

TOWN OF FARMINGTON
REGULATIONS
FOR
SUBDIVISION
(Amended to October 5, 2018)



FARMINGTON TOWN HALL
One Monteith Drive
Farmington, Connecticut 06032-1053

SUBDIVISION REGULATIONS

I

GENERAL PROVISIONS

11 AUTHORITY - The Town Plan and Zoning Commission of the Town of Farmington, Connecticut, in exercise of its power as authorized by the Connecticut General Statutes, hereby adopts these Regulations which shall hereafter be known, cited and referred to as the Subdivision Regulations of the Town of Farmington.

These Regulations supersede Regulations previously in effect.

12 DEFINITIONS - For the purpose of these Regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as set forth in this section.

Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular; the word “herein” means “in these Regulations;” the word “Regulations” means “these Regulations.” A “person” includes a corporation, a partnership and an incorporated association of persons such as a club; “shall” is always mandatory; “may” is permissive; a “building” includes a “structure;” a “building or structure” includes any part thereof; “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be used or occupied.”

Words and Terms shall be defined as follows:

121 Administration Specifications - Details as to the form and content of maps, plans, designs, legal instruments, reports, calculations and other data required to ensure compliance with these Regulations.

122 Applicant - The owner of the land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises when the Applicant is other than the owner.

123 Bond - Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the Town Manager.

124 Base Flood - A flood having a frequency of occurring once every 100 years.

125 Commission - The Town Plan and Zoning Commission of the Town of Farmington.

126 Construction Plans - The maps or drawings showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Commission.

127 Developer - The owner of land proposed to be subdivided, or his representative. Consent shall be required from the legal owner of the premises when the developer is other than the owner.

128 Easement - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

129 Inland Wetland Soils - Land which is inundated by water on a seasonal or more frequent basis; land consisting of the soil types designated as poorly drained, very poorly drained, alluvial and flood plain by the National Cooperative Soils Survey as it may be amended from time to time of the National Resources Conservation Service of the U.S. Department of Agriculture.

1210 Lot, Plot, Parcel - A plot or parcel of land occupied or capable of being occupied by one principal building determining the land use form and the accessory buildings, structures or uses customarily incident to it, including such open spaces as are required by the Zoning Regulations. A piece of land saleable as a unit.

1211 Open Space - Open Space includes but shall not be limited to land left in its natural, undisturbed state; land used for agricultural purposes or containing important farmland soils as defined in a report entitled "Important Farmlands - Hartford County Connecticut, United States Department of Agriculture, Soil Conservation Service;" land areas and facilities for passive or active recreation; land areas for wildlife habitat, groundwater recharge, scenic preservation and the like.

1212 Reserve Strip - A privately owned strip of land which controls access to land dedicated, or to be dedicated, to public use or to a parcel of land otherwise landlocked.

1213 Re-subdivision - A change in a map of an approved or recorded subdivision or re-subdivision 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.

1214 Streets -

- i. **Collector Street** - A street intended to move traffic from local streets to secondary arterials. A collector street serves a neighborhood or large subdivision and should be designed so that a minimum of residential properties face onto it.
- ii. **Dead End Street (Permanent)** - A street having only one intersection with another street, and having a turnaround entirely surrounded on its frontage with separate lots.
- iii. **Dead End Street (Temporary)** - A street having one intersection with another street and designed to be extended into adjoining undeveloped land, with a temporary turnaround.

- iv. **Local Street** - A street intended to provide access to other roads from individual residential properties.
- v. **Limited Local Street** - A permanent dead end street not exceeding 1,200 feet in length, serving no more than 20 lots.
- vi. **Primary Arterial Street** - A street intended to move traffic to and from such major attractors as central business districts, regional shopping centers, major industrial areas and similar traffic generators and/or as a route for traffic between communities or large areas.
- vii. **Secondary Arterial Street** - A street intended to collect and distribute traffic in a manner similar to primary arterials, except that these streets service minor traffic-generating areas such as community-commercial areas, primary and secondary education plants, major recreational areas, churches and offices and/or designed to carry traffic from collector streets to the system of primary arterials.
- viii. **Major Street** - Any collector, primary or secondary arterial street as defined by these Regulations.
- ix. **Private Residential Street** - A dedicated travel way owned in fee or in common which is not a portion of any building lot and which is restricted from public use. Private streets shall be designed and constructed in accordance with the specifications found in these Regulations.

1215 Subdivision - The division of a tract or parcel of land into three or more parts or lots made subsequent to June 1, 1950, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and including re-subdivision.

13 PURPOSES - These Regulations are adopted for the following purposes:

- i. To protect and provide for the public health, safety and general welfare of the Town of Farmington;
- ii. To guide the future growth and development of the Town of Farmington in accordance with the Plan of Development;
- iii. To provide for adequate light, air and privacy; to secure safety from fire, flood and other danger; and to prevent overcrowding of the land and undue congestion of population;
- iv. To protect the character and the social and economic stability of all parts of the Town and to encourage the orderly and beneficial development of all parts of the Town;

- v. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sanitary facilities, schools, parks and other public requirements and facilities;
- vi. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the community, so that proposed streets shall be in harmony with existing or proposed streets, especially in regard to safe intersections and be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs;
- vii. To establish reasonable standards of design and procedures for subdivisions and re-subdivisions in order to further the orderly layout and use of land; and to ensure proper legal descriptions and monumenting of subdivided land;
- viii. To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision;
- ix. To prevent the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the community in order to preserve the integrity, stability and beauty of the community and the value of the land;
- x. To preserve the natural beauty and topography of the Town and to ensure appropriate development with regard to these natural features.

14 JURISDICTION - These Regulations shall apply to the subdivision and re-subdivision of land, as herein defined, located within the corporate limits of the Town of Farmington. No subdivision or re-subdivision of land shall be made by any person, firm or corporation until an application for such subdivision or re-subdivision has been submitted to and approved by the Town Plan and Zoning Commission, and a map thereof has been endorsed by the Commission and filed by the applicant in the Office of the Farmington Town Clerk.

15 INTERPRETATION, CONFLICT and SEPARABILITY -

151 Interpretation - In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

152 Conflict - These Regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulations, statute or provision of law. Where any provision of these Regulations imposes restrictions different from those imposed by any other provisions of these Regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

153 Separability - If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances.

16 AMENDMENTS - For the purpose of providing for the public health, safety and general welfare, the Commission may from time to time amend these Regulations in accordance with provisions of the Connecticut General Statutes.

17 CONDITIONS - Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is a valid exercise of police power delegated by the State to this municipality. The developer has the duty to comply with reasonable conditions imposed by the Commission to protect the public health, safety and welfare.

18 PENALTIES - Any person, firm or corporation making any subdivision or re-subdivision of land without the approval of the Commission shall be subject to penalties in accordance with the General Statutes of the State of Connecticut.

19 SELF-IMPOSED RESTRICTIONS - If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Regulations, or these Regulations, such restrictions or reference thereto shall be indicated on the subdivision map.

110 PLATS STRADDLING MUNICIPAL BOUNDARIES - Whenever access to the subdivision is required across land located in another municipality, the Commission may request assurance that the access is legally established, and that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.

Where a subdivision is to be served by a roadway within another municipality, the Commission may withhold the approval of such subdivision upon the determination that the situation would not allow for the adequate provision of Town services to such subdivision.

111 CHARACTER OF THE LAND - Land which the Commission finds to be unsuitable for subdivision or development, due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Commission to solve the problems created by the unsuitable land conditions. When appropriate, such land shall be set aside for uses as shall not involve such a danger.

112 WAIVER - The requirements of these Regulations may be waived by five-sixths vote of the full Commission when it is demonstrated that strict compliance with such regulations will cause an exceptional difficulty or unusual hardship. The Commission shall not grant a waiver unless it finds the following conditions are met:

- i. The property for which the waiver is sought is uniquely affected by these Regulations;
- ii. Physical features of the property or its location cause exceptional difficulty or unusual hardship in meeting the requirements of these Regulations;

- iii. The granting of a waiver will not have a significantly adverse effect upon adjacent property or the public health and safety;
- iv. The granting of the waiver will not be in conflict with the Plan of Development;
- v. Where it is proposed to vary any engineering standard contained in these Regulations, a favorable report from the Town Engineer has been received.

1121 Waiver Request - A request for waiver shall when practicable be submitted in writing by the applicant at the time application for subdivision approval is made. The request shall detail the extent of the waiver requested and contain sufficient data for the Commission to make the findings required above. The Commission may require a public hearing be held in conjunction with a request for a waiver.

113 ADMINISTRATION AND ENFORCEMENT - The Office of the Town Planner shall be responsible for the administration of these Regulations; and the Office of the Town Engineer shall be responsible for enforcing these Regulations. If terms of the subdivision approval or the subdivision plan have been violated, the Commission may instruct the Town Planner to issue no further Zoning Permits until the violation has been corrected and may file a notice of violation on the Farmington Land Records.

114 EFFECTIVE DATE - The effective date of these Regulations shall be **May 21, 1982**.

II

2.1.1. APPLICATION REQUIREMENTS AND PROCEDURE

21 INFORMAL CONSIDERATION - Prior to submission of a formal application for approval of a subdivision or re-subdivision, the applicant may prepare an informal plan of the subdivision or re-subdivision for informal review by the Commission. If the plan is presented in preliminary rather than final form, any alterations or changes recommended by the Commission may be made more readily and economically by the applicant. Neither the informal plan nor the informal review by the Commission, however, shall be deemed to constitute any portion of the official and formal procedure of applying for and approving subdivisions or re-subdivisions under the provisions of Chapter 126 of the General Statutes of Connecticut.

2.1.1 Informal Plan - The informal plan should show sufficient information to allow the Commission to make a general planning review under the standards of these Regulations. It is recommended that the informal plan meet the standards for a Site Development Plan.

2.1.2 Review - When an informal plan is submitted, the Commission may hold a discussion with the applicant and may recommend any changes or improvements in the plan in order to guide the applicant in preparing maps and plans for formal application.

22 PUBLIC HEARINGS - Public hearings shall be held on all subdivision and re-subdivision applications. Where a subdivision is proposed for land zoned or proposed to be zoned in any of the industrial, commercial or business zones, the public hearing may be waived providing an application has been submitted for site plan approval.

23 SUBMISSION - All applications, maps, plans, documents and data required by these Regulations shall be submitted to the Planning Office. The date of receipt of such application shall be determined in accordance with the General Statutes of Connecticut.

24 APPLICATIONS REQUIREMENTS - In order to make formal application for approval of a subdivision or re-subdivision, the applicant shall submit the following:

2.4.1 Application - Application for approval of a subdivision or re-subdivision shall be made in writing on forms prescribed by the Commission. (Applications blanks are available at the Planning Office.) The application shall be signed by the applicant or his lawful agent; and, if the subdivision or re-subdivision is proposed by a person, firm or corporation other than the owner of the land to be subdivided or re-subdivided, the application shall also be signed by the owner of the land of his lawful agent. Fees shall be as prescribed by Town Ordinance.

2.4.2 Record Subdivision Map - A record subdivision or re-subdivision map shall be submitted with the application and shall conform to all of the appropriate requirements of the administrative specifications appended to and made part of these Regulations.

2.4.3 Sanitation Report - Every application for approval of a subdivision must include satisfactory evidence that the site has suitable physical characteristics to adequately

satisfy all the requirements of both the Farmington Valley Health District and the Connecticut State Department of Health for subsurface sewage disposal, or that the proposed lots can be connected to an operational public sanitary sewer. The sanitary report for on-site systems shall be prepared by a professional engineer and meet the requirements of the administrative specifications. When it is proposed to connect to public sanitary sewers, a sewer feasibility study, as required by the Town Engineer, shall accompany the subdivision application.

2.4.4 Additional Data - The following data shall be provided as appropriate, and when, in the judgment of the Commission, the scale, scope of work and complexity of the subdivision warrant:

2441 Construction Plans - Plan and profile drawings and typical cross sections, including the design of sanitary sewers, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs, bridges, culverts and other structures and improvements required by these Regulations.

2442 Site Development Plan - A site development plan shall conform to all of the requirements of the administrative specifications.

2443 Grading Plan - A grading plan showing existing and proposed grades and other data as required by the administrative specifications.

2444 Hydrological Report - Design of the storm drainage system to include special structures, shall be supported by a hydro-logical report prepared by a civil engineer licensed as a P.E. in the State of Connecticut. This report shall, at the minimum, include a copy of the base map used to determine watershed and drainage patterns, and the methodology used to compute runoff and pipe sizes.

2445 Easements and Deeds - Copies of all easements and deeds necessary to carry the subdivision plan into effect, including instruments proposed to be executed or delivered after approval of the application.

2446 Cost Estimate - An engineer's estimate of the cost of construction of public improvements. Estimates shall be made on forms provided by the Town Engineer's Office.

2447 Permits and Agreements - Copies of State and federal permits, if issued, and copies of proposed agreements with utility companies.

2448 Supplemental Data - Other data and information may be required from the applicant in order to establish that the proposed subdivision complies with the requirements of these Regulations.

245 No application for subdivision or re-subdivision which involves a regulated activity as defined in the Inland Wetlands and Watercourses Regulations for the Town of Farmington shall be submitted prior to its submission to the Farmington Inland Wetlands and Watercourses Agency.

246 Upon the request of either the Commission or the Town Planner the applicant shall stake out lot boundaries and/or the center line or edge of any proposed street.

2.5 CONSIDERATION OF PROPOSED SUBDIVISIONS - After the above application requirements have been met to the satisfaction of the Commission, the Commission shall consider the application in accordance with the following procedures:

251 Hearing - Public hearings shall be held as required by Section 2.2 of these Regulations. Notice of any public hearing shall be given as required by law. The applicant shall mail notice of the public hearing by certified mail no later than 10 days before such hearing to all owners of property within 200 feet from any boundary of the property which is the subject of the application. In addition, the applicant shall post a notification sign provided by the Planning Department on the property at least seven (7) days prior to the date of the public hearing. Evidence of such mailing shall be presented to the Planning Department at or before the public hearing. The name and addresses used shall be those as recorded in the office of the Town Assessor on the date the application is filed. In the case where a property requiring notice has been submitted to common interest ownership, such as a condominium, the required notice need only be sent to the homeowners' association.

252 Decision - The Commission shall approve, approve with modifications, or disapprove, any subdivision application or maps and plans submitted therewith within sixty-five (65) days after the date of completion of the public hearing thereon, or, if no public hearing is held, within sixty-five (65) days after the submission thereof.

An extension of time not to exceed a further period of sixty-five (65) days may be had with the consent of the applicant.

Where a subdivision plan contains an inland wetlands soil or watercourse for which a permit for regulated activity is required, the Commission shall not render a decision on such application until a decision has been rendered by the Farmington Inland Wetlands and Watercourses Agency.

If an application for subdivision has been submitted both to the Commission and the Farmington Inland Wetlands and Watercourses Agency and the time period for rendering a decision by the Commission expires prior to the thirty-fifth day after an action has been taken by said Inland Wetlands and Watercourses Agency, the Commission shall have an additional thirty-five days to render a decision on such subdivision from the date of decision of the Inland Wetlands and Watercourses Agency.

253 Approval - The Commission shall give approval to the subdivision if it finds that the subdivision map and plans and accompanying certificates, documents and data conform to the requirements and are consistent with the purposes of these Regulations.

In granting approval, the Commission may attach such conditions that it deems necessary to modify the subdivision map, plans or documents, and to preserve the purpose and intent of these Regulations.

2.6 FILING and RECORDING - The applicant shall deliver to the Commission within fourteen (14) days after the time for taking an appeal from the action of the Commission has

elapsed or in the case of any appeal, from the date of termination of such appeal by dismissal, withdrawal or judgment, a copy of the record subdivision map incorporating all of the conditions of approval as set by the Commission on mylar material suitable for filing on the land records in the office of the Town Clerk. This plan shall also be accompanied by all documents required by the Commission including all deeds and easements relating to open spaces or utilities owned or to be owned by the Town of Farmington located outside of any public road right-of-way as well as the submission of an AutoCAD.DXF file of the subdivision plan. The failure to submit this map and documents within the abovementioned time shall render the approved subdivision plan null and void. The Commission may extend the above mentioned time period not more than forty- five (45) days.

The record subdivision map shall then be endorsed by the Chairman or Secretary of the Commission and made available to the applicant for filing. Any subdivision or re-subdivision plan filed without the signature of the Chairman or Secretary of the Commission shall be void.

Every approved subdivision plan shall be filed or recorded in the office of the Town Clerk within ninety (90) days of the expiration of the appeal period or in the case of any appeal, ninety (90) days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant, and any plan not so filed or recorded within the prescribed time shall become null and void, except that the Commission may extend the time for such filing for two additional periods of ninety (90) days upon the written request of the applicant and the plan shall remain valid until the expiration of such extended time.

261 Certificate/Bonding - Prior to filing and recording the map in accordance with the above Section (Section 2.06) a Certificate of Completion for all required subdivision improvements shall be submitted, together with a statement from the Town Engineer reflecting that the public improvements called for in the subdivision plan have been completed. In lieu of completion of such work and installation previous to the filing of the subdivision map, the Town Manager may, on behalf of the Commission, accept a bond in accordance with the provisions of Section 3.01.

262 Conditional Approval - In lieu of either the completion of the work or the furnishing of a bond as provided for in Section 2.06.01, the Commission may authorize the filing of a plan with a conditional approval endorsed thereon. Such approval shall be conditioned on (1) the actual construction, maintenance and installation of any improvements or utilities prescribed by the Commission; or (2) the provision of a bond as provided in Section 2.06.01. Upon the occurrence of either such events, the Commission shall cause a final approval to be endorsed thereon in a manner provided for by these Regulations. Any such conditional approval shall lapse on the date specified by the Commission, which period shall not exceed three (3) years from the date such approval is granted. The Commission may grant one extension of time, such additional period not to exceed two (2) years. Any person, firm or corporation who, prior to such final approval, sells or offers for sale any lot subdivided pursuant to a conditional approval shall be fined in accordance with the provisions of State Statute.

263 Final Approval - Any person, firm or corporation making any subdivision of land containing less than four hundred (400) dwelling units shall complete all work in connection with such subdivision within five (5) years after the approval of the plan for such subdivision. Failure to complete all work within such five (5) year period shall result in automatic expiration of the approval of such plan and no additional lots in the subdivision shall be conveyed by the subdivider or his successor in interest as such subdivider except with approval by the Commission of a new application for subdivision of the subject land.

Any person, firm or corporation making any subdivision of land containing more than four hundred (400) dwelling units shall complete all work in connection with such subdivision within ten (10) years after the approval of the plan for such subdivision. Failure to complete all work within such ten (10) year period shall result in automatic expiration of the approval of such plan and no additional lots in the subdivision shall be conveyed by the subdivider or his successor in interest as such subdivider except with approval by the Commission of a new application for subdivision of the subject land.

“Work” for the purposes of this section means all physical improvements required by the approved plan, other than the staking out of lots, and includes but is not limited to the construction of roads, storm drainage facilities, water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electric services, planting of trees or other landscaping and installation of retaining walls or other structures.

2.7 DEVELOPMENT OF BUILDING LOTS - No Zoning Permit and Building Permit shall be issued for the development of any lot in a subdivision unless all of the utilities (including power, sanitary sewer and water) have been extended to the lot, and are energized or approved for use. This shall include the performance of an air test for the sanitary sewer, a pressure and flow test for any water line and a pressure test for any natural gas line. This provision shall not however prevent the construction of up to three model homes with the permission of the Commission. In addition to the preceding, where a building lot has access to a proposed road, such road shall be completed with the exception of the first and second courses of pavement prior to issuance of a Zoning Permit or Building Permit.

No Zoning Certificate of Compliance or Certificate of Occupancy shall be issued for any building constructed upon a subdivision lot having access to a proposed road unless said road has been completed with the exception of a second course of pavement and curbing; a paved driveway apron has been installed; all street lights have been erected and are operational; and a sidewalk if required has been constructed to the lot.

A copy of these restrictions shall be placed on the land records by the applicant or owner of the subdivision at the time the subdivision plan is recorded in the office of the Town Clerk. In addition these restrictions shall be incorporated into the deed of any subdivision lot sold.

2.8 ALTERATIONS AND REVISIONS TO APPROVED SUBDIVISION AND RESUBDIVISION PLANS - From time to time requests are received for revisions of or alterations to approved subdivision or re-subdivision plans. Such revisions or alterations may have minor or major consequences. Such requests will be first screened by the Planning Director and if he determines such request to be of minor consequences, he will conditionally approve the request and advise the Commission of his action. Unless the Commission acts to modify his conditional approval, the conditional approval shall become final approval. If the Planning Director determines such request to have a significant consequence, the request shall be submitted to the Commission for its consideration and action following a public hearing.

III

ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

31 BONDS - In lieu of requiring the completion of public improvements including all required landscaping, previous to the final approval of a subdivision plan, the applicant may post a bond with the Town in an amount and with surety or other security and conditions satisfactory to the Town Manager. In addition the applicant shall deliver to the Town Manager signed contracts between the applicant and private utility companies for the installation of utility lines in such subdivision. Bonds shall secure to the Town the actual construction and installation of such improvements. The sum of such bond shall be determined by the Town Engineer in his sole and absolute discretion. The Town Engineer shall review the amount of the bond at a minimum of every two years from the date the bond is filed and may require an increase in the amount of such bond as adjusted for inflation.

3.1.1 Definition - For the purposes of this section, a bond shall mean one of the following:

(1) A surety bond; (2) A bond secured by a passbook savings account; (3) A bond secured by an irrevocable letter of credit; or (4) Any other form of security satisfactory to the Town Manager. All such bonds shall be subject to the approval of the Town Manager.

3.1.2 Form - Bonds shall be duly executed on forms provided or approved by the Town, with proper reference to all maps and plans showing the streets, drainage and other improvements covered by the bond. Forms and other data shall be provided as follows:

3.1.2.1 Surety Bonds shall be accepted only from those companies licensed to do business in the State of Connecticut. They shall be accompanied by the power of attorney of the person executing the bond for the company.

3.1.2.2 Bonds Secured by a Passbook Savings Account shall be accompanied by:

- i. The savings account passbook;
- ii. A withdrawal slip in the amount of the bond, properly endorsed and made payable to the Town; and
- iii. A letter from the bank acknowledging that the account has been assigned to the Town for the period established for the construction or installation of public improvements, plus three months.

3.1.2.3 Bonds Secured by Irrevocable Letters of Credit shall be provided by a bank or other similar reputable institution or individual, subject to the approval of the Town Manager. The letter of credit shall be in such form and accompanied by such documents as may be prescribed by the Town Manager.

3.01.03 Cash Bond - In the case of conditional or final approval a cash bond in the amount of \$10,000 or five percent of the cost of improvements excluding utilities not intended to be conveyed to the town, whichever is the greater amount, shall be posted with the Town Manager. Such bond shall be accompanied by an agreement under which the Town Manager

may draw on such funds, after adequate notice, to effect snow plowing or other maintenance necessary for the public health, safety and convenience. Such monies may also be used to pay any electrical charges necessary for street lighting. The extent of such payments to the Town shall be specified in the agreement with the Town Manager.

32 FAILURE TO COMPLETE IMPROVEMENTS - Where a bond has been posted and required improvements have not been installed within the terms of such bond, the Town may thereupon declare the bond to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

33 PARTIAL RELEASE - Upon written request by the applicant the Town Engineer may recommend the release of a portion of the surety in accordance with the following schedule. In no case however shall the balance of the surety be less than sufficient to guarantee completion of the bonded improvements. Such partial releases may be authorized by the Town Manager's Office.

BOND REDUCTION SCHEDULE

An applicant’s bond may be reduced if the following items are completed (installed) and found acceptable by the Town Engineer.

<u>First Release</u>	Clearing Sanitary Sewer Storm Drainage Utilities Subgrade Base Material	BOND REDUCTION 30%
<u>Second Release</u>	Binder Course Curbing Sidewalk Erosion and Sedimentation Control (Site Stabilization)	BOND REDUCTION 30%
<u>Final Release</u>	Turf Establishment Street Trees Top Course As Built Drawings Surveyor’s Certification Removal of All Unauthorized Objects from Rights-of-Way Deeds Street Signage	BOND REDUCTION 25%

34 FINAL RELEASE - Bonds will not be released until the following conditions have been met:

- i. The Town Engineer has submitted a certificate stating that all required improvements have been satisfactorily completed;
- ii. The applicant’s engineer or surveyor has certified to the Town Engineer, through submission of detailed “as built plans” that the layout of the line and grade of all public improvements are in accordance with construction plans for the subdivision;
- iii. All public improvements called for in the final plan have been accepted by the Town. A maintenance bond, as described in Paragraph 3.05, shall be filed with the Town;
- iv. All documents required by the “Acquisition Agreement for a Public Right-of-Way” have been presented and all conditions and requirements of the Commission’s approval of the subdivision application have been satisfied.

35 MAINTENANCE OF IMPROVEMENTS - The applicant shall be required to maintain all improvements until acceptance of said improvements by the Town. Snow removal on streets shall be provided by the Town following the installation of the first course of pavement. This service shall be provided at no charge for the first winter season. Thereafter the applicant shall be responsible for such cost and shall make payment to the Town in a sum to be determined by the Town in its sole and absolute discretion. The applicant shall prepare the roadway for plowing, including the shimming of all catch basins and manholes prior to each November 15th. The Town Manager, after adequate notice, may draw on the cash or maintenance bond for the cost of snow removal or road preparation.

35.1 Maintenance Bond - Fifteen percent of the bond specified in Section 3.01 shall be designated as the maintenance bond. In the case where no such bond is posted, the applicant, prior to final approval shall file a maintenance bond equal to 15% of the actual construction and installation costs of such improvements referred to in Section 3.01. This bond shall also include a cash portion equal to the cost of the first year's electric bill for street lighting as determined by the Town Engineer. In order to assure the satisfactory condition of the bonded improvements the Town Manager may draw on such bond for a period of one year after the date of its acceptance by the Town with the following exception. In the case where an accepted road contains completed buildings on less than 50% of the total lots along such road or within the total subdivision that the particular road serves, the Town may continue to hold a portion or all of such maintenance bond past the one-year period until such threshold is exceeded.

IV

DESIGN STANDARDS

4.1 GENERAL IMPROVEMENTS - Subdivisions and re-subdivisions, including related streets, drainage and other improvements required by these Regulations, shall be planned, designed and constructed in accordance with the standards hereinafter specified.

4.1.1 Plan of Development - Subdivisions shall be planned and designed in general conformity with the Plan of Development, adopted by the Commission for the Town under Chapter 126 of the Connecticut General Statutes, particularly with regard to:

- i. Location and classification of streets.
- ii. Sanitary sewer, water supply and drainage system service area.
- iii. Reservation of land for parks, recreation and open space.

4.1.2 Subdivision Name - The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the Town. The principal road in the subdivision shall bear the same name as the subdivision.

4.1.3 Open Spaces - For any subdivision application made under these Regulations, the Commission may require of the subdivider the disposition and official dedication of appropriately located and sized open space areas. In determining the appropriateness of an open space disposition the Commission shall consider the recommendations and locations designated in the Plan of Conservation and Development and the subject site's characteristics with respect to the following objectives: The conservation and protection of wildlife and natural or scenic resources including lakes, ponds, rivers, streams, streambelts, inland wetlands, aquifers, hillsides, significant woodlands, groves of scenic trees or trees of one species, particular trees of special size or unusual type, ridges, ravines, stone walls, ledge outcroppings and other unusual physical features; the protection of historic or archaeological sites, established marked trails, farming operations including pasture land, farmland soils; the protection of flood prone areas; the expansion of existing open space; the meeting of neighborhood and/or community wide recreational needs. In establishing the location of open space, the Commission may consider potential for combination with existing or proposed open space on adjoining properties. In determining the total land to be reserved as open space, the Commission may consider not only the tract or tracts of land to be immediately subdivided, but also any other adjacent tracts owned, controlled or under agreement to buy or option to buy by the subdivider. A maximum of fifteen (15%) of the total tract proposed for subdivision may be required as open space in the R80, R40 and R30 zones, while the Commission may require the set-aside of between fifteen percent (15%) and twenty percent (20%) in the R20, R12 and R9 zones. At the discretion of the Commission open space areas shall be owned and managed in one or more of the following ways:

- i. Deeded to the Town of Farmington, State of Connecticut or other government unit or entity established by Federal, State or local government;

- ii. Deeded to the Farmington Land Trust or other nonprofit land conservation trust as found acceptable to the Commission and where required subject to a conservation easement in favor of the Town of Farmington;
- iii. Deeded to the lot owners of the subdivision such that each lot owner possesses an undivided interest in the designated open space area and is jointly and severally responsible for the payment of taxes on and maintenance of the designated open space area and subject to a conservation easement in favor of the Town of Farmington or an acceptable nonprofit land conservation trust as required;
- iv. Held in ownership by individual lot owners as part of their lot and subject to a conservation easement in favor of the Town of Farmington or an acceptable nonprofit land conservation trust as required.

The applicant may designate in its application which of the foregoing entities is proposed to own the open space, but, as part of the approval of such application the Commission may modify such designation. Furthermore, the Commission may modify any application so as to designate open space in locations other than that proposed. In determining the appropriate entity to own the proposed open space or whether to require open space in locations different from those proposed, the Commission shall consider the following factors: The location or ownership of any existing open space on adjacent properties, or the proximity to non-adjacent open space which might reasonably interconnect with the proposed open space in the future; the location on adjacent properties of natural, scenic or historic resources as previously mentioned in this section; the proposed use of the open space for active or passive uses and the extent of maintenance, supervision or management required; the potential benefits which the open space might provide to residents of the Town or the State if it were accessible to them; the size, shape, topography and character of the open space; the recommendations of the Plan of Development; and the reports or recommendations of any Federal, State, Regional or Town agencies or commissions.

4.01.03.1 In lieu of providing such open space land as may be required by Section 4.1.3 of these Regulations, an applicant, with the approval of the Commission, may provide a cash payment or combination of cash payment and land reserved for open space. Lands offered for open space may be located off the subject property. All cash payments shall be submitted to the Town of Farmington, while land reserved for open space shall be owned and managed at the discretion of the Commission in one or more of the ways specified in Section 4.01.03. Such cash payment or combination of payment and the fair market value of land offered (as calculated prior to the approval of the subdivision) shall be equal to 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision, however the sum of such payment (cash or cash and land) shall not exceed a figure equal to 10% of the fair market value of the new building lots approved (subsequent to the approval of the subdivision). 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 Farmington. The Town's share of the appraisal cost shall be subtracted from the cash payment paid by the applicant.

A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved building lots in the subdivision, shall be made no later than at the time of sale of each approved building lot in the subdivision. Fees collected under this section shall be deposited in a municipal 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.

4.1.3.2 The provisions of Sections 4.01.03 and 4.01.03.1 shall not apply where all land in a subdivision containing less than five parcels is transferred to a parent, child, brother, sister, grand-parent, grandchild, aunt, uncle or first cousin for no consideration; or if the subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, equal to 20% or more of the total housing units to be constructed in such subdivision.

4.1.3.3 Any excavation, filling, regrading or other alteration of open space; any construction of any building, structure or other improvement thereon; or any paving or surfacing of open space subsequent to the date of approval of the subdivision, other than those activities required by the plans as approved shall require an amendment to the subdivision approval.

In the event there is unauthorized disturbance of an area designated as open space the Commission may require the restoration of such area to the condition at the time of approval of the subdivision or restoration consistent with a landscape plan approved by the Commission.

4.1.3.4 Where open space is proposed for active or passive use by members of the public the Commission may require that the applicant provide access paths or driveways graded and improved in a manner suitable for safe pedestrian and/or vehicular traffic.

The Commission may require the landscaping of open space in a number of situations including but not limited to the following: Where such open space is located adjacent to a proposed or existing roadway or to a nonresidential use; where such open space contains inland wetlands or watercourses or slopes in excess of 15 percent grade; and where such open space contains active recreation areas.

4.1.3.5 In the case where the ownership and maintenance of the open space is to be transferred to an association of property owners such transfer shall be in accordance with standards established by the Commission to include, but not be limited to, the following:

- i. Creation of the association or corporation prior to the sale of any lot;
- ii. Mandatory membership in the association of all original lot owners and any subsequent owners; non-amendable bylaws or other restrictions which require the association to maintain the land reserved for open space, park and playground purposes, with power to assess all members for all necessary costs;
- iii. The association or corporation shall have the power to assess and collect from each lot owner a specified share of, and where necessary, provide reserves for the costs associated with maintenance, repair, upkeep and insurance of the open space;

- iv. Association documents shall provide that if maintenance or preservation of the dedication no longer complies with the provisions of the approval, the Town may take all necessary action to assure compliance and assess against the association all costs incurred by the Town for such purposes.

Open space covenants and restrictions and association documents shall be subject to the approval of the Commission and the Town Attorney in form and content. After approval the document shall be filed by the subdivider in the office of the Town Clerk.

4.1.3.6 Properly executed legal documents, including warranty deeds for any title transfer, shall be prepared in accordance with the provisions of this Section and shall be submitted with the Record Subdivision Map to be endorsed and filed.

4.1.3.7 In the event the applicant desires to convey to the Town land for other municipal purposes such as future schools, firehouses, etc., such conveyance shall comply with Section 4.01.03.6. The Commission may consider such a municipal dedication as a credit toward any open space disposition requirements, but may not require such dedication.

4.1.3.8 To ensure proper provision of any required improvements the Commission may require the applicant to post a performance bond, letter of credit, passbook or other suitable security in an amount and with terms acceptable to the Commission. Unless otherwise approved by the Commission, all required improvements of open space land shall be completed prior to the acceptance of any public road, or in the case of a subdivision where no public road is involved, prior to the construction of homes on 50% of the lots.

4.1.4 Monuments - Permanent reference monuments shall be placed within the subdivision as follows:

- i. Town road right-of-way merestones, perimeter boundary and lot corners shall conform to Class A-2 of Code of Recommended Practice for Standards of Accuracy of Maps, as amended. A land surveyor registered in the State of Connecticut shall certify as to the correctness of the placement of such monuments.
- ii. A minimum of two (2) vertical and horizontal control points will be set within the Town right-of-way at positions designated by the Town Engineer. Horizontal coordinates will be from the Connecticut State Coordinate System with tie-in requirements as above. Vertical control will be U.S.G.S. mean sea level datum. The markers used for horizontal and vertical control shall consist of a merestone with a brass cap. A land surveyor registered in the State of Connecticut will certify to the horizontal and vertical accuracy of the points set in accordance with Class A-2 of the Code of Recommended Practice for Standards of Accuracy of Maps prepared by the Connecticut Technical Council, Inc., January 1945.
- iii. Highway lines will be monumented by standard Town of Farmington merestones at all angle points, PC's, PT's and PRC's. The maximum distance between highway merestones will be 500 feet on tangent or curved sections of the highway line. Highway merestones will be set to the accuracy of Class A-2 of the

Connecticut Technical Council, Inc. The proposed highway line will be tied into existing highway lines by distance and bearing. Additional highway merestones may be required at locations on the highway line as required by the Town Engineer.

- iv. All lot corners including open space parcels shall be permanently located by iron or steel stakes at least 3/4 inch in diameter and thirty (30) inches in length.

4.1.5 Streets Trees - Shade trees of varieties acceptable to the Commission shall be provided along existing and proposed streets by planting new trees or preserving existing trees. Trees shall be provided at the rate of one per 50 feet on both sides of the right-of-way. Such trees shall be located between the building line and 10 feet inside the lot line. New trees shall be not less than 2 to 2-1/2 inches in caliper and shall be guaranteed for one season's growth by the developer. Required street trees shall be planted on any particular lot prior to the issuance of a Certificate of Zoning Compliance for a building constructed on such lot.

4.2 LOT IMPROVEMENTS AND ACCESS

4.21 Lot Arrangement - The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning Regulations and Health Codes and in providing driveway access to buildings on such lots from an approved street.

4.2.1.1 Double Frontage - Double frontage and reversed frontage lots may be required where necessary to provide separation of residential development from traffic arterials or to overcome specific disadvantages of topography and orientation.

4.2.1.2 Lot Access - Where driveway access from a major street may be necessary for several adjoining lots, the Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Such access drive shall be constructed under the standards for private roads with regard to travel way width and construction specifications. The Commission shall establish front yard setbacks from these shared drives when they bisect a line of lots.

4.2.1.3 Rear Lots - In general, rear lots shall be avoided. However, rear lots may be established in accordance with Article III. Section 4. of the Farmington Zoning Regulations.

4.2.2 Lot Arrangements on Existing Streets - Lots proposed for existing streets shall, in addition to meeting other applicable standards of these Regulations, be arranged to conform with the following:

- i. Where no street lines have been established on an existing street, front property lines for subdivision lots shall not be closer than 25 feet from the center of the road or 50 feet from and parallel to an established street line on the opposite side of the street. The Commission may require that the title to all land between the center of the road and the front property lines of the subdivision lots be dedicated to the Town of Farmington in accordance with the legal requirements for such a procedure.

- ii. Where a proposed subdivision abuts an existing street that does not comply with the right-of-way requirement found in these Regulations, the Commission may require the dedication of half of the right-of-way deficit along with all necessary rights to grade as determined by the Town Engineer for future road widening.
- iii. Where the grade of the existing street will be materially higher or lower than the proposed lots fronting on it, the Commission may, for reason of providing adequate sight distance on driveways, alleviating excessive or hazardous slope, or excessive runoff, require any lot or any part of such lot to be regraded as necessary.
- iv. Where the finished grading of a lot fronting on an existing street will cause drainage problems in that street, the developer shall, at his expense, install drains in the street or make such other provision as may be necessary to correct the condition.

4.3 LOT DIMENSIONS - Lot dimensions shall comply with the minimum standards of the Zoning Regulations. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan.

431 Lots shall be laid out so as to provide drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.

432 Water Bodies and Watercourses - If a tract being subdivided contains a water body or watercourse, lot lines shall be drawn in such a manner that safe maintenance of the water body or watercourse is assured. In the case where a water body is divided among several lots the Commission may require the establishment of a homeowners' association or similar body to ensure proper maintenance. Where a watercourse passes through a lot the lot owner shall be responsible for maintaining the continual flow of water.

4.4 SOLAR ACCESS - The applicant shall demonstrate to the Commission that the subdivision planning process has considered site design techniques that promote solar energy use. The site design techniques shall include, but not be limited to, house orientation, street and lot layout, use of landscaping and natural vegetation, natural and man-made topographic features and protection of solar access within the development.

441 Lots shall be arranged, where possible, to provide for orientation of buildings to the south in order to encourage solar energy use.

442 Streets should have an east-west orientation to the greatest extent possible to permit orientation of buildings to the south and thereby encourage solar energy use.

4.5 STREETS - GENERAL - No subdivision shall be approved unless the area to be subdivided shall have access from an existing public road which is suitably improved and paved; or a proposed street shown upon a map approved by the Commission and recorded in the office

of the Town Clerk. Such proposed street must be suitably improved as required by the appropriate regulations and specifications, or be secured by a performance bond.

No proposed lots or new street shall have access to a privately owned road unless otherwise approved by the Commission.

451 Street Grading and Improvement - Streets shall be graded and improved and conform to Town of Farmington construction standards and specifications and shall be approved as to design and specifications by the Town Engineer.

451.1 Streets shall be related appropriately to the topography. Residential streets shall generally be designed, in so far as practicable, with curvilinear alignment. Long tangent sections shall be avoided. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.

451.2 The Commission may withhold approval of all or part of a subdivision where the volume of traffic expected to be generated from such subdivision will likely exceed the capacity of neighboring roads or adversely affect traffic safety, or where the proposed access to the subdivision or individual lots within the subdivision will adversely affect traffic safety.

451.3 Where a proposed subdivision contains frontage on a street which has a width of pavement less than that required by these Regulations the Commission may require the applicant to widen said street where it is found that the development of such subdivision will result in reduced safety or traffic congestion, or where it is determined that the Town cannot adequately provide emergency or non-emergency services to the subdivision.

452 Traffic Circulation Plan - All streets shall be properly integrated with the existing and proposed system of streets and dedicated rights-of-way as established in the Circulation Plan of the Plan of Conservation and Development. Additionally, all streets shall be properly related to specific traffic generators such as industries, business districts, schools, churches and shopping centers; to population densities; and to the pattern of existing and proposed land uses. In general, street patterns shall be proposed without dead ends. However, streets should be designed in a manner which does not encourage excessive vehicle speed or cut through traffic on local or limited local streets. The Commission may require road designs for local or limited local streets to incorporate traffic calming elements.

453 Street Extensions - Where required by the Commission, rights-of-way shall be provided for extending streets to adjoining unsubdivided property. Land in such rights-of-way shall be deeded to the Town or other authority as deemed appropriate by the Commission.

453.1 Where a proposed subdivision abuts an approved subdivision containing a future street right-of-way, the developer of the proposed subdivision shall construct the street and all required improvements from the proposed subdivision to the approved street in the existing subdivision.

453.2 New streets shall be extended to the boundaries of the subdivision to provide access to adjoining property, and shall intersect with other streets where designated by the

Commission or as shown in the Plan of Conservation and Development. A notation shall be added to the record subdivision map indicating that such new road may be extended to serve the adjoining property.

4533 Where a temporary turnaround is provided on a street that is to be extended in the future, the 50-foot street right-of-way to the subdivision boundary shall be deeded to the Town, and the segments of the turnaround outside of 50-foot street shall be deeded to the abutting lot owners subject to an easement to the Town for street purposes. When such street is extended beyond the turnaround, the subdivider constructing the extended street shall remove the road construction in the segments of the temporary turnaround, fill with earth and loam and seed in an appropriate manner.

454 Street Names - All street names shall be shown on subdivision plans and shall be approved by the Commission. Proposed street names shall be substantially different from any present names, to avoid confusion in sound or spelling. Streets that become extensions of existing streets shall generally bear the same name.

455 Street Lighting Facilities - The applicant shall be required to install one lighting pole at each intersection, together with any additional lighting poles as the Town Engineer may require to prevent hazard. The location of such poles shall be shown on the Construction Plans under Section 2. The cost of all lighting fixtures, poles and installation shall be the responsibility of the developer. The developer shall bond such lighting facilities with all other public improvements.

456 Street Name Signs - The developer shall be responsible for the cost and installation of street name signs. Such signs shall be placed at each intersection with existing streets as well as at each intersection within the development. The developer shall bond such street name signs with all other public improvements.

457 Traffic Control Devices - The developer shall be responsible for the cost and installation of any traffic control devices deemed necessary by the Traffic Authority or the Commission. The developer shall bond such traffic control devices with other public improvements. Necessary State permits for work related to State highways shall be the responsibility of the developer and shall be coordinated through the office of the local Traffic Authority.

458 Reserve Strips - The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.

4.6 CUL-DE-SAC OR DEAD END - A temporary turnaround shall be provided on all temporary cul-de-sac streets, with the notation on the subdivision map that land outside the normal street right-of-way shall revert to abutters whenever the street is continued.

4.06.01 Permanent Cul-de-sacs - Permanent cul-de-sacs may be permitted providing such a design will not (i) impede the circulation requirements of the Plan of Development; (ii) cause undue concentrations of traffic; or (iii) be prejudicial to the needs of public health and safety by unduly delaying or inhibiting access to lots.

4.7 **DESIGN STANDARDS** - In order to provide for streets of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for streets shall be adhered to.

4.7.1 Table I

Street Class	R-O-W Width	Pavement Width	Maximum Grade	Minimum Grade	Design Speed	Cross Slope
Collector	60 ft.	32 ft.	8%	1%	35 MPH	3/8"/ft.
Local	50 ft.	26 ft.	8%	1%	30 MPH	3/8"/ft.
Limited						
Local	50 ft.	22 ft.	10%	1%	35 MPH	3/8"/ft.
Industrial	60 ft.	32 ft.	8%	1%	35 MPH	3/8"/ft.

4.7.1.1 Street classification may be indicated on the Plan of Development; otherwise it shall be determined by the Commission. Streets of a higher classification, i.e. primary and secondary arterial shall, at the minimum, meet collector street standards.

4.7.1.2 The maximum grade shown in Table I may be increased to 10% for collector, 12% for local streets and 14% for limited local, upon recommendations of the Town Engineer.

The right-of-way width and pavement width for an industrial road may be reduced to 50 and 26 feet respectively upon recommendation of the Town Engineer.

4.7.1.3 The pavement width of a collector road may be reduced to 26 feet where on street parking is specifically prohibited or where the Commission foresees little or no need for on street parking.

472 Curbs - Curbs shall be required for all new public streets unless eliminated by the Commission upon approval of the Town Engineer and shall conform to construction and design standards of the Town of Farmington except as otherwise approved by the Town Engineer.

473 Guide Rails - Guide rails shall be provided where the side slope on fill is steeper than one vertical to four horizontal. Such rails shall conform to the standards and specifications adopted by the Town of Farmington.

474 Street Pavement - All street pavement, shoulders, drainage improvements and structures, curbs, turnaround and sidewalks shall conform to all construction standards and specifications adopted by the Town of Farmington.

475 Right-of-way - The full width of the street right-of-way shall be graded in accordance with the highway specifications of the Town of Farmington. This requirement may be modified where, in the opinion of the Commission and upon recommendation of the Town Engineer, the existing character of the land creates unusual difficulty or hardship or will require

removal of desirable natural growth, and where the location and type of street appears not to require sidewalks in the future.

476 The maximum grade within a permanent cul-de-sac shall be 4%. The transition to this grade should be gradual. Maximum grade within a temporary cul-de-sac may be increased to 6% upon recommendation of the Town Engineer.

477 Private Residential Street - An applicant may propose to construct a private street to serve two or more lots. However the Commission shall not approve the establishment of a private street when such street is proposed to connect with two or more public streets or when the Commission requires such street to be extended off site either in the present or future and such adjoining land is not under the control of the applicant at the time of application.

Where a private street system is proposed to serve five (5) lots or less, provisions for the maintenance of such street(s) may be provided by agreement between all homeowners or by the establishment of a homeowners’ association under the terms of the Connecticut Common Interest Ownership Act. The Commission shall approve the entity which owns such street(s).

Where a private street system is proposed to serve more than five (5) lots, the ownership and maintenance of such street(s) shall be provided by the establishment of a homeowners’ association under the terms of the Connecticut Common Interest Ownership Act.

4.07.07.1 Private Residential Street Design Standards - The following design standards have been specifically developed for private residential streets and are based upon the ultimate number of lots to be served by a particular street. For those standards not specifically listed under this subsection refer to Section 4.07.

Table II

Number of Lots	R-O-W Width	Pavement Width	Turnaround/ Cul-de-Sac	Sidewalks
2-3	Width of travel way	18 ft.	None Required	None Required
4-5	40 ft.*	20 ft.	None Required	None Required
6-20	50 ft.	22 ft.	Yes	Yes
21+	50 ft.	26 ft.	Yes	Yes

Curbing and drainage shall be installed as required by the Town Engineer in order to ensure the safe management and disposal of storm water.

Notwithstanding the provisions of Section 4.07.04, private streets serving less than six (6) lots may be constructed with an 8-inch subbase and 2-1/2 inches of bituminous concrete.

* The right-of-way width may be reduced to the width of the travel way where the private street is under the ownership and control of a homeowners’ association.

4.8 **INTERSECTIONS** - Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than eighty (80) degrees or more than one hundred (100) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Commission.

481 Proposed New Intersections - Proposed new intersections with existing or proposed streets shall, wherever practicable, coincide with any existing or proposed intersections on the opposite side of such street. Street intersections shall be spaced apart no less than 150 feet as measured from center line to center line. However the Commission may require distances between intersections of up to 600 feet when a proposed street intersects with a major street (collector class or higher).

482 Curb Radius - Minimum curb radius at the intersection of two (2) local streets shall be at least twenty-five (25) feet unless otherwise increased by the Town Engineer; and minimum curb radius at an intersection involving a collector street shall be at least thirty (30) feet.

483 Cross Section - At street intersections, the normal cross section of the main street shall be maintained. The centerline grade of the secondary street shall begin at the curb line of the main street and have a maximum grade of 2% for at least fifty (50) feet from said curb line. Maximum may be increased to 4% at the discretion of the Commission, when the proposed street is a permanent cul-de-sac less than 400 feet in length.

484 Street Intersections - Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent required by the Commission to provide an adequate sight distance. A sight line easement shall be shown on the subdivision map limiting future plantings within this area to ensure the continuance of adequate sight lines.

485 Sight Distance - A minimum unobstructed sight distance equal to three hundred (300) feet or ten (10) times the posted speed limit plus fifteen (15) miles per hour [$10 \times (\text{posted speed limit} + 15 \text{ mph})$] of the intersected road, whichever is greater, shall be provided from each intersecting street.

4.9 DRAINAGE AND STORMSEWERS

491 General Requirements - The developer shall be fully responsible for constructing adequate facilities for the control, collection, conveyance and acceptable disposal of storm water, other surface water and subsurface water, whether originating within the subdivision area or in a tributary drainage area. All drainage facilities shall be designed by a professional engineer registered in the State of Connecticut and be subject to the approval and final acceptance of the Town Engineer. Storm water systems shall be designed for the following objectives:

- I. Prevent flooding of onsite or offsite property.
- II. Feed and recharge inland wetlands, surface and subsurface waters.
- III. Minimize pollutant loads in storm water runoff into inland wetlands, surface and subsurface waters.
- IV. Maintain the hydrology of existing sub watersheds including wetlands and watercourses.

4.09.01.1 The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by methods as approved by the Town Engineer.

4.9.2 Location of Storm Water Facilities - Drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements, where necessary. Such easements shall be at least twenty (20) feet in width.

4.9.2.1 When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the map.

4.9.2.2 The applicant may be required to dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the Commission.

4.9.2.3 Low lying lands along watercourses subject to flooding or overflowing during storm periods shall be preserved and retained in their natural state as drainage ways.

4.09.03 Drainage Discharge - The discharge of all storm water from a subdivision shall be into suitable streams or wetlands or other acceptable and suitable storm water drainage facilities having adequate capacity to carry the additional water. When discharging into a wetlands, the applicant must demonstrate that the proposed discharge will not significantly alter the wetland's existing hydrology and habitat. Where multiple watersheds exist within a proposed subdivision, drainage discharge must be designed so as to maintain a hydrologic balance between the multiple watersheds that is compatible with preconstruction conditions. Where the discharge will be into private property, proper easement and discharge rights shall be secured for the Town by the applicant from all affected property owners. Such easements must be acceptably executed before acceptance of drainage plan and recording of the subdivision map.

4.09.03.1 Where a new street intercepts an existing street which has no underground drainage system or has a drainage system of insufficient capacity to carry the additional flow, appropriate facilities shall be installed by the developer to intercept and dispose of any drainage from the new street which would otherwise be discharged onto the surface of the existing street or into its drainage system.

4.10 DRAINAGE DESIGN - All designs shall be based on the maximum ultimate development of the entire watershed as permitted by the Zoning Regulations. All bridges and culverts shall be designed such that the required head and backwater produced by the structure shall not cause flooding of abutting property.

4.10.1 On watersheds one square mile or over, the designs of culverts, bridges and through watercourses shall be based upon not less than a 100-year storm. On watersheds of less than one square mile, the design for the through drainage system shall be for not less than a 50-year storm.

4.10.2 The drainage system for roads, including catch basins, inlets, pipes, underdrains and gutters within or abutting the subdivision shall be designed for not less than a 10-year storm.

4.10.3 Adequate underdrains shall be constructed whenever, in the opinion of the Town Engineer, drainage conditions require it. They may be required even though not shown on the approved construction plans. Design shall be as approved by the Town Engineer.

4.10.4 Engineered swales may be utilized as directed by the Commission and approved by the Town Engineer. Leak-off culverts shall be extended to grade.

4.10.5 Culverts under streets shall be extended at least to the edge of the right-of-way of the street. Headwalls, paving, flared ends and/or riprap, adequate to prevent erosion, shall be provided at the ends of all culverts.

4.10.6 Detention or retention basins shall be generally avoided. However, when it is demonstrated that there are inadequate downstream facilities or that such pond will preserve the existing hydrology of the subwatershed or permit desirable infiltration, will not aggravate peak flow or other flooding hazards, and such basins can be properly maintained, then detention or retention structures may be permitted. Where practicable such basins should be located on private property and designed with side slopes no steeper than three feet horizontal for one foot vertical and in a manner such that they can be easily maintained as part of a lawn. The Commission may require the establishment of a homeowners' association or similar organization to maintain a detention or retention basin.

4.11 WATER - A potable, adequate and dependable water supply shall be provided for every lot or dwelling or unit.

4.11.1 Public Water Supply - Public water supply (not including a community well) shall be required to serve all of the following:

Any proposed subdivision where any portion of such property is located within the required distance of any existing water line as determined by the following formula: Ultimate number of lots times 200 feet equals distance of required extension. The number of lots as expressed in this formula shall include any lot, which may contain an existing dwelling or other structure. The required distance shall be computed only using routes over public rights-of-way or over land in control of the applicant or the Town.

4.11.2 Fire Hydrants - Where a public water main is extended, fire hydrants shall be installed at the expense of the developer. Fire hydrants shall be located no more than 500 feet apart. The location of hydrants shall be subject to the review and approval of the Fire Marshal.

4.11.3 Private Wells - In a subdivision which is located where a public water service is not required, a private well may be permitted for each lot provided that (i) topographic and geological conditions are satisfactory; (ii) each well can be designed, located and constructed

in accordance with the standards and requirements of the Conn. Department of Health; and (iii) each well shall have the approval of the Farmington Valley Health District.

4114 Water Quality Analysis - Where private wells are proposed the Commission, upon the advice of the Farmington Valley Health District, may require the provision of a water quality analysis report prepared by an acceptable testing laboratory. Analyses shall be performed on samples drawn from the aquifer serving the proposed wells. The number of samples and their location, as well as the extent and type of analyses, shall be subject to the approval of the Farmington Valley Health District.

4.12 SEWAGE DISPOSAL FACILITIES - Every application for approval of a subdivision must include satisfactory evidence that the site has suitable physical characteristics to adequately satisfy the requirements of the State Health code for subsurface disposal or that the proposed lots can be connected to an operational public sanitary sewer.

4121 Sanitary Sewage Systems – Public sanitary sewage systems (not including community septic systems) shall be required to serve all of the following:

Any proposed subdivision located outside the Town’s Sewer Avoidance Area and where any portion of such property is located within the required distance of any existing sanitary sewer line as determined by the following formula: Ultimate number of lots times 200 feet equals distance of required extension. The number of lots as expressed in this formula shall include any lot which may contain an existing dwelling or other structure. The required distance shall be computed only using routes over public rights-of-way or over land in control of the applicant or the Town.

4121.1 Where public sanitary sewage systems are not reasonably accessible, but may become available within a reasonable time capped sewers may be required per Ordinance #70. Individual disposal systems may be used provided the applicant shall install sanitary sewer lines, laterals and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made. Sewer lines shall be laid from the house to the street line, and a connection shall be available in the home to connect from the individual disposal system to the sewer system when the public sewers become available.

4121.2 Where sanitary sewers are not reasonably accessible, as determined by the formula found in Section 4.12.01.1, individual disposal systems may be utilized. However, any building lot proposed to be served by an individual on site subsurface sewage disposal system shall contain a minimum area of 40,000 square feet of continuous non-wetland soils. Non-wetland soils do not include soils classified as poorly drained or very poorly drained by the National Cooperative Soils Survey.

4121.3 Where it is proposed to pump waste water from a home to a public sewer line or subsurface sewage disposal system, a backup generator shall be provided for each dwelling, except in a case where such home is also proposed to be served by a private well. The type and design of the backup generator and system shall be approved by the Town Engineer.

4.13 **SIDEWALKS** - Sidewalks are required in the R40, R30, R20, R12 and R9 Zones. Except in the case of private residential streets, sidewalks shall be provided on both sides of all collector streets and on one side of all local and all limited local streets. (Street class shall be as designated by the Commission and/or the Plan of Development.) The Commission may require the provision of a sidewalk in R80 Zones where it is found that such sidewalk will facilitate the transportation of school children. The sidewalk requirement may be waived or varied by a five-sixths vote of the full Commission providing that it is demonstrated that there will be no adverse effect upon the public safety. Any variance or waiver shall also comply with the provisions of Section 1.12.

4.13.02 Pedestrian Accesses - The Commission may require, in order to facilitate pedestrian access from the streets to schools, parks, playgrounds or other nearby streets, perpetual unobstructed easements at least ten (10) feet in width. Easements shall be indicated on the record subdivision map. Such easement areas shall be improved by the applicant at the discretion of the Commission.

4.14 **UTILITIES** - All utilities lines shall be located underground except that the Commission may approve overhead electrical and telephone lines in subdivisions not involving new streets, or where physical conditions make underground installations impractical.

4.14.1 Underground locations shall generally comply with the following:

- i. Sanitary sewers - Center line of street.
- ii. Storm sewers - Edge of street opposite water line.
- iii. Water line - Within right-of-way above and at least 10 feet from sanitary sewer line.
- iv. Electric, telephone and cable TV - Within right-of-way opposite the waterline.

4.14.2 Underground fuel oil distribution systems are prohibited.

4.15 **SOIL EROSION AND SEDIMENT CONTROL PLAN** - Each application submitted under these Regulations shall include measures to minimize soil erosion and sedimentation resulting from land development. Measures for controlling erosion and sediment shall equal or exceed those contained in "Connecticut Guidelines for Soil Erosion and Sediment Control," January, 1985.

4.15.1 Submission of Detailed Plans - If the cumulative disturbed area within a subdivision shall exceed more than one-half acre, erosion and sediment control plans shall be submitted, certified and sites inspected in accordance with the administrative regulations promulgated by the Town Engineer. Such regulations are a part of these Subdivision Regulations and are contained in Appendix C.

4.15.2 Site Grading - When the development of a subdivision plan involves the removal of 100 or more cubic yards of earth material off-site the Commission may employ the provisions of Article II. Section 22.A.1.a. through j. and B.1 through 3. of the Farmington

Zoning Regulations. The Commission may also employ the abovementioned sections of the Farmington Zoning Regulations if a subdivision plan involves the import of 100 or more cubic yards of earth material from off site.

4.16 DRIVEWAYS

4161 Where a lot has access to more than one street the Commission may restrict access to the lot from the less traveled street. The Commission may also prohibit access to one or more streets where it is determined that the establishment of access to such street or streets would adversely affect traffic safety.

4162 The Commission may require a joint driveway between lots having access to a major street or where it is determined that access from one or more lots to a street would adversely affect traffic safety. When common driveways are utilized, the responsibility for maintenance shall be equally shared by benefiting lot owners and clearly shown and noted on the record subdivision map and placed on the deed of each lot.

4163 The Commission may require lots having access to a major street to provide a driveway with sufficient turnaround area to prevent backing of vehicles onto such streets.

4164 All driveways shall contain a concrete or asphaltic concrete driveway apron constructed from the edge of the road pavement to the property lot line.

4165 The maximum grade of a driveway shall be fourteen percent (14%). The transition to this grade shall be gradual with the first twenty (20) feet of the driveway not to exceed an eight percent (8%) grade.

4166 The minimum unobstructed sight distance for a driveway at its intersection with an existing or proposed street shall equal ten (10) times the posted speed limit of the intersected street.

4.17 PROTECTION OF VALUABLE SITE RESOURCES

4171 Subdivision plans shall be designed to minimize adverse impacts upon the natural and man-made resources listed in Section 4.17.02 which are located either on the subject premises or are contiguous thereto. The Commission in an effort to preserve and protect these resources may require the applicant to take one or more of the following actions:

- i. Redesign of a submitted subdivision plan including but not limited to the modification of the road and lot layout, relocation of open space parcels and the reconfiguration of lot lines;
- ii. Reduce the land area per lot, road length and general disturbance to the site by requiring the plan of subdivision to be designed and approved at its discretion as a cluster development (including cluster or open space subdivision) in accordance with Article II. Section 19. of the Farmington Zoning Regulations;

- iii. Establishment of conservation easements upon land contained within the proposed subdivision;
- iv. Regulate the manner in which a building lot is developed. This shall include but not be limited to grading, house and driveway location;
- v. Reduce the total number of building lots.

4.17.2 List of Valuable Site Resources - The provisions of Section 4.17 shall apply to the following list of site resources for which their conservation and protection have been found to promote the general health, safety and welfare of the community:

- i. Land occupied by a farming operation including pastureland; or land consisting of important farmland soils as defined in a report entitled "Important Farmlands- Hartford County Connecticut, United States Department of Agriculture, Soil Conservation Service."
- ii. Sloping land in excess of 15% grade, as calculated by two-foot contour intervals.
- iii. Inland wetlands or watercourses as defined in Section 2. of the Inland Wetlands and Watercourses Regulations for the Town of Farmington.
- iv. Structures or landscapes having historic or cultural value including archeological sites.
- v. Land along ridgelines, defined as areas lying in the upper half of the area above the mean elevation of the subregional watershed in which the subject property is located. The subregional watersheds are defined on maps prepared by the Natural Resources Division of the Connecticut Department of Environmental Protection.
- vi. Existing or proposed public well sites and their respective area of contribution as defined in State Public Act 89-305.
- vii. Established marked trails.
- viii. Land containing existing permanently preserved open space or recreational areas or land containing areas proposed as open space or recreational areas as shown in the Plan of Development.
- ix. Land containing areas of special concern as identified by the Connecticut Natural Diversity Data Base as prepared by the Connecticut Department of Environmental Protection.
- x. Land containing one or more specimen trees, defined as trees having a diameter at breast height of 36 inches or more.

- xi. Land located within any of the A zones as found on the Flood Insurance Rate Maps for the Town of Farmington as prepared by the Federal Emergency Management Agency dated July 17, 1986 and any revision thereto.

4173 Where the Commission finds evidence that any of the resources listed in Section 4.17.02 of this Regulation exist either on or contiguous to the subject property, it may require the applicant to perform a detailed study to assess the impact of the proposed subdivision on such resources. This study shall also indicate recommended measures to mitigate any negative impacts upon such resources.

418 FIRE PROTECTION - Where a subdivision is proposed by the applicant or required by these Regulations to be served by public water, no lot intended to be occupied by a one or two family dwelling shall be approved by the Commission unless such water system proposed to serve the subdivision provides a minimum of 1,000 gallons per minute at 20 p.s.i.. This standard may be reduced by the Commission to a minimum of 750 gallons per minute for conventional subdivisions located within the R40 and R80 Zones provided no dwelling proposed to be built shall exceed 2,000 square feet in floor area excluding the basement and garage.

419 FLOOD PRONE AREAS - Where a subdivision is proposed within a Special Flood Hazard Area, as indicated on the Flood Insurance Rate Map issued by the Federal Emergency Management Agency, the following requirements shall apply:

- i. All subdivision proposals shall be designed to minimize flood damage;
- ii. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage;
- iii. All subdivision proposals shall provide adequate drainage to reduce exposure to flood hazards;
- iv. Base flood elevation data shall be provided by the applicant for all new subdivision proposals greater than fifty (50) lots or five (5) acres, whichever is the lesser. Such data shall be developed utilizing models employed by FEMA;
- v. The development of all subdivision lots shall be in accordance with the provisions contained in the Farmington Zoning Regulations relating to flood protection.

4.19.01 Where a subdivision lies adjacent to or contains a water body or watercourse the Commission may prohibit the installation of basements or require the elevation of basement floors to a height above the elevation of such water body or watercourse.

420 INLAND WETLANDS AND WATERCOURSES - To the greatest degree possible land composed of soils designated as inland wetlands shall be set aside as open space outside of a building lot. The Commission may require the following minimum building setbacks or buffers from any wetland soils or watercourses:

- i. R80 Zone – Fifty (50) feet to poorly drained soils and watercourses. Seventy-five (75) feet to very poorly drained soils;
- ii. R40 and R30 zones – Thirty-five (35) feet to poorly drained soils and watercourses. Seventy-five (75) feet to very poorly drained soils;

- iii. R20, R12 and R9 Zones – Thirty (30) feet to poorly drained soils and watercourses. Sixty (60) feet to very poorly drained soils.

1.20.1 Where a subdivision lies adjacent to or contains an area of inland wetland soils the Commission may prohibit the installation of basements or require the elevation of basement floors to a height above the elevation of such inland wetlands.

1.20.2 Maximum Percentage of Residential Building Lot Area to be Comprised of Wetland Soils or Watercourses. (This provision shall not apply to cluster or open space subdivisions)

- i. In an R80 zone a proposed building lot shall contain within its boundaries a continuous area of 80,000 square feet that must contain the proposed house location and must contain no more than thirty (30) percent of such area as designated inland wetland soils or watercourses;
- ii. In R40 and R30 zones a proposed building lot shall contain a continuous area of 40,000 square feet and 30,000 square feet respectively, that must contain the proposed house location and must contain no more than twenty-five (25) percent of such area as designated inland wetland soils or watercourses;
- iii. In R20, R12 and R9 zones a proposed building lot shall contain a continuous area of 20,000 square feet, 12,000 square feet and 9,000 square feet respectively, that must contain the proposed house location and must contain no more than twenty (20) percent of such area as designated inland wetland soils or watercourses.

1.21 Landscaping Requirements – The Commission may require the submission and implementation of a landscape plan to buffer or beautify a residential subdivision in the following situations:

- i. Where such subdivision is located adjacent to a non-residential zoning district or non-residential land use;
- ii. Where such subdivision is located adjacent to or contains an arterial or collector street;
- iii. Where such subdivision is designed as a cluster or open space subdivision;
- iv. Where such subdivision is approved with the establishment of planting areas as part of a plan to protect, re-establish or create an area of wetlands or a watercourse;
- v. Where a subdivision has been designed to eliminate fifty (50) percent or more of the existing vegetation located on the subject property;
- vi. Where a proposed public or private road or common driveway is located in close proximity to an adjoining property's property line.

APPENDIX A

ADMINISTRATIVE SPECIFICATIONS

STANDARDS FOR MAPS AND PLANS

A.1 GENERAL REQUIREMENTS - The maps and plans required by these Regulations shall show the information and be prepared in accordance with the standards hereinafter specified. All such maps and plans shall be prepared by, and shall bear the name and seal of, a land surveyor and/or engineer licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut. Pertinent survey data and computations shall be presented by the applicant to the Town Engineer for review if requested by him.

A.2 SITE DEVELOPMENT PLAN - The Site Development Plan shall be drawn to a scale of not less than 1" = 100' on a sheet size of 24" x 36". 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 complete a general planning review of the proposed subdivision including its relationship to the future subdivision of contiguous land of the applicant. Eight (8) blue or black line prints shall be submitted. The plan shall show at least the following information:

- i. Title of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Farmington.
- ii. Name of the owner of the land to be subdivided.
- iii. Date, scale, north point, key map at 1" = 1000'.
- iv. Existing and proposed property and street lines; indication of adjoining property lines and street lines for a distance of 200 feet; and the names of all adjacent subdivisions or property owners.
- v. Existing and proposed watercourses and ponds, conservation areas and easements and rights-of-way; base flood elevation data, wetland soils, other land subject to potential flooding; the location and limits of all swamps, floodplains.
- vi. Existing contours at an interval not exceeding two (2) feet based on field or aerial survey and using official Town, State or U. S. bench marks, which shall be noted on the plan.
- vii. Proposed lots and lot numbers, existing and proposed open spaces for parks, playgrounds, stream protection and other open spaces.
- viii. Existing permanent buildings and structures.
- ix. Principal wooded areas.
- x. Ledge outcrops and existing stonewalls and fences within the subdivision.

- xi. Approximate dimensions on all proposed property and street lines; approximate lot area and the total acreage of land included in the subdivision.
- xii. Proposed width of all streets, rights-of-way and easements; the proposed width of all pavement; and proposed street names.
- xiii. Existing and proposed monuments; any municipal boundary line and zoning districts.
- xiv. 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.
- xv. Spot elevations on both existing and proposed roads to indicate tentative grading.
- xvi. The approximate location of any test holes, test pits and borings.
- xvii. 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.

A.3 CONSTRUCTION PLANS - Four (4) sets of blue or black line print plan and profile drawings of all proposed streets, storm drains, sanitary sewers, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs and other structures shall be submitted on a sheet size of 24" x 36", and drawn to a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'. Profile drawings and elevations shall be based on Town, State or U. S. benchmarks or other permanent benchmarks approved by the Town Engineer; the benchmarks used shall be noted on the plan. All construction plans, plans for streets, storm drainage, water supply and other utilities and structures shall be designed by, and bear the seal of, a professional engineer licensed to practice in the State of Connecticut. Plan-profile drawings shall show at least the following information in accordance with good engineering practice and as appropriate for the particular subdivision or re-subdivision:

- i. Title of the subdivision or re-subdivision, date, scale, Town and State.
- ii. For streets, the existing grades at the centerlines and both street lines and the proposed grade at the centerline and both street lines; width of pavement and typical cross section of roads with specifications.
- iii. Depth, invert, slope and size of all pipes, ditches, culverts, manholes, catch basins, headwalls and watercourses; typical ditch and watercourse cross sections.
- iv. Approximate location of lot lines intersecting the street line; lot numbers and street names.
- v. Sidewalks, curbs, gutters and special structures to include streetlights.
- vi. Detail drawings of any bridges, box culverts, deep manholes and other special structures.

- vii. Notation and details on erosion and sedimentation control methods to be employed.

A.4 GRADING PLAN - The area shown on the grading plan may be limited to the portion of the subdivision or re-subdivision affected by the proposed major regrading, cuts, fills, or soil or rock removal. Four (4) blue or black line prints of the grading plan shall be submitted. The grading plan shall be drawn on a sheet size of 24" x 36" and to the scale of 1" = 40' or larger, and shall bear the seal of an engineer licensed to practice in the State of Connecticut. Contours and elevations shall be based on the same benchmarks as provided in Paragraph A.03. The grading plan shall show at least the following information:

- i. Title of the subdivision or re-subdivision.
- ii. Name of the owner of the land to be subdivided.
- iii. Date, scale, north point, Town and State.
- iv. Layout of existing and proposed lot lines and street lines.
- v. Existing and proposed contours at an interval not exceeding two (2) feet based on field or aerial survey.
- vi. Existing and proposed drainage and watercourses.
- vii. Existing permanent buildings and structures, including well and septic locations.
- viii. Location of all test holes, test pits or borings.
- ix. Cross section drawings covering proposed excavation areas.
- x. Notations and details on erosion and sedimentation control methods to be employed.

A.5 RECORD SUBDIVISION MAP - The subdivision map shall be prepared with an accuracy meeting, or exceeding, standards for a Class A-2 Transit Survey as defined by the Connecticut Technical Council, Inc. The map shall be clearly and legibly drawn on a sheet size of 24" x 36" and submitted in eight (8) copies of blue or black line prints. The map shall be drawn to a scale of 1" = 40'. The map shall show the following:

- i. Title of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Farmington.
- ii. Name of the owner of the land to be subdivided.
- iii. Date, scale, north point, Town and State.

- iv. Existing and proposed property and street lines; indication of adjoining property lines and street lines for a distance of 200 feet; and the names of all adjacent subdivisions and property owners.
- v. Existing and proposed watercourses and ponds, conservation areas, easements and rights-of-way; the location and limits of all easements or reservation areas for the protection of swamps, floodplains or other land subject to potential floods, location and limits of wetland soils.
- vi. Proposed lots and lot numbers, existing and proposed open spaces for parks, stream protection and other open spaces; the square footage or acreage of all lots and open spaces, the total acreage of land included in the subdivision and zone designation.
- vii. Existing permanent buildings and structures.
- viii. Dimensions on all lines to the hundredth of a foot; and bearings or deflection angles on all straight lines, and the central angle, tangent distance and radius of all arcs.
- ix. The width of all streets, rights-of-way and easements; street names.
- x. Existing and proposed monuments; any municipal boundary line.
- xi. A location map showing the location of the subdivision in relation to existing streets in the Town at a scale of 1" = 1000'.
- xii. 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.
- xiii. The survey relationship of proposed streets to nearby monumented Town streets or State highways where practical.
- xiv. The error of closure, which shall not exceed 1 in 5000.
- xv. The following signature blocks:

a) Approved by the Town Plan and Zoning Commission of the Town of Farmington on this _____ day of _____, _____. In accordance with Sec. 8-26c. of the Connecticut General Statutes, all work in connection with this subdivision must be completed by _____.

Chairman

b) Water supply and sewage disposal facilities described as follows:

approved this ____ day of _____, _____. For conditions affecting the design, approval or installation of subsurface sewage disposal systems within this subdivision see letter by Farmington Valley Health District dated _____.

Farmington Valley Health District

c) If applicable:

CONDITIONAL APPROVAL by the Town Plan and Zoning Commission of the Town of Farmington granted this ____ day of _____, _____.

Chairman

This approval is conditional on 1) the actual construction, maintenance and installation of any improvements prescribed by the Commission or 2) the provision of a bond as provided in Town Subdivision Regulations and will lapse on _____ unless renewed by the Commission. This approval does not permit the sale of any lot until final approval has been granted by the Commission.

A.6 APPROVED MAPS - Upon approval of the subdivision, final plans shall be submitted as follows:

- i. Record Subdivision Map - 2 sets drawn on mylar drafting film.
- ii. Construction and Grading Plan - 4 blue or black line paper sets.

APPENDIX B

ADMINISTRATIVE SPECIFICATIONS

SANITARY REPORT FOR ON SITE SEWAGE DISPOSAL SYSTEMS

B.1 GENERAL REQUIREMENTS - Where subsurface sewage disposal systems are proposed a Sanitary Report shall be prepared by a professional engineer licensed in the State of Connecticut and submitted to the Farmington Valley Health District. Such report shall contain the following information as required by the Farmington Valley Health District:

- i. General nature and development of surrounding areas shown on map with explanation text.
- ii. Topography and natural drainage pattern.
- iii. Subsurface conditions as shown by subsurface investigation, including soil absorption characteristics, groundwater level conditions, ledge rock and general nature of soil.
- iv. General description of type of development contemplated, noting type of dwelling units and structures, number of families per structure and number of bedrooms per dwelling unit.
- v. Detailed description of proposed sewage disposal facilities, indicated sizes for various ground conditions, material to be used and general layout pattern to be used.
- vi. Special precautions that may be necessary to provide proper functioning of the proposed disposal systems.
- vii. Flood heights of any nearby streams, brooks or rivers.

B.2 TEST RESULTS AND ENGINEERING EVALUATION - The report shall contain results and engineering evaluation of test results based on an extensive subsurface investigation. Investigation shall be made as to whether the soil is suitable for the absorption of septic tank effluent and, if so, how much area is required. The soil must have an acceptable percolation rate, without interference from groundwater or impervious strata below the level of the absorption system.

B.2.1 Technical Standards should be within the range specified in the sanitary regulations as adopted by the Farmington Valley Health District, and enforced by the Farmington Valley Health District. Unless these conditions are satisfied, the area is unsuitable for subsurface sewage disposal systems in a subdivision.

B.2.2 Subsurface Testing shall be performed according to procedures prescribed by the Farmington Valley Health District.

B.3 ENGINEER'S STATEMENT - The report shall contain a statement by the engineer that, in his professional opinion, the area is suitable for the installation of individual sanitary sewage disposal systems of the general type and size described in his report. Any reservations or special conditions considered necessary by the engineer shall be repeated in this portion of his report.

APPENDIX C

ADMINISTRATIVE SPECIFICATIONS

SOIL EROSION AND SEDIMENT CONTROL SPECIFICATIONS FOR LAND DEVELOPMENT

C.1 DEFINITIONS

C.1.1 “Certification” means a signed, written approval by the Farmington Town Engineer, designated agent for the Farmington Town Plan and Zoning Commission, or the Hartford County Soil and Water Conservation District that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

C.1.2 “County Soil and Water Conservation District” means the Hartford County Soil and Water Conservation District established under subsection (a) of Section 22a-315 of the General Statutes.

C.1.3 “Development” means any construction or grading activities to improve or unimproved real estate.

C.1.4 “Disturbed area” means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

C.1.5 “Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

C.1.6 “Grading” means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

C.1.7 “Inspection” means the periodic review of sediment and erosion control measures shown on the certified plan.

C.1.8 “Sediment” means solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion.

C.1.9 “Soil” means any unconsolidated mineral or organic material of any origin.

C.1.10 “Soil Erosion and Sediment Control Plan” means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

C.2 ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN - A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.

C.3 EXEMPTIONS - A single family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.

C.4 EROSION AND SEDIMENT CONTROL PLAN

C.4.1 To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the "Connecticut Guidelines for Soil Erosion and Sediment Control" 1985 as amended. Alternative principles, methods and practices may be used with prior approval of the Town Engineer.

C.4.2 Said plan shall contain, but not be limited to:

- i. A narrative describing:
 - a. The development;
 - b. The schedule for grading and construction activities including: start and completion dates; sequence of grading and construction activities; sequence for installation and/or application of soil erosion and sediment control measures; and sequence for final stabilization of the project site;
 - c. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
 - d. The construction details for proposed soil erosion and sediment control measures and storm water management facilities;
 - e. The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;
 - f. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;
- ii. A site plan map at 1" = 100' or larger scale to show:
 - a. The location of the proposed development and adjacent properties;
 - b. The existing and proposed topography including soil types, wetlands, watercourse and water bodies;
 - c. The existing structures on the project site, if any;

- d. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
 - e. The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - f. The sequence of grading and construction activities;
 - g. The sequence of installation and/or application of soil erosion and sediment control measures;
 - h. The sequence for final stabilization of the development site.
- iii. Such plan shall be prepared by a Professional Engineer registered in the State of Connecticut unless a waiver is granted by the Town Engineer. Such engineer shall certify that the plans as prepared comply with the requirements and objectives of these regulations.
- iv. Any other information deemed necessary and appropriate by the Town Engineer.

C.5 MINIMUM ACCEPTABLE STANDARDS

C.5.1 Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the “Connecticut Guidelines for Soil Erosion and Sediment Control” 1985, as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off site erosion and/or sedimentation.

C.5.2 The minimum standards for individual measures are those in the “Connecticut Guidelines for Soil and Sediment Control” 1985, as amended. The Town Engineer (or the County Soil and Water Conservation District) may grant exceptions when requested by the applicant if technically sound reasons are presented.

C.5.3 The appropriate method from Chapter 90 of the “Connecticut Guidelines for Soil Erosion and Sediment Control” 1985, as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Town Engineer.

C.6 ISSUANCE OR DENIAL OF CERTIFICATION

C.6.1 The Town Engineer (or the Hartford County Soil and Water Conservation District) shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

C.6.2 Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapter 124, 124a or 126 of the General Statutes.

C.6.3 Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.

C.7 CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL

C.7.1 The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a performance bond. Such bond shall be a cash bond accompanied by an agreement acceptable to the Town Engineer.

C.7.2 Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

C.7.3 Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

C.7.4 All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

C.8 INSPECTION

C.8.1 The Town Engineer may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

C.8.2 Where field conditions so indicate, the Town Engineer may require corrective or alternate means of soil erosion and sediment control measures not shown on the certified plan.