposal of surface runoff from lawns, driveways, walkways, roofs and gutters.
- f. elimination or reduction of large volumes of surface runoff flowing through or across residential properties.

4.13.2 Design Storm: Drainage analysis and planning for subdivisions shall be based on at least a 50-year storm. Drainage shall be designed under Rational Formula whereby $Q=CIA$. Runoff factors shall be as recommended in the State of Connecticut Department of Transportation "Drainage Manual" - latest edition, shall be followed or other generally accepted engineering methodology. Drainage calculations shall be presented for all proposed storm drainage systems, including a map at a scale of not less than 1" = 1000' showing the entire watershed contributing to the proposed storm drainage system. Pipe drainage systems shall be designed on the basis of a 10-year storm; channels and trunk lines shall be designed on the basis of a 25-year storm; channel or

encroachment lines along streams, and culverts crossing streets, shall be designed on a 50-year storm. Storm drainage design and pipe and culvert sizing shall assume development of upper watershed in accordance with current zoning and land use regulations.

- 4.13.3 Pipe Design: The minimum size of storm water pipe shall be 15” in diameter. Co-efficients used in design for reinforced concrete pipe shall be $N=0.015$ and for asphalt coated corrugated metal pipe $N=0.021$. The minimum slopes of pipes shall be 0.5%. Pipe size and slope shall be such that the head on the invert will not exceed 1.5 diameters at design storm, and this head shall be contained without damage to any adjacent property. Pipe, except for underdrains, shall be laid on straight alignments, both horizontally and vertically, with manholes, spaced not more than 400 feet apart, providing access at all deflection points or at the junction of two (2) or more lines. The open end of any pipe shall be provided with an endwall or other suitable and approved inlet or outlet structure. The minimum cover over the top of the pipe shall be three (3) feet. Culverts under streets shall extend to the edge of the right-of-way or to toe of the roadway embankment whichever is greater.
- 4.13.4 Spacing of Catch Basins: Catch basins shall be connected to a storm water pipe and shall be provided in order that surface water will not cross any intersection nor travel on any street more than 400 feet on streets with grades up to and including 5% and not more than 300 feet on streets with grades over 5%. Catch basins shall also be provided where necessary, based on field conditions determined by the Road Foreman in his sole discretion, to intercept surface water and prevent erosion.
- 4.13.5 Discharge: The discharge of all storm water that has been collected or otherwise artificially channeled shall be into suitable natural streams or into Town or State drainage systems with adequate capacity to carry the discharge. There shall be no discharge onto or over private property within or adjoining the subdivision unless a) proper easements and discharge rights have been secured by the applicant, b) such easements and rights are transferable to the Town in the event that the discharge includes storm water from any existing or proposed public street, and c) there will be adequate safeguards against soil erosion and flood danger. No storm water shall be diverted from one watershed to another. Discharge shall be made in a manner that protects streams, ponds, and swamps from pollution.
- 4.13.6 Encroachment Lines: Each stream that functions as part of the drainage system, and any related swamp or flood plain, shall be provided with channel, building or other encroachment lines to prevent encroachment, constriction or diversion by building, filling or excavation. The

encroachment lines shall be shown on the RECORD SUBDIVISION MAP accompanied by a note specifying the restrictions in a manner approved by the Commission.

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

4.14.1 Pipe: Storm water pipe shall conform to one of the following standards:

- a. In general, asphalt coated corrugated metal pipe shall be used where culvert gradients in excess of 10% are involved or unsuitable base is encountered, such as in organic soils areas. When used this item shall conform to said Form 816, Sec. M.08.01-2. Wherever this pipe is used, it shall be 16 gauge and have a paved invert.
- b. Reinforced concrete pipe shall conform to said Form 816, Section M.08.01-6. Wherever this pipe is used it shall be Class IV reinforced concrete pipe.
- c. Corrugated aluminum pipe shall conform to Form 816, Section M.08.01-14 or M.08.01-15 as applicable.
- d. Corrugated Polyethylene Pipe shall conform to Form 816, Section M. 08.01-25.

4.14.2 Methods: Storm water pipe shall be laid in accordance with the following methods:

- a. Prior to laying pipe, the trench shall be excavated to the required depth, the bottom of which shall be graded to afford a uniformly firm bearing for the pipe throughout its length. Where rock is encountered, it shall be excavated to not less than 6" below the bottom of the trench and this depth shall be refilled with crushed stone and thoroughly tamped and shaped. Where the nature of the foundation material is poor, it shall be removed and backfilled with gravel or crushed stone approved by the Road Foreman or his designee.
- b. All pipe shall be carefully laid, true to the lines and grades given, hubs upgrade and with the ends fully entered into adjacent hubs.
- c. Line and grade stakes shall be set by a Connecticut licensed land surveyor or professional engineer and shall be maintained in good order until the work has been inspected and approved by the Road

Foreman or his designee. Three (3) batter boards shall be maintained in place at all times when laying pipe and shall not be spaced more than 30 feet apart. A laser instrument designed and intended for the accurate placement of pipe may be used in place of stakes and batter boards.

- d. In sandy, silt or other soil in which there is a danger of washing or cave-ins, the joints of concrete pipe shall be thoroughly wetted and caulked and filled with a Portland Cement mortar.
- e. Asphalt coated corrugated metal pipe and corrugated aluminum pipe shall be carefully jointed and firmly clamped together by approved connecting bands which shall be properly bolted in place before any backfill is placed.
- f. The backfill around the pipe and to a depth of at least eight (8) inches on top of pipe shall consist of crushed stone; where the drainage pipe is necessary to serve as an underdrain for the street or to control the water table, the remainder of the trench shall be backfilled with bank run gravel.

4.14.3 Appurtenances: Catch basins, manholes, drop in-lets, endwalls, and other appurtenances to the storm drainage system shall be constructed in accordance with Form 816, Section 5.07 and the "Connecticut State Highway Department Standard Sheets".

4.15 Special Structures: Bridges, box culverts, deep manholes and other special structures shall be designed and constructed where required, in accordance with good engineering practice and Form 816 and as approved by the Commission and the Board of Selectmen. Bridges shall be designed to satisfy the requirements of H-20-S-16 wheel loading.

4.16 Easements: Easements for access to and use of land outside of a street right-of-way shall be provided as required or approved by the Commission and shall be shown on the RECORD SUBDIVISION MAP with adequate survey information so that the land subject to easement may be accurately located by field survey. Easements shall be provided in at least the following cases:

4.16.1 for access to bridges and culverts with construction and maintenance equipment;

4.16.2 for storm water pipes and channels, water mains, and sanitary sewers and appurtenances, which easements shall not be less than 30 feet in width or such greater width as is necessary to maintain the facilities;

- 4.16.3 easements for temporary turnarounds;
 - 4.16.4 temporary construction easements for grading and other construction work in the front 25 feet of each lot along a proposed street;
 - 4.16.5 sight easements across corners of lots at intersections to assure safe line of sight on the street; and
 - 4.16.6 easements at least 20 feet in width for pedestrian ways to parks, playgrounds, schools, and other public or semi-public places where the street system does not conform to a convenient pattern of pedestrian circulation.
- 4.17 Sidewalks: The Commission may require the installation of sidewalks on thoroughfares, in pedestrian easements, on local streets in the vicinity of schools and playgrounds and in other places deemed proper by the Commission for the public necessity and safety. When sidewalks are required, plans for the sidewalks shall be shown on the construction plans.

Sidewalks shall be constructed of cement concrete or bituminous concrete, as determined by the Commission as follows:

- 4.17.1 Width and Location: Sidewalks shall be a minimum of five (5) feet in width and shall be located within the street lines with one edge located one foot from the property line. To prevent scour or undermining on steep grades sidewalks shall be graded so as not to allow surface runoff to flow along the sidewalk for lengths greater than 100 feet. In such situations sidewalks cross slope shall be increased at driveway opening to divert water off the sidewalk and into the roadway gutter.
- 4.17.2 Concrete Sidewalks: Cement concrete sidewalks shall be laid on a six (6) inch bank run gravel base, tamped and rolled, and shall be constructed of concrete, five (5) inches thick, being air entrained and having an ultimate strength of 3,500 pounds per square inch and having expansion joints with premoulded fillers spaced every 20 feet and suitable full depth weakened contraction joints spaced at a distance equal to the width of the sidewalk to create square panels.
- 4.17.3 Bituminous Sidewalks: Bituminous concrete sidewalks shall be laid on a six (6) inch gravel base, tamped and rolled, and shall be constructed on bituminous concrete two (2) inches thick after compaction. The bituminous materials used shall conform to Form 816, Section M.04.01 and the construction shall conform to Section 9.22.

4.18 Open Spaces, Parks and Playgrounds: Open spaces, parks and playgrounds shall be provided and reserved in each residential subdivision as deemed necessary and in locations deemed proper by the Commission as follows:

4.18.1 Character and Access: The land reserved shall be of such size, location, shape, topography and general character as to be useful to satisfy the needs determined by the Commission. The land area reserved for open space as required in subparagraph 4.18.3 may contain areas of wetlands (as determined by a certified soil scientist) and steep slopes (in excess of 25%) provided that the percentage of land in these categories does not exceed the percentage of land in these categories for the entire tract. Proper pedestrian and vehicular access shall be provided each such reservation. The location of such land shall take into account the solar access of the entire subdivision as deemed necessary by the Commission as follows:

- a. if a substantial number of lots have adequate solar access as determined by the Planning Commission under subparagraph 4.24.1, land for open space reservation shall be located in such a manner as to avoid the creation of lots not capable of effectively using solar energy systems.
- b. if the tract of land is such that a substantial number of lots cannot be provided with adequate solar access, land for open space reservation shall, whenever possible, be located on a portion of the tract which does not have adequate solar access in order to provide for the present and future use of community solar energy systems.

4.18.2 Plan of Development: The reservation of land shall also conform to any plan of conservation and development pertaining to parks, playgrounds, recreation areas and open spaces.

4.18.3 Acreage: Not less than 15% of the total area of the subdivision shall be so reserved, unless the Commission determines that a lesser area is sufficient to satisfy the need determined by the Commission or that such a reservation is not necessary or otherwise not feasible because of one or more of the following:

- a. adequate existing parks, playgrounds, recreation areas and open spaces are available in the neighborhood;
- b. there is no land in the subdivision suitable for such reservation; and/or
- c. the minimum reservation area would be less than one (1) acre.

4.18.4 Preservation of Site: Land so reserved shall not be used for the storage of equipment or the deposit of debris; the land so reserved shall not be excavated, filled or regraded, and trees shall not be removed therefrom, except in accordance with a grading plan submitted under Par. 2.3.7.

4.18.5 Fee in Lieu Of: In lieu of such reservation the Commission in its sole discretion, may authorize a subdivider to pay a fee to the Town of Southbury (hereinafter referred to as the "town") or may pay a fee and transfer land to the town.

- a. Any fee paid to the town or any fee and the fair market value of any land transferred to the town shall be equal to not more than ten (10) per cent of the fair market value of the land to be subdivided prior to approval of the subdivision.
- b. The fair market value shall be determined by an appraiser jointly selected by the commission and the applicant. The appraisal shall be completed prior to the filing of the approved subdivision map in the office of the Town Clerk. The cost of such appraisal shall be equally shared between the applicant and the Town of Southbury.
- c. A fraction of such payment the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of the sale of each approved parcel of land in the subdivision. In the event of any future resubdivision, increasing the number of approved lots, any remaining balance of the payments due hereunder shall be equally apportioned among the total number of lots remaining to be sold.
- d. The payment of any fee hereunder to the town shall be placed on deposit in a fund which shall be used for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.
- e. Each approved lot on the subdivision or resubdivision plan shall have a note placed thereon stating the exact dollar amount to be paid to the town at the time of sale of the lot as required by the provisions of this regulation.
- f. The open space requirements of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable

housing, as defined in §8-39a of the Connecticut General Statutes, equal to twenty (20) percent or more of the total housing to be constructed in such subdivision.

- 4.19 Street Signs: Street name signs shall be installed at all street intersections in locations approved by the Road Foreman or his designee. Such signs shall be of a design and material approved by the Road Foreman or his designee.
- 4.20 Monuments and Pins: Monuments shall be provided on both street right-of-way lines at the beginning and termination of each street and at each deflection or tangent point in between. Monuments shall be made of concrete or granite and shall not be less than five (5) inches square by 30 inches in length with a suitably marked top. Each monument shall be set in place, after all street construction is completed, with the marked point set on the point of reference.
- 4.20.1 Iron Pins: In addition to required monuments, iron pins, not less than 1.0 inches in diameter and 36 inches in length, consisting of a suitable rod or pipe, shall be placed a) at each point of intersection of a lot line and the right-of-way line of a street and b) at all other lot corners. Monuments may be substituted for iron pins. Pins, however, are not required at each change in direction of an irregular lot line such as along a stream or stone wall.
- 4.21 Underground Utility Lines: New electric and telephone wires shall be installed underground unless the Commission determines, based on a written report submitted by the applicant, that such underground installation is inappropriate or unfeasible for all or part of the subdivision. In making such determination, the Commission shall take into account a) the type of service existing in the area adjacent to the subdivision, b) topographic and construction conditions and c) the size of the subdivision. Wherever possible, such underground utilities shall not be located under the street pavement.
- 4.22 Street Trees: Where there are insufficient existing trees within the subdivision, the Commission may require the planting of street trees. In general, street trees shall be planted approximately fifty feet apart on both sides of any street and adjacent to the street right-of-way subject to variations in location made necessary by conditions such as driveways, street corners, sidewalks, topography and planting conditions. Street trees shall be located in such a manner as to avoid shading the most southerly side of proposed dwelling locations in order to facilitate the use of solar energy systems. Trees to be planted shall be at least 1 3/4 inch diameter breast high and shall have a minimum height of 10 feet. The species of trees shall be selected taking into account its compatibility with solar access objectives and shall be subject to the approval of the Commission. Where the trees may interfere with utility poles and wires, the Commission may permit the location of required trees within the front ten feet of the proposed lots.

Existing trees along the proposed street which conform to these requirements may be substituted for new trees at the discretion of the Commission.

4.23 Special Flood Hazard Areas/Floodways: When the subdivision includes land in a Special Flood Hazard Area or regulated floodway, the lots, streets, drainage and other improvements shall be reasonably safe from flood damage and shall conform to the following:

4.23.1 The lots and such improvements shall be consistent with the need to minimize flood damage within the Special Flood Hazard Area and shall be capable of use without danger from flooding or flood related damages.

4.23.2 All utilities and facilities, such as sanitary sewer systems, water supply systems and electric and gas systems, shall be located and constructed in accordance with the Flood Plain Management Ordinance.

4.23.3 Adequate drainage shall be provided to reduce exposure to flood hazards.

4.23.4 Base flood elevation data shall be provided for all subdivision proposals located within the special flood hazard area, including manufactured home parks and subdivisions. If base flood elevation data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a licensed professional engineer that generates base flood elevations for all subdivision proposals and other proposed development, including manufactured home parks and subdivisions.

4.24 Energy Conservation: All subdivisions shall be planned and designed to encourage energy conservation as deemed necessary by the Planning Commission as follows:

4.24.1 by taking advantage of southerly exposures, proposed lots and development thereon shall have adequate solar access to the maximum extent possible.

4.24.2 proposed building locations and orientations required under subparagraph 3.2.8 shall be such that each dwelling has maximum solar access.

4.25 Soil Erosion and Sediment Control Measures: A subdivision or resubdivision involving construction of streets, drainage and other improvements, substantial or critical areas that may be subject to excavation, grading, deposit or removal of earth or stone materials or otherwise involves a disturbed area of one half (1/2) acre or more is required to have a certified SOIL EROSION AND SEDIMENT CONTROL PLAN in effect prior to, during and upon completion of construction, development and grading. The CONTROL PLAN measures shall conform to the Town of Southbury Soil Erosion and Sediment Control Ordinance and should provide for overall control measures as individual lots are used and developed.

SECTION 5 - PENALTIES

- 5.1 Penalties: Any person, firm or corporation making any subdivision of land after the adoption of these regulations without the approval of the Southbury Planning Commission is subject to penalties provided in the General Statutes of the State of Connecticut. The Town of Southbury may seek other lawful remedies to uphold the purpose and intent of these Regulations.

SECTION 6 - VALIDITY

- 6.1 If any section, paragraph, sentence, clause or phrase of these Regulations shall for any reason be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of these Regulations.
- 6.2 If any section, paragraph, sentence, clause or phrase of these Regulations shall for any reason be held to be invalid or unconstitutional, as applied to a particular subdivision or subdivision application, by a decree or decision of any court of competent jurisdiction, such decree or decision shall be limited to the particular subdivision or subdivision application and the general applicability of these Regulations to other subdivisions and subdivision applications shall not be affected.

SECTION 7 - EFFECTIVE DATE

- 7.1 These Regulations and any amendment hereto shall be in full force and effect from the date of adoption by the Southbury Planning Commission or from a date subsequent to adoption that the Commission may establish as the effective date.

ADMINISTRATIVE POLICY #1 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut

SUBDIVISION AND RESUBDIVISION

- A. General: The terms “subdivision” and “resubdivision” are defined in Chapter 126 of the Connecticut General Statutes (as may be amended) as follows:
- A-1. 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.
- A-2. 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.
- B. Policy: The following policies are established with respect to the applicability of the terms “subdivision” and “resubdivision” in the Town of Southbury under CGS Chapter 126 and the adopted Subdivision Regulations:
- B-1. For the purpose of the definition of “subdivision”, any lot, parcel, tract or acreage owned separately from any adjoining lot, parcel, tract or acreage on January 18, 1966, as evidence by deed or deeds recorded in the Office of the Southbury Town Clerk, is considered to be a “tract”.
- B-2. Any division of such “tracts” by recording of conveyance or filing of map in the Office of the Southbury Town Clerk is an act of subdivision.
- B-3. When the total of such divisions of a “tract” equals three (3) in number, from and after January 18, 1966 and occurring over any period of time and in any sequence, a “subdivision” has been made, within the meaning of CGS Chapter 126, which is subject to the Subdivision Regulations.
- B-4. For the purpose of interpretation of this policy, the initial division of a “tract” into two (2) parts (for the purpose, whether immediate or future, of sale or building development) is not a “subdivision” under CGS Chapter 126 and the Subdivision Regulations but any additional division of either of such two (2) parts results in a “subdivision” that is subject to the Subdivision Regulations.

- B-5. The RECORD SUBDIVISION MAP which is submitted to the Commission for approval under the Subdivision Regulations need show only the part which is the third or any subsequent division of the tract. It is recommended, however, that all divisions, to the degree practical, be shown on the RECORD SUBDIVISION MAP in order to a) clarify land records and property assessment records and b) build up, extend and coordinate the available survey data in the Town.
- B-6. Any change in an approved or recorded subdivision or resubdivision, including but not limited to lot lines, right-of-ways and easements shown on the approved map, constitutes a revision of a subdivision and is subject to the approval of the Commission. As defined in Par. A-2, certain revisions constitute "resubdivision" which will be considered by the Commission upon application to it and payment of an application fee. The map of any revision presented to the Commission for approval may be limited to the lot, lots or area affected by the revision.
- B-7. Any property owner may seek the advice of the Commission as to the applicability of the Subdivision Regulations in his particular case.

Adopted Effective: July 24, 1973
Amended Effective: March 16, 1978
Amended Effective: February 27, 1979
Amended Effective: May 20, 1980

ADMINISTRATIVE POLICY #2 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut

SUBMISSIONS, NOTICES AND REFERRALS

- A. General: The Commission will act on applications for approval of subdivisions and resubdivisions and give notice of hearings, meetings and decisions as required by law and in accordance with procedures hereinafter specified.
- B. Submissions: Par. 2.1 of the Regulations provides that applications for approval of subdivision be submitted at the Office of the Southbury Planning Commission and that the date of receipt is the first Regular Meeting following the day of submission. The Commission, however, strongly recommends that submissions be made at least 10 days prior to a Regular Meeting. Early submissions will allow advanced review of the proposal and will help to expedite the work of the Commission.
- C. Hearings: If a public hearing on the application is held, such hearing shall commence within 65 days after receipt of the application and shall be completed within 35 days after such hearing commences. Notice of any public hearing on an application shall be given publication in a newspaper of general circulation in the Town at least twice at intervals of not less than two (2) days, the first not more than 15 days, nor less than ten days, and the last not less than two (2) days prior to the date of such hearing and by sending a copy thereof by certified mail to the applicant.
- D. Referrals - Regional: Whenever a subdivision of land is planned, the area of which will abut or include land in the Town of Southbury and another municipality within a region having a regional planning agency, the Commission shall, before approving the plan, submit it to the Central Naugatuck Valley Regional Planning Agency and to any other regional planning agency of the region in which the other municipality is located. The Commission will expect a report from any such regional planning agency within 30 days and will not act on the plan until such report is received or the 30-day period has expired, whichever occurs first.
- E. Referrals - Other: The Commission will, as required by these Regulations or as deemed appropriate, refer maps, plans and documents to other officials and agencies, such as the following, for advisory reports and consultation and/or for approval as may be required by law:
- E-1. Board of Selectmen: maps and plans, with particular regard to street design, storm drainage and other utility systems.
- E-2. Town Counsel: bonds, easements, deeds and agreements.

- E-3. Director of Health: maps and plans, with particular regard to on-site water supply or sewage disposal systems.
 - E-4. State Department of Transportation: maps and plans, with particular regard to street and utility connections with State Highways.
 - E-5. Zoning Commission: maps, with particular regard to lots and zoning requirements.
 - E-6. Conservation Commission: maps and plans, with particular regard to natural features of the site including conservation elements, water resources and soils.
 - E-7. New Haven County Soil and Water Conservation District/U.S.D.A. Soil Conservation Service: maps and plans, and SOIL EROSION AND SEDIMENT CONTROL PLANS for review and for certification in accordance with the Town of Southbury Soil Erosion and Sediment Control Plan Ordinance.
- F. Date of Decision: The Commission shall render its decision on the application within 65 days after the date of the scheduled Regular Meeting of the Commission at which the application is considered submitted, or if a public hearing is held on the application, within 65 days after completion of the hearing. If the Commission requests the submission of additional information, such as under Paragraph 2.3, such information shall be submitted within the 65 day periods; otherwise failure to submit the requested information will be grounds for disapproval of the application.
 - G. Extension of Time Periods: The applicant may consent, in writing, to one or more extensions of the time periods for public hearing, completion of hearing and decision thereafter (Par. C) provided that the total extension of such period shall not be longer than sixty five days, or the applicant may withdraw such application.
 - H. Notice of Decision: Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the Town and shall be addressed by certified mail to the applicant by the Commission's Secretary or clerk, under his/her signature in any written, printed, typewritten or stamped form, within 15 days after such decision has been rendered. Such notice shall be a simple statement that the application has been approved, modified and approved or disapproved, together with the date of such action.
 - I. Failure to Decide: Failure of the Commission to act on any application within the time periods specified in Item F shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand.

Adopted Effective: July 24, 1973
 Amended Effective: March 16, 1978

Amended Effective: February 27, 1979
 Amended Effective: January 1, 1986

ADMINISTRATIVE POLICY #3 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut

COMPLETION BOND - FORM, TERM AND FACE VALUE

- A. General: Par. 2.7 of the Regulations states the conditions under which an application must furnish a bond guaranteeing completion and maintenance of the improvements required for the subdivision. It is the purpose of this policy to define the type and form of the surety, its duration and the method of determining the amount needed.
- B. Form: Subdivision completion bonds should be duly executed on forms provided by the Town and with proper reference to all maps and plans showing the streets, drainage and other improvements guaranteed to be completed under the bond. Any bond, to which a surety company is a party, should have attached thereto the power of attorney of the person executing the bond for the company. The security for cash bonds should be in a form of certified checks.
- C. Surety: Surety acceptable to the Commission will consist of the following:
- C-1. a cash bond equal to the amount estimated under Par. H, if such amount is less than \$10,000; or
 - C-2. for larger bond requirements, a cash bond in the amount of \$10,000. and a surety bond for the remainder over \$10,000., except that the applicant may provide a cash bond covering the full amount.
- D. Term: The term for completion of required installation of improvements will be set by the Commission in its resolution of approval of the application. In any event, the maximum term for completion of work without default under the bond will not exceed two (2) years. The Commission, in its resolution approving an application, will specify a date by which the required improvements are to be completed (whether installed prior to endorsement, or to be installed after endorsement and guaranteed by bond), which date may provide for a term of less than two (2) years. In approving a term for completion, and for a completion bond, the Commission will consider a) the scope and size of the subdivision and improvements required, b) a reasonable time for workmanlike completion of the improvements and c) the available months in the building season. In general, the approved term will not exceed 1 1/2 building seasons, and sufficient months in a second season will be reserved for completion of the improvements at Town initiative in the event of default. The applicant may consider division of the subdivision into sections, each with separate bonds, in order to arrange construction projects capable of completion within this policy.
- D-1. The completion bond, or portion thereof, covering streets, drainage and other improvements, other than underground electric and telephone wires, shall remain in full force and effect until such improvements have been

accepted for public use and maintenance by the Town and a maintenance bond has been posted as specified in Par. 2.10.

- D-2. During the term that the bond is in effect and prior to acceptance of the improvements by the Town, it is the responsibility of the applicant under the bond to maintain roads, drainage systems and areas that have been excavated or graded in such a manner as to a) enable safe and convenient vehicular access to any occupied dwellings on the street, b) protect other property, including Town streets, from damage by drainage, erosion or sedimentation and c) enable access by fire and other emergency vehicles to buildings and structures under construction or completed.

- E. Request for Modification of Term: The term of any bond will not be extended by the Commission unless the applicant shall make a written request to the Commission setting forth the following:
 - E-1. detailed reasons for the failure or inability to complete the work within the time specified;
 - E-2. the amount of work which has been completed, as certified by the applicant's engineer;
 - E-3. the maximum time needed to complete the remainder of the work and the length and termination date of the extension requested; and
 - E-4. a written agreement by the surety company on the bond consenting to any extension which may be granted.

- F. Approval of Modification of Term: Extensions will be approved by the Commission when it is satisfied that the following criteria have been met:
 - F-1. good cause for the extension has been demonstrated, such as weather or other conditions beyond the control of the applicant;
 - F-2. the extension will not imperil the health, safety, and property values of any resident, nor hinder the reasonable use of lots for which title has been transferred;
 - F-3. the applicant has submitted a reasonable and workable schedule for completion, which schedule will reserve a portion of a building season for completion of improvements at the initiative of the Town in the event of default;
 - F-4. failure to receive the extension will result in damage to the site;
 - F-5. the granting of the extension will not subject the Town to claims for damage or other violation of rights; and

- F-6. the Road Construction Permit has been renewed for the extended term and any inspection fee necessitated by the extension has been paid.

- G. Release or Reduction of Bond: No bond will be released until the work covered by the surety has been inspected and certified as being satisfactory by the Board of Selectmen. The Commission may approve a reduction in the amount of the bond during the progress of work, subject to the approval of the Board of Selectmen. In approving such reduction, the Commission will be guided by the following:
 - G-1. that application for the reduction be made in writing by the applicant and be accompanied by a written consent of the surety;
 - G-2. that the applicant has presented as-built drawings of the construction work as provided under Par. 2.9, and the Commission has received the certification of the Board of Selectmen that all completed improvements are satisfactory and are functioning properly;
 - G-3. that the residual amount of the surety will equal the current full cost of the incomplete improvements; and
 - G-4. that at least 75 percent of the required work is completed and the residual bond value will not be less than \$10,000.

- H. Amount of Bond: The applicant will be advised of the amount and scope of the bond by the Commission prior to the approval of the application. The face value is to provide for the full cost of the required improvements with anticipated escalation.
 - H-1. It is intended that the unit prices used for the bond estimate be those currently applicable to similar work in Southbury and vicinity. As a guide to the cost estimate SCHEDULE A giving unit prices for the commonly used construction items is attached to this Policy statement. For items not listed, appropriate prices such as those used by the Highway Division, Connecticut Department of Transportation and electric and telephone utility companies will be applied.
 - H-2. When requested by the Commission, the applicant shall submit a complete list of construction items indicating the totals of each required for the subdivision.

Adopted Effective: December 11, 1974
Amended Effective: March 16, 1978
Amended Effective: February 27, 1979
Amended Effective: May 20, 1980

SCHEDULE A: BOND AMOUNTS - SOUTHURY

Tabulation of construction items and units, with minimum prices for work installed, to be used for estimate of face value of a completion bond. **Amended December 1, 2010**

| | | | Unit Price | | | | |
|---|-------------------------------|----------|-------------|-------|----------|----|--|
| 1 | Bituminous Road (26' Wide) | *(1) | \$ 150.00 | If | | | |
| | prepared subgrade | | \$ 43.00 | If | \$212.00 | If | |
| | 12" base course | | \$ 50.00 | If | | | |
| | 4" bituminous concrete | | \$ 42.00 | If | | | |
| | Bituminous Road (22' Wide) | | \$ 125.00 | | | | |
| | prepared subgrade | | \$ 35.00 | | \$179.00 | If | |
| | 12" base course | | \$ 45.00 | | | | |
| | 4" bituminous concrete curb | | \$ 35.00 | | | | |
| 2 | Driveways (common or regular) | | | | | | |
| | 15' wide (gravel) | | \$ 35.00 | If | | | |
| | 15' wide (improved) | | \$ 55.00 | If | | | |
| | 20' wide (improved) | | \$110.00 | If | | | |
| | bituminous road | \$ 35.00 | | | | | |
| | subgrade | \$ 35.00 | | | | | |
| | gravel | \$ 40.00 | | | | | |
| | bituminous concrete (2") | \$ 18.00 | | | | | |
| 3 | As-Builts | | \$6.00 | If | | | |
| 4 | Asphalt parking area | | \$ 5.00 | sq ft | | | |
| 5 | (Smoothlined Corrugated--) | | | | | | |
| | RCP or CMP Plastic Pipe | | | | | | |
| | 12" diameter | | \$ 45.00 | If | | | |
| | 15" " | | \$ 50.00 | If | | | |
| | 18" " | | \$ 55.00 | If | | | |
| | 24" " | | \$ 60.00 | If | | | |
| | 30" " | | \$ 75.00 | If | | | |
| | 36" " | | \$ 90.00 | If | | | |
| | 42" " | | \$ 135.00 | If | | | |
| | 48" " | | \$ 165.00 | If | | | |
| | 17" x 13" arch | | \$ 45.00 | If | | | |
| | 18" x 11" arch | | \$ 50.00 | If | | | |
| | 19" x 13" arch | | \$ 60.00 | If | | | |
| | 21" x 15" arch | | \$ 65.00 | If | | | |
| | 28" x 20" arch | | \$ 75.00 | If | | | |
| | 29" x 18" arch | | \$ 95.00 | If | | | |
| | 35" x 24" arch | | \$ 110.00 | If | | | |
| 6 | Flared End Sections | | | | | | |
| | 12' | | \$ 600.00 | each | | | |
| | 15' | | \$ 675.00 | each | | | |
| | 18' | | \$ 750.00 | each | | | |
| | 21' | | \$ 800.00 | each | | | |
| | 24' | | \$ 900.00 | each | | | |
| | 30' | | \$ 1,000.00 | each | | | |
| | 36' | | \$ 1,200.00 | each | | | |
| | 42' | | \$ 1,400.00 | each | | | |
| | 48' | | \$ 2,000.00 | each | | | |
| 7 | Catch Basins/Manholes | | | | | | |

| | | | | | | | |
|--------|---|--------|------------------|---------|--|--|--|
| | 0-10' deep | | \$ 2,800.00 | each | | | |
| | 10' - plus | | \$ 5,000.00 | each | | | |
| 8 | Headwalls - pipe sizes | | | | | | |
| | 15" | | \$ 950.00 | each | | | |
| | 18" | | \$ 1,150.00 | each | | | |
| | 24" | | \$ 1,700.00 | each | | | |
| | 30" | | \$ 2,300.00 | each | | | |
| | 36" | | \$ 3,300.00 | each | | | |
| | 48" | | \$ 5,500.00 | each | | | |
| 9 | Concrete Wingwalls for pipes up to 48" | | \$ 4,600.00 | each | | | |
| 10 | Bituminous curb | | \$ 8.00 | lf | | | |
| 11 | Sidewalks concrete 5' wide | | \$ 70.00 | lf | | | |
| 12 | Retaining Walls (Vertical Sq Ft) | | | | | | |
| | Stone | | \$ 40.00 | sq ft | | | |
| | Concrete | | \$ 60.00 | sq ft | | | |
| | Versa-Lok Type | | \$ 50.00 | sq ft | | | |
| 13 | Guide Rail (wooden post/beam preferred) | | \$ 45.00 | lf | | | |
| | corrugated metal beam | | \$ 35.00 | lf | | | |
| | Wood post (2 wire system) | | \$ 30.00 | lf | | | |
| | Merritt | | \$ 65.00 | lf | | | |
| 14 | monuments | | \$ 350.00 | each | | | |
| | pins | | \$ 175.00 | each | | | |
| 15 | Street Trees | | \$ 550.00 | each | | | |
| | White Pine 7' - 8' | | \$ 500.00 | each | | | |
| | Mountain Laurel 3' - 4' | | \$ 85.00 | each | | | |
| | Shrubs | | \$ 65.00 | each | | | |
| | Top Soil and Seeding | | \$ 12.00 | yd | | | |
| | | or | \$ 1.35 | sq ft | | | |
| 16 | Soil Erosion & Sediment Control | | | | | | |
| | hay bales | | \$ 250.00 | each CB | | | |
| | | or | \$ 8.00 | lf | | | |
| | silt fences | | \$ 8.00 | lf | | | |
| | gravel/stone dike | ** (2) | \$ 20.00 | lf | | | |
| | construction entrance | | \$ 28.00 | cu yd | | | |
| | 6" deep x 25' wide x 50' long | or | \$ 3,000.00 | | | | |
| | plunge pool | | \$ 1,200.00 | each | | | |
| | outlet splash pad | | \$ 850.00 | each | | | |
| 17 | Underground Utilities | | \$ 35.00 | lf | | | |
| 18 | Non-Aggregate Construction Items | | 15% of all items | | | | |
| 19 | Contingency | | 10%/year | | | | |
| *(1) | Includes moderate earthwork associated with cuts and fills to form road subbase, including rock excavation or extensive cuts and fills. | | | | | | |
| ** (2) | includes allowance of 50% for maintenance and replacement of filter fencing during construction. | | | | | | |

ADMINISTRATIVE POLICY #4 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut.

NOTES ON MAPS AND PLANS

A. General: The Record Subdivision map will bear notes giving references and defining restrictions. To secure uniformity and consistent interpretation, the wording of typical notes is to be as follows, except as otherwise approved or established by the Commission.

B. Water Supply, when to be provided by a public utility company:

“Lots on this map are approved on condition that each lot be provided with public water supply. No building on the lots shall be occupied until a service connection to the public water supply system has been completed.”

C. On-Site Utilities, when lots are to be served by on-site wells and sewage disposal systems (See Par. 4.10.2e, f):

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

D. Sight Easements, pertaining to areas delineated over lots at street corners to insure adequate sight distances and to provide for removal of any obstructions (see Par. 4.16.5):

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

E. Construction Easements, as provision for temporary access onto the front 25’ of each lot as may be necessary for completion of grading and shaping of slopes outside the street right-of-way, after lots have been conveyed and prior to termination of the maintenance bond (see Par. 4.16.4):

“A temporary easement, to the owner of each street on this map, for grading of slopes shall exist over all land within 25 feet of the right-of-way of such streets, which easement shall expire one year after the date the Board of Selectmen of the Town of Southbury has voted to release the maintenance bond covering the street.”

- F. Temporary Turnaround, when the plan includes a temporary turnaround circle, segments of which consist of an easement that overlaps adjacent lots or land, pending extension of the street (see Par. 4.11.6 and 4.16.3):

“Easements for temporary turnaround and general highway purposes, which easements shall automatically terminate upon any extension of the street in a subdivision approved by the Southbury Planning Commission, and vote of the Board of Selectmen of the Town of Southbury to release such easement.”

- G. Channel Lines, delineated on the Record Subdivision Map along streams and rivers, in order to prevent building, filling or other activity that would constrict the natural flow requirements of the water course during long range storms, and including flood plains as well as channel locations that are designed for future improvement (see Par. 4.8.4 and 4.13.6):

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

- H. Encroachment Lines, delineating on the Record Subdivision Map existing swamps and other wetlands and areas along streams and adjacent to water bodies (see Par. 4.8 and 4.8.5):

“The area within the encroachment lines shown on this map is identified as a conservation area and may be subject to inland wetlands and water course regulation by the Town of Southbury and/or State of Connecticut. No building or other structure or on-site sewage disposal system shall be located within such conservation area nor shall there be any excavation or filling of land within such area.”

Adopted Effective: December 11, 1974
Amended Effective: March 16, 1978
Amended Effective: March 22, 1980
Amended Effective: May 20, 1980

ADMINISTRATIVE POLICY #5 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut

OPEN SPACE FOR PARKS AND PLAYGROUNDS

- A. General: Par. 4.18 of the Regulations specifies that open spaces, parks and playgrounds be provided and reserved in each subdivision for residential purposes as deemed necessary and in locations deemed proper by the Commission. The policy hereinafter set forth serves as a guide for the Commission and the applicant in evaluating the need and location for such open spaces.
- B. Open Space System: It is intended that there be provided and maintained within the Town of Southbury a system of open space lands that include sites or properties for parks and playgrounds. The open space system will provide for uses such as, but not limited to, those listed below. A particular site may provide for multiple uses.
- B-1. developed community parks, having multiple facilities and capable of all day use by the family (such as Ballantine Park);
 - B-2. playfields and athletic fields, for organized sports;
 - B-3. playgrounds, in neighborhoods which may or may not be immediately improved and equipped for informal play;
 - B-4. playlots, in neighborhoods for informal play;
 - B-5. leisure parks, for passive recreation such as picnicking, hiking, horseback riding, boat launching, scenic enjoyment and nature study; and
 - B-6. conservation areas, for wetlands and water course protection, wildlife support, storm water runoff detention, forest and similar purposes.
- C. Subdivision Standard and Priorities: As land in the Town of Southbury is subdivided into building lots, it is intended that sufficient open spaces be reserved as part of the system set forth in Par. B. As a standard, the Regulations provide that a minimum of 15% of the total area of the subdivision be so reserved. The priorities for reservation are as follows:
- C-1. additions or adjuncts to existing community parks, playfields, athletic fields and playgrounds, conservation and wetland areas of the Town;
 - C-2. new playgrounds in neighborhoods, which will generally be in locations predetermined by the Commission;
 - C-3. leisure parks, and preferably those which also support conservation features and

- C-4. playlots, which may be needed in isolated subdivisions or in layouts having relatively small lots.

- D. Evaluation of Sites: Open space land required to be reserved in a subdivision should have conditions (slope, soils, access, area, shape, vegetation, etc.) which effectively carry out the purpose of the site. It is recognized, however, that conditions will vary significantly from subdivision to subdivision. It is expected that the general planning of any subdivision must take into account slope, soil conditions, water and drainage, wetlands and vegetation, which are all factors needed to evaluate the proposed functions and suitability of an open space reservation in the subdivision. The following are among the factors which will be considered in the evaluation of a proposed site:
 - D-1. Land for active play, such as playground or playlot, should consist of relatively level land capable of further grading and development.
 - D-2. Leisure park areas should have assets such as streams, woods, scenic features and other resources.
 - D-3. The site should be large enough to accommodate the intended function without impinging upon the reasonable use of the adjoining land.
 - D-4. It is desirable that open space abut the boundary of the subdivision when there is potential for a similar, complementary open space on adjoining acreage that may be subdivided in the future.
 - D-5. The site should be located and be of a shape and size as to be capable of economical administration and to be identifiable as an open space; the site should, in general, not be mere adjuncts to adjoining lots.
 - D-6. Access to the site from the proposed lots should be convenient and reasonably safe. In most cases vehicular access should be possible in order to accommodate emergency vehicles and maintenance equipment.
 - D-7. The land area reserved for open space as required in subparagraph 4.18.3 may include areas of wetlands and steep slopes, provided the percentage of land in these categories not exceed the percentage of land in these categories for the entire tract.

- E. Referral: Notice of a pending subdivision application will be given to the Parks and Recreation Commission, the Conservation Commission, and the Southbury Land Trust, with a request for advice and consultation on the need for an open space reservation in the subdivision, the land resources available and the implications of a reservation in relation to the open space system in the Town.

F. Reservation, Operation and Maintenance: Any open space reserved on a subdivision map should be labeled “Reserved for open space, park and playground purposes” or other note suited to the intended use for which the area is reserved. In addition, a note should be provided on the map specifying that the reservation is not a building lot and shall not be further subdivided. The map and the construction plans should stipulate against any regrading, topsoil removal, storage of construction materials or equipment or any other activity which would harm the resources of the site, unless specifically authorized by the Commission on a grading plan under Par. 2.3.7. The following are also applicable:

F-1. Buildings: It is recognized that open spaces provided may be developed in the future for the purpose intended and might accommodate construction of a recreation facility or building. Any such development would be subject to zoning standards and procedures.

F-2. Preferred Ownership: It is recommended that any reservation for community park, playfield, athletic field or playground be conveyed to the Town if accepted by the Town. It is recommended that all other reservations including leisure parks and playlots be offered to the Town; if not accepted, leisure park areas will best be conveyed to a local land trust or similar open space agency and playlots be owned by the lot holders in the subdivision.

F-3. Association Ownership: If land is not conveyed to the Town or a land trust, the applicant will need to establish, in advance of lot sales, a neighborhood association and shall provide the minimum following conditions as reviewed and approved by the Commission:

- a. The association shall be established and the papers and covenants filed therefor by the time of filing of the subdivision in the Town Clerk’s Office.
- b. Covenants for mandatory membership in the association setting forth the lot owner’s rights and privileges in the association and the land shall be included in the deed for each lot.
- c. The association shall have responsibility for maintenance of the open space and operation and maintenance of facilities in the open space, including liability insurance and taxes.
- d. The association should be empowered to levy annual charges against all lot owners to defray expenses; charges should become a lien against any lot in the event of default.
- e. The subdivider should maintain control over the open space and be responsible for maintenance until development sufficient to support the association has taken place.

F-4. Other: The Commission recognizes that there are other possible means for reservation, operation and maintenance of open spaces. Proposals for other means will be considered by the Commission.

G. No Reservation: The Commission may determine that all or part of the required minimum 15% of open space reservation area is not necessary or that there is no proper location for a reservation in the subdivision. The following are guidelines for consideration of release from the reservation requirement:

G-1. Existing Town parks and playgrounds in the neighborhood are sufficient, and there is no site in the subdivision suitable for a leisure park;

G-2. There is no land suitable in the subdivision to serve any of the types of open space functions in the Town wide system;

G-3. The reservation area would be less than one (1) acre and would not be an addition to an existing reservation nor serve as a leisure park;

G-4. The applicant conveys to the Town, or a local land trust or similar open space agency, other land outside the subdivision but in the Town of Southbury, when such other land has assets for open space equal to or superior to any site within the subdivision and the Commission determines that such land fits the open space system.

G-5. The applicant has proposed a Fee in Lieu of Open Space and the Commission has accepted it.

Adopted Effective: December 11, 1974

Amended Effective: February 27, 1979

Amended Effective: May 20, 1980

Amended Effective: October 1, 1981

Amended Effective: July 1, 1989

Amended Effective: May 27, 1999

ADMINISTRATIVE POLICY #6 accompanying the Subdivision Regulations of the
Town of Southbury, Connecticut

ENERGY CONSERVATION IN SUBDIVISIONS

- A. General: Par. 4.24 Energy Conservation requires that all subdivisions will be planned and designed to encourage energy conservation by planning lots and development thereon to enable the use of solar energy systems to the maximum extent possible. The policies hereinafter set forth serve as a guide for the Commission and the applicant in planning and evaluating proposed subdivisions with regard to energy conservation.
- B. Goals:
- B-1. Maximum Possible Solar Access: New lots created by the act of subdivision should have adequate solar access to the maximum extent possible. “Adequate solar access to the maximum extent possible” should be interpreted to mean that all proposed lots have adequate solar access. The Commission realizes that not all lots will have sufficient solar access to make effective use of solar energy systems, whether passive or active, due to such factors as: a) the configuration or orientation of the tract; b) the nature of surrounding development; c) existing physical features of the tract such as topography, soils, vegetation; and d) road circulation patterns. However, in many instances, greater solar access can be achieved simply by considering solar access objectives at the initial planning stage. By providing the greatest possible degree of solar access on a lot, conservation purposes are served since the potential for immediate or future usage of solar energy is increased.
- B-2. Use of Passive Solar Energy Systems: As many lots as possible should be capable of effectively using passive solar energy systems. This requires protection of the south-facing walls of the building from shadow-producing objects. If south wall access is protected, rooftop access is also guaranteed, enabling the use of active solar energy systems attached to the roof. It is not intended to require protection for south lot or detached collector access. (See Par. D-1 for definitions)
- B-3. Solar Access Easements: Each lot should have control over its own south wall access to the maximum extent possible. The need for solar access easements on adjoining lots or other tracts of land should be minimized.
- B-4. Individual Choice: By taking into account solar access requirements of proposed building lots in the planning stage, energy conservation will be encouraged by enabling the use of solar energy systems on as many lots as possible, should the owner so desire. However, it is not intended to require the use of solar energy systems on all buildings in new subdivisions. The choice is left to the individual lot owner.

- C. Providing for Adequate Solar Access: As a guide in providing for the maximum solar access possible, the following factors should be considered:
- C-1. Proposed Street Layout: Streets should have an east-west orientation whenever possible, with acceptable variations of 10° to the northwest and 25° to the southwest. Due to topographic or soil conditions, or existing street layouts, such an orientation may not be desirable or acceptable to the Planning Commission or the applicant since excessive grading or disturbance of wetlands would be required or an undesirable pattern of circulation result. Each subdivision must be reviewed individually as to conflicts between the provision of adequate solar access, the preservation of existing natural features on the tract, and desirable circulation patterns.
 - C-2. Lot Orientation: Lots should be arranged so as to take advantage of south-facing slopes on the tract. The longer axis of all minimum-sized lots should be orientated north-south whenever possible in order to minimize the shading of solar collectors from off-site development, vegetation or other natural features. On large lots, lot orientation may not be a critical factor, depending on other characteristics of the tract of land.
 - C-3. Building Location: Proposed development on the lots should enable the use of solar energy systems to the maximum extent possible by: a) locating buildings on south-facing slopes and as far north on the lot as possible in order to minimize the shading of solar collectors from on-site and off-site development, vegetation or other natural features; b) orienting buildings so that the longest axis is set east to west. Such orientation may result in house orientations which vary from the normal orientation whereby the longest house axis parallels the street. The Commission realizes that other orientations may be possible depending on architectural type and type of solar energy systems, but that in most instances the stated orientation will achieve maximum solar access.
 - C-4. Sewage Disposal Location: Sewage disposal leaching fields should be located to the south of proposed house locations, unless soil conditions are not suitable or unless such a location would compel the use of an otherwise unnecessary pumped septic system. Such a location will aid the use of solar energy systems, since regrading and tree removal associated with the construction of leaching fields will reduce potential shading problems caused by existing vegetation.
 - C-5. Limits of Vegetation Control: In Southbury, most subdivisions are located on land that is at least partially forested. Therefore, one of the biggest problems in obtaining adequate solar access is the extent of tree removal and/or pruning necessary to keep the south wall of a dwelling free from shadows. It will not be necessary to cut down every tree to the south of a dwelling in order to obtain adequate solar access; trees further to the south

may require only selective pruning. But the necessary area of tree removal and/or pruning may be quite large, depending on orientation and degree of slope and may be too large to enable the effective use of solar energy systems without designating solar easements. As a guide in determining whether or not use of solar energy systems is feasible on proposed lots without designating a solar easement, Par 3.2.20 requires that the area of tree removal and/or pruning be shown on the site plan. The Planning Commission encourages the applicant to designate solar access easements whenever necessary. It is not intended, however, that any necessary tree removal be done by the applicant or the developer or that it be considered part of the work in the subdivision which is normally bonded.

- C-6 Street Trees: The species and location of street trees should be selected to take into account solar access objectives. The size, length and intensity of shadows caused by street trees depends on such things as mature height, mature canopy size, the opacity of the tree without its leaves, and the time of the year when new leaves come out and old leaves fall. The species of street trees selected should take into account those shadow-producing characteristics so that the adverse effects of street trees on the solar access of surrounding development will be minimized.
- C-7. Open Space in Subdivisions: Par. 4.18 Open Spaces, Parks and Playgrounds require that at least 15% of the total area of subdivisions be reserved for open space, park or playground purposes. In certain instances, the location of such reservation can aid energy conservation purposes.

If the reservation is to be used for active park or playground purposes, the reservation will probably have to be located on land which is relatively flat and without significant vegetative growth. In those instances, such a reservation would be using an area of the tract which is also well suited for the use of solar energy systems. The Planning Commission, in conjunction with other town officials, should determine which goal has a greater priority in individual instances - providing for energy conservation or providing for parks and playgrounds. The two goals may not conflict on land which is relatively flat but with trees suitable for firewood. Such an area could be designated for park and playground purposes, should the town be willing to use the parcel as a community woodlot first.

If the reservation is to be used for open space purposes, its location can serve energy conservation in two different ways. First, open space which is reserved on steep northerly slopes with a substantial tree cover can prevent the creation of lots with inadequate solar access. Even if the open space reservation is a conservation restriction on one or more proposed lots, it should be located so that building is restricted from areas with inadequate solar access. Secondly, open space land can serve as a location for community solar systems. In those instances when few proposed lots

have adequate solar access, the open space land should be located on a portion of the tract which does have adequate solar access whenever possible in order to provide for the present and future use of community solar energy systems. When such reservation is made, the conveyance of said land should state that the use of community solar energy systems is a permitted use on said land.

- C-8. Conflicts with other design standards: Measures for providing for adequate solar access may conflict with other design standards. For example, a street layout which fosters good solar access may not provide suitable circulation pattern or may have unacceptable effects on the environment. The applicant should choose those alternatives which appear most acceptable to him; however, the Planning Commission will make a final determination regarding suitable resolutions of such conflicts.

D. The Basics of Solar Access: As an aid in determining whether or not proposed lots have adequate solar access, the following information should be used:

- D-1. Levels of Solar Access: There are four types of solar access: rooftop, south-wall, south-lot and detached collector access. Each type refers to the location of the solar collector and is shown in figure AP (6) -1.

- D-2. Shadow Lengths: The length of a shadow cast by an object depends on the following characteristics of land on which the object is located: a) orientation of slope, b) degree of slope, and c) time of day. For determining shadow lengths in the Town of Southbury, Table A (attached) should be used.

To calculate the shadow length of an object, multiply the height of the object by the factor in the table. For example, a tree which is 50 feet tall, located on a 10% slope orientated to the east, will produce a shadow 200 feet long at 9:00 A.M., 110 feet long at noon, and 470 feet long at 3:00 P.M.

- D-3 Solar Skyspace: It is not necessary for a solar collector to be unobstructed by shadows from sunrise to sunset. That portion of the sky which must remain unobstructed for a solar collector to operate efficiently is defined as skyspace and is partially determined by the sun's position on December 21, the day of the year when shadows are longest. Approximately 86% of the sun's energy is received between the hours of 9:00 A.M. and 3:00 P.M. at north latitude 40° on December 21. (Southbury's north latitude is approximately 41° 30') On that date at 9:00 A.M. the sun is located 45° east of south and at 3:00 P.M. the sun is located 45° west of south, measured on the horizon. Therefore, the eastern and western boundaries of the solar skyspace for heating purposes are defined by 45° east and west of south. The upper and lower skyspace boundaries are determined by the

altitude (distance above the horizon) of the sun on December 21 and June 21. (See figures AP (6) -1).

In determining what areas of tree removal and/or pruning are needed in determining what solar easements might be necessary, the angles of 45° east and west of a solar collector should be used. For a detailed discussion of solar skyspace, see figure AP (6) -2.

Adopted effective: October 1, 1981

SOUTHBURY PLANNING COMMISSION
TOWN OF SOUTHBURY, CONNECTICUT

SUMMARY OF PROCEDURE FOR APPROVAL OF SUBDIVISION

APPLICANT submits:

- | | | |
|----|---|--|
| 1. | Application Form | Available at Planning Office |
| 2. | Application Fee | (\$300/lot, \$600 minimum) (plus State of CT Surcharge) |
| 3. | Site Development Plan, 6 copies | (see Par. 3.2) |
| 4. | Record Subdivision Map, 6 copies | (see Par. 3.3.) |
| 5. | Construction Plans, 6 copies | (see Par. 3.4) |
| 6. | Grading Plan or written request for waiver | (see Par. 3.5) |
| 7. | Sanitation Certificate or soil test results | (see Par. 2.3.8, confer with Director of Health) |
| 8. | Copy of application for State Highway Permit | (see Par. 2.3.9) |

COMMISSION action:

1. Review completeness of application, and
 - a. receive application
 - b. if necessary, request additional evidence (see Par. 2.4.3)
 - c. if necessary, request sanitation report by engineer (Par. 2.4.1)
 - d. if necessary, schedule public hearing
2. Refer application to other boards, commissions, agencies, consultants, and other authorities as necessary.
3. Receive reports of planning administrator and/or consultants.
4. Hold public hearing or have meeting with applicant
 - a. publish notice of any hearing, twice in accordance with Connecticut General Statutes
 - b. send copy of notice to applicant by certified mail
5. Receive actions by other boards, commissions, agencies and other authorities.
6. Approve, modify and approve, or disapprove subdivision.

7. All approvals subject to the following conditions, if applicable and not already satisfied:
 - a. presentation of easements and deeds (conveyances)
 - b. completion of roads, drainage and other improvements or posting of bond
 - c. date when construction is authorized
 - d. all necessary State permits
 - e. final arrangements for public water supply.
8. Publish notice of action within 15 days.
9. Send copy of notice to applicant by certified mail within 15 days.

APPLICATION action: Satisfy all conditions of approval.

COMMISSION action:

1. Refer conveyances and bonds to Town Counsel for approval, if not on standard forms.
2. Chairman or Secretary endorses Record Subdivision Map when all conditions of approval are satisfied.
3. Obtain signature of First Selectman on construction plans.
4. Submit all conveyances to Board of Selectmen for filing on Land Records.
5. Submit bond to Board of Selectmen.

APPLICANT action: File subdivision map with Town Clerk within 90 days after it is approved, including payment of all fees.

NOTES:

1. Items are submitted to the Commission only when applicable to the particular subdivision.
2. All items should be submitted to the Commission at least one day prior to a Regular Meeting at the Planning Commission office. The 65 days for required action by the Commission however begins at the Regular Meeting at which it is received.
3. A public hearing is required on any resubdivision and is held on other subdivisions upon determination of the Planning Commission.
4. It is advisable to submit applications to other boards, commissions and agencies at least one month prior to submittal to the Planning Commission.