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August 1, 2004	Sec. 2.2(2)a) Sketch Plan (Optional); Secs. 2.3(1)b), 2.3(2) and 2.3(3) Application Procedure and Requirements; Sec. 2.3(7) Submission and Review; Sec. 2.3(9)a) & b) Signing and Recording of Subdivision Plan; Sec. 2.3(10) Phasing/Sectionalizing Subdivision Plans; Sec. 4.1(1)c) General Requirements; Sec. 4.1(3) Unanticipated Field Conditions; Sec. 4.2(5)b) Double Frontage Lots and Access to Lots; Sec. 4.2(6)d)i) Classification; Sec. 4.2(6)d)ii) Collector Street; Sec. 4.3(3)b) Widening and Realignment of Existing Roads; Sec. 4.6(1)a) and Sec. 4.6(1)b) On-Site Sewerage System; Secs. 4.6(2)a)and 4.6(2)e) Public Community Sewerage Systems and Sec. 5.1(2)a) and 5.1(2)c) Performance Bond.
November 1, 2005	Sec. 4.9 Parks, Playgrounds, and Public Area Reservations; Section 4.9(5) Payment of Fees in Lieu of Parks, Playgrounds, and Public Area Reservation and Land Dedication and 4.9(6) Exemption from Open Space Requirement.
February 3, 2006	Sec. 3.4 Digital Data For All Subdivisions
November 1, 2006	Sec. 2.3(3) Notice of Public Hearing

SUBDIVISION REGULATIONS

SECTION 1 - GENERAL PROVISIONS

1.1 Policy

- (1) It is hereby declared to be the policy of the Town of Groton Planning Commission to consider the subdivision of land and the subsequent development of the subdivision as subject to the control of the Town pursuant to State Statutes and the Plan of Development for the orderly, planned, efficient, and economical development of the Town.
- (2) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until proper provision has been made for drainage, water, sewerage, park, recreation or open space improvements, and traffic and circulation systems.
- (3) The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Plan of Development and the Capital Improvement Program, and it is intended that these regulations shall supplement and facilitate the administration of the provisions and standards contained in building and housing codes, Zoning Regulations, and Plan of Development.

1.2 Purposes

These regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and general welfare of the Town.
- (2) To guide the future growth and development of the Town, in accordance with the Plan of Development.
- (3) To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other danger; and to prevent overcrowding of the land and undue congestion of population.
- (4) To protect the character and the social and economic stability of all parts of the Town and to encourage the orderly and beneficial development of all parts of the Town.
- (5) To protect and conserve the value of land throughout the Town and the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
- (6) To guide public and private policy pertaining to the proper subdivision of land so that adequate and efficient circulation, utilities, open space, parks, and other facilities will be provided.
- (7) To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the Town, having particular regard to the avoidance of congestion in the

streets and highways, and to the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and location of building lines.

- (8) To establish reasonable standards of design and procedures for subdivisions and resubdivisions, in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land.
- (9) To insure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- (10) To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the Town in order to preserve the integrity, stability, and beauty of the community and the value of land.
- (11) To preserve the natural beauty and topography of the Town to insure appropriate development with regard to these natural features.
- (12) To provide for open spaces through the most efficient design and layout of the land while preserving the density of land, as established in the Zoning Regulations of the Town.

1.3 Adoption

- (1) By authority of the Planning Commission of the Town of Groton adopted pursuant to the powers and jurisdictions vested through the provisions of Chapter 124 of the General Statutes of the State of Connecticut, as amended, and other applicable laws, the Planning Commission does hereby adopt these regulations and exercise the power and authority to review, approve, modify and approve, and disapprove plans for subdivision or resubdivision of land within the Town which show lots, blocks, or sites with or without new streets or highways.
- (2) By similar authority, the Planning Commission does hereby exercise the power and authority to pass and approve the development of plans for subdivisions and resubdivisions in existence, but not submitted to the Planning Commission for required approval, whether or not shown on an existing map or plan or whether or not conveyances have been made of any of the property included in such subdivisions or resubdivisions.

1.4 Jurisdiction

- (1) These Subdivision Regulations shall apply to all subdivisions of land, as defined herein, located within the Town, except for land located within the City of Groton and the Groton Long Point Association Inc.
- (2) No land shall be subdivided within the Town until:
 - a) The subdivider or his agent has submitted an application and necessary supporting data to the Planning Commission;

- b) Obtained approval of the plan by the Planning Commission; and
 - c) Filed the approved plan with the Town Clerk.
- (3) No building permit shall be issued by the Building Official for any parcel of land which was created by subdivision after the effective date of the provisions of these subdivision regulations, and no excavation of such land or construction of any public or private improvements on such land shall take place or be commenced except in conformity with these regulations.

1.5 Interpretation, Conflict and Separability

(1) Conflict with Public and Private Provisions

a) Public Provisions - The regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, the more restrictive or the higher standards shall control.

b) Private Provisions - These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations that such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.

(2) Separability - If any part or provision of these regulations or application thereof to any person or circumstances is adjudged invalid by any court or competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Planning Commission hereby declares that it would have enacted the remainder of these regulations even without any such part, provision or application.

1.6 Saving Provision

These regulations shall not be construed as:

- (1) Abating any action now pending under, or by virtue of, prior existing subdivision regulations; or
- (2) Discontinuing, abating, modifying any penalty accruing or about to accrue under prior existing subdivision regulations; or
- (3) Affecting the liability of any person under prior existing subdivision regulations; or
- (4) As waiving any right of the municipality under any section or provision existing at the time of adoption of these regulations; or

- (5) Vacating or annulling any rights obtained by any person except as shall be expressly provided for in these regulations.

1.7 Reservations and Appeals

Upon the enactment by an effective date of these regulations in accordance with applicable laws, the Subdivision Regulations of the Town of Groton, Connecticut, adopted November 19, 1956, as amended, are hereby repealed, except such sections expressly retained herein.

1.8 Amendments and Conditions

- (1) Amendments - The Planning Commission may from time to time amend these subdivision regulations, in the manner prescribed by the General Statutes of the State of Connecticut, 1958 Revision, as now or hereafter amended.
- (2) Conditions - The applicant has the duty to comply with reasonable conditions laid down by the Planning Commission for design, dedication, improvement, and restrictive use of the land so as to conform to the purposes herein.

1.9 Resubdivision of Land

- (1) Procedure for Resubdivision - For any resubdivision of land as defined by the Connecticut General Statutes as amended, a map shall be approved by the Planning Commission by the same procedure, rules, and regulations as for a subdivision.
- (2) Procedure for Subdivision Where Future Resubdivision is Possible - Whenever a parcel of land is subdivided and the subdivision plan shows one or more lots containing more than one acre of land, and there is the possibility that the lots could eventually be resubdivided into additional building sites, the Planning Commission may require that the subdivision allow for the future opening of streets and the ultimate extension of adjacent streets or that the plan note that the land can not be further subdivided. Easements providing for the future opening and extension of such streets and a general layout of future lots contained within the parcel may be a requirement of the plan.

1.10 Waiver of Requirements

- (1) General - Where the Planning Commission finds that extraordinary hardships or practical difficulties may result from compliance with these regulations, it may approve waivers to these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such waiver shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Planning Commission shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case that:
 - a) The granting of the waiver will not be detrimental to the public safety, health, or welfare or have a significant adverse effect on other adjacent property;

- b) The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;
 - c) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if these regulations are carried out;
 - d) The waiver will not in any manner conflict with the provisions of the Zoning Regulations, Plan of Development, or regulations of any other Town board or commission.
- (2) Conditions - In approving waivers, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.
 - (3) Procedures - A petition for any such waiver shall be submitted in writing by the subdivider at the time when the subdivision plan is filed for the consideration of the Planning Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. A three-quarters vote of all the members of the Commission shall be required to approve a waiver and the Commission shall state on its record the reasons for granting the waiver.

1.11 Enforcement, Violations, and Penalties

- (1) General
 - a) It shall be the duty of the Planning Commission to enforce these regulations and to bring to the attention of the Town Attorney any violations or lack of compliance herewith.
 - b) No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plan of such subdivision has been approved by the Planning Commission, in accordance with the provisions of these regulations, and filed with the Town Clerk.
 - c) No building permit shall be issued for the construction of any building or structure located on a lot or parcel subdivided or sold in violation of the provisions of these regulations.
- (2) Violations and Penalties - Any person, firm, or corporation making any subdivision of land without the approval of the Planning Commission shall be subject to a fine of not more than \$200 for each lot sold or offered for sale or so subdivided.
- (3) Civil Enforcement - Appropriate actions and proceedings may be taken to prevent any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation, to prevent illegal occupancy of a building structure or premises; these remedies shall be in addition to the penalties described above.

SECTION 2 - APPLICATION PROCEDURE AND APPROVAL PROCESS (Eff:8/1/04)

2.1 General

- (1) All prospective applicants for subdivision approval shall submit an application to the Commission and receive approval by the Commission in accordance with these regulations before any offer is made for the sale of any part thereof, and before any permit for the erection of a structure is granted. If a subdivider wishes, he may elect to submit a sketch plan prior to submission of the subdivision application.
- (2) Official Submission Dates - In all matters wherein a formal application, request or appeal must be submitted to the Planning Commission, the date of receipt of such application, request, or appeal by such Commission shall be the day of the next regularly scheduled meeting of such Commission, immediately following the day of submission to such Commission or its agent of such application, request or appeal, or 35 days after submission, whichever is sooner, as per the Connecticut General Statutes.

2.2 Sketch Plan (Optional)

If the subdivider elects to submit a non-binding sketch plan, the Planning Commission will review it on an informal basis so that information can be exchanged to aid in the preparation of an application.

- (1) Timing and Procedure - A sketch plan will be placed on the Commission's agenda after review by the Planning Department. Every effort will be made to expedite the review.
- (2) Contents - The sketch plan shall include:
 - a) A minimum of four copies of the plan at a scale not greater than 1" = 100', showing lots, easements, roads, open spaces, drainage, contours at 10' intervals, utilities, vicinity map and other information pertinent to the subdivision.
 - b) Any concept sketches previously developed showing alternative layout.

2.3 Subdivision Plan

- (1) Application Procedure and Requirements - The application shall:
 - a) Be made on forms available at the Planning Department together with required fees.
 - b) Include all the information required in Section 3 of these regulations. A minimum of nine copies of plans for applications and twelve copies for applications in Noank are required.
 - c) Be accompanied by evidence of submission of application with the necessary plans and data for a permit to the Connecticut Department of Transportation, where a proposed street or highway joins a state highway or drainage system.

- (2) The Director of Planning and Development shall refer the plan and related documents to all appropriate public agencies for their review, recommendations, and report.
- (3) Notice of Public Hearing - Upon official receipt of the application, the Planning Commission shall call, advertise, and conduct a public hearing in accordance with law for all subdivision applications involving creation of new building lots. All resubdivisions require public hearings. In addition to the above requirements, the following additional notice requirements shall be met for these applications: (Effective 11/1/06)
 - a) Where a public hearing is held on an application for subdivision or resubdivision the applicant shall, at least 10 days but not more than 30 days in advance of the date of the advertised hearing, deposit notice in a Post Office regularly maintained by the U.S. Government, directed to each of the current owners of lots, plots, or parcels located within 150 feet from the boundaries of the subject properties, as such owners and addresses appear on the CAMA database maintained by the Groton Assessor as of the date such notice is mailed.
 - b) The Applicant requesting the subdivision or resubdivision approval shall, on or before the date of the public hearing, or at the start of a continued hearing, if continued for the purpose of receiving said certificate described herein file with the Planning Commission a certificate of mailing documenting compliance with Section 2.3(3) a). Under no circumstances shall said certificate be filed after the close of the public hearing.
- (4) Public Hearing and Determination
 - a) At the public hearing, the Planning Commission shall give an opportunity to any interested persons to examine or comment upon the subdivision plan and construction plans.
 - b) Within 65 days of receipt of an application, in the event no public hearing is scheduled, or within 65 days after closing the public hearing, the Planning Commission shall approve, modify and approve, or disapprove the subdivision application and shall set forth in detail any modifications to which the approval is subject, or reasons for disapproval.
 - c) The period of time stipulated by the Planning Commission for completion of required improvements shall be five years from the date of approval.
- (5) Notice of Determination - Notice of the decision of the Commission shall be published as required by the Connecticut General Statutes.
- (6) Failure to Act - The failure of the Commission to act within 65 days of receipt of the application in the event no public hearing is scheduled, or within 65 days of the public hearing thereon shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand, provided an extension of time is

not granted as per the Connecticut General Statutes.

- (7) Submission and Review - Subsequent to the approval of the application, and after review of check prints by the Director of Planning and Development or his designee, 3 paper copies of the construction plans, 2 mylar copies of the original subdivision plan (one fixed line photo reproducible mylar) and 8 copies of the subdivision plan on paper shall be submitted to the Director of Planning and Development for final review. In addition, all offers of dedication to the Town shall be submitted, including deeds of all streets, land for local government uses, utility easements, parks and other easements, agreements, etc., in a form approved by the Town Attorney and a title certification satisfactory to the Town Attorney. No final approval shall be endorsed until all requirements of the Commission have been met.
- (8) Vested Rights - No vested rights shall accrue to any plan by reasons of any approval until the approval signature has been endorsed on the subdivision plan and it has been filed with the Town Clerk. The burden of compliance with these regulations rests with the owner, applicant, or developer who is executing the plan to insure that all requirements are met and executed.
- (9) Signing and Recording of Subdivision Plan (Eff: 7/8/94)
 - a) Following final review by the Planning Director and Development, the Chairman, Secretary, or their authorized agent shall sign the two reproducible mylar originals of the subdivision plan and eight paper prints of the subdivision plan.
 - b) It shall be the responsibility of the subdivider to record the plan in the Land Records of the Town Clerk in accordance with the time limits prescribed by the Connecticut General Statutes. Any subdivision plan not filed within the prescribed time shall become null and void, except that the Commission may, upon written request by the applicant, extend the time for such filing in accord with Connecticut General Statutes.
- (10) Phasing/Sectionalizing Subdivision Plans - Prior to granting final approval of a subdivision plan, the Planning Commission may permit the plan to be divided into two or more sections or phases and may impose such stipulations upon the sections as it may deem necessary to assure the orderly development of the plan. The Planning Commission may require that the performance bond be in such an amount as is commensurate with the section or phase of the plan and may defer the remaining required performance bond principal amount until the remaining sections/phases of the plan are scheduled for construction.

SECTION 3 - SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

3.1 Final Plan

- (1) General - The final plan shall be an accurate Class A-2 survey, prepared by and containing the name and stamp of a Connecticut licensed land surveyor, be produced at a scale not more than 1" = 40', be prepared in pen or pencil, numbered in sequence if more than one sheet is used and be of such size as is acceptable for filing in the office of the Town Clerk. Subdivisions containing proposed streets or other improvements shall also contain the name and stamp of a Connecticut registered professional engineer, who is responsible for their design.
- (2) Features - The final plan shall show the following:
 - a) The location of property with respect to surrounding property and streets, the names of all adjoining property owners of record, and the names of adjoining streets.
 - b) The location of existing streets, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, parks, cemeteries, drainage ditches, bridges, and other significant features.
 - c) The location and width of all existing and proposed streets, easements, alleys, other public ways, rights-of-way and building setback lines.
 - d) The locations, dimensions, areas, and numbers of all proposed or existing lots.
 - e) The location and dimension of all property proposed to be set aside for park or playground use, or other public or private reservation and conditions, if any, of the dedication or reservation.
 - f) The name of the owner or owners of land to be subdivided and the name of the subdivider if other than the owner.
 - g) The date of the map, approximate true north arrow and scale.
 - h) Sufficient data acceptable to the Director of Public Works to determine readily the location, bearing, and length of all lines, and to reproduce such lines upon the ground and the location of all proposed monuments, iron pins, and drill holes.
 - i) Name of subdivision and all new streets to be approved by the Planning Commission.
 - j) Indication of the use of any lot other than residential proposed by the subdivider.
 - k) Any other information deemed necessary, as determined by the Planning Commission.

3.2 Construction Plans

- (1) General - Construction plans shall be prepared for all required improvements by a Connecticut registered professional engineer. Plans shall be drawn at a scale of no more than 1" = 40', and map sheets shall be of the same size as the subdivision plan. The following shall be shown:
 - a) Profiles showing existing and proposed elevations along center lines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the center line of the existing road or roads within 200' of the intersection shall be shown. Computed radii and length of all curves, lengths of tangents, and central angles on all streets shall be indicated.
 - b) Where steep slopes exist if required by the Commission, cross-sections of all proposed streets at 100' stations shall be shown at five points as follows: on a line at right angles to the center line of the street, elevation points shall be shown at the center line of the street, each property line, and points 25' inside each property line.
 - c) Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins; the location of street trees, street lighting standards, and street signs; the location, size and invert elevations of existing and proposed sanitary sewers, drainage pipes and structures, and fire hydrants, showing connections to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.
 - d) Location, size, elevation, and other appropriate description of any existing facilities or utilities, including but not limited to, existing streets, sewers, drains, water mains, easements, water bodies, streams, other pertinent features such as swamps, railroads, buildings, and features outside the subdivision at the point of connection to proposed facilities and utilities within the subdivision, the water elevations or adjoining lakes or streams at the date of the survey, and the approximate high and low water elevation of such lakes or streams. All elevations shall be referred to the U.S.G.S. datum plane.
 - e) Topographic information with a contour interval of 2', referred to as sea-level datum. All datum provided shall be latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plan.
 - f) All specifications and references required by the Town construction standards and specifications, including a site grading plan for the entire subdivision. Where required by the Planning Commission, said grading plan shall show schematic building locations and grading in relation to the buildings to insure proper drainage of building lots.

- g) Base flood elevation data for all subdivisions greater than either five lots or five acres, located in a flood prone area.

3.3 Erosion and Sediment (E&S) Control Plan (Eff: 8/2/85)

Whenever plans for the proposed subdivision show that it will result in the cumulative disturbance of more than one-half acre of land, the applicant will submit with the subdivision plan an erosion and sediment control plan that presents, in mapped and narrative form, the measures to be taken to control erosion and sedimentation both during and after construction. The E&S plan shall be based on "Connecticut Guidelines for Soil Erosion and Sediment Control", available from the Council on Soil and Water Conservation of the Connecticut Department of Environmental Protection.

- (1) The E&S Control Plan shall include the following:
 - a) A description of the project and construction activities and a schedule of the major activities to be conducted on the land, including the sequence and anticipated timing of major improvement phases such as clearing, grading, paving, installation of drainage features, utilities and the like.
 - b) Location of areas to be regraded, disturbed or stripped of vegetation, contour data indicating existing and proposed grades, and location of wetlands and watercourses.
 - c) Location, design and timing of temporary and final soil erosion and sediment control measures, such as, but not limited to, phasing of construction, haybale dikes, sediment fence, diversions, waterways, stabilization structures, sediment and debris basins, seeding, sodding, revegetation plans and specifications for all unprotected areas, and the like.
 - d) The design criteria used in the design of control measures.
 - e) A description of procedures to be followed to maintain sediment control measures.

The plan shall consider and follow the format and outline as described in Chapter 4, Requirements for Soil Erosion and Sediment Control Plans, of the Connecticut Guidelines for Soil Erosion and Sediment Control (January 1985 and as revised).

- (2) After review of the E&S Control Plan by the Commission or its designee, the Commission shall certify that the plan is in compliance with these regulations. Certification of the E&S Control Plan shall be included in the Commission's vote to approve a subdivision plan.
- (3) The Commission, through its members, agents, and consultants, shall periodically inspect construction projects for which subdivision plans have been approved to verify that E&S controls are consistent with the certified plan.
- (4) The bond required for subdivision improvements shall also cover the costs of E&S control measures prescribed by the E&S plan.

3.4 Digital Data For All Subdivisions (eff. 2/4/06)

- (1) General - The Town has invested significant resources into Computer Aided Drafting and Design (CADD) and Geographic Information Systems (GIS) to further the orderly layout and use of land, insure maintenance of proper legal descriptions, and share data with the public and governmental agencies. The digital data submittal standards herein are intended to assist the Town to receive, process and integrate approved subdivision data into its existing digital data layers to further the intent of the Subdivision Regulations.
- (2) Digital data as described in this section shall be provided to the Planning Department prior to the recording of the final mylars in the land records, provided that plans developed without the use of CADD or GIS software shall be exempt from the requirements of Section 3.4, inclusive.
- (3) Features - The final digital data submittal shall address the following:
 - a.) Submittal of all information shown on the final plan in a digital format, although the Town does not require that a specific layering or level standard be followed.
 - b.) An explanation of how the coordinate system was established if it is not shown or indicated on the final plan.
 - c.) If the submission was developed using Computer Aided Drafting & Design (CADD) or Geographic Information Systems (GIS) software, the following are the requirements for the file types that the Town requires as part of the digital data submittal:
 - The latest version of Autodesk's, AutoCAD software or any earlier version. If the plans were developed by a software package other than AutoCAD the information shall be provided in Drawing Exchange File (DXF) file format.
 - Geographic Information Systems (GIS): ESRI Geodatabase file format (.MDB), ESRI export file format (.E00) or ArcView Shapefile format (.SHP).
 - d.) The Town can accept a number of delivery media types to facilitate the delivery of the digital data required, including:
 - CD-ROM
 - Iomega Zip Disk
 - IBM formatted 3.5" 1.44 MB Floppy diskette

The Town can accept information compressed using PKZIP or WINZip 7.0. The Town will also accept files attached to an email provided the email attachment does not exceed 3 mb in file size. The Town will also receive files over the internet using File Transfer Protocol (FTP) software providing the file size is under 500 mb. The Town will not accept digital files spanned across multiple floppy diskettes.

SECTION 4 - REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS, AND DESIGN

(Eff: 8/1/04)

4.1 General Requirements

- (1) Conformance to Applicable Rules and Regulations - In addition to all requirements established herein, all subdivision plans shall comply with the following:
 - a) All applicable statutory provisions.
 - b) The Town Zoning Regulations, building and housing code, and all applicable Town laws, codes or regulations.
 - c) The Plan of Conservation and Development, Capital Improvement Program of the Town, including all streets, drainage systems, parks, and other items shown on the Plan of Conservation and Development as adopted.
 - d) The rules of the Connecticut Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connecting street.
 - e) The policies and the purposes of these regulations as established in Sections 1.2 and 1.3.
- (2) Plans Abutting or Straddling Municipal Boundaries
 - a) Wherever a subdivision of land is planned, the area of which will abut or include land in two or more municipalities, the Planning Commission shall, prior to granting approval, submit the plan to the Regional Planning Agency for an advisory report, in accordance with Section 8-26b of the Connecticut General Statutes, Revision of 1958, as amended.
 - b) Whenever access to the subdivision is required across land in another local government, the Planning Commission may request assurance from the Town Attorney that access is legally established, and from the Director of Public Works that the access road is adequately improved, and that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines.
- (3) Unanticipated Field Conditions - Where field conditions require additional construction techniques, such as the need for curtain drains to intercept a previously unknown drainage problem which will interfere with a subdivision improvement, the Director of Public Works may require additional measures to be taken. This information shall be relayed by the subdivider to the Director of Planning and Development, whose approval for such additional construction techniques shall be obtained. Failure to take corrective action may result in not issuing any further building permits within the subdivision.
- (4) Property Markings - The applicant shall show the location of all concrete monuments, drill holes, and iron pins on the subdivision plan according to the following requirements:
 - a) Monuments shall be installed on street right-of-way lines, at street intersections and at angle points of curves and block corners. They shall be spaced if possible so as to be within

sight of each other, the sight line being contained wholly within the street line. In addition, concrete monuments shall be installed at the corners of all land to be deeded to the Town. The installation of bronze plaques in ledge or large boulders may be substituted for concrete monuments with the approval of the Town Engineer.

- b) The external boundaries of a subdivision shall be marked in the field by concrete monuments, iron pins or drill holes as specified and required by the Director of Public Works. These markings shall be placed not more than 1400' apart in any straight line, at all corners, at each end of all curves, at the point where a curve changes its radius, and at all angle points in any line.
 - c) All such markings shall be set flush with the proposed finished grade, installed in such a manner that they will not be disturbed, and shall be Town of Groton referenced permanent concrete markers with a brass plug identifying the point.
 - d) All markings shall be properly set in the ground and certified by a Connecticut registered land surveyor on the as-built drawings prior to the time the Planning Commission recommends acceptance of any improvements.
 - e) The corners of all lots shall be identified with iron pins or drill holes in ledge or large boulders.
- (5) Character of Land - Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which could be harmful to the safety, health, and welfare of the inhabitants of the subdivision or its surrounding area, shall not be subdivided or developed unless adequate methods are formulated to solve the problems created by the unsuitable land conditions.
- (6) Energy Efficiency - All subdivisions shall be designed to promote energy efficiency, and site design techniques shall include, but not be limited to: 1) house orientation; 2) street and lot layout; 3) vegetation; 4) natural and manmade topographical features; and 5) protection of solar access within the development. An analysis and report concerning these types of factors shall be submitted if deemed necessary by the Commission.
- (7) Development Free Area - Where the subdivision borders a manmade facility such as an interstate highway or rail line from which the subdivision should be protected, or a natural feature such as an aquifer or wetland, which should be protected from the subdivision, the Planning Commission may require that no structure, including a septic system in the case of an aquifer, wetland, brook, etc., be constructed within a distance of up to 100' of the facility or feature. In such cases, the Planning Commission may also require plantings, berms, screening, fencing, or additional measures to reduce adverse impacts.
- (8) Subdivision and Street Names - The proposed name of the subdivision or streets therein, shall not duplicate or too closely approximate

the names of other streets or subdivisions in the Town. The Planning Commission shall have final authority to designate the name of the subdivision and streets therein.

4.2 Lot Improvements and Configuration

- (1) Lot Arrangement - The lot arrangement shall be such that there will be no foreseeable difficulties in providing for buildable lots from the standpoint of public health, safety, and general welfare.
- (2) Lot Dimensions - Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that the plan note that the land cannot be further subdivided or that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots. Side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the off street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Regulations.
- (3) Lot Configuration - The configuration of each lot shall be laid out generally to approximate a rectangular shape.
- (4) Lot access and frontage shall be as per the Town of Groton Zoning Regulations except that the Planning Commission, at its discretion, may impose special stipulations or requirements to insure that all lots are capable of receiving emergency and regular Town services. In cases where proposed lot design and layout may result in marginal service to lots, the Commission may withhold approval if deemed in the public interest.
- (5) Double Frontage Lots and Access to Lots
 - a) Double Frontage Lots - Double frontage and reversed frontage lots shall be avoided, except where necessary to provide separation of residential development from traffic thoroughfares or to overcome specific disadvantages of topography and orientation.
 - b) Access from Principal and Secondary Thoroughfares - Lots shall not, in general, derive access from a principal or secondary thoroughfare. Where driveway access from a principal or secondary thoroughfare may be necessary for several adjoining lots which cannot be served from an interior road, or which cannot be served from an interior road, or which cannot be served by a frontage service road, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazards on such street.
- (6) Soil Preservation, Grading and Seeding
 - a) Soil Preservation and Final Grading - In all subdivisions with ten or more lots, no streets shall be accepted until final grading has been completed in accordance with the approved final subdivision plan for 60% of the lots in a subdivision or

section thereof where grading is required. At least 4" of topsoil shall be placed and graded on each lot and suitably stabilized.

- b) Lot Drainage - Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed as much as possible to avoid concentration of storm drainage water from each lot to adjacent lots where concentration may negatively impact the adjacent lots and shall be shown on the subdivision plan.
 - c) Lawn-Grass Seed and Sod - Lawn-grass seed shall be sown in accord with suggested practices as outlined in "Erosion and Sediment Control Handbook" 1972, U.S.D.A. All lots shall be seeded from the curb line back a distance of 25' from the right-of-way line. Sod and other suitable stabilization techniques may be substituted for seeding.
- (7) Debris and Waste - No cut trees, timber, debris, junk, rubbish or other waste materials of any kind shall be buried in any lot or left or deposited on any lot, street, or other area within the subdivision unless the disposal area is inspected by the Town Sanitarian and is certified as being safe. Removal of same from a lot shall be required prior to issuance of any Certificate of Occupancy for that subdivision lot. No such material shall be left or deposited in any area of the subdivision at the time of dedication of public improvements.
 - (8) Fencing - Each subdivider and/or developer shall be required to furnish and install fences wherever the Planning Commission determines that a hazardous condition may exist. The fences shall be constructed according to standards established by the Director of Public Works. Fence specifications and details shall be included on the plans. No acceptance of public improvements shall be made until said fence improvements have been duly installed.
 - (9) Waterbodies and Watercourses - If a tract being subdivided contains a waterbody, or portion thereof, lot lines shall be so drawn as to distribute the entire ownership of the waterbody among the fees of adjacent lots. The Planning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the waterbody is assured. No more than 25% of the minimum area of a lot required under the Zoning Regulations may be satisfied by land which is under water. Where a watercourse separates the buildable area of a lot from the street by which it has access, provisions shall be made for installation of a culvert or other structure, of design approved by the Director of Public Works.

4.3 Existing and Proposed Streets

(1) General Requirements

- a) Proposed streets shall be in harmony with existing or proposed roads as shown on the Plan of Development adopted by the Commission, especially with regard to safe intersections and so arranged and of such width as to provide an adequate and

convenient system for present and prospective traffic needs.

- b) In general, lots which will be created as a result of a subdivision shall be served by a public street to insure safety and health.
- c) Access to Accepted Street
 - i) All subdivisions shall have frontage on and vehicular access from an existing Town accepted street, state highway, or street shown on a plan approved by the Planning Commission and recorded in the Land Records of the Town of Groton. In subdivisions containing 25 or more lots, the Commission may require that the development be accessible from two directions.
 - ii) Such street or highway shall be suitably improved so as to provide for safe circulation and shall be capable of accommodating the increased traffic generated by the subdivision.
 - iii) When land fronting on an existing street or an unaccepted street is proposed for subdivision and the street does not meet the construction standards and right-of-way width required by Town standards, the Commission may require dedication of additional right-of-way and construction of improvements by the developer.
- d) Classification - All streets shall be laid out, designed, and constructed in accordance with the following classifications:
 - i) Thoroughfares - Thoroughfare streets are the major arteries in the Town and consist of principal and secondary types which are indicated below:
 - Principal - A major traffic street carrying comparatively long distance, fast moving traffic between communities and defined as a principal thoroughfare in the Plan of Conservation and Development.
 - Secondary - A street designed to carry heavy volumes of intra-town traffic between important points in the Town and defined as a secondary thoroughfare in the Plan of Conservation and Development.
 - ii) Collector Street - A street carrying moderate volumes of traffic and serving areas which do not generate high traffic volumes. These streets provide links between access streets and thoroughfares and are defined as collector streets in the Plan of Conservation and Development.
 - iii) Access Street - A street primarily providing access to individual properties and not likely to be used by traffic other than that having an origin or destination on the street.
 - iv) Village Road - A street whose purpose is to serve a fixed number of lots (dwelling units) which will not overburden the roadway. The primary function of this street is access to property, not traffic movement.

- v) Sub-village Road - A short street such as a cul-de-sac, loop street, or one-way loop, which serves a limited number of properties and which cannot be extended to serve undeveloped areas in the future.
- e) Topography and Arrangement
- i) Streets that are appropriately related to the general topography of the land are encouraged. A combination of steep grades and curves shall be avoided. Specific standards are contained in the design standards of these regulations.
 - ii) All streets shall be properly related to special traffic generators, such as industries, business districts, schools, churches and shopping centers, to population densities and to the pattern of existing and proposed land uses.
 - iii) Access, village, and sub-village roads shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
 - iv) The gridiron street pattern need not be adhered to, and the use of curvilinear streets and loop streets is encouraged, where such use will result in a more desirable layout (see Appendix, Figure 1).
 - v) Proposed streets shall be extended to the boundary line of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the more advantageous future development of adjacent land.
 - vi) Where the Commission determines that the street pattern for a proposed development should connect to an existing, proposed, or previously laid out street or right-of-way, the Commission may require the extension and construction of the street or right-of-way by the applicant to assure a safe, efficient circulation system.
 - vii) In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, walks, parking areas and truck loading and maneuvering areas, and so as to minimize conflict of movement between the various types of traffic, including pedestrian.
- f) Blocks
- i) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block standard shall be permitted when deemed

appropriate by the Planning Commission. Blocks adjacent to major streets, railroads, and waterways are examples where exceptions might be appropriate.

- ii) Block lengths in residential areas shall not exceed 1000' or ten times the minimum lot width required in the zoning district, whichever is less, nor be less than 400' in length, unless specifically permitted by the Planning Commission. Wherever practicable, blocks along thoroughfares shall be not less than 500' in length.
- iii) In long blocks, the Planning Commission may require the reservation of easements through the block to accommodate utilities, drainage facilities, or pedestrian traffic. Such easements shall not be less than 20' wide and shall be improved and dedicated as required by the Planning Commission.
- iv) Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the Planning Commission for prospective use.
- g) Generally, access from lots directly onto principal or secondary thoroughfares shall be discouraged unless specifically authorized by the Commission. The Commission may also require screening or a buffer between lots and thoroughfares where appropriate.
- h) Traffic Control Devices and Signs - The applicant shall provide, at his expense, and install, all traffic control devices and signs required by the Town Traffic Authority prior to acceptance of the street by the Town. Street name signs are to be furnished and installed by the developer at all intersections within or abutting the subdivision, the type and location of which are to be approved by the Director of Public Works.
- i) Reserve Strips - The creation of privately owned reserve strips of land that control access to any part of the subdivision from any land dedicated to the public use, including streets, shall not be permitted.
- j) Continuation of Roads - The arrangement of streets shall provide for the continuation of existing or proposed streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and/or where such continuation is compatible with the Plan of Development. (Eff: 11/1/89)
- k) Dead-end Roads - Permanent dead-end roads in residential subdivisions shall be limited to serving 15 lots and shall not exceed an extreme length of 1,200' (measured to the end of the turnaround right-of-way). A cul-de-sac turnaround shall be provided at the end of all permanent dead-end streets, having a diameter of 110' at the right-of-way line and 90' at the curb line. The Commission may require a center island with a 15' radius which shall be planted as provided by the Planning Commission.

Where a road does not extend beyond the boundary of the property and its continuation is not required by the Planning Commission for access to adjoining property, the Planning Commission may require the reservation of an appropriate easement to adjacent property to accommodate drainage facilities, utilities, or pedestrian traffic.

Where in the opinion of the Commission, a road is likely to be extended in the future, the Commission may allow a temporary dead-end road serving not more than 20 lots and not exceeding an extreme length of 1,500' (measured to the end of the turnaround right-of-way). A temporary turnaround, built to the same standards as for a permanent dead-end road, shall be provided for all temporary dead-end roads, with the notation on the subdivision plan that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. It shall also be noted on the plan that this is a temporary cul-de-sac, designed to be connected in the future to neighboring properties and the road right-of-way necessary to make this connection shall be reserved on the plan and deeded to the Town.

In commercial and industrial park developments, the Commission may approve longer dead-end roads where the potential amount and type of development poses no detriment to the health, safety, and general welfare of the public.

Where no public water is present to serve the subdivision, the Commission may reduce the maximum length of and number of lots served on the cul-de-sac. (Eff: 11/1/89)

(2) Design Standards

- a) General - The design standards for roads contained in Table 1 are hereby required. The Commission has the responsibility of determining the appropriate classifications of the circulation system as per 4.3(1)d) servicing the subdivision, as well as the appropriate width of pavement.
- b) Geometric Design
 - i) The design and surfacing of all streets, roads, and facilities and improvements within the public right-of-way shall be undertaken by the applicant in accordance with all Town standards and the standards and details of the Road and Drainage Construction Standards of the Town. Said design shall be incorporated into the construction plans required to be submitted by the developer for plan approval.-
 - ii) After sewer, water, and utilities have been installed, the applicant shall construct curbs and shall surface the roadways. Adequate provision shall be made for culverts, drains, and bridges.
- c) Excess Right-of-way - Right-of-way widths in excess of the standards designed in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes.

TABLE 1
GEOMETRIC STANDARDS

	Thoroughfare	Collector	Access	Village Road	Road Sub-village
Right-of-way Width	60-100'	60'	50'	50'	40'
Pavement Width	40-44'	34-40'	30'	26'	20'
Max./Min. Grade (%)	6/0.5	7/0.5			
Min. Radius of Curve on Center Line	750-1500'	500'	10/0.5	10/0.5	10/0.5
Min. Sight Distance Stopping/Passing	500'/1700'	300'/NA	200'/NA	200'/NA	200'/NA
Design Speed (MPH)	50	45	30	25	25
Intersection Street Line Curve Radii					
Thoroughfare	35'	30'	25'	25'	25'
Collector	30'	30'	25'	25'	25'
Access	25'	25'	25'	25'	25'

- 1) Village Road standard shall not be considered where there are more than 20 dwelling units having access onto the proposed road or where total through traffic on the road exceeds substantially more than 400 Average Daily Traffic (ADT) (approximately 40 dwelling units). The applicant shall demonstrate that there are at a minimum two off-street parking spaces for each dwelling unit proposed. (Eff: 12/15/89)
- 2) Sub-village Road standard shall not be considered where there are more than 10 dwelling units having access onto the proposed road or where total through traffic on the road exceeds substantially more than 200 Average Daily Traffic (ADT) (approximately 20 dwelling units). The applicant shall demonstrate that there are at a minimum two off-street parking spaces for each dwelling unit proposed. Cul-de-sac roads to which this standard is applied shall not exceed a length of 450'. (Eff: 12/15/89)
- 3) Grades up to 10% may be used but not for a distance greater than 500 feet.

- d) Railroads and Limited Access Highways - Railroad rights-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as per the following:
 - i) In districts zoned for business, commercial, or industrial uses, the nearest street extended parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
 - ii) Streets parallel to the railroad and limited access highway, when intersecting a street which crosses a railroad at grade shall, to the extent practicable, be at a distance of at least 150' from the railroad right-of-way.
- e) Intersections
 - i) Streets shall be laid out so as to intersect as nearly as possible at right angles. No more than two streets shall intersect in close proximity to any one point along a roadway so as to create a safety hazard.
 - ii) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing or proposed intersections on the opposite side of such street. Street jogs with center-line offsets of less than 150' shall not be permitted except where the intersected street has separated lanes without median breaks at either intersection (see Appendix). Intersections of thoroughfares shall be at least 1000' apart.
 - iii) At intersections of streets, the rights-of-way shall be joined by curves with not less than 25' radius and minimum length of tangent of 25' for sub-village roads, village roads, and access streets; 30' for collector streets; and 35' for thoroughfares.
 - iv) Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a 2% slope for a distance of 50', measured from the nearest right-of-way line of the intersecting street.
 - v) Where any street intersection or driveway access will involve earth banks or existing vegetation that would create a traffic hazard by limiting visibility, the developer shall remove such ground and/or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

- f) Bridges and Other Improvements - Bridges and other improvements of primary benefit to the applicant, as determined by the Planning Commission, shall be constructed at the expense of the applicant without reimbursement from the Town.

(3) Road Dedication and Reservations

- a) Reservations - The Commission may require the reservation of the full right-of-way for any existing or proposed street and may require the construction of all or part of the facilities within the right-of-way required for the appropriate classification.
- b) Widening and Realignment of Existing Roads - Where a subdivision borders an existing road or when the Plan of Conservation and Development indicates or the Commission determines a need for realignment or widening of a road that would require use of some of the land in the subdivision, the applicant may be required to improve and dedicate at his expense such areas for widening or realignment of such roads. Such frontage roads and streets shall be improved and dedicated by the applicant at his own expense to the full width as required by these Subdivision Regulations, provided that if the applicant owns land on only one side of said road, he need only realign that side and only provide one-half the necessary width. Land reserved for any road purpose may not be counted in satisfying yard or area requirements of the Zoning Regulations, whether the land is to be dedicated to the Town in fee simple, or an easement is to be granted to the Town.
- c) Perimeter Streets - No new perimeter half streets shall be permitted in new subdivisions (see Appendix, Figure 4).

4.4 Drainage, Storm Sewers, and Flood Prevention

(1) General Requirements

- a) The Planning Commission shall not approve any plan of subdivision which does not make adequate provision for storm or flood water runoff control. The storm water management system shall be separate and independent of any sanitary sewer system and shall, wherever possible, utilize techniques designed to recharge ground water, minimize downstream flooding, etc.
- b) Storm sewers, where required, shall be designed in accordance with the Town Road and Drainage Construction Standards and a copy of design computations shall be submitted along with plans.
- c) Inlets shall be provided so that surface water is not carried across or around any intersections, nor for a distance of more than 350' in the gutter. When capacities are exceeded at a point, catch basins shall be used to intercept flow at that point.

(2) Nature of Storm Water Facilities

- a) Location - The applicant may be required by the Planning Commission to carry away by pipe or open ditch any spring or surface water that may have existed previous to or may result from the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the Town Road and Drainage Construction Standards.
- b) Accessibility to Public Storm Sewers - If a connection to a public storm sewer will be provided eventually, as determined by the Director of Public Works and the Planning Commission, the developer shall make arrangements for future storm water disposal at the time the plan receives approval. Provision for such connection shall be incorporated in the performance bond required for the subdivision plan.
- c) Accommodation of Upstream Drainage Areas - A culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area whether inside or outside the subdivision. The Director of Public Works shall determine the necessary size of the facility, based on applicable construction standards and specifications assuming conditions of maximum potential watershed development permitted by the Zoning Regulations.
- d) Effect on Downstream Drainage Areas - The applicant shall study the effect of the subdivision on existing downstream drainage facilities outside the area of the subdivision. Where it is anticipated that the additional runoff incidental to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission may require the developer to take steps to minimize the impact on downstream properties.
- e) Flood Prone Areas
 - i) If a proposed subdivision is in a flood prone area, (1) it shall be consistent with the need to minimize flood damage within the flood prone area; (2) all public utilities and facilities, such as sewer, gas, electric, and water systems, shall be located and constructed to minimize and eliminate flood damage; and (3) adequate drainage shall be provided to reduce exposure to flood hazards.
 - ii) Flood prone areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps (refer to Section 3.2(1)g)).
 - iii) All subdivisions greater than five lots, located in a flood prone area, shall include base flood elevation data.

(3) Dedication of Drainage Easements

- a) General Requirements - Where a subdivision is traversed by a watercourse or drainageway, a storm water easement or drainage right-of-way may be required which conforms to the lines of such watercourse or drainageway and is adequate for retaining potential drainage flows within the easement or right-of-way. Wherever possible, drainage should be contained by an open channel with landscaped, gently sloping banks (See Appendix, Figure 7).
- b) Drainage Easements
 - i) Where topography or other conditions make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least 20' in width for such drainage facilities shall be provided across property outside the road right-of-way and with satisfactory access to the road. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
 - ii) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plan at no cost to the Town. Said rights may be required to be deeded to the Town.
 - iii) Where necessary for drainage or protection of watercourses, the Commission may require the applicant to grant drainage or conservation easements to the Town along watercourses.
 - iv) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways.

4.5 Water Supply Facilities

- (1) General Requirements - If a public water supply is within 1000' of a subdivision boundary, the lines shall be extended to serve the subdivision. When a public water supply is more than 1000' from the subdivision boundary, the Commission may require a public water system capable of providing domestic water use and fire protection if it finds that the size of the proposed development requires public water to insure the public health and safety.
- (2) Fire Hydrants - Where public water is available or required, fire hydrants may be required where necessary to insure the public health and safety. Fire hydrants shall be located no more than 1000' apart and within 500' of any structure and shall be approved by the applicable protection unit. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves, and all other supply improvements shall be installed before any final paving of a street shown on the subdivision plan.

4.6 Sanitary Sewerage Facilities

- (1) On-site Sewerage Systems - Individual on-site sewerage systems shall be allowed provided that:
 - a) There is no public sewerage system existing within 1000' of any boundary of the subdivision and public sewers will not be available within a period of five years as determined by the Town Sewer Authority, or where said subdivision is within the sewer avoidance area on the latest Facilities Plan Update of the Water Pollution Control Authority, or where sewers will be available within a period of five years and a capped sewer system is installed along with the on-site system in accordance with subsection (2) Public Community Sewerage Systems of this regulation.
 - b) All lots on which such systems are proposed shall be approved for on-site systems by the applicable Health District, and a comprehensive sewerage report shall be submitted to the Planning Commission prior to approval of the subdivision.
 - c) Where the need for easements for future sewer construction can be identified, such easements shall be indicated on the subdivision plan and shall be dedicated to the Town at the time of subdivision approval.
- (2) Public Community Sewerage Systems
 - a) Public Community Sewerage Systems shall be constructed throughout the subdivision and connected to existing public sewerage facilities when such facilities are within 1000' of any boundary of the proposed subdivision, unless such connection would result in extension of sewer lines in a manner inconsistent with the latest Facility Plan Update of the Water Pollution Control Authority.
 - b) When public sewerage facilities will be made available to the area within five years, as determined by the Town Sewer Authority, public community sewerage systems shall be installed throughout the subdivision and up to the boundary for future connections. Such systems shall be capped and shall include all underground sewer lines for a complete system from the homes, along streets or easements, to the subdivision boundary.
 - c) Where a subdivision has frontage on an existing street, sewer lines may be required within the existing right-of-way.
 - d) Sanitary sewers shall be located within street or alley rights-of-way as required by utility line assignment in the Town Road and Drainage Construction Standards, unless topography dictates otherwise. When located in easements on private property, access shall be provided to all manholes. The proposed location of sewer lines shall be shown on the final plan of subdivision, and easements to the Town shall not be less than 20' wide.
 - e) Approval to connect to sewers shall be obtained from the Director of Public Works, acting as agent to the Water Pollution Control Authority, prior to obtaining subdivision approval. Sanitary sewer facilities shall be in conformance with Town Public Works Department design criteria and engineering requirements. All sanitary sewerage facilities shall be compatible with the long range planning for sewerage the entire tributary area as specified in the latest Facility Plan Update of the Water Pollution Control Authority.

4.7 Sidewalks and Curbs

(1) Required Improvements

- a) Four-foot wide concrete sidewalks shall be included in the non-pavement right-of-way on both sides of proposed local roads such as access, village and subvillage roads, and five-foot wide sidewalks shall be similarly included in arterial and collector roads and any other roads, regardless of classification which border commercial, industrial or multi-family tract subdivisions. Where subdivisions front on existing roads, the Commission may require sidewalks along the respective subdivision lot frontage. In addition, in order to promote pedestrian safety and provide for a convenient sidewalk system for present and prospective needs, the Commission may require extension of the sidewalk for a reasonable distance beyond the subdivision lot frontage. These requirements shall apply to all subdivisions, unless waived by the Commission in accordance with Section 1.10 of these regulations. This section shall not supersede the requirements for sidewalk installation prescribed in the Zoning Regulations for sites subject to site plan review and approval by the Planning Commission. (Eff: 6/1/92)
- b) Concrete curbs shall be provided on both sides of all streets in all subdivisions and shall be constructed to provide for driveway curb cuts and sidewalk ramps at intersections at the time of construction.
- c) All sidewalk and curb construction shall comply with the Town Road and Drainage Construction Standards.
- d) All curbs shall be designed with cuts at all pedestrian crosswalks to provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons. The following specifications shall be complied with: 1) the cut shall have a surface that is textured and nonslip; 2) the cut shall be at least 36" wide; and 3) the cut shall have a slope not greater than 1" per foot and shall be beveled at the bottom.
- e) In lieu of the required sidewalks, the Commission may require construction of a 6' wide bituminous concrete sidewalk/bike path to encourage the use of bikes.

- (2) Pedestrian Access - The Planning Commission may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least 20' in width. Easements shall be indicated on the plan and shall be improved as required by the Planning Commission.

4.8 Underground Utilities and Street Lighting

- (1) Underground utilities (electric, telephone, CATV, etc.) shall be provided in all subdivisions in accordance with the design criteria and engineering requirements of the Department of Public Works. Street lighting fixtures shall be provided in all subdivisions and shall not be spaced more than 300' apart. The developer shall install fixtures prior to the acceptance of the street.

- (2) All utilities shall be located in accordance with the requirements of the Town Road and Drainage Construction Standards.

4.9 Parks, Playgrounds, and Public Area Reservations (New Eff: 11/1/05)

- (1) General - The Planning Commission shall require that land be reserved for parks and playgrounds, natural open space areas, or other public purposes. In determining the land to be reserved under this Section, the Commission may consider not only the tract or tracts of land proposed to be immediately subdivided, but also any other tract or tracts owned, controlled or under agreement to buy or optioned by the subdivider.

- (2) Standards

- a) Each reservation shall be of suitable size, dimensions, topography, and general character and shall have adequate road or pedestrian access for the particular purposes envisioned by the Planning Commission.
- b) The applicant shall dedicate all such areas to the Town as a condition of subdivision plan approval. Any reservation shall be shown on the subdivision plan and indicated as "To be deeded to the Town of Groton."

- (3) Size of Reservations

- a) The total area to be reserved shall be no less than 10% of the gross area of the subdivision unless otherwise approved by the Commission.
- b) The Commission may require that the area be located at a suitable place, such as on the edge of the subdivision, so that additional land may be added at such time as the adjacent land is subdivided.

- (4) Sites

- a) Land so reserved shall be of a character and location suitable for use as a playground, playfield, or for other public purposes, and shall be relatively level and dry; and shall be improved by the applicant to reasonable standards required by the Planning Commission, which improvements shall be included in the performance bond. Said improvements may include providing access, landscaping, play equipment, and any other reasonable improvements. The Commission may permit the dedication of sites which contain unique, distinctive characteristics such as a marsh or a swamp if it is determined that there would be no demand for an active recreation area and if the area possesses some unusual qualities.
- b) A site shall have a total frontage on one or more streets of at least 50', and no other dimension of the site shall be less

than 200', unless otherwise specifically approved by the Commission.

(5) Payment of Fees in Lieu of Parks, Playgrounds, and Public Area Reservation and Land Dedication

Where dedication of open space will not meet the purposes of this section, the subdivider may, with approval by the Commission, pay a fee to the town or pay a fee to the town and transfer land to the town in lieu of the requirement to provide open space. Lands offered for open space under this Section may be located off the subject property. Any lands dedicated for open space under this Section shall be deeded to the Town of Groton as specified in Section 4.9(2)(b) and comply with the requirements set forth in Section 4.9(1)-(4) as required by the Commission.

The formula for payments or combination of payments and dedication of land will be established based on the following procedures:

- a) Such payments or combination of payment and the fair market value of land transferred shall be equal to not more than ten percent (10%) of the fair market value of the land to be subdivided prior to the approval of the subdivision.
- b) The fair market value of the land shall be determined by a licensed appraiser jointly approved by the Commission and the applicant and the appraisal made part of the record. The cost of the appraisal shall be the responsibility of the applicant.
- c) In cases where there is a combination of both payment and dedication of land, the deed, accompanied by a Certificate of Title, per Section 5.1(1)(a), for the land shall be transferred at the time the subdivision plans are recorded.
- d) Payments due to the Town under this section are payable at the time the final subdivision maps are presented for signature by the Chairman of the Planning Commission and shall be paid, in full, prior to the recording of the signed subdivision mylars.
- e) Payments generated under the provisions of this Section shall be deposited in a designated fund which shall be used for the purposes of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.

(6) Exemption from Open Space Requirement

The Commission shall require reservations of land for parks, playground and natural open space or other public purposes or may accept a fee in lieu of public area reservation and land dedication or combination of payment and land in all subdivisions except in the following instances:

- a) The open space requirements of this section shall not apply where the transfer of all land in a subdivision of less than

five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable housing, as defined in section 8-39a, equal to twenty per cent or more of the total housing to be constructed in such subdivision. Eligibility for an exemption hereunder shall be evidenced by covenants, restrictions, contracts, or other legally binding documents as the Commission may approve, which documents shall be filed in the Land Records.

4.10 Preservation of Natural Features and Amenities

- (1) General - Existing features which would add value or be of benefit to residential development or to the Town as a whole, such as trees, watercourses and falls, beaches, historic spots, and similar irreplaceable assets, shall be preserved in the design of the subdivision. No trees shall be removed from any subdivision nor any change of grade of the land effected until approval of the plan has been granted. All trees on the plan required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade.
- (2) Shade Trees
 - a) The applicant shall plant shade trees at front lot lines in the subdivision. In general, one tree shall be planted for every 75' of frontage along both sides of each road.
 - b) New trees to be provided pursuant to these regulations shall be shown on the subdivision plan, and such trees shall have a minimum trunk diameter (measured 12" above ground level) of not less than 2". Only long-lived shade trees such as Sugar Maple, Red Oak, or London Plane, acceptable to the Planning Commission, shall be planted.

4.11 Nonresidential Subdivisions

- (1) General - A nonresidential subdivision shall be subject to all the requirements of these regulations.
- (2) Standards - In addition to these regulations, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
 - a) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon and special requirements may be imposed by the Town with respect to street, curb, gutter, and sidewalk design and construction.
 - b) Special requirements may be imposed by the Town with respect to the installation of public utilities, including water, sewer, and storm water drainage.
 - c) Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent, existing or potential residential areas.

SECTION 5 - ASSURANCE FOR COMPLETION AND MAINTENANCE OF IMPROVEMENTS

(Eff: 8/1/04)

5.1 Improvements and Performance Bond

- (1) Completion of Improvements - All applicants shall be required to complete all the street and other improvements as specified in the subdivision plan or as required in these regulations, and to dedicate public improvements to the Town, free and clear of all liens and encumbrances.
 - a) The applicant shall submit a "Certificate of Title" prior to conveying any land to the Town indicating all title restrictions.

- (2) Performance Bond
 - a) The applicant shall post an acceptable form of surety or collateral prior to the time of filing the subdivision plan in the Land Records in an amount estimated by the Commission.
 - b) Such performance bond shall be satisfactory to the Town Attorney. The period within which required improvements must be completed shall be incorporated in the bond and shall not in any event exceed five years. Said bond shall remain in full force and effect until it is officially released by the Commission.
 - c) Such performance bond shall include a cash reserve in an amount of 1% of the total project cost or \$1,000, whichever is greater, for emergency street maintenance including snow plowing, drainage structure maintenance and the like. This reserve may be drawn against by the Town for expenses incurred. Said cash reserve shall annually be restored by the developer prior to November 1st to insure adequate funds are available for emergency work in a subsequent year. Failure to restore the funds annually as required shall render the approval of the subdivision plan null and void.

- (3) Failure to Complete Subdivision - Where a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Town may thereupon declare the bond to be in default and require that all the improvements be installed.

- (4) In the case of water mains, sewer lines, electric, CATV, or other utility lines, a statement that the work will be done within a reasonable time is sufficient to exclude costs from bonding.

5.2 Inspection of Improvements

- (1) General Procedure - The Director of Public Works shall provide for inspection of required improvements during construction and insure satisfactory completion. If the Director of Public Works finds upon inspection that any of the required improvements have not been constructed in accordance with the Town's construction standards and specifications, the applicant shall be responsible for completing the improvements in accordance with said standards and specifications.

- (2) Modification of Improvements - If the applicant finds that a deviation from the approved plan is necessary, he shall notify the Directors of Public Works and Planning of the extent and type of modifications prior to executing any change. The item will be reviewed at the next Planning Commission meeting.
- (3) Release or Reduction of Performance Bond
 - a) Certificate of Satisfactory Completion - The Commission will not recommend acceptance or dedication of required improvements, nor release a performance bond, until the Director of Public Works has indicated that all required improvements have been satisfactorily completed and until the applicant's engineer or surveyor has certified to the Director of Public Works, through submission of detailed "as-built" survey plans of the subdivision, that the layout of the line and grade of all public improvements are in accordance with construction plans for the subdivision and are ready for dedication to the local government. Upon such approval and recommendation, the Town may thereafter accept the improvements for dedication.
 - b) Reduction of Performance Bond - A performance bond may be reduced upon actual completion of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements of the plan. In no event shall a performance bond be reduced below 10% of the principal amount.

5.3 Maintenance of Improvements and Maintenance Bonds

- (1) The applicant shall be required to maintain all improvements in the subdivision and provide for snow removal, street cleaning, drainage, and general maintenance on streets and sidewalks until acceptance of said improvements by the Town. In the event that the applicant fails to comply, the Town is authorized, through the Director of Public Works, to perform the necessary work, without incurring any liability, and charge such work to the applicant in accordance with Section 5.1(2)c).
- (2) The applicant shall be required to file a maintenance bond with the Commission in a form acceptable to the Town Attorney, prior to acceptance, in an amount equal to 10% of the original cost of the public improvements, in order to assure the satisfactory maintenance of the required improvements, for a period of one year after the date of their acceptance by the Town.

5.4 Issuance of Permits

- (1) No building permit shall be issued for the final 10% of lots in a subdivision or section of the subdivision until all public improvements required by the Commission for the plan have been fully completed and offered for acceptance by the Town. If 10% of the lots in the subdivision consist of less than two lots, then building permits shall not be issued for the last two lots until the public improvements have been completed and offered for acceptance by the Town.

- (2) Prior to the issuance of a Certificate of Occupancy, the extent of street improvements shall be adequate for vehicular access by the prospective occupant and by police and fire and any other emergency equipment. At a minimum, the street shall be improved with a base course and one layer of paving up to that portion of the street which provides direct access onto the lot for which a Certificate of Occupancy is requested.

SECTION 6 - DEFINITION OF TERMS

For the purpose of these regulations, certain terms or words shall be defined as below. Words in the present tense include the future, the singular number includes the plural, and vice versa. The word "lot" includes the word "plot". The word "building" includes the word "structure". The word "shall" is mandatory, and not directory. The word "used" shall be deemed also to include "designed, intended, or arranged to be used." Unless otherwise specified, all distances shall be measured horizontally.

- 1) Applicant, Subdivider, or Developer shall mean an individual, partnership, firm, corporation, legal entity or agent thereof, who or which undertakes the subdivision or resubdivision of land or any activity included in these regulations. For the purpose of these regulations, these three terms shall be synonymous.
- 2) Bond shall mean a type of surety or collateral posted by the applicant which guarantees that all required improvements shall be completed as per the approved plans and these regulations.
- 3) Certification means a signed, written approval by the Planning Commission (its designated agent or the New London County Soil and Water Conservation District) that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.
- 4) Commission shall mean the Town of Groton Planning Commission.
- 5) Cul-de-sac shall mean a street or a portion of a street with only one vehicular outlet.
- 6) Development shall mean any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
- 7) Disturbed Area means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 8) Easement shall mean the right to use land owned by another for a special limited purpose.
- 9) Erosion means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- 10) Grading means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 11) Improvements shall mean all things constructed or placed within the subdivision including, but not limited to the following:
 - a) Roads, streets, alleys, driveways, accessways, entrances into rights-of-way, street signs, and lights.
 - b) Grading, slopes, retaining walls and monuments.
 - c) Sidewalks, crosswalks, pedestrian paths and bicycle paths.

- d) Curbs, gutters and curb returns.
 - e) Water mains, utility pipes and utility conduit lines.
 - f) Sodding, landscaping, tree planting and erosion control measures.
- 12) Land Dedication shall mean reserving land to the Town for some public purpose in accordance with these regulations.
- 13) Loam, Topsoil shall mean a rich, easily pulverized soil, consisting of a mixture of varying proportions of clay, sand and organic matter capable of supporting cultivated vegetation.
- 14) Lot shall mean a plot or parcel of land occupied or capable of being occupied by one principal building and the accessory buildings or uses incidental to it including such open spaces as are required by these regulations. In the case of multi-family dwellings and public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.
- 15) Plan shall mean the subdivision plan including maps, profiles and supporting documents.
- 16) Resubdivision as set forth in the Connecticut General Statutes shall mean a change in the 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.
- 17) Sediment means solid material, either mineral or organic, that is in suspension, is transported or has been moved from its site of origin by erosion.
- 18) Soil means any unconsolidated mineral or organic material of any origin.
- 19) Soil Erosion and Sediment Control Plan means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to a map and narrative.
- 20) Street shall mean a public way or a way opened to public use or other right-of-way giving access to the lot, but excluding an alley used for service access only. "Street" shall be deemed to include the entire width of the right-of-way.
- 21) Street Right-of-way or Right-of-way shall mean that portion of land between property lines over which a street, path, driveway, utility lines, and other public improvements are built or reserved for future use.
- 22) Subdivision as set forth in the Connecticut General Statutes, shall mean the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivisions.