

SUBDIVISION



STONINGTON – CONNECTICUT

REGULATIONS

Effective July 1960
As Amended through June 25, 2004
Re-codified April 4, 2006

REGULATIONS PROVIDING FOR STANDARDS OF SUBDIVISION DEVELOPMENT FOR THE TOWN OF STONINGTON, CONNECTICUT

EFFECTIVE DATE: JULY 1960
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TOWN OF STONINGTON SUBDIVISION REGULATIONS
As Amended through June 25, 2004, and re-codified on April 4, 2006

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CHAPTER I

PURPOSE

- 1.1 These Regulations are prepared to further the purposes set forth in Chapter 126, and Chapter 31, Section 13-25 and Chapter 97, Section 7-120 of the General Statutes of the State of Connecticut, as amended, and for the promotion of greater efficiency and economy and coordinated development of the Town and the general welfare and prosperity of its people. It is declared to be the policy of the Commission to consider land subdivision as part of a plan for the orderly, efficient and the economical development of the Town. Accordingly, land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety, proper provision shall be made for water supply, surface drainage and sanitary sewerage, and in areas contiguous to brooks, rivers or other bodies of water subject to flooding, proper provision shall be made for protective flood control measures; proposed roads shall be in harmony with existing roads and existing or proposed principal thoroughfares especially with regard to safe intersections and shall be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs; in places deemed proper by the Commission, adequate access to properties for fire fighting apparatus shall be provided. The number of lots proposed for any area shall not be greater than the number deemed by the Commission to be the maximum number which can be laid out without substantially impairing the health, safety or welfare of inhabitants, with respect to water, drainage, sewerage, flooding, traffic, parks and playgrounds.
- 1.2 These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, regulation, or other provisions of law, or any easement, covenant, or other private agreement or legal relationship. When these Regulations impose restrictions different from those imposed by any other statute, ordinance, covenant, or private agreement or legal relationship, whichever provisions are more restrictive or impose higher standards, shall control.

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CHAPTER II

DEFINITIONS

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

Abutter. (*Adopted June 1, 2004*) The owner(s) of land adjacent to the subject parcel, within a radius of one hundred (100) feet, or a distance prescribed in C.G.S. Section 8-8(a)(1) "aggrieved person", whichever is greater, including land across any road, street, highway, pentway, river (excluding the Pawcatuck and Mystic Rivers), stream, cove, or brook.

Applicant. Any person, firm or corporation, partnership who shall apply to the Commission for approval of a subdivision, as hereinafter defined, either for himself or as an agent for others.

Commission. The Planning and Zoning Commission of the Town.

Cul-De-Sac-Street. A local street open at one end and with special provision for turning around.

Date of Submission. The date of the next regularly scheduled meeting of the Commission or thirty-five (35) days from the date of submission, whichever is sooner.

Dead-End Street. A local street open at one end only with special provision for turning around.

Development for Agricultural Purposes. Includes forestry, but does not include residential use.

Development Plan. The Plan of Conservation and Development of the Town, when and if adopted, in accordance with Chapter 126 of the General Statutes as amended.

Easement. The authorization by a property owner for the use by another.

Final Subdivision Plan. The final map, drawing, or drawings, and all required supporting data upon which the subdivider's plan of subdivision is presented to the Commission for approval and which, if approved, will be submitted to the Town Clerk for recording.

Plan and Profile. The drawing or drawings depicting respectively the horizontal and vertical design for street construction and drainage.

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Preliminary Layout. The preliminary drawing or drawings and all required supporting data indicating the proposed manner and layout of the subdivision to be submitted to the Commission for consideration.

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

Reserve Strip. Land controlling access to an area dedicated or to be dedicated to public use.

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

Street. A street, avenue, lane or any right-of-way (a) dedicated and legally accepted for the purpose of public travel; (b) on a subdivision duly filed or recorded in the Office of the Town Clerk of the Town prior to the grant to the Commission of the power to approve subdivisions, provided that such street shall have been suitably improved to the satisfaction of the Commission, or (c) on a subdivision approved by the Commission.

Street Pavement. The wearing or exposed surface of the roadway used by vehicular traffic.

Street Width. The distance between property lines.

Subdivider. See Applicant

Subdivision. The division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, for sale or building development expressly excluding development for agricultural purposes, and includes resubdivision.

Standard Specifications and Details. The "Regulations and Specifications for Acceptance of Roads by the Town of Stonington," as amended, on file in the Office of the Commission.

These Regulations. The Subdivision Regulations of the Town, and includes amendments thereto.

Town. The Town of Stonington, County of New London, Connecticut.

Traveled Width. The distance between curb faces.

CHAPTER III

PROCEDURE

3.1 Requirement of Approval of Subdivision Plan

- 3.1.1 Subdivision Plan Approval and the Sale of Lots.
All plans for the subdivision or resubdivision of land must be submitted to the Commission for approval and no lot resulting from or affected by the subdivision or resubdivision of any tract or parcel of land shall be sold or offered for sale or use for building development and no building permit for the erection or enlargement of any building on such lot shall be granted without the prior approval of the subdivision or resubdivision plan by the Commission.
- 3.1.2 Purpose of Recommended Preliminary Procedure.
Before submitting an application which must comply with the requirements of these Regulations including requirements for a Final Subdivision Plan, the preliminary procedure recommended in Chapter III, Section 2, should be followed to save time and expense. This is a recommendation and not a requirement. A letter requesting consideration of the application under "Preliminary Layout", Chapter III, Section 2, shall be submitted by the applicant, it being understood that such a request does not constitute an application for the approval of a subdivision plan as required by Section 8-26 of the General Statutes of the State of Connecticut.
- 3.1.3 Filing of Maps – Preliminary Procedure Elected.
If the subdivider elected to submit a "Preliminary Layout" in compliance with the provisions of Chapter III, Section 2, then within one year after the date of action by the Commission on the Preliminary Layout, the subdivider must file four (4) paper prints and one (1) clothback print of the Final Subdivision Plan, together with two paper prints and one clothback print of the Plan-Profiles. The Commission may require the filing of additional copies of the proposed subdivision plan. The Final Subdivision Plan and Plan-Profile shall be, in all respects, in conformity with Chapter IV of these Regulations. If the subdivider shall not have complied with this provision within the year, the proposal shall be deemed to be abandoned.

3.2 Preliminary Layout

- 3.2.1 Application.
The subdivider, hereinafter sometimes called the applicant, may submit to the Commission a proposal, in triplicate, for the consideration of a Preliminary Layout. Six paper prints of the Preliminary Layout plan shall be submitted or such additional copies as the Commission may determine.
- 3.2.2 Technical Reports.
The subdivider shall obtain from a licensed sanitary or civil engineer a written report or reports as to the general feasibility of the following: the proposed water supply, the proposed drainage plan and sewerage disposal in the area to be subdivided, and shall deliver said reports to the Commission. The applicant shall cause to be performed, at his expense, such seepage and other tests under the supervision of the Town Health Officer of the Town or his appointed agent as such Officer may require. The Commission may also require such other reports as are deemed advisable.
- 3.2.3 Check By the Commission.
At the time of the submission of a request for the consideration of a Preliminary Layout and the presentation of such layout, the Commission shall check such request and layout and when the information contained in said request is complete in accordance with these Regulations, the matter shall be placed on the agenda of the next regular public meeting of the Commission, provided the request and layout are received and accepted at least fifteen days prior to such meeting, and provided further, that the subdivider also delivers the necessary reports to the Commission at least ten (10) days before such meeting. If the aforesaid time requirements are not met, the request shall be retained for the next regular public meeting of the Commission. The subdivider shall certify that the information contained in the submission and layout is true and correct and meets the requirements of these Regulations and any other applicable town and/or state regulations. Whenever desirable, the Commission's representative shall examine the site of the proposed subdivision with the subdivider or his authorized representative, prior to said meeting.
- 3.2.4 Notice of the Meeting of Commission. (*Amended June 1, 2004*)
The Commission shall notify the subdivider, prior to said meeting, of the date, time and location of the meeting of the Commission at which the Preliminary Layout is to be considered and the subdivider or his fully authorized representative should attend said meeting unless he has notified the Commission at least one day prior to said

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meeting of his inability to attend. Prior to said meeting, notice to abutting property owners, unless otherwise provided in these regulations, the following notification procedures shall be followed:

- .1 The applicant shall send written notices of the time, date and location of such public hearing to abutting property owners via United States Mail, 15 calendar days prior to said hearing. Where said property owner shall have listed with the Assessor an address outside the United States, the requisite notice shall be sent by International Express Mail, or equivalent. If no public hearing is scheduled, the applicant shall only send a notification that the application has been submitted.
- .2 If a public hearing is held by the Commission, the applicant shall provide the following information, at least five (5) calendar days prior to the date of the initial public hearing regarding the application:
 - .1 Evidence of abutter notification. Such documentation shall be in the form of a notarized statement or in the form of receipts from the Post Office.
 - .2 A list of abutters to whom the notices were sent.
 - .3 A copy of the letter and any enclosures sent the abutters.

3.2.5 Consideration of Preliminary Layout.
At the regular public meeting of the Commission at which the proposal is on the agenda, or at an adjournment thereof, the Commission will consider the Preliminary Layout. All persons who wish to be heard upon said proposal shall be heard at such meeting.

3.2.6 Action by the Commission.
At said meeting, or subsequently, the Commission shall give its preliminary approval, disapproval or conditional approval, of the layout as a basis for the preparation of the Final Subdivision Plan. Approval of the Preliminary Layout by the Commission shall not constitute or require approval of the Final Subdivision Plan nor shall disapproval bar submission of a Final Subdivision Plan for approval.

3.2.7 Notification of Action.
Within fifteen (15) days after action by it, the Commission shall notify the applicant and all adjoining landowners who shall have requested notice, of the action taken by the Commission. Such notice shall be by publication in a newspaper of general circulation

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in the Town and by sending a copy thereof by registered or certified mail to the subdivider on or before the date of publication. Such notice shall be a simple statement that such proposal was approved, modified and approved or disapproved, together with the date of such action.

3.3 Final Subdivision Plan

- 3.3.1 Filing of Maps – Final Subdivision Plan – Preliminary Procedure Not Elected.
Whether or not a subdivider has elected to file a request for consideration of a Preliminary Layout in compliance with Chapter III, Section 2, the applicant may at any time file with the Commission an application in triplicate for the consideration of a Final Subdivision Plan in Compliance with the provisions of these Regulations. Said application shall be made on forms provided by the Commission, shall be signed by the owner of the land to be subdivided and shall be accompanied by the minimum fee. This plan shall be based on an accurate survey and the applicant shall file one transparent tracing cloth print, four (4) paper prints and one clothback print of the Final Subdivision Plan, together with one transparent cloth print, two paper prints and one clothback print of the Plan-Profiles. The Commission may request such additional prints as it deems necessary.
- 3.3.2 Technical Approval of Reports.
The applicant shall obtain from a licensed sanitary or civil engineer a written report of the adequacy of the water supply and sewerage arrangements, and from a licensed engineer and land surveyor of the proposed grades, drainage arrangements and drainage easements as shown on the Plan-Profiles and the Final Subdivision Plan. The applicant shall also obtain from the appropriate source such other reports as the Commission may require. All water supply facilities shall be capable of supplying 300 gallons per day per dwelling unit and the minimum pipe dimension in a community well system shall be six (6) inches exclusive of service connections. The water and sewer requirements of this section shall be waived if public water and sewer service will be furnished as evidenced by a letter from the Water Company and/or Sewer Authority.
- 3.3.3 Check by the Commission.
After the filing of the Final Subdivision Plan, the Commission shall check said Plan and when satisfied that said Plan is in accordance with these Regulations and conforms substantially to the proposed Preliminary Layout, the Commission shall place the matter on the agenda of the next public meeting, provided the Plan and all

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required profiles and reports are received in the proper form at least fifteen (15) days prior to such meeting. If the aforesaid time requirement is not met, the Plan shall be held for the following public meeting of the Commission.

3.3.4 Notice of the Meeting of Commission. (*Amended June 1, 2004*)

The Secretary shall notify the applicant of the date, time and location of the meeting of the Commission at which the Final Subdivision Plan is to be considered at least three (3) days prior to said meeting. The applicant or his authorized representative should attend said meeting. Notice to abutting property owners. Unless otherwise provided in these regulations, the following notification procedures shall be followed:

- .1 The applicant shall send written notices of the time, date and location of such hearing to abutting property owners via United States Mail, 15 calendar days prior to said hearing. Where said property owner shall have listed with the Assessor an address outside the United States, the requisite notice shall be sent by International Express Mail, or equivalent. If no public hearing is scheduled, the applicant shall only send a notification that the application has been submitted.
- .2 If a hearing is held by the Commission, the applicant shall provide the following information, at least five (5) calendar days prior to the date of the initial public hearing regarding the application:
 - .1 Evidence of abutter notification. Such documentation shall be in the form of a notarized statement or in the form of receipts from the Post Office.
 - .2 A list of abutters to whom the notices were sent.
 - .3 A copy of the letter and any enclosures sent the abutters.

3.2.5 Consideration of Final Subdivision Plan.

The Commission will study the Final Subdivision Plan and all accompanying Plan-Profiles, reports and other documents, and any new information or changed conditions which might necessitate alteration of the Plan. All persons who wish to be heard upon any matter relevant to the Commission's action on the Plan shall be heard.

3.2.6 Action By the Commission.

Within sixty-five (65) days from the date of submission of the Final Subdivision Plan or within sixty-five (65) days from the date of a

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public hearing on said Subdivision Plan, the Commission will take action on the Final Subdivision Plan. Such action shall consist of approval, modification and approval, or disapproval of the Plan. Said time limitation may be extended by the Commission upon written approval by the applicant.

- 3.2.7 Signature of Final Subdivision Plan.
Upon approval of a Plan, the Commission shall designate the Chairman or other member to endorse the approval and the date thereof upon the Plan in its behalf. In the event of approval upon certain conditions, the applicable conditions shall be endorsed upon the Plan.
- 3.2.8 Notification of Action.
Within fifteen (15) days after action by the Commission, the Commission shall notify the applicant and all adjoining landowners who shall have requested notice, of the action by the Commission. Such notice shall be by publication in a newspaper of general circulation in the Town and by sending a copy thereof by registered or certified mail to the applicant on or before the date of publication. Such notice shall be a simple statement that such application was approved, modified and approved, or disapproved, together with the date of such action. Any person aggrieved by the official action of the Commission may appeal therefrom within fifteen (15) days of publication of such notice of such official action to the Superior Court.
- 3.2.9 Filing of Plan.
Within ninety (90) days following approval of a Final Subdivision Plan the applicant shall file said Plan with the Town Clerk and pay the necessary filing fees. Any Final Subdivision Plan not so filed shall become void and notice thereof shall be published in a local newspaper with a certified copy to the applicant or his duly authorized representative.
- 3.2.10 Alteration of Final Subdivision Plan.
If the Final Subdivision Plan is altered, changed, erased or revised in any way between the time the Commission's approval is endorsed thereon and the time the Plan is filed with the Town Clerk, the approval shall be void unless the alteration has been approved by the Commission and so indicated on the Plan.

CHAPTER IV

SPECIFICATIONS FOR PRELIMINARY LAYOUTS, FINAL SUBDIVISION PLANS AND PLAN-PROFILES

4.1 Preliminary Layout

- 4.1.1 Preliminary Layouts submitted to the Commission shall be drawings of prints of drawings at a scale of not less than 1"=40' nor more than 1"=100' on sheets either 18" x 24" or 24" x36" in size, and shall contain the following information:
- .1 Names of owners and proposed subdivider, proposed subdivision name and identifying title, location of subdivision, approximate north arrow and scale and date of drawing.
 - .2 Location and approximate dimensions of all existing property lines of the subdivision.
 - .3 Names of present record owners of abutting properties, names and approved dates of abutting subdivisions.
 - .4 Locations of all natural resource features and conditions, such as existing structures, easements, watercourses, wooded areas, and area of all land to be set aside for the playground and park use in accordance with Chapter VIII of these Regulations and in addition, all wetlands and watercourses as defined by the wetland regulations applicable to the Town, all coastal resources as defined in Section 22a-93 of the General Statutes (*Amended 10/11/83*).
 - .5 Approximate contours of the existing surface of land, with intervals adequate to indicate drainage and grades and approximate contours of the proposed surface of land if any change of the surface of the land is contemplated.
 - .6 Location, width and approximate grade of all proposed roads. Proposed elevations shall be shown at the beginning and end of each road, at road intersections and at all points where there exists a decided change in the slope or direction.
 - .7 Proposed lot lines with approximate dimensions and area of all proposed lots including Assessor's map, block and lot numbers.

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- .8 Location and approximate dimensions and area of all proposed property to be set aside for conservation use, playground or park use.
- .9 A reference map at the scale of 1" = 1,000' or 1" = 100' showing the proposed subdivision and tie-in to the nearest street intersection. If the application submitted covers only a part of the applicant's holding, a map which may appear on the same sheet, drawn to the scale in which 1" = 1000' showing an outline of the plotted area with its proposed road system and an indication of a possible future road system for the remaining portion of the tract.

4.2 Final Subdivision Plan

4.2.1 The Final Subdivision Plan submitted to the Commission for approval and filing in the Town Clerk's Office shall be drawn in ink or printed on translucent linen, or any other material approved by the public health records administrator, on a scale of 1" = 20', 1" = 30', or 1" = 40' on sheets 24" x 36" or 18" x 24". Whichever scale is chosen must be maintained throughout the plans, including the A-2 survey, except the index sheet and reference map as required below. When more than one (1) sheet is required an index sheet of the same size, showing the entire subdivision shall be submitted with the Plan. All site plan submissions and all subdivision plans having five (5) or more lots, shall include on mylar transparency a copy of the plan reduced to one 8-½" x 11" sheet, for the purpose of overhead projection. The plan shall show the following information:

- .1 Names of applicant and proposed subdivider, if other than owner, proposed subdivision name and identifying title and location, scale of drawing, with north arrow, date of drawing and name, license number and seal of surveyor and/or civil engineer.
- .2 Location and dimensions of all existing property lines of the subdivision with reference to monuments, pipes, drill holes, foundations or other points of reference of a fixed or semi-permanent nature, and the Assessor's map, block and lot numbers.
- .3 Locations of all natural resource conditions and pertinent features, such as existing structures, inland wetland and watercourse areas, rock exposures, stonewalls, trees,

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easements of record, watercourses, ponds, wooded areas, and areas of all land to be set aside for the playground or park use in accordance with Chapter VIII of these regulations and in addition, all wetlands and watercourses as defined by the wetlands regulations applicable to the Town. Areas to be set aside for conservation use. All coastal resources as defined in Section 22a-93 of the General Statutes.

- .4 Names of present record owners of abutting properties, names and approved date of abutting subdivisions.
- .5 Lines of proposed and existing roads, lots, easements and areas to be dedicated to public use; lengths of all straight lines, adequate data for all curves. All lengths shall be to the nearest tenth of a foot and all angles shall be given to the nearest thirty seconds.
- .6 Area of all lots in square feet. Each lot shall be numbered and its dimensions on all sides given. If a side is a bent or curved line, a single dimension shall, nevertheless, be given in addition to any subordinate dimensions.
- .7 Proposed road names which shall not duplicate already existing names unless an extension thereof.
- .8 Any additional data necessary, together with the aforesaid data, to enable a licensed surveyor to determine readily the location of every street line, lot line, boundary line, and to reproduce such lines upon the ground.
- .9 Where a new road is involved all lots shall have street numbers assigned in accordance with the following system: the left side of the road shall have odd numbers assigned, while the right side shall have even numbers; numbering shall commence from the main road; for every fifty feet of lot frontage one number shall be assigned.
- .10 Certificate under seal of (i) a Connecticut licensed civil engineer as to the adequacy of proposed public improvements and (ii) a Connecticut licensed land surveyor that both the survey and the map conform to the standards of survey and map accuracy respectively of Class A-2 as defined in the "Code of Recommended Practice for Standards of Accuracy of Maps" of the Connecticut Technical Council, Inc.

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- .11 A reference map to the scale of 1" = 1,000' or 1" = 100' showing the proposed subdivision and tie-in to the nearest street intersection. If the application submitted covers only a part of the applicant's holding, a map which may appear on the same sheet, drawn on a scale 1"=1,000' showing an outline of the plotted area with its proposed road system and an indication of a possible future road system for the remaining portion of the tract.
- .12 Submission of a grading plan showing existing and final grades of all lots in the proposed subdivision.
- .13 The location of all test holes shall be indicated by scale on a copy of the Final Subdivision Plan. Percolation tests will be acceptable only if made during the period of February 1 through May 31. For each lot the height of ground water and ledge shall be ascertained. Percolation tests shall be made on each lot on the existing grade if changed. In compliance with the state sanitary code as required and suitable reserve area for leaching purposes shall be indicated on the map.

4.3 Plan-Profiles

- 4.3.1 When new roads or improvements of existing roads are involved in a subdivision, the Final Subdivision Plan shall be accompanied by complete plan-profiles of each such road drawn on a sheet which shall be either 24" x 36" or 18" x 24" in size. The horizontal scale shall be the same as that used in the Final Subdivision Plan. When the horizontal scale of 1"=40' is used, the vertical scale shall be 1"=4'. When the horizontal scale of 1"=100' is used, the vertical scale shall be 1"=10'. Such plan-profiles shall show:
 - .1 Existing ground surface on the center line, the proposed line grade, and existing elevations at both road lines.
 - .2 Elevations at each high and low point.
 - .3 By proper notation, location and elevations of bench marks, based on the U.S.C. & G.S. datum.
 - .4 Grades expressed as percentages.
 - .5 Stations at high and low points, at centerline intersections, and at suitable intervals.

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- .6 Data showing disposition of surface water, water and sanitary sewer pipes (if any), and any other subgrade installations or modifications including sufficient data to permit checking of designs.
- .7 Typical cross-section of each road indicating location, dimensions and materials of proposed paved improvements and utilities.
- .8 Certificates under seal of (i) a Connecticut licensed civil engineer as to the adequacy of proposed public improvements and (ii) a Connecticut licensed surveyor that the Plan-Profiles are substantially correct.

4.4 Certification

A proposed subdivision or resubdivision shall comply with existing local, regional, state or federal standards, requirements, regulations and/or ordinances applicable to said proposed subdivision or resubdivision. Certification that the proposed subdivision or resubdivision complies with the pre-requisite local, regional, state or federal standards, requirements, regulations and/or ordinances shall be submitted in writing by the applicant to the Commission with the application for said proposed subdivision or resubdivision.

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CHAPTER V

INSURANCE, BOND REQUIREMENTS, CERTIFICATE OF USE AND BOND RELEASE

5.1 Insurance

5.1.1 The Subdivider shall file with the Commission, on a form provided by the Town, a general liability insurance policy. This policy shall be of the same term as the Performance Bond and shall be extended in conformance with any extension of the Performance Bond.

5.1.2 The policy shall insure the Town and the Subdivider and shall cover all his operations in the development involving existence and maintenance of property and building and contracting operations of every nature including all public improvements. Said policy shall have the following limits:

Property Damage (including automobile)	
Each Accident:	not less than \$50,000
Bodily Injury (including automobile)	
Each Person:	not less than \$100,000
Each Accident:	not less than \$300,000

5.2 Performance Bond

5.2.1 A Performance Bond in favor of the Town of Stonington, in the form of a certified check, pledge of a bank book fully insured by an agency of the United States Government with irrevocable power of attorney and acknowledged by the bank in which the funds are deposited, or a corporate surety bond, at the discretion of the Commission, shall be posted by the subdivider, to ensure the completion of required improvements and utilities in the event the subdivider shall fail to install same within two (2) years from the date of the bond. The term of the Performance Bond may be extended by the Commission upon approval of a petition from the subdivider to the Commission requesting an extension subject to agreement of such extension by the Surety Company.

5.2.2 In computing the amount of the Bond, the Commission shall include the construction cost of the following items:

- .1 The construction of all required improvements, including storm drainage system, roads and pavements, sidewalks

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and curbs, trees, grading, setting of monuments, and any other requirements made as a condition for subdivision approval, reconditioning of any disturbed portions of the subdivision site and any erosion and surface water run-off controls as set forth in 11.1.5 of these Regulations.

- .2 Estimated costs shall be those that would allow for the Town advertising and awarding a contract for construction of the improvements.
 - .3 Costs shall be projected to a point at the end of the Performance Bond term. Any extension of the term of the Performance Bond may result in an adjustment as to the Bond total.
 - .4 The total estimated cost of the Performance Bond shall also include a 15% addition to cover contingencies and engineering.
- 5.2.3 The Bond Form shall be as provided by the Town and shall be the only one acceptable to the Commission. The amount of Bond shall be the sum which the Commission shall require. The completion date of all required improvements shall be as required by the Commission. The original bond shall have endorsed thereon the approval of Town Counsel. When a subdivision is built, and thus bonded, in sections, approval shall not be granted for subsequent sections, if the time period on a bond for a previous section has elapsed without having had all required work completed to the satisfaction of the Commission unless otherwise ordered by the Commission.
- 5.2.4 Power of Attorney of person signing on behalf of the Surety Company must be attached to the Bond if not already on file with the Commission. If the person acting as attorney for the Surety Company is not a licensed resident agent of the State of Connecticut, then this Bond shall be countersigned by a licensed Connecticut resident agent of the Company. Only a Connecticut licensed Surety Company will be acceptable to the Commission.
- 5.2.5 The signatures of two (2) witnesses are required on the Bond. If the subdivider applicant is a corporation, then the corporate seal must be shown in addition to the seal of the Bonding Company.
- 5.2.6 The Bond must show the Bond number and the name of the Building Company's local agent.

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- 5.2.7 If the applicant is not the owner of the property for which a subdivision plan approval is to be issued, then the applicant and the owner must post Bond.

5.3 Certificate of Use and Compliance

- 5.3.1 Before any lot in an approved subdivision can be conveyed to a prospective buyer by the Subdivider, the Subdivider shall obtain from the Commission a Certificate showing that the utilities to service such lot as required in the subdivision plan have been completely installed and approved and that the proposed street improvements from an existing public right-of-way to and including the entire frontage of such lot have been completed in accordance with town specifications to a stage of construction at which only final surfacing of the road remains to be done before the completion of the road. Such Certificate shall be a form provided by the Commission and shall be delivered by the Commission to the Building Inspector for his information in connection with the issuance of a Certificate of Occupancy of such building. The foregoing road completion requirement may be modified by the Commission in the case of private streets under Chapter XII of these Regulations. Before any Certificate of Use and Compliance is issued after the construction of any building in such subdivision on a lot which fronts on a subdivision road which has not been accepted by the Town as a public road, the subdivider shall complete such road, in accordance with the specifications up to the farther side line of such lot, to a stage in construction at which only final surfacing of the road remains to be done before completion of the road.

5.4 Bond Release

- 5.4.1 Prior to the release of the Performance Bond, the Subdivider and/or owner shall present a Maintenance Bond equal to a least 10% of the initial Performance Bond. Such Bond shall be for a period of one (1) year and shall guarantee the improvements installed.
- 5.4.2 Application for the release of any Bond upon completion of all required improvements shall include the submission of four (4) scale as-built drawings which shall include all changes in the plans as authorized by the Commission during the course of construction. The as-built drawings shall be prepared and signed by a Land Surveyor and/or Professional Engineer licensed in the State of Connecticut showing those items as required in 6.1 of these Regulations.

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CHAPTER VI

REQUIRED IMPROVEMENTS AND DESIGN CRITERIA

6.1 Description

- 6.1.1 The following improvements shall be required in all subdivisions except where waived by a specific resolution of the Commission: Curbs, storm sewers and pavement on proposed streets, as well as curb and pavement between edge of the existing pavement and the new curb line on existing streets which bound or intersect the proposed subdivision. The developer shall also be required to install street lights, street signs, underground wire utilities, monuments, driveway aprons, loam and seeding and shade trees. The Commission may also require the installation of sidewalks and fire hydrants. Such improvements shall be installed in accordance with town, state highway or utility company standards. In any event, no site improvement work including grading shall be started for any contemplated subdivision or resubdivision before the Commission has granted approval of the Final Subdivision plan and until an insurance policy and bond in compliance with Chapter V of these Regulations has been posted. The Commission may accept assurance, in writing, from each utility company whose facilities are proposed to be installed in the subdivision, in lieu of Bond.
- 6.1.2 All construction will be done in accordance with the provisions of these Regulations and with the "Standard Specifications and Details" on file in the Office of the Commission.
- 6.1.3 The "Rules and Regulations of the State Board of Registration for Professional Engineers and Land Surveyors", dated January 1, 1966, and any amendments thereof, shall apply to all technical work done in conjunction with subdivisions. The technical responsibilities of the registered professional engineer and land surveyor in regard to subdivision work are:
- .1 The design of roads, both horizontal and vertical alignment; drainage systems, including the design and location of structures and pipe; sanitary sewer systems; sewerage disposal systems; and water supply and distribution constitute professional engineering and as such shall be sealed by a registered professional engineer. A land surveyor's seal or an architect's seal is not acceptable for this phase of land subdivision design work.

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- .2 The phase of land subdivision which related to topographic maps and the delineation of the boundary lines of the outside perimeter as well as the interior lots and streets constitutes land surveying within the meaning of the statute and as such shall be sealed by a registered land surveyor. A professional engineer's seal or an architect's seal is not acceptable.

6.2 Streets

- 6.2.1 **Layout.**
The street and highway layout shall conform to the Plan of Conservation and Development for streets and highways.
- 6.2.2 **Street Arrangement.**
The arrangement of streets in the subdivision shall provide for the coordination of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. When the topographic or other conditions make such continuance impracticable in the opinion of the Commission the above requirements may be modified.
- 6.2.3 **New Streets.**
Where a subdivision adjoins unsubdivided land susceptible to be subdivided, the Commission may require new streets to be carried to the boundaries of the proposed subdivision. Where proposed streets do not extend to, or are not adjacent to, the boundaries of the tract, they shall be separated from such boundaries by a distance not less than 200 feet. Reservation of title in any land controlling access to streets is prohibited.
- 6.2.4 **Reserved Rights of Way.**
When required by the Commission, the Subdivider shall dedicate to the Town reserved rights of way for future street connections to adjoining property susceptible of being subdivided. Such reserved right-of-way shall be included in an agreement by and between the Town and the developer, and shall include slope rights fifteen (15) feet outside of the street right-of-way. These rights of way shall have necessary radial intersections. Lots adjoining these rights of way shall be so laid out that access to the house or garage shall be over the reserved right-of-way.

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When the adjoining property is subdivided, the developer of said adjoining property shall be required to connect to and build the street over the reserved right-of-way at his own expense.

6.2.5

Street Widths.

Minimum widths for the various street designations shall be as shown in the following table:

DESIGNATION	ZONING CLASS	RIGHT-OF-WAY	PAVED AREA	SERVING
Major Local Connector	B	80 FEET	see note (1)	As a Connecting Street
Major Local Secondary Feeder	C	60 FEET	40 FEET	Through Traffic
Minor Local Feeder	D	50 FEET	30 FEET	Residential Areas
Residential Access	E	50 FEET	22 FEET	No more than 15 dwelling units, with no through traffic potential that can be anticipated

(1) Determined by Commission

Wider streets than those specified above may be required where the Commission deems them to be necessary. Where a subdivision abuts or contains an existing street which does not comply with the specified width requirements, the subdivider shall dedicate the necessary area to the Town for street widening and show such widening on the Final Subdivision Plan. Street designation shall be contingent upon the submission and approval by the Commission of plans for the overall road network for the property being developed.

6.2.6

Block Dimensions.

The maximum length of a block shall be one thousand two hundred (1,200) feet and the minimum length shall be five hundred (500) feet. Special attention shall be given to blocks in industrial and business areas to provide for access to off-street parking and loading areas.

6.2.7

Cul-de-sac Streets.

Where cul-de-sac streets are included in a subdivision, they shall generally not exceed six hundred (600) feet in length. They shall

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be equipped with a turn-around which has a minimum right-of-way radius of sixty (60) feet and a minimum pavement radius of fifty (50) feet. When a cul-de-sac is proposed as a temporary measure pending future development of adjoining property, it shall be so designed as to be feasible for continuation in the adjacent tract.

When there is a possibility of extension of a street, a temporary right-of-way shall be delivered to the Town, before acceptance of the street, for all required improvements, including pavement, grass strip and sidewalks, that fall outside the limits of the required right-of-way.

The developer extending a street from a cul-de-sac shall be required to remove the existing pavement outside of the standard traveled way, loam and seed said area in which the pavement has been removed and install curbs and sidewalks in the original cul-de-sac area in accordance with Town requirements and all at his own expense. As a condition of granting approval of any cul-de-sac street, the developer shall, at the time of application for a final subdivision plan designate the individual portion of the turnaround which upon extension shall become surplus and provide for the automatic reversion of these surplus parcels to the abutting property owner(s). Such revertor clause shall also be inserted by the developer on the final subdivision plan and incorporated into the deed for any lot so affected and to be sold.

A dead end street for the purpose of future development of adjacent property need not have turn-around provisions if it is less than two hundred (200) feet in length, and extends to the boundary of the tract.

6.2.8

Half Streets.

The dedication of half streets at the perimeter of a new subdivision is prohibited. If circumstances render this impracticable, adequate provision for the concurrent dedication of the remaining half of the street must be furnished by the subdivider. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development.

6.2.9

Side Slopes.

Streets in cut or fill shall be provided with slopes not steeper than two (2) feet horizontal to one (1) foot vertical, or the permanence of the street grade shall be otherwise provided to the satisfaction of the Town.

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In all areas where the side slopes are steeper than four (4) feet horizontal to one (1) foot vertical and slope down from the street, Metal Beam Type Guide Rails shall be installed in accordance with the Standard Specifications and Details.

Where new streets abut private property, necessary slope rights shall be obtained by the developer when cut or fill, and these slope rights shall be shown on the subdivision plan submitted to the Commission. The developer shall investigate the effect of fills on adjacent private property within the slope right area. The developer shall provide the Town with evidence that no drainage problems or other problems will arise on adjacent property due to construction or fill operations.

6.2.10 Relation to Topography.

The street of a proposed subdivision shall bear a logical relationship to the topography, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the street. All natural features shall be preserved where so required by the Commission.

6.2.11 Intersections.

No more than two (2) streets shall intersect or meet at any one point and the centerline of all streets entering an intersection shall pass through a single point.

Except where impracticable because of topography or other conditions, all streets shall join each other so that for a distance of at least one hundred (100) feet the street is at approximately right angles to the street it joins.

Grades approaching intersections shall not exceed five (5) percent for a distance of not less than one hundred (100) feet from the center line of said intersection.

Intersections shall be spaced a minimum of five hundred (500) feet apart measured from the points of intersection of the centerlines. Two streets intersecting opposite sides of a third street are to have the same points of intersection or else their center lines are to be separated by a minimum of five hundred (500) feet on a third street.

The subdivision plan shall be submitted to the State Highway Department if a proposed street in the subdivision intersects with a state highway. State Highway Department approval shall be given in writing before Final Subdivision Plan approval shall be given by the Commission.

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For a distance of fifty (50) feet from the point of two intersecting property lines nearest to the street intersection, all planting, screening and grades shall be so designed and maintained as to assure visibility for approaching pedestrian and vehicular traffic. The sight line shall be shown on the map so as to become a permanent property requirement.

6.2.12 Watercourses.

Where a major watercourse separates an existing street from abutting property to be subdivided, provisions shall be made for carrying such watercourse by means of culverts or other structures of design. No existing brook or watercourse shall be changed in regards to location or profile. No brook, watercourse, or drainage ditch shall be walled, filled in or otherwise narrowed down or obstructed or changed, unless permission is first granted by the Town Superintendent of Highways. Any such brook or watercourse may be piped by a property owner provided the size, type and grade of pipe is first approved by the Town Superintendent of Highways. Any new drainage ditch shall be so constructed that it shall have a flat bottom of sufficient width to carry the normal flow of water and shall have sides sloping at a grade of not greater than one foot vertical to one and one-half feet horizontal. Such sides shall be laid in stone, rip-rap fashion or maintained in grass. Streambelt protection measures shall be indicated on the Final Subdivision Plan.

6.2.13 Dedication of Streets.

Approval of Final Subdivision Plan shall not be deemed to constitute or effect an acceptance of any street by the Town. However, the filing of an approved Final Subdivision Plan shall constitute an irrevocable offer of dedication by the owner of the land to the Town.

6.2.14 Maintenance of Unaccepted Subdivision Streets.

The developer shall be responsible for the complete maintenance of all subdivision improvements including snow plowing, street sweeping, drainage and general maintenance until such improvements are accepted by the Town. In the event that the developer fails to comply, the town is authorized through the Town Superintendent of Highways to perform the necessary work, without incurring any liability therefor, and back charge such work to the developer's bond.

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- 6.2.15 **Driveways.**
All driveways shall be provided with paved aprons starting at the property line and ending at the gutter or street face of the curb lines. Aprons shall be of concrete when located between concrete sidewalks and concrete curbs.
- 6.2.16 **Street Signs.**
Street name signs shall be erected at points designated by the Commission and shall be shown on the Final Subdivision Plan. Street signs shall be installed with black lettering on white baked enamel background. The street name shall appear on both sides of each sign. Sign posts shall be the green U channel type and signs shall be affixed with proper assembly brackets.
- 6.2.17 **Vertical Design Criteria.**
The minimum grade of all streets shall be one (1) percent. The maximum grade on major local streets shall be five (5) percent and on secondary local or minor local streets eight (8) percent.
- All changes in grade shall be connected by vertical curves so that clear visibility shall be provided for a minimum stopping sight distance of three hundred (300) feet on minor local streets and three hundred fifty (350) feet on secondary local and major local streets. Vertical curves shall be designed in accordance with AASHO standards for stopping sight distance for sag and crest curves.
- 6.2.18 **Horizontal Design Criteria.**
Where street lines deflect from each other within a block, the inside radius shall be not less than one hundred (100) feet. At street intersections, the property lines shall be on a curve with a radius of fifteen (15) feet in residential streets and twenty five (25) feet on all other streets.
- 6.2.19 **Excessive Cost to the Town.**
Where, in the opinion of the Commission, a subdivision requires undue expenditure by the Town to improve existing town streets which do not conform to the minimum requirements of grade, alignment, width, and construction set forth in these Regulations, the Commission may not approve such subdivision until the Board of Selectmen has recommended such expenditures and such expenditures have been approved by the Board of Finance.

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- 6.2.20 Specifications and Details.
All street improvements shall be constructed in accordance with the standard street specifications found in the Appendix. (Appendix to include: Specifications S1, S2, S3, & S4)

6.3 Lots

- 6.3.1 No land adjacent to the subdivision shall be withheld by the subdivider which is not capable of satisfactory independent subdivision into lots of the size specified. Nor shall there be any fragment of a lot or remainder in the subdivision area of less size than specified for lot dimensions. Fragments and remainders must be incorporated into full-size lots, excluding open space as approved by the Commission pursuant to Chapter X.
- 6.3.2 No lot, regardless of size, which is rendered useless for building due to utility easements, right-of-way, wetlands, watercourses, or topography, shall be shown as building lots on any subdivision. Such property shall be included in adjoining lots.
- 6.3.3 On lots located on the outside of sharp curves and cul-de-sacs the Commission may allow the frontage requirement to be applied at the building line instead of the street line.
- 6.3.4 On corner lots the lot dimensions may be determined from the point of intersection of the two (2) street lines.
- 6.3.5 Side lines of lots shall, insofar as practicable, be either at right angles or radial to street lines; variations from this rule will be made only where it is impractical to so otherwise.
- 6.3.6 Space shall be provided on all lots for off-street parking in accordance with the requirements of the Zoning Regulations.

6.4 Storm Drainage

- 6.4.1 General Hydraulic Design Requirements
- .1 Storm drainage systems constructed under these Regulations shall provide for the proper drainage of the tributary area to the satisfaction of the Commission. The subdivider shall make provisions for the proper elimination of all stagnant water within the limits of the proposed subdivision.
- .2 Storm drains shall be designed for full flow.

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- .3 Storm sewers shall have a minimum pitch of 0.5%. Variation from this requirement may be granted by the Commission if storm sewers are designed with a minimum self-cleaning velocity of three (3) feet per second with full flowing pipes.
- .4 A minimum cover of two and one-half (2½) feet shall be provided for all storm drains.
- .5 No storm drain system shall outlet into a natural watercourse, whether continually flowing or intermittent, so as to exceed the capacity of the watercourse without provisions being made to satisfactorily increase the capacity of the watercourse as required.
- .6 All storm drain system outlets shall be terminated with an approved outlet structure.
- .7 The first inlet in a storm drain system shall be located within three hundred fifty (350) feet of the roadway highpoint. A drainage structure, either an inlet or manhole, shall be provided at three hundred (300) feet maximum intervals on all storm drains with exception of the first inlet. A drainage structure shall also be placed at each grade change along a storm drain, at each change in horizontal direction, and at each junction point of two or more storm drains.
- .8 Underdrain outlets shall be connected to drainage structures whenever practical. When impractical, they shall be terminated with an approved endwall. At all underdrain outlets, a "free outlet" condition shall be provided.
- .9 The minimum pipe size for all storm drain systems constructed under these Regulations shall be 15-inch inside diameter except that culverts in rural areas shall be 18-inch diameter minimum and underdrain shall be 8-inch diameter minimum.
- .10 The following types of pipes shall be used for drainage installations:
 - .1 Reinforced concrete pipes for surface drainage, storm sewer systems and cross culverts.
 - .2 Where clearance is limited by existing utilities pipe arches, or oval pipe will be used.
 - .3 On grades over 10% - use ACCMP.
 - .4 Where uneven support is expected - use ACCMP.

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- .11 A channel or brook right-of-way or easement of sufficient minimum width to include a ten (10) foot access strip on both sides in addition to the width of the channel or brook from bank top to bank top, shall be offered for dedication to the Town for drainage purposes. Channels shall be rip-rapped or paved when deemed necessary by the Commission.
- .12 Drainage easements, outside of street lines, shall be thirty (30) feet wide and shall include wording so as to allow inclusion of other utilities such as water and sanitary sewer. Easements for outlet pipes shall extend to a suitable existing storm drain or an adequate natural watercourse. The center line of the storm sewer is to be installed ten (10) feet from one edge of the right-of-way.
- .13 Where the development streets join existing town streets, the developer must provide drainage at intersections as necessary, or as directed by the Commission.
- .14 The size and location of all private storm drains that connect to the Town storm drain system shall be approved by the Commission prior to installation. A waiver must be filed by the developer with the Commission. The waiver shall relieve the Town of any responsibility for damage resulting from any failure of the storm drainage system. This waiver shall be part of the deed so as to run with the property as to subsequent purchasers.
- .15 Rear yard drains and cellar or foundation drains that are connected to storm drainage systems must be shown on the final approved plan of the drainage system.
- .16 Details of special or unusual drainage structures shall be submitted to the Commission for review and approval before construction.
- .16 Where any proposed lot or lots has its required frontage on an existing town street, and has an existing ditch or waterway along the front of said lot or lots, but within the town right-of-way, the developer, at his expense, shall install a storm water pipe drain, of suitable size and material, necessary catch basins and a curb, to conform with the curb line.

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- .17 All existing watercourses shall be shown on the preliminary and final subdivision plan.

6.4.2 Drainage Design Formulas

- .1 Peak discharges for the design of storm drains shall be derived using the rational method for drainage areas of less than 1,000 acres, where:

$$Q = ciA$$

- Q = peak discharge in cubic feet per second
 C = weighted runoff coefficient in percent
 i = rainfall intensity in inches per hour
 A = gross area tributary to the drain under design expressed in acres

- .2 Peak discharges for the design of storm drains shall be derived using the Burkli-Ziegler Formula for drainage areas of more than 1,000 acres, where:

$$Q = \frac{MRC S^4}{M}$$

- Q = quantity of water culvert or sewer in cubic feet per second
 M = drainage area, in acres
 R = average rate of rainfall in inches per hour
 C = coefficient of run-off. Use 0.5
 S = average slope of ground in feet per 1,000 feet

- .3 Design discharges for major channels and brooks may, with the concurrence of the Commission, be based on a flood hydrograph or flood flow formula type of analysis.

- .4 Hydraulic design shall be based on the Manning Formula:

$$Q = \frac{1.486r^2/3s/2A}{n}$$

- Q = discharge in cubic feet per second
 M = roughness coefficient
 R = hydraulic radius
 C = slope
 S = wetted area of conduit

6.4.3 Design Storm Criteria

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- .1 All storm drainage facilities shall be designed based on the following storm return frequency criteria:
 - .1 Residential drainage systems:
 - Storm Sewers and Minor Ditches - 10 year storm
 - Major Ditches and Channels - 25 year storm
 - .2 Commercial Districts:
 - All Drainage Facilities - 25 year storm
 - .3 Industrial Parks:
 - All Drainage Facilities - 25 year storm
 - .4 In acres designated as flood plain areas the design of the drainage system shall be based on a 100-year flood.
- .2 Rainfall intensities for storm drainage design shall be taken from Plate Number 4-S.
- .3 Time of concentration shall be derived for all storm drains constructed.
- .4 Weighted run-off coefficient shall be derived based on the following criteria:
 - .1 Areas containing roads, roofs, parking lots, sidewalks and driveways - 90%.
 - .2 Areas containing lawns and natural ground - 15% to 40% depending on the slope of the ground.
- .5 Off-site drainage, potential flooding as a result of adjoining flood plains and the ultimate development of adjoining land shall be taken into account in the design of storm drainage systems for the subject site and such computation shall be submitted to the Commission with the application for a proposed subdivision.

6.5 Inspection

- 6.5.1 All Subdivision improvements to be dedicated to the Town shall be inspected by the Commission or such agent as may be designated by the Commission.
- 6.5.2 Inspections shall be made at the following stages of construction:
 - .1 When rough grading is complete.
 - .2 When drainage and all other underground facilities are installed, but prior to any backfilling.

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- .3 During construction of street base courses.
- .4 During construction of bituminous concrete surface and binder courses.
- .5 During the placing of concrete for sidewalks.
- .6 A final inspection shall be made when all improvements are complete, and before acceptance by the Town.

6.5.3 The developer shall not proceed to work on any stage subsequent to the first stage until such inspection has been made by the Commission or its appointed agent, on the preceding stage and approval in writing has been obtained on the preceding stage. At least forty-eight (48) hours notice, excluding Sundays and holidays, shall be given by the developer to the Commission or its appointed agent for each inspection.

6.6 Street Bound Stones

Street bound stones shall be placed at all block corners, at angle points, and the points of curves in streets and at such intermediate points as may be necessary. The location of all street monuments shall be indicated on the final subdivision plan. They shall be installed and their accuracy certified by a registered land surveyor. The monuments shall be made of concrete, and shall be thirty (30) inches in length. The top shall be four (4) inches square with an "H" cast into it. The base shall be six (6) inches square. The monuments shall be set with the top two (2) inches above finished grade.

6.7 Property Corner Markers

Markers shall be installed at all lot corners and lot boundary angle points. Markers must be of permanent material such as iron pins, pipes, concrete monuments, or drill holes in ledge or rock, with the top at or above the ground surface by two (2) inches. The developer must certify to the Commission through a registered land surveyor that such markers have been installed. No bond release shall be made until this certification is received by the Commission.

6.8 State Highway Drains

Where a proposed road or storm drain joins with a state highway or state drain, the applicant shall obtain a permit for such connection from the State Highway Department with a copy of the proposed Plan of Improvements, and said copy, with appropriate notations by the State Highway Department, shall accompany the permit.

6.9 Solar Access Regulations

6.9.1 General Solar Access Statement.

Solar Access: The subdivision shall be designed so that the maximum number of buildings shall receive sunlight sufficient for the operation of solar energy systems for space, water or industrial process heating or cooling.

The subdivision is to include passive solar techniques into the site design to maximize solar heat gain, minimize heat loss and provide for thermal storage within a building during the heating season and to provide minimal heat gain and provide for natural ventilation during the cooling season.

Buildings and new vegetation shall be sited with respect to each other and to the topography of the site so that unobstructed sunlight reaches the south (wall/lot/rooftop) for at least 90% of the buildings between the hours of 8:00 a.m. and 3:00 p.m.

6.9.2 A "shadow plan" shall be submitted with each application for a subdivision involving the construction of a building of over 2,000 square feet or within 50 feet of the property line.

6.9.3 A shadow plan shall consist of a plan indicating building location and the patterns of shadow cast by them given the proposed building height in the zone (See illustration – In Appendix).

6.9.4 General Requirements.

- .1 Accessory Buildings and Uses. No accessory building or structure shall be built on any lot on which there is not a principal building. Accessory buildings in all residential districts shall be subject to the following conditions:
 - .1 No accessory building or structure shall be permitted in any required front yard or any required side yard, with the exception of ground-mounted solar collectors.
 - .2 Accessory buildings or uses in any rear yard shall not be closer than four (4) feet from any side or rear property line.
 - .3 Solar collectors in front or side yards shall not be closer than four feet from any side property line.
- .2 Solar access equipment shall be allowed as follows for each zoning district:

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RESIDENTIAL	SOLAR ACCESS*
GBR-130	South Lot
RC-120	South Lot
RR-80	South Lot
RA-40	South Lot
RM-20	South Wall
RM-15	Roof
RH-10	Roof

COMMERCIAL	SOLAR ACCESS*
All	Roof

INDUSTRIAL	SOLAR ACCESS*
All	Roof

* = Rooftop Access

- .3 Solar Access.
 - .1 Rooftop Solar Access: Solar access for a collector mounted above the eave of a building provided the eave is more than one (1) foot above ground level.
 - .2 South Wall Solar Access: Solar access for a collector mounted on the south wall of a building at ground level.
 - .3 South Lot Solar Access: Solar access for a collector mounted in the ground, at a distance of 20 feet from the south wall of a building.
 - .4 Remote Solar Access: Solar access for a collector mounted on the ground at a distance of at least 50 feet from the building.
 - .5 The total of all accessory buildings or structures shall not occupy more than 40% of the required rear yard wherein they are located.
 - .6 No free-standing accessory buildings or structures shall exceed 15 feet in height unless otherwise permitted.
 - .7 All accessory buildings or structures shall be located at least six (6) feet from any principal building situated on the same lot.
 - .8 Passive solar techniques will utilize the south wall of the dwelling and will be aesthetically compatible with the dwelling.

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6.9.5 Yard requirement shall be modified in order to promote the retention of access to solar energy in all residential zones, pursuant to findings resulting from the review of the shadow plan.

Any modification of yard requirements shall be limited as follows:

Front Yard	A range of 75 feet to 40 feet
Side Yard	A range of 40 feet to 10 feet
Rear Yard	A range of 40 feet to 10 feet

CHAPTER VII

UNDERGROUND UTILITIES

7.1 Water Supply

- 7.1.1 Every proposed lot must be suitable for the installation of an adequate water supply consisting of a drilled well, artesian well or community water supply. The developer shall submit evidence as to the adequacy, quality and quantity of water supply which shall be certified by the Town Health Officer or his designated agent.
- 7.1.2 If the use of a community water supply system is proposed, the subdivider shall submit evidence of approval by the State Department of Health and the Town Health Officer or his designated agent.
- 7.1.3 No permit for a building shall be issued until the water supply system has been approved as noted in 7.1.1 and 7.1.2 above.

7.2 Sanitary Waste Disposal

- 7.2.1 No individual lot septic system for sewage disposal shall be considered by the Commission until the land area in question has been approved by the Town Health Officer or his designated agent as suitable for said system. Percolation tests, soil reports, duplicate field report, and Town Health Officer or his designated agent report must be submitted with the application.
- 7.2.2 It is the responsibility of the subdivider to contact the Town Health Officer or his designated agent of the Town to prove that the lot area is adequate to permit the installation and operation of an individual sewage disposal system. Such proof shall consist of the evidence submitted by the subdivider and the approval of the Town Health Officer or his designated agent of such evidence and after such tests as may be required. The subdivider shall provide the necessary equipment and labor for the making of the tests. When the Town Health Officer's or his designated agent's approval is given, subject to conditions, such conditions shall be noted on the record map.
- 7.2.3 In subdivisions that will have on-site sewage disposal, no development shall take place unless the land is brought up to the minimum standard quality with regards to seepage and percolation tests in conformance with all town health requirements. Minimum standard quality is to be defined as the quality of soil, displaying a

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seepage rate of not greater than thirty (30) minutes per inch in a standard seepage test as defined by the Public Health Code, State of Connecticut.

- 7.2.4 No permit for a building shall be issued until the sanitary waste disposal system has been approved as noted in paragraphs 7.2.1, 7.2.2 and 7.2.3 or written certification has been submitted in the form of a letter from the Sewer Authority that a public sewer service will be available at the time of the construction of individual buildings.

7.3 Wire Utilities

- 7.3.1 Where feasible and at the discretion of the Commission all wire utilities shall be placed underground and street light poles shall be furnished by the developer at his expense in compliance with standards recommended by the public utility company proposing to furnish the service, and as modified by the Town Planner who shall base his determination on the street layout and safety considerations. The location of all underground wire utilities and street light poles shall be indicated on a map submitted with the application for a subdivision.

7.4 Location of Utilities

- 7.4.1 In general all underground utilities shall follow a location as indicated on Plate Number 3-S entitled "Typical Section, Utility Location" of these Regulations.

CHAPTER VIII

OPEN SPACE (Amended 7/15/2003)

8.1 Open Space Dedication

- 8.1.1 Subdivision applications presented for approval to the Planning and Zoning Commission shall provide for 15% of the entire parcel to be dedicated to open space. This requirement does not apply to a resubdivision of a parcel that was previously part of a subdivision which was subject to an approved open space dedication.
- .1 Required open spaces shall be evaluated in terms of their ability to provide areas for: recreational opportunities, wildlife habitat and corridors, preservation of fragile environments such as, but not limited to: tidal and inland wetlands, stratified drift aquifers and primary water sheds of public water supply areas, streambelt areas and open space areas designated by the Plan of Conservation and Development or by the Stonington Conservation Commission, natural or geologic features worthy of preservation, and other such upland areas which significantly contribute to the character of the rural portions of Stonington.
 - .2 Due regard shall be given to the preservation and potential enhancement of existing natural features, large trees and other scenic points.
 - .3 The dedicated open space shall include at least 7.5% of the entire parcel of soil types other than specified in Connecticut General Statutes Section 22a-38.
 - .4 Each open space area, unless otherwise agreed to by the Commission, shall include an access of at least 20 feet in width from a Town or State highway.
 - .5 The configuration and access of the open space shall be submitted to the Conservation Commission for review. The applicant is responsible for submitting the plan to the Conservation Commission within 10 days of application to the Planning and Zoning Commission, and to make such submittal a part of its record.

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- .6 If the proposed open space is not in one contiguous parcel, one parcel of the open space shall be at least 50% of the total proposed open space. The Planning and Zoning Commission, at its discretion, may waive this requirement in the public interest or upon the recommendation of the Conservation Commission.
- .7 When the property line of a subdivision abuts an existing open space or public land, the Commission may require the new open space area boundaries to form a continuation of the existing open space or public land to form a single large unified area.
- .8 Open spaces may, at the discretion of the Commission, be left in their natural state, or may be required to be improved for outdoor recreational purposes.
- .9 Any land or portion of land to be dedicated for open spaces, at the discretion of the Commission, may be required to be graded to properly dispose of surface water, be covered with good topsoil to a depth of four (4) inches and seeded with field grass, have all brush and debris removed and the land left in condition for the purpose approved by the Commission. Such improvement of open space area shall be bonded to assure satisfactory and timely completion.
- .10 A Warranty Deed for such land properly executed in triplicate or other such document as deemed by the Commission to provide an acceptable arrangement for the preservation of the area, shall be provided prior to final approval of the subdivision plan.

8.2 Fee In Lieu of Open Space

- 8.2.1 The Planning and Zoning Commission may accept a fee, or a combination of a fee and land, from an applicant in lieu of the open space required by these regulations after due consideration of the needs of the community. Such fee, or combination of fee and land, shall be based upon 10% of the fair market value of the land to be subdivided, prior to approval of the subdivision.
 - .1 Fair market value shall be determined by an appraiser jointly selected by the applicant and the Commission. The applicant is responsible for all costs associated with the appraisal.

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- .2 The fee-in-lieu of open space is payable in accordance with Section 8-25(a) of the Connecticut General Statutes, and shall be paid when each lot is sold.
- .3 For subdivisions for which a fee-in-lieu of open space has been granted, a note shall be placed on the survey map for the subdivision stating: "A fee-in-lieu of open space of \$"x" was approved by the Planning and Zoning Commission." ("x" equals the agreed upon dollar amount) a like statement shall be placed in the deed recorded in the land records of the Town of Stonington for each parcel of the subdivision.
- .4 The fee shall be made payable to "Treasurer, Town of Stonington," and said fee shall be deposited into an Open Space Land Acquisition Fund, administered by the Conservation Commission.

8.3 Open Space Process

- 8.3.1 The Planning and Zoning Commission shall formally notify the Conservation Commission of each open space proposal contained in subdivision applications, within five (5) business days of submission to the Commission. Notification shall be in the form of a letter from the Planning and Zoning Commission to the Conservation Commission chairman and vice-chairman
- 8.3.2 The Conservation Commission may, at their discretion, make recommendations regarding the, size, fee, maintenance, and ownership of the open space proposal.
- 8.3.3 The Conservation Commission shall review the proposal and determine if this proposal conforms with the Stonington Open Space Plan. The Conservation Commission may recommend an open space set aside the fee in lieu of open space, or a combination of land and a fee.
- 8.3.4 The Planning and Zoning Commission shall not make a decision concerning open space until a response is received from the Conservation Commission. If the response is not submitted within forty five days after transmittal, or prior to the public hearing, whichever is sooner, it shall be presumed that the Conservation Commission does not disapprove of the proposed open space, or fee in lieu thereof.

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CHAPTER IX

REQUIREMENTS AND PRINCIPLES OF SUBDIVISION

9.1 General Principles

- 9.1.1 A proposed subdivision plan shall be reviewed by the Commission for consistency with the public health, safety and welfare.
- 9.1.2 A proposal shall be approved if it meets all the other requirements of these Regulations and when the Commission finds consistency with:
- .1 The land use policies adopted in the Stonington Plan of Conservation and Development and the density carrying capacity of areas as delineated in said Plan.
 - .2 A pattern of land development that minimizes or eliminates non-essential disruption of or adverse impacts on significant natural features. Significant natural features include: tidal and inland rivers, streams, creeks, wetlands and marshes; wildlife habitats; beaches; islands; ponds; aquifer recharge areas; drainage basins for public water supply; and public open space.
- 9.1.3 A proposal for subdivision shall provide complete provisions for protection of the floodway of streams and other lands designated as flood hazard areas.

9.2 Requirements

- 9.2.1 On land contiguous to brooks, rivers or other bodies of water and on land designated as a flood hazard area or designated as tidal or inland wetlands, the following measures shall be taken:
- .1 Specify the type of construction methods for buildings on each lot to be used:
 - .1 Earth fill for lot.
 - .2 Earth fill for foundation only.
 - .3 Piles, posts, piers (steel, wood, masonry).
 - .4 Elevated walls, or pedestals (masonry, concrete).
 - .2 Exclude as a portion of the lot area counted to meet Zoning District lot area requirements any area: below three (3) feet in elevation; any area in a designated "floodway" significant inland or tidal marsh lands; and bogs.

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- .3 Slopes or grading in shoreline and floodway areas shall be no more than a 4:1 slope (4 horizontal to 1 vertical) to limit undercutting of fill areas (2:1 in other zones).
- .4 Filling shall be separated from significant natural areas (as listed in 9.1.2.2 and including marshes, swamps and bogs) by a non-infringement area, where disturbance is not permitted for a distance of 100 feet. Such distance may be reduced by the Commission down to a distance of 25 feet from said significant natural areas, as defined in 9.1.2.2 where the Commission finds no significant adverse impact to said significant natural areas.

The developer shall submit plans and designs, proposed by a licensed engineer for facilities, structures or plantings that indicate how the effects or impacts of the proposal on said natural features are to be reduced to a level where no significant adverse impact results.

- 9.2.2 When the proposed subdivision covers only a part of an existing tract or only a part of the subdivider's contiguous real property, a preliminary plan of the prospective future street system of the remainder of the holdings shall be submitted. In reviewing the proposed subdivision, the Planning and Zoning Commission shall consider both the proposed subdivision and the remaining tract/holdings and their relationship.
- 9.2.3 Where existing or proposed grades or slopes exceed five (5) percent, plans shall include a two (2) foot contour interval for all elevations on the site.

9.3 Gas Pipe Lines

- 9.3.1 A gas pipeline shall be deemed a hazard when carrying an internal pressure in excess of 200 pounds per square inch gauge and/or is located within 40 feet of the property line. To lessen such hazard, the following requirements shall be considered a minimum standard:
 - .1 40 foot building setback from both lines.
 - .2 Wells and septic tank service or feeder lines shall not cross said gas lines.
 - .3 Proposed streets shall cross such pipelines at right angles. In such a street crossing, the pipe shall be a vented casing

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the full width of the right-of-way, and the distance from the top of the casing to grade shall be at least four (4) feet six (6) inches.

9.4 Erosion and Sedimentation Control Plan

9.4.1 Erosion control plans shall include the following information for minimizing the erosion of soil and sedimentation in natural or man-made drainage features both during and after construction:

- .1 Written description of measures to be taken.
- .2 A mapped plan or description of such measures.
- .3 Such description shall include:
 - .1 Location of areas to be stripped.
 - .2 Location of areas to be regraded and existing and proposed grades.
 - .3 Schedule of operations including dates for major phases (clearing, excavation, filling, grading, mulching).
 - .4 Specifics for landscaping, seeding, sodding.
 - .5 Location, design and timing of structural sediment control measures, such as diversions, waterways, grade stabilization structures, debris basins, etc.
 - .6 Maintenance procedures.

9.4.2 The Commission may require modifications to the proposed erosion control plan for any items listed above. Areas filled adjoining significant natural areas (9.1.2.2 including marshlands, bogs, woodland swamps and brush swamps, and wet meadow lands and other low-lying natural habitats) shall have a continuous line of staked hay bales at the lowest points of elevation to prevent siltation or erosion that may destroy them during the construction period.

9.5 Inland Wetland and Watercourses; Tidal Wetlands

The Commission shall require that a subdivider submit a copy of maps and plans to the Stonington Inland Wetlands and Watercourses Commission when the land includes soil types, or watercourses and ponds (proposed or existing) falling within the jurisdiction of the Inland Wetlands and Watercourses Commission. The Planning and Zoning Commission shall refer plans to the Department of Environmental Protection when necessary for a report on tidal areas or proposed structures in their jurisdiction.

9.6 Clustering (Modification)

The Commission shall require that the developer follow the provisions of Chapter X for Clustering (Modification) above six (6) feet of mean sea level when the following conditions exist:

The Commission finds that significant benefit to the public health, safety or welfare can be achieved by a redesigned lot layout and by the provision of open spaces and protection of natural areas. Evidence or basis for such a finding is to be found in one of the following:

- 9.6.1 An application being in significant inconsistency with at least one general requirement and one specific requirement of these Regulations or the Zoning Regulations of the Town.
- 9.6.2 Preliminary findings by the Planning and Zoning Commission that such a modification will be consistent with Chapter X: 10.1, 10.2, 10.3, 10.6, 10.9, AND 10.10.

9.7 Open Space Ownership

The Commission shall require that any open space created by this Chapter be placed in a permanent open space ownership situation by fee transfer and proper development restrictions to the Town of Stonington, a recognized land trust, a home owners' association or existing fire district.

CHAPTER X

MODIFICATIONS (CLUSTERING)

10.1 Purpose

In order to assure better design and to avoid difficulties due to topography, other natural features and the character of the specific area of Stonington, the minimum lot area in any zone may, but need not, be modified. This is achieved by permitting a reduction of lot size from applicable zone requirements and requiring that the total amount of land reduced be set aside as preservation area.

The Planning and Zoning Commission shall, in determining the arrangement of the lots, the dimensions of each lot, the location of open space and/or reserve areas, find the following:

- 10.1.1 The provisions for lots are in harmony with the topographic configuration of the site and the immediate area, and will promote solar energy access.
- 10.1.2 The nature of the surficial material and soil conditions will not be adversely affected by said modifications.
- 10.1.3 Hydrologic conditions of the site and surrounding areas will not be adversely affected.
- 10.1.4 Provisions for open space and/or reserve areas for occupant use are adequate, and provide private spaces, semi-private and community spaces.
- 10.1.5 The internal arrangement of the streets and access to public roads will not adversely affect the traffic patterns of the area and emergency vehicle access.
- 10.1.6 The number, type and density of dwelling units, and the design of the site conforms to this section and other provisions of this regulation and is in the interests of the public welfare.
- 10.1.7 The ownership provisions for the proposed preservation and natural areas will not result in an undue maintenance burden on the Town.
- 10.1.8 The proposed water and sewer provisions for the site are approved by the Town Health Officer.

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- 10.1.9 The existing character of the area in terms of predominant building proportion and form, density and arrangement will not be adversely affected.
- 10.1.10 Any existing inland wetlands, watercourses and tidal wetlands, slopes and floodplains will not be adversely affected.
- 10.1.11 General conformance to the Stonington Plan of Conservation and Development.
- 10.1.12 The proposed Cluster Development subdivision would be more beneficial to the Town of Stonington than development under district zoning regulations.
- 10.1.13 The preservation area resulting from the Cluster Development is of sufficient environmental value to warrant trading permission for Cluster Development in order to acquire such benefit.
- 10.1.14 The applicant has filed with the Planning and Zoning Commission and the Town Attorney a proposed contract for the transfer of the preservation area, that must be executed and filed with the Town Clerk before any zoning or building permits are issued.

10.2 Procedure

As a part of an application to the Planning and Zoning Commission for a Cluster Development, the applicant shall deliver a complete copy of the proposal, including all graphics, to the Conservation Commission for conceptual review.

10.3 Eligible Zones

Zones eligible for Cluster Development are:

GBR-130, RC-120, RR-80, RA-40, RM-20, RM-15, RH-10

10.4 Use Regulations

- 10.4.1 Before computation of land area to qualify as transferable for Cluster Development, the following shall be excluded: muck soil types (Carlisle, Adrian & Palm soils) as true swamps, tidal areas, ponds and watercourses, and such excluded areas are here and after designated as Natural Area.

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- 10.4.2 Section 7.5 of the Stonington Zoning Regulations, "Wetland Proration", shall not apply to Section 6.6.1 of the Stonington Zoning Regulations, "Cluster Development."
- 10.4.3 The minimum lot area for each proposed lot shall not be reduced more than 50% nor less than 25% of the requirements in the Bulk Regulations for the applicable zone.
- 10.4.4 The lot frontage as found in the Bulk Regulations shall not be reduced more than 50% of the minimum required for the applicable zone.
- 10.4.5 In order to qualify for Cluster Development, not less than 50% of the proposed lots shall be reduced in accordance with Section 4.3 above.
- 10.4.6 Rear lots shall not be allowed.
- 10.4.7 Only detached single-family structures shall qualify for Cluster Development.
- 10.4.8 The number of lots in the subdivision shall not be more than normally would be allowed in the Bulk Regulations after the exclusion of all muck soils (Carlisle, Adrian, and Palm soils), marshes, tidal areas, ponds and watercourses. All Cluster Development proposals shall be accompanied by a Class A-2 survey map depicting a standard subdivision proposal with wetland boundary lines drawn as located by a certified soil scientist in order to demonstrate that this requirement has been met.
- 10.4.9 The land transferred as Preservation Area shall not be used for any structures, including structures for active recreation, such as swimming pools, tennis courts, or outfitted playgrounds. Water retention devices such as retention ponds or basins may be, but need not be in Preservation Areas. Construction of pedestrian access trails is permitted.
- 10.4.10 The Preservation Area may be in more than one parcel but a minimum of 50% of the total shall be one contiguous parcel. The Preservation Area shall be 70% non-wetland area, but the non-wetlands may be reduced to 50% with justification regarding the sufficiency of the environmental value of the area. Adjoining Natural Area land shall be included in the total area deeded as Preservation Area.

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- 10.4.11 The conveyance of land transferred as Preservation Area shall be made to a responsible incorporated land conservation organization approved by the Planning and Zoning Commission such as the Avalonia Land Trust or the Nature Conservancy), to the Town of Stonington, or to a homeowners' association.
- 10.4.12 The Planning and Zoning Commission shall require the owner(s) of the Preservation Area to execute, acknowledge and file on the land records of the Town of Stonington such records and documents that, in the opinion of the Town Attorney, will effectively create a Preservation Area that shall:
- .1 Be perpetual.
 - .2 Be enforceable by adjoining property owners or the Town of Stonington by appropriate action in court for damages or equitable relief.
 - .3 Be binding on all future owners of the Preservation Area.
 - .4 Not be affected by any change in zoning or land use.
 - .5 Assure appropriate maintenance of the Preservation Area to the satisfaction of the Planning and Zoning Commission.

10.5 Certificate of Occupancy

No certificate of occupancy shall be issued by the Building Official nor shall the Town accept any street should the Cluster Development be changed in any way from the originally approved design without the applicant having obtained prior approval from the Planning and Zoning Commission.

CHAPTER XI

MISCELLANEOUS PROVISIONS

11.1 Trees, Soil Removal and Roads

- 11.1.1 For the purpose of enhancement of property values, the conservation of land and for erosion control, the preservation and protection of natural features and shade trees throughout the subdivision shall be encouraged, except where they interfere with roads and utilities.
- 11.1.2 Approval of a subdivision by the Commission shall not constitute approval of the removal of soil, topsoil or other excavated material from the premises other than that from the road area, and then only to the depths shown on the approved plan.
- 11.1.3 The land located within a subdivision shall be properly graded and left in a condition which will be free of rubble and debris. The land shall be properly stabilized to eliminate erosion.
- 11.1.4 Street trees shall be planted on both sides of any street to be dedicated to the Town. Trees shall be spaced approximately fifty (50) feet apart subject to the variations made necessary by driveways, street corners and walks, and shall be located a minimum of ten (10) feet from the street line. Trees to be planted shall be 1-1/4" to 1-1/2" in caliber or larger and shall have a minimum height of eight (8) feet. The kind of tree shall be subject to the approval of the Tree Warden who shall not approve low branching trees, trees which are disease bearing or cause damage to sewers, or trees which create a traffic hazard. Where the tree may interfere with utility poles and wires, the Tree Warden may permit the location or required trees within the front ten (10) feet of the proposed lots. Existing trees along the proposed street which conform to these requirements may be substituted for new trees.
- 11.1.5 Soil erosion control measures. The developer shall be required to file a plot plan in duplicate, where required by the Commission, drawn by a Connecticut licensed professional engineer and/or land surveyor to a scale of at least 1"=40' showing contour lines at intervals of two (2) feet and showing measures to be taken for adequate control of soil erosion and siltation. These plans may be referred to the regional office of the U.S. Department of Agriculture, Soil Conservation Service for review and recommendations.

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- .1 Required soil erosion control measures for any land use change except agricultural activity:
 - .1 Topsoil. Only that topsoil which is in excess of the amount of topsoil necessary to cover the disturbed soil to a depth of five (5) inches may be removed from the site.
 - .2 Mulching. Where the slope of the disturbed soil exceeds five (5) percent, a mulch or other suitable substance shall be placed upon the soil until new vegetation has become established.
 - .3 Maintenance. The disturbed soil shall be controlled with suitable structures as determined by the Commission and/or planted with grass or other suitable vegetation as soon as possible and shall be maintained by the developer until control has been established.

11.2 Penalty for Failure to Comply

Any person, firm, corporation, partnership or association making the subdivision or resubdivision of land without full compliance with the Regulations set forth herein shall be liable to a fine of Two Hundred Dollars (200) for each lot sold or offered for sale.

11.3 Amendments

These Regulations may be amended by the Commission at any meeting called for the purpose after a public hearing notice of which shall be given by publication in a newspaper of general circulation in compliance with the requirements of the General Statutes of the State of Connecticut, as amended.

11.4 Validity

Should any section or provision of the Regulations contained herein or as amended hereafter be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Regulations as a whole or any part thereof other than the part so declared to be invalid.

11.5 Enacting Clause, Short Title and Repeal

The Commission acting under authority of the General Statutes of the State of Connecticut, hereby adopts and enacts these Regulations as the "Standards for Subdivision Development for the Town of Stonington." The provisions of the "Subdivision Regulations for the Town of Stonington" heretofore in force and any amendments thereof, so far as they are the same as in these Regulations, are to be deemed continued and not as new enactments. Any and all provisions of said

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Regulations as originally enacted which are inconsistent with the provisions of these Regulations are hereby repealed, but this shall not affect any violations thereof already existing or any penalty incurred and the same may be prosecuted as if these Regulations had not been adopted.

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CHAPTER XII

PRIVATE STREETS

- 12.1 The Commission may approve a subdivision plan providing in whole or in part for private streets, if, in its opinion, it finds that the following conditions have been or will be satisfied:
- 12.1.1 The public convenience does not require and will not be served by public traffic through such subdivision.
 - 12.1.2 The creation of such private streets shall not render land adjoining such subdivision unreasonably inaccessible.
 - 12.1.3 The subdivision map shall show the streets clearly labeled "private streets."
 - 12.1.4 Before any part or lot of the subdivision is sold or offered for sale, the entrance thereto from a public street shall be posted and kept posted with a sign of at least two square feet in size legibly containing the words "private street" or "private road."
 - 12.1.5 Lots abutting on a private street shall be sold subject to a provision which shall be recited in the deed and shall also appear on the subdivision map which shall read substantially as follows:
 - .1 Subdivision Map. "If the private street or streets shown on this plan of subdivision, or any part thereof, are to be accepted by the Town for the benefit of the lot owners on such street rather than the benefits of the Town generally, such private street or streets or part or parts thereof shall first be improved at the sole cost of the affected lot owner or owners, so as to comply with the specifications as contained in the then applicable subdivision regulations relating to public streets or the Town may do so and assess benefits pursuant to Section 13-29 of the Connecticut General Statutes, as amended. Street maintenance will not be provided by the Town unless the street is accepted by the Town.
 - .2 Deed. "The above described premises abuts on a private street. In the event that such a street is offered to the Town of Stonington for acceptance into the public highway system, the lot owner shall be assessed for the benefits accruing to said property and for any improvements necessary in connection therewith."

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- 12.1.6 A reasonable plan or arrangement exists and is intended to be kept in effect for the maintenance and snow plowing of the streets.
- 12.1.7 All streets shown on such subdivision plan shall be sufficient to allow access by emergency vehicles at all times of the year.
- 12.1.8 The streets proposed on the subdivision plan are not immediately and/or reasonably accessible from an accepted town or state highway.
 - .1 Private streets existed in the general tract, of which the subdivision plan is a part, prior to the effectiveness of Subdivision Regulations of the Town, which are being used to serve existing residences.
- 12.2 Private streets on a subdivision plan approved in accordance with provisions of this Chapter shall not receive town maintenance and snow plowing services.
- 12.3 Private streets on a subdivision plan approved in accordance with the provisions of this Chapter shall at all times be open to access by fire, police and other emergency vehicles.
- 12.4 When the Commission approves a subdivision plan containing private streets in accordance with this Chapter, the provisions of Chapter V - Insurance, Bond Requirements, Certificate of Use and Bond Release, Chapter VI - Required Improvements and Design Criteria, shall not be applicable in such subdivision provided, however, that the Commission shall require that all roads laid out on such subdivision shall be at least fifty feet in width unless such road is designed to serve less than ten lots in which case the Commission may allow a street of such width as it deems to be appropriate under the circumstances.

APPENDIX 1

Section 1. Drainage Requirements

- .1 Storm Drainage Design.
 - .1 Pipe. Sufficient pipe shall be installed within the area surrounding the road to carry existing watercourses and to drain any proposed roads and roads which may reasonably be expected to be constructed at some future date on adjoining property. If there will be no substantial danger from soil erosion or danger to the public health and safety, the discharge of large streams in their natural courses and the discharge of storm water and established watercourses in open ditches may be permitted. All pipe shall be of such diameter, not less than 15 inches, or be sufficient to properly carry storm water expected to enter the pipe. No culvert shall properly carry storm water expected to enter the pipe. No culvert shall be laid on less than a 0.5 percent grade. All culvert pipe extending beyond the face of a structure wall shall be cut off flush with face of said wall.
 - .2 Manholes. Manholes shall be provided at each change in direction or grade of the pipe and location shall be reviewed by the Town Superintendent of Highways. Manholes shall be constructed and reviewed by the Town Superintendent of Highways and shall be constructed with a metal ladder as per standard.
 - .3 Catch Basins. Catch basins shall be provided in order that surface water will not travel without interception more than 300 feet on streets with grades up to and including 5% and not more than 200 feet on streets with grades over 5%. All proposed drainage structures shall be reviewed by the Town Superintendent of Highways. All catch basins over 6 feet deep shall be constructed with a metal ladder.
 - .4 Discharge. The discharge of all storm water shall be into an established watercourse. Where the discharge shall be into or through private property, proper easements and discharge rights shall be secured by the applicant for the Town and shall meet with the approval of the Town's Attorney.
- .2 Storm Drainage Construction.

The storm drainage system shall be constructed in accordance with the following standards and procedures.

 - .1 All pipe used shall be of reinforced concrete pipe meeting the Connecticut State Highway Department specifications.
 - .2 Joints. The joints of all pipe shall be pressed tightly together and thoroughly sealed with 1:3 Portland cement mortar. If,

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in the opinion of the Town Superintendent of Highways, it is desirable to have the storm water sewer system function as an underdrain, open joints may be requested and gravel will be used as a backfill around the pipe and at least one (1) foot above the pipe.

- .3 Catch Basins And Manholes. Catch basins and manholes shall be constructed in accordance with the plans and specifications reviewed by the Town Superintendent of Highways.
- .4 Endwalls, Culverts And Bridges. Endwalls, culverts and bridges shall be constructed where required in accordance with good engineering practice and as accepted by the Town Superintendent of Highways.
- .5 Open Ditches. Where open ditches are permitted, the size of the waterway shall be sufficient to convey all water expected to be discharged and shall be suitably stabilized against erosion. The side banks shall be moderately sloped, not less than 1 ½ horizontally to one vertically and then seeded. If, in the opinion of the Town Superintendent of Highways, it will be necessary to slope pave the sides of these ditches, then said work shall be done according to Connecticut State Highway Department specifications.
- .6 Construction Procedure. All pipe shall be laid to line and grade as shown on approved drainage plans and profiles. Line and grade stakes shall be maintained in good order by the petitioner until the work has been inspected by the Town Superintendent of Highways. Three batter boards shall be spaced more than thirty (30) feet apart.
- .7 Inspection. No pipe trench or structure trench shall be back filled until inspected by the Town Superintendent of Highways.
- .8 All pipes and structures shall be thoroughly cleaned before acceptance by the Town.

Section 2. Road Requirements

- .1 Width.

All roads, in order to be accepted by the Town of Stonington, must conform to the following specifications and other requirements of the Town of Stonington Subdivision Regulations:

 - .1 Right-of-way. The width of the right-of-way shall be a minimum of 50' between property lines with corners rounded by curves of at least 20 foot radius. The right-of-way shall be graded full width. See Typical Section. Where the proposed road meets an existing town or state road the radius will not be less than 25'.

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- .2 The traveled path of all roads shall be at least 22' wide. The traveled path shall be centered in the right-of-way.
- .2 Curbs.
Bituminous concrete curbs shall be constructed on each side of the road. All such curbs shall be continuous to catch basins. The curbs shall conform to standards set on Plate 4S. The bituminous concrete shall, in general, conform to the Connecticut State Highway specifications, and shall be laid to line by machine.
- .3 Shoulders.
An area 9' 3" in width in back of the curb shall be excavated to a depth of 13 inches and then back-filled with earth or gravel. No stones larger than 6 inches shall be placed in this backfill.

In a cut and fill section shoulders shall slope toward the center of the road with a cross slope of 1/4" per foot. A 4 to 1 slope shall be used from outside of shoulder to the ground in fills of less than 4 feet. In fills of more than 4 feet, a 1½ to 1 slope shall be used. In cut section earth slope shall be 1½ to 1 and rock slope shall be 1 to 6. No boulders shall appear in the surface of a 4 to 1 slope.
- .4 Trees.
If, in the opinion of the Commission, a slight modification of the shoulder plans would result in the saving of a valuable shade tree, then this may be given approval.
- .5 Sight Distances.
All changes in grades and all street lines deflecting from each other shall be connected by curves of length and radius which meet with the review of the Town Superintendent of Highways. In case of such changes in grade or street lines deflecting except at intersections clear visibility shall be provided for 200'.

Section 3. Road Construction

- .1 Grade.
The grade of the road must provide proper drainage and conform reasonably with of the grade abutting property. The grade shall not be less than one-half of one percent and shall not exceed eight (8) percent.
- .2 Subgrade.
All ledge rock must be removed to a depth of twenty-four inches (24") below subgrade and then backfilled with suitable gravel. All loam shall be scraped and stripped to a depth of twelve inches

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(12") below subgrade and backfilled with gravel and all stumps and roots shall be removed for the full fifty feet (50') of right-of-way. Soft spots, peat, and organic material, shall be excavated to solid bottom and backfilled with stone, tailings or bank run gravel. If ordered by the Town Superintendent of Highways, the above base shall be rolled with a ten-ton roller before placing the gravel subbase. The subgrade shall be graded to a cross section with a cross slope of $\frac{1}{4}$ " per foot or a $4\frac{1}{2}$ " crown.

Inspection is required by the Town Superintendent of Highways before placing any gravel.

.3 Subbase.

Twelve inches of bank run gravel shall be installed under the subgrade unless, as before mentioned, 24" of gravel shall be installed where ledge or rock is encountered. Subbase shall be installed for full width of traveled roadway plus one foot under bituminous curb and rolled with a ten-ton roller. Such bank run gravel shall meet the State Highway Department specifications, Section 2.12 Form 809, as amended.

.4 Processed Gravel Base.

Before any surface is placed, subgrade shall be inspected and grades checked to assure that the full eight-inch required surface shall be placed. This is to be done by the Town Superintendent of Highways. The surface shall consist of 12 inches of processed gravel after compaction. This gravel shall meet the requirements of State Highway Department Specification 3.04--#809 for Rolled Processed Gravel Surface. This surface shall be constructed to a cross section whose cross slope is $\frac{1}{4}$ " per foot and the crown shall be $3\frac{3}{4}$ inches.

.5 Surface Treatment.

The surface treatment season shall be from May 1st through October 31st inclusive. The road surface shall be given two applications of bituminous concrete. The first application shall consist of compacted 2" binder course. Second application shall be compacted $1\frac{1}{2}$ " surface course grading II. Before final acceptance by the Town, any defects shall be repaired.

.6 Notification Of Intent To Pave.

The Town Superintendent of Highways shall be notified at least twenty-four hours in advance of each application of pavement, with the approximate time of paving given.

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.7 Inspection.

All construction shall be inspected by the Town Superintendent of Highways. In the event that he deems it necessary to dig test holes for inspection, notification shall be given to the petitioner and the responsibility for the repair of such holes shall rest with the petitioner.

.8 Construction Survey Procedure.

The center line of the traveled portion of the road shall be located in the center of the right-of-way, or an equal distance from either street line and shall be run in the field by a state licensed land surveyor or a licensed professional engineer and suitable construction ties established at all control points. These ties are to be protected during construction so that the line may be established at any time. Stations shall be established every fifty feet and at all radius points (P.C. and P.T.S.). The beginning of this line shall be designated as station 0+0. A construction stake shall be placed at right angles to each station, clear of construction and grading. This stake will show the station on side facing toward Station 0+0, and on the back the measured distance to center line in feet and inches and on the face nearest to center line, the cut or fill in feet and inches, which will establish the center line grade. A grade list showing the stations, stake elevations offset from centerline, grade, cuts and fills shall be presented to the Town Superintendent of Highways before construction begins by the licensed surveyor or engineer who is to have charge of the engineering of this project. A permanent bench mark and an assumed datum will be shown on the plan at the beginning and end or one every thousand feet, if the project is that long. It is understood that once every year the grade is submitted to the Town Superintendent of Highways, it is his right to check the same at any time during and after construction has ceased and in no case shall it deviate from the original without his consent. Grade stakes shall be protected and preserved at all stations until the road is accepted by the Town. BEFORE PLACING ANY GRAVEL, 48 HOURS NOTICE SHALL BE GIVEN TO THE TOWN SUPERINTENDENT OF HIGHWAYS.

.9 Guide Rails or Single Posts.

Guide rails or single posts meeting the specifications of the Connecticut Highway Department shall be erected where the fill is more than four feet below edge of shoulder or to eliminate undue hazards.

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APPENDIX 2

DETAILS


PLEASE NOTE:

The online version of the Subdivision Regulations do not include Plates 1-S through 4-S

APPENDIX 3

AMENDMENT HISTORY

AMENDMENT DATE	REFERENCE
7/20/1961	Subdivision Regulations Adopted in the Town of Stonington
11/1989	Revision
7/15/2003	PZ0324RA – Regulation Amendment to the Subdivision Regulations Section VII Open Space, for the purpose of adding a fee in lieu of open space provision.
4/4/2006	PZ0614RA – Subdivision Regulation Amendment to re-codify the Subdivision Regulations to a numerical system. No substantive changes were made.

 Does not include all amendments that occurred during this timeframe.

STONINGTON
Department of Planning

