

SUBDIVISION REGULATIONS

NEWINGTON TOWN PLAN & ZONING COMMISSION

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SECTION 1.0 AUTHORITY

1.1 Pursuant to the authority granted by Chapter 126, Section 8-25 of the General Statutes the Newington Town Planning and Zoning Commission prescribes the following regulations governing the subdivision of land to supersede regulations initially adopted April 19, 1940, with all subsequent amendments. The effective date of these revised regulations shall be December 4, 2002.

1.2 Pursuant to Section 8-25 of the General Statutes no subdivision of land shall be made until a plan of subdivision, prepared in accordance with the requirements of these regulations, has been approved by the Commission signed by the Chairman or Secretary and has been filed in the Office of the Town Clerk.

SECTION 2.0 DEFINITIONS

2.1 Commission means the Town Plan and Zoning (TPZ) Commission of the Town of Newington.

2.2 Cul-De-Sac means a street with a single means of ingress and egress with a turnaround at the end.

2.3 General Statutes means the General Statutes of the State of Connecticut, 1958 Revision, or as from time amended or revised.

2.4 Newington Street Map means the map (500 scale street map on file in the Engineering Department) established by the Commission showing the streets, public ways and parks as they are laid out, adopted, accepted, or established and any amendments adopted by the Commission and any additions that result from the filing of approved Subdivision Plans.

2.5 Plan of Development means a plan or plans prepared by the Commission pursuant to Section 8-23 of the General Statutes.

2.6 Re-subdivision as defined by Section 8-18 of the General Statutes means a change in a map of an approved or recorded subdivision or re-subdivision if such change:

- (a) Affects any street layout shown on such map;
- (b) Affects any area reserved thereon for public use; or,
- (c) Diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon, have been conveyed after the approval or recording of such map.

2.7 Subdivision as defined by Section 8-18 of the General Statutes means the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes re-subdivision.

2.8 Developer or Sub divider means the person(s) or business firm, its successor or assigns, making application to the Town Plan and Zoning Commission for a subdivision or re-subdivision under the jurisdiction of the Commission. Consent shall be required from the legal owner of the property when the applicant is other than the owner.

2.9 Standard Specifications refers to the Town of Newington's, Standard Specifications for Roads, Sidewalks, Drainage Structures and Incidental Construction, that will be made a part of the subdivision and dedicated for public use.

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

2.11 Three-quarters vote of all members means total authorized number of members regardless of vacancies on the Commission and not just three quarters of the members present at the meeting. The three quarter vote requirement shall be necessary for the granting of any waiver under Section 4.0.

SECTION 2.12 Manufactured Home Park Or Subdivision – A parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

SECTION 3.0 DESIGN REQUIREMENTS

3.1 Plan of Development The proposed subdivision shall be in harmony with the Plan of Development, the Newington Street Map, and all lots shall conform to the Zoning Regulations of the Town of Newington.

3.2 Suitability of Land The land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety. Proper provisions shall be made for water, drainage and sewerage and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding provision shall be made for protective flood control measures and compliance with the Town's Flood Insurance Study prepared by the Federal Emergency Management Agency.

All subdivision proposals shall be consistent with the need to minimize flood damage. Utilities such as sewers, water, gas and electric systems shall be located and constructed to reduce flood damage. Storm water drainage controls shall be located to avoid exposure to flood hazards. Subdivided land that maybe subject to flooding shall show base flood elevation for all lots in the proposed development. Base flood elevation data for all new subdivision proposals and other proposed developments greater than 50 lots or 5 acres; whichever is the lesser, shall be shown on the plans (Effective 9-20-08).

Land which the Commission finds to be unsuitable for subdivision or development shall not be approved by the Commission unless adequate and safe methods are proposed by the developer to solve the problems of the unsuitable land conditions. When appropriate the Commission may require that unsuitable land be set aside and not disturbed by development.

In addition to flood hazard areas, examples of unsuitable land that the Commission may determine unsuitable for development are mapped inland wetlands and slopes in excess of fifteen (15) percent gradient.

3.3 Block Lengths Intersecting streets in residential areas shall be laid out at such intervals that block lengths are not less than 200 feet and do not exceed 2000 feet. In commercial and industrial areas the block length shall not exceed 1,000 feet. The Commission shall retain the right to modify the above requirements to meet abnormal field conditions and/or unique layout conditions. Any such waiver shall be in accordance with the procedures and findings of the Commission as required by Section 4.0 of these regulations.

3.4 Relation to Adjoining Areas Proposed local residential streets shall be planned to discourage through traffic and to provide a safe and convenient system for present and prospective traffic in the area surrounding the proposed subdivision. Proposed arterial, collector, and commercial streets shall be planned to provide for continuation of existing streets into adjoining areas with an alignment in accordance with these standards provided herein and for proper projection into adjoining properties yet to be subdivided. On existing and/or proposed arterial and collector streets, new side street connections and driveways shall be kept to a minimum. Proposed streets to be projected into adjoining areas shall be carried to the boundary line; no reserve strips will be permitted

3.5 Lot Improvements and Access Lots shall be designed with care and with recognition for the existing character of the land and arranged in such a way that there will be no foreseeable difficulties, for reasons of topography or other conditions, in complying with Zoning Regulations and Building Codes, and in providing safe driveway access to buildings on such lots from an approved street.

3.5.1 Frontage on Existing Streets The area to be subdivided shall have frontage on an existing public street. If such Town streets have not been improved to the minimum Town specifications for highway construction and drainage said street (s) shall be improved to said specifications by the developer.

3.5.2 Lot Size and Arrangement The area and width of the proposed lots shall conform to the Newington Zoning Regulations and shall be of such shape, size, location and character that buildings can be constructed in conformity with the requirements of such regulations.

All lots shall be of such character and shape that they can be used for building purposes without danger to the health and safety of the public or the occupants. The proportions of average lot depth to average lot width shall

not exceed the ratio of 2.5 to 1. Any lot which is found to be unsuitable for buildings by reason of water or flooding conditions, unsuitable soil, topography, ledge rock or other conditions shall be combined with another lot that is suitable or shall be marked "This is not a building lot" on the final map until necessary improvements to the lot have been made and approved by the Commission.

3.5.3 Required Lot Frontage and Access No lot shall be approved which does not have frontage on and access to a public street which is constructed or bonded for construction in conformance to the Town standards or on an existing Town road. So far as practicable all of lines shall be at right angle to straight street lines or radial to curved street line. The Commission reserves the right to allow one(1) interior lot meeting the Zoning Regulations for the Zone district within which the subdivision will be located. (Lots fronting a private street may be approved by the Commission only when the subdivision will be built within the R-P Residential Planned Zone.)* No lot shall be approved which does not have safe passable access for the uses permitted within zone district where the subdivision will be located and for access by public safety and emergency vehicles. Where driveway access will be to arterial and collector streets the Commission reserves the right to require the developer to combine driveways to limit possible traffic hazards on such street or to prepare a subdivision layout with interior residential streets that will carry traffic to the collector or arterial street.

* Note: R-P Zone Eliminated Effective 2-5-93

SEE Section 3.7 of Zoning Regulations

3.6 Street Classification and Improvements Streets shall be planned in such a way as to provide a safe and convenient street system for present and future traffic and shall fit the topography of the land as much as possible. Proposed streets shall be in harmony with existing or proposed streets shown in the Plan of Development as described in Section 8-23 of the General Statutes, especially in regard to safe intersections with such streets, and so arranged and of such width, as to provide an adequate and convenient system for present and prospective traffic needs.

The street pattern shall conform to the following classifications and standards:

3.6.1 Arterial Street A public street of considerable continuity, which is primarily a traffic artery for inter-town travel and travel between large areas of the Town and on which through traffic past abutting properties will be dominant . It is a state highway or provides connections between state highways. Along arterial streets

significant community facilities, retail, commercial and industrial uses will usually be located and residential use will not be the dominant land use.

3.6.2 Collector Street A public street, which is supplementary to the arterial street system and is primarily a means of travel between arterial streets and smaller areas of Town and on which traffic past abutting properties is somewhat dominant. A collector street can serve either commercial or residential land uses. A collector street within large residential areas is the principal travel way and the majority of traffic will be passenger vehicles traveling from the collector street to the subordinate local residential street.

3.6.3 Local Residential Street A public street which provides access primarily to abutting residential properties and carries traffic to and from an adjoining residential access street.

3.6.4 Residential Access Street A public street which provides for frontage and access to residential lots and carries no through traffic and only residential trips having a destination or origin on the street itself. Traffic volume should not exceed 250 vehicles per day.

3.6.5 Commercial Street A public street which gives direct access to or provides for circulation within business and industrial areas.

3.6.6 Street Width and Alignment Width of right-of-way and alignment shall conform to the requirements of Section 3.6.18 for the classification involved.

3.6.7 Street Lines Street side lines shall be parallel lines or concentric arcs.

3.6.8 Street Intersection No more than two(2) traveled ways shall intersect at any one point. The tangent grade as measured from the intersecting street lines to the Point of Vertical Intersection on the vertical curve shall have a minimum length of 100 feet and shall be no more than 3% (plus or minus). Arterial Streets, collector streets, commercial streets and local residential and residential access streets intersecting with the former shall not intersect at an angle of less than 85 degrees. No local street shall intersect another local street at an angle of less than 75 degrees. It is desirable that all streets intersect at right angles. Proposed streets that intersect

another should be laid out to intersect directly opposite each other or be offset at least 125 feet between centerlines for residential streets and continuous for collector and arterial streets.

3.6.9 Corner Radius Intersecting street lines of arterial streets, collector streets and commercial streets and local residential streets and residential access streets intersecting with the former shall be joined at the corner with a minimum radius of 25 feet. Intersecting local residential and residential access street lines shall be joined at the corner with a minimum radius of 20 feet.

3.6.10 Existing Streets and Intersections The developer of a proposed subdivision abutting an existing Town Street shall, where necessary, shall deed land for widening said street to whatever width is required for the classification given said street by the Commission and shall construct such storm water and paving improvements as are necessary. Where safe sight line distance is not present at the intersection of the proposed subdivision street with the existing street the developer shall be responsible for construction of the improvements on the existing street to achieve the proper sight distance.

3.6.11 Street Names Streets shall bear names which do not duplicate nor too closely approximate in spelling or sound of existing street names. All street names shall be as approved by the Commission.

3.6.12 Street Name Signs Street name signs including standards shall be furnished and installed by the Town. The developer shall pay to the Town the cost of said installations. Street signs shall be located at all intersections.

3.6.13 Street Curbs Curbs are required on all streets and shall meet the requirements set forth in the Standard Specifications attached to these regulations.

3.6.14 Street lighting Street lights and poles shall be provided by the developer in the locations and with the type of fixture as approved by the Traffic Authority of the Town.

3.6.15 Street Traffic Control Signage Street traffic control signage shall be provided by the developer in the locations and to standards as approved by the Traffic Authority of the Town.

3.6.16 Cul-de-sac Street Cul-de-sacs (streets closed at one end by building lots and which will not be extended in the future) shall not exceed 1600 feet in overall length. The length shall be measured from centerline intersection of two(2) streets to the center of the cul-de-sac. The maximum overall length of 1600 feet may be permitted when the estimated average daily traffic based on the land use density will not exceed 1000 vehicles per day.

3.6.17 Turn-arounds A turn-around with a minimum radius of 55 feet shall be provided at the end of a cul-de-sac for a local residential street and residential access street and a minimum radius of 70 feet for a commercial street. Dead end streets which are to be projected into adjoining property at some future date and which provide access to three or more building lots shall be provided at the closed end with a turn-around with a minimum radius of 40 feet. Land for a turn-around on a dead end street, which will at some future date, be projected into adjoining property in excess of that between normal street lines will be provided in the form of an easement to the Town, which shall contain a provision for automatic termination of the easement upon extension of the street.

3.6.18 STREET DESIGN FOR NEW SUBDIVISION STREETS to be dedicated to the Town shall be designed in accordance with the following standards:

STREET DESIGN CRITERIA

<u>STREET CLASSIFICATION</u>	<u>R.O.W.</u>	<u>DESIGN SPEED</u>	<u>PAVED WIDTH (feet)</u>	<u>MINIMUM GRADE %</u>	<u>MAXIMUM GRADE %</u>	<u>MINIMUM CENTER LINE RADIUS (feet)</u>	<u>MINIMUM SIGHT DISTANCE (feet)</u>
Arterial	80 min.	45	36'min.	0.6	5%	850	400
Collector	60-70	35	30-36	0.6	6%	600	300
Commercial	60-80	25	30-36	0.6	6%	300	200
Local Residential	60	25	30	0.6	10%	150	200
Residential Access	50	25	28	0.6	10%	150	200

* Except in the Town Center Business District -- Granite is Required.

	<u>MINIMUM RADIUS</u>	<u>MAXIMUM RADIUS</u>	<u>MINIMUM GRADE</u>	<u>MAXIMUM GRADE</u>
Permanent Residential	65	55	1.5%	5%
Permanent Commercial	80	70	1.5%	3%
Temporary	40	40	1.5%	10%

NOTE: (A) The Town Plan and Zoning Commission may vary this standard depending on the existing situation and the recommendation of the Town Engineer

3.7 Drainage and Storm Water Improvements The developer shall be fully responsible for constructing adequate facilities for the control, collection, conveyance and acceptable disposal of storm water, other surface water and subsurface water, whether originating within the subdivision area or in a tributary drainage area. All drainage facilities shall be designed by a professional engineer registered in the State of Connecticut and be subject to the approval and final acceptance of the Town Engineer. Should field conditions warrant additional drainage installation the Town Engineer may require this work without plan modifications.

3.7.1 Location of Storm Water Facilities Drainage facilities shall be located in the street right-of-way where feasible, or in the perpetual unobstructed easements, where necessary. Such easements shall be at least twenty(20) feet in width. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured by the developer and indicated on the map. The applicant may be required to dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the Commission. Low-lying lands along watercourses subject to flooding or overflowing during storm periods shall be preserved and retained in their natural state as drainage ways.

3.7.2 Drainage Discharge The discharge of all storm water from a subdivision shall be into suitable streams or other acceptable and suitable storm water drainage facilities having adequate capacity to carry the additional water. Where the discharge will be into private property, proper easements and discharge rights shall be secured for the Town by the applicant from all affected property owners. Such easements must be acceptably executed before acceptance of drainage plan and recording of the subdivision map. Upon the recommendation of the Town Engineer, the Commission may require the applicant to design the storm water management system based on the engineering concept of "0" runoff of post development drainage discharge.

3.7.3 Discharge into Town Storm Water System Where a new street intercepts an existing street which has no underground drainage system or insufficient capacity to carry the additional flow, appropriate facilities shall be installed by the developer to intercept and dispose of any drainage from the new street which would otherwise be discharge onto the surface of the existing street or into its drainage system. These improvements shall be the developer's responsibility at no expense to the Town.

3.7.4 Stream Encroachment Lines Stream encroachment lines and building lines shall be provided along any major stream or river for the purpose of preventing encroachment upon and constriction of the natural water channel by buildings, filling operations or other facilities or construction. The width of the channel shall be based on sound engineering calculations anticipating long-range storms and flow, potential and recognizing proper alignment and gradient of the channel. Design shall be computed on the complete upstream development of land based on the existing zoning or the land use as proposed in the Plan of Development, which ever causes the higher run-off, drainage design shall incorporate the recommendations included in studies of "Webster and Rock Hole Brooks, Piper Brook, and South Branch Park Watershed and Town of Newington Comprehensive Drainage Study" and any similar recommendations included in studies of "Webster and Rock Hole Brooks, Piper Brook, and South Branch Park Watershed and Town of Newington Comprehensive drainage Study" any similar future studies where applicable. A note shall be placed on the final map explaining the stream encroachment and building lines and stating the restrictions against encroachment upon the channel in a manner approved by the Commission.

3.8 Utility Improvements

The developer shall be fully responsible for the installation of public utilities to serve the subdivision and shall coordinate with and comply to the design standards of the appropriate utility company.

3.8.1 Underground Utilities Electric power, telephone cable systems and cable TV shall be placed underground in protective conduits within the street right-of-way where it is greater than 50 feet and shall be shown on the subdivision plan. Underground service connections shall be extended from the main line to the street right of way before the street is paved.

3.8.2 Public Water The water supply system shall be connected to Metropolitan District Commission system or where appropriate the New Britain Water Department system.

3.8.3 Public Sewer The sanitary system shall be connected to the public (Metropolitan District) utility system, if available. A public sanitary sewer system shall be considered available when the property line is located within 200 feet of an existing public sewer.

3.8.4 Fire Hydrant Fire hydrants shall be installed at the expense of the developer. The location of the hydrants shall be approved by the Fire Marshal.

3.9 Open Space Improvements The Commission may require that land be reserved for parks and recreation or conservation purposes. Examples are, but not limited to, situations where open space reservation may be appropriate to protect mapped wetlands, flood hazard areas, steep terrain (slopes in excess of 15 fifteen percent) and when the new open space would be contiguous to existing protected open space or further open space goals of the Town Plan of Development. Each reservation shall be of suitable size, dimension, topography, and general character for the particular purpose envisioned by the Commission. A maximum of 15% of the total tract proposed for subdivision may be required as park/recreation or conservation area. The developer shall deed all such open space area to the Town or qualified homeowners' association. Land protected by a conservation easement, such as for wetlands preservation, shall be counted toward the 15% maximum set aside. Land dedicated as part of an Open Space Subdivision shall comply with requirements of the Zoning Regulations.

3.10 Pedestrian and Bike Path Easements In areas where the proposed street system does not conform to the anticipated pattern of pedestrian circulation or in the vicinity of schools and playgrounds, the Commission may require the provision of 15 foot easements to the Town of Newington for the establishment of pedestrian ways and bike paths.

The Developer shall install an eight (8) foot wide foot paved path to Town specifications. Fencing of the easement right-of-way, may be required, if in the Commission's judgment it is necessary for the safety of the public and protection of adjacent property.

3.11 Sidewalks The Commission shall require sidewalks on all streets, in pedestrian easements and in other places deemed proper by the Commission. Sidewalks shall be provided on both sides of arterial and collector street, and on one side of local residential and residential access streets as directed by the Commission. Sidewalk construction shall conform to the Standard Specifications.

3.12 Trees and Planting All dead and diseased trees and trees subject to excessive filling by grading shall be removed from lots and land to be dedicated to public use. Existing trees on land required for public open space shall be preserved unless otherwise directed by the Commission. Existing trees shall be preserved wherever feasible. Where no existing trees are preserved in front yards, each lot shall be provided with two(2) trees of not less than 2-1/2" caliper, of a species

approved by the Town Tree Warden, planted between the building line and ten (10) feet inside the front lot line. Street trees may be planted within the public right of way with the Commission's approval when a minimum-planting strip of eight(8) feet is provided between front of sidewalk and back of curb. Trees shall be planted so that their future growth will not buckle sidewalk and kept separate from utilities to avoid root damage. The Developer shall guarantee trees planted under this provision for one (1) year.

3.13 Guard Railing Guard Rail shall be installed along all streets to be dedicated to the Town where the difference in elevation between the centerline grade and where slope line intersects the existing ground is four(4) feet or more. In residential subdivision the Commission reserves the right to require the developer to use wood guard railing rather than metal.

3.14 Fencing Substantial fencing as required shall be installed in all areas close to pedestrian or vehicular traffic where hazardous conditions exist. This includes the top of retaining walls, headwalls, top of steep embankments or near vertical embankments into pond and stream courses. Fencing requirements will be determined by the Commission based upon the particular situation or location.

3.15 Monuments and Lot Pins Monuments constructed to Town of Newington specifications shall be installed on the perimeter boundary of the subdivision and on all street lines at the beginning of all corners and at each angle point or deflection between the beginning and termination. Lot pins shall be placed at the corners of each property. The boundaries of open space areas to be deeded to the Town or homeowners' association shall also be monumented.

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

arranged, where possible, to provide for orientation of buildings to the south in order to encourage solar energy use. Streets should have an east-west orientation to the greatest extent possible to permit orientation of buildings to the south and thereby encourage solar energy use.

3.17 Erosion and Sediment Control The subdivision of any area exceeding one-half acre shall require the submission of an Erosion and Sedimentation plan as set forth in Section 6.5.

SECTION 4.0 WAIVER OF CERTAIN REQUIREMENTS

Pursuant to the provision of Section 8-26 of the Statutes the Requirements of these Regulations may be waived by three-quarters vote of all members of the Commission when it is demonstrated that strict compliance with such regulations will cause an exceptional difficulty or unusual hardship. The Commission shall not grant a waiver unless it finds the following conditions are met:

- a. The property for which the waiver is sought is uniquely affected by these Regulations;
- b. Physical features of the property or its location cause exceptional difficulty or unusual hardship in meeting the requirements of these regulations;
- c. The granting of a waiver will not have a significantly adverse effect upon adjacent property or the public health and safety;
- d. The granting of the waiver will not be in conflict with the Plan of Development;
- e. Where it is proposed to vary any engineering standard contained in these Regulations, a favorable report from the Town Engineer has been received.

Section 4.1 Waiver Request A request for waiver shall be submitted in writing by the applicant at the time application for subdivision is made. The request shall detail the extent of the waiver requested and contain sufficient data for the Commission to make the findings required above.

SECTION 5.0 CONCEPTUAL PLAN OPTION AND INFORMAL REVIEW PROCEDURE

5.1 Conceptual Layouts (optional)-In lieu of submitting a subdivision plan containing all of the required information, the subdivider is encouraged and may elect to submit a conceptual layout. The purpose of the "Conceptual Layout" is to familiarize the Commission with the intent of the developer. Neither the informal review by the Commission nor the Conceptual Layout, however, shall be deemed to constitute any action, approval or formal procedure of applying for and receiving subdivision or re-subdivision approval as required under the General Statutes and the standards of these regulations.

Conceptual Layouts should show sufficient information to allow the Commission to gain a general understanding of the proposed subdivision in relation to the Plan of Development, compatibility with surrounding property and the site's environmental features. It is recommended that the Conceptual Layout provide the following general information:

- a. Scale at 1"=80', north arrow, property owners names and property boundary lines.
- b. Location Map at a scale of (1) inch equals 200 feet.
- c. Existing and proposed contours.
- d. Significant environmental features such as wetlands and watercourses, steep slopes (in excess of fifteen(15) percent), ledge and rock outcroppings, and flood hazard areas.
- e. Proposed road layout, open space and conservation areas.
- f. Proposed utility service layout.
- g. Proposed lot design.

5.2 Map of Entire Holdings Whenever the Conceptual Layout covers only a part of an applicant's entire holdings, the applicant shall submit at a scale of not more than 1"=200', a map of the proposed subdivision area, together with its proposed street system and an indication of the probable future street system and phased development of the remaining portion of the entire holding. The design of the portion of the land lying outside the boundary of the section being currently considered is to be presented solely for the guidance of the Commission in reviewing the Conceptual Layout and anticipating the future planning of the area.

5.3 Consideration by the Commission The Commission will review the conceptual layout with the developer.

SECTION 6.0 SUBDIVISION PLAN APPLICATION SUBMISSION REQUIREMENTS

6.1 Application Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. If the subdivision or resubdivision is proposed by a person other than the owner of the land to be divided, the application shall also be signed by the owner.

A complete application for subdivision approval shall include the following:

- a. Application and fee.
- b. Record Subdivision Plan (seven(7) black or blue line, on white prints). See Section 6.2
- c. Utilities and Improvements Plan (seven (7) black or blue line on white prints). See Section 6.3
- d. Street Plans and Profile Plan (seven(7) black or blue line on white prints). See Section 6.4
- e. Erosion and Sedimentation Control Plan (seven(7) black or blue line on white prints). See Section 6.5
- f. Grading Plan (seven (7) black or blue line on white prints). The Grading Plan maybe combined with the

Utilities and Improvement Plan or the Erosion Control Plan. See Section 6.6

- g. Details Plan of all typical subdivision improvements as required by the Town of Newington's Standard Specifications for drainage structures, road cross sections, sidewalks, curbing, etc.
- h. Letter from M.D.C. or New Britain Water Department whether public water is available or not.
- i. Letter from M.D.C. whether public sewers are available or not.
- j. Drainage computations as required by the Town Engineer.
- k. Connecticut State Highway Permit where a proposed road joins with a State Highway, or storm drainage connects to a State Highway drain, the applicant shall contact the Connecticut State Highway District Office and shall incorporate in the plans being submitted to the Commission, the recommendations of the District Office. Prior to the issuance of building permits the developer shall submit the State's permit to undertake subdivision improvements within their right of way. If the State's permit requires substantive changes to the originally approval subdivision plan the Commission reserves the right to require the developer to resubmit the modified plan for its approval.
- l. Subdivision developments in excess of fifty(50) lots shall be required to include as part of the application a traffic report identifying existing traffic patterns and roadway conditions, an analysis of the projected traffic generated by the proposed development, and proposed recommendations to correct any anticipated traffic safety hazards.

All maps and plans shall contain a title box, approval signature box, name of subdivision, date of map and map number or identification, revision box, scale, north arrow, name of subdivide, name of engineer and surveyor and the seal of the engineer and surveyor. All maps and plans shall be drawn at a scale of one inch equals 40 feet and shall be oriented to the page so that north is either at the top of the sheet or to the right. When multiple sheets are required to show the entire development a key map shall be provided.

Section 6.2 Record Subdivision Plan shall be submitted, prepared by and bearing the seal of a Land Surveyor, licensed to practice in the State of Connecticut, certifying that the accuracy of the information on the map meets standards for a "Class A-2 Boundary Survey" as defined in the "Recommended Standards for Surveys and Maps in the State of Connecticut" prepared and adopted by the Connecticut Association of Land Surveyors Inc. September 13, 1984, Effective January 6, 1984. The Land Surveyor shall also certify that the survey contains "no gaps or overlaps" in relationship to surrounding property.

The Record Subdivision Plan shall comply with the filing requirements and map standards as set forth in Section 7-31 of the General Statutes and the Regulations of Connecticut State Agencies Section 11-8-19 through Section 11-8-26 as amended. One(1) final Record Subdivision Plan map approved by the Commission and signed by the Chairman or Secretary shall be filed with the Town Clerk and one(1) signed mylar reproducible Record Subdivision Plan map shall be filed in the Engineering Department.

The Record Subdivision Plan map shall contain the following information:

- a. Existing and proposed property and street lines.
- b. Adjoining property lines and the names of adjoining owners.
- c. Existing and proposed easements and rights of way.
- d. Existing and proposed parks, recreation areas and open spaces.
- e. Proposed lots and size in square feet and lot frontage at the building line.
- f. Zone classification of the subdivision, zone classification of abutting properties and for each lot zone setbacks for front, side and rear yards.
- g. All bearings in degrees and minutes and all dimensions to the nearest hundredth of a foot on all property

lines, proposed lots, street lines, easements, rights of way, parks recreation areas, open spaces and wetlands.

- h. The central angle, tangent distance and radius of all curves. All radial lines shall be noted, non-tangent curves shall not be permitted.
- i. The width of all streets, rights of way and easements.
- j. The square footage of all parks, recreation and open space areas.
- k. Lot numbers.
- l. Street names and classifications, as determined by the Commission, and existing and proposed streets.
- m. The survey relationship of proposed streets to nearby monumented town or State Highways or to nearby subdivisions, if any such highways or subdivisions exist.
- n. The words "Approved by the Newington Town Planning and Zoning Commission" with a designated place for the signature of the Chairman or Secretary and date of signing.
- o. Vicinity map-scale, one inch equals 200 feet.

Section 6.3 Utilities and Improvement Plan shall be submitted drawn to the same scale as the Record Subdivision Plan and shall be prepared by and bear the seal, imprint and signature of a Professional Engineer, licensed to practice in the State of Connecticut, certifying that the "The Subdivision Regulation of the Town of Newington area a part of this plan and approval of the plan is contingent on compliance with all requirements thereof."

One final mylar reproducible Utilities and Improvement Plan map approved by the Commission and signed by the Chairman or Secretary shall be filed in the Engineering Department. This map shall bear the seal, imprint and signature of the developer's professional engineer.

The Utilities and Improvement Plan map shall contain the following information:

- a. All lot lines (with accurate bearings and distances).
- b. The width of all streets, rights of way and easements.
- c. Location and size of existing and proposed storm drainage system showing rate of slope and flow line elevations at inlets, outlets, structures and grade changes.
- d. Location, width and type of existing and proposed sidewalks.
- e. Location of all existing and proposed public sanitary and water supply utilities, fire hydrants, monuments, manholes, catch basins and special structures showing flow line elevations where applicable.
- f. Location of existing and proposed easements for drainage, sewage, water and other utilities.
- g. Location of existing structures, which may present special conditions and thus warrant the attention of the Commission.
- h. Stations indicating proposed elevations along the centerline of the street at 50-foot intervals tied in with stations on the profile map.
- i. Seal, imprint and signatures of the Engineer and Surveyor.
- j. Typical section of street, ditches and water courses.
- k. Elevations at 50-foot intervals on all ditches and water courses.
- l. The following notes shall be shown on map:
 - i. Elevations on N.G.V.D. at two (2) foot contour interval (system year shall be noted) for flat

areas (less than 3 percent slopes) one (1) foot contour interval shall be shown. The method by which the topography was obtained shall be stated on the plans and certified to by the Land Surveyor.

- ii. Iron pins to be set at all lot corners and angle points.
- iii. -designates merestones.
- iv. Elevation at lot corners and proposed building corners indicate proposed grades to provide proper surface drainage. Arrows indicate direction of surface water flow. Note: building corners only need to show proposed "footprint"
- v. Town (2) trees per lot as per Section 3.12
- vi. Actual field conditions may be different or changed from those conditions assumed in the preparation of this plan and in such circumstances, the Town Engineer may direct that certain modifications or amendments be effected and constructed to ameliorate such changed conditions.
- m. The works "Approved by the Newington Town Planning and Zoning Commission" with a designated place for the signatures of the Chairman or Secretary.

Section 6.4 Street Plan and Profile shall be submitted drawn at scales of one(1) inch equals 40 feet horizontally and one(1) inch equals four(4) feet vertically and shall be prepared and bear the seal imprint and signature of a Professional Engineer, licensed to practice in the State of Connecticut, certifying that the "Subdivision Regulations of the Town of Newington are part of this plan and approval of the plan is contingent on compliance with all requirements thereof."

One final mylar reproducible Street Plan and Profile approved by the Commission and signed by the Chairman or Secretary shall be filed in the Engineering Department. The map shall bear the seal, imprint and signature of the developer's professional engineer.

The Street Plan and Profile shall contain the following information:

- a. Plan of proposed street in sections coordinated by stations with the profile, with bearings in degrees and minutes, distances to the nearest hundredth of a foot and accurate curve data.
- b. Abutting lot on plan.
- c. Connection with existing street.
- d. Elevations at fifty-foot stations and at 25-foot stations on vertical curves.
- e. Location and size of storm sewer lines and all structures within street right of way and to include structures outside of the right of way.
- f. Sidewalks (Plan and Profile).
- g. Edge of road pavement

Section 6.5 Erosion and Sedimentation Control plan shall be submitted and shall contain the following information:

- a. Existing and proposed boundary and lot lines, with dimensions given in feet and areas given in square feet.
Existing and proposed easements and rights-of-way for public utilities and other public uses with dimensions given in feet.
- b. Location of all wetlands and water courses on the property and within sufficient distance beyond the property line and the extent of proposed changes in their configurations.
- c. Location of proposed activities.

- d. Elevation at two-foot contour intervals. If deposition, removal or grading of material are proposed, resulting elevations shall be shown by two-foot contour intervals. Elevations shall be N.G.V.D. and the method by which topography was obtained shall be stated on plan and certified by the Land Surveyor.
- e. Identification of wetland soils, including locations of any soil borings or test holes. Soil types shall be identified in accordance with categories established by the National Cooperative Soil Survey of the United States Department of Agriculture, Soil Conservation Service.
- f. A general delineation of the vegetative cover of any regulated area.
- g. Bodies of water and high water level for all inundated area.
- h. All drainage appurtenances existing and proposed together with erosion control measures or temporary or permanent soil erosion control measures to be constructed in connection with, or as part of, the proposed work.
- i. Details of erosion control measures.

Section 6.6 Grading Plan shall be submitted as a separate map or maybe combined with the Utilities and Improvement Plan. The Grading Plan shall be prepared by a Professional Engineer or Landscape Architect licensed to practice in the State of Connecticut.

One final mylar reproducible Grading Plan map approved by the Commission and signed by the Chairman or Secretary shall be filed in the Engineering Department. This map shall bear the seal, imprint and signature of the developer's professional engineer or landscape architect.

The Grading Plan map shall contain the following information:

- a. Existing contour lines at intervals of not more than two(2) feet. If M.D.C. contour maps are used, it shall be the responsibility of the surveyor to field check topography. In areas where the gradient of the existing ground is less than two per cent (2%) a field survey of the area shall be made and data shown on plan. If the gradient of the existing ground is more than fifteen percent (15%) the engineer shall

show these areas on the plan as well as any ledge or rock outcropping's associated with this slope.

This information shall be shown by screening or shading on the Grading Plan. This gradient information will be used by the Commission when determining the suitability of lots, roads and driveway areas for development.

- b. Proposed surface grading of lots including proposed elevations at all lot corners and at points of change in gradient and proposed direction of surface water flow. The plan for lots that are deemed poorly sloped for drainage shall incorporate elevation of proposed dwelling foundation, effect of proposed grading and/or drainage on adjacent property.
- c. Finish grades or a grading plan if existing contours are not to be followed. The contours shall show a satisfactory contrast between existing and proposed (preferably screened).
- d. "Designated Building Area" and driveway locations and approximate final grades, where site development and/or environmental limitations dictate such treatment. In such cases, actual grading and dwelling footprint must be consistent with that shown on the plan submitted.

House lots shall have useable backyard and driveway gradient. Backyards, a 30-foot area measured in a perpendicular line from the rear of the house, shall not exceed a five percent (5%) gradient.

Driveways from the street right of way to the front of the house shall not exceed a ten percent(10%) gradient.

SECTION 7.0 APPLICATION PROCEDURES AND ASSURANCES FOR COMPLETION

7.1 Filing an Application

Applications for Subdivision must be filed with the Town Planner and must contain all the information required in Section 6.0. When the subdivision development plan does not necessitate the submission of certain information, such as when no new streets are proposed, the applicant shall provide an explanation with the submission describing why the application is modified. The Commission shall review the modified submission and advise the applicant if additional information is necessary to complete the submission.

7.2 Date of Receipt and Wetlands Coordination

The application will be received at the next regularly scheduled Commission meeting but in no case more than 35 days after the submission of the application. The application will be listed on the Commission's agenda as a "Petition for Scheduling." If the application involves land regulated as an inland wetland or watercourse the applicant is responsible to submit an application to the Newington Conservation Commission no later than the day the application is filed for the subdivision or resubdivision. The Town Plan and Zoning Commission shall not render a decision until the Conservation Commission has submitted a report with its final decision. In making its final decision the Town Plan and Zoning Commission shall give due consideration to the report of the Conservation Commission.

7.3 Presentation, Public Hearing and Action

The Commission will hold a public hearing on all re-subdivision applications and may hold a public hearing on any subdivision application. Due notice of all public hearings will be given in accordance with the General statutes of the State of Connecticut.

PUBLIC HEARING REQUIREMENTS

As part of your fee for all Petitions, which require a Public Hearing, the Town Planner's office will furnish, the mailing addresses of all abutting property owners to include those property owners across the street. If a condominium complex is an abutter or across the street, the Town Planner's office will furnish names and addresses of all officers of the condominium association. The Town Planner's office will place the required legal notices in the newspaper and mail notices to the abutting property owners.

SIGN ON SUBJECT PROPERTY

The applicant shall place on the property subject to the public hearing a sign provided by the Town of Newington providing notice of the scheduled hearing. This sign shall be placed in a location that is easily visible to the public at least ten (10) calendar days prior to such hearing. The applicant shall post a \$100 security deposit (cash or check) for the sign with the submission of the Petition. Upon return of the sign in good condition the deposit shall be returned. An applicant not returning the sign within five (5) days of the close of the public hearing shall forfeit the security deposit.

The Commission shall approve, modify and approve, or disapprove the plan within 65 days of its official receipt or

within 65 days of the completed public hearing. Failure of the Commission to act shall be considered an approval and in disapproving a subdivision plan the Commission shall state its reasons. Notice of these actions shall be given as required by statute.

7.4 Recording Approved Subdivision Plans

The approved subdivision plan endorsed by the Chairman or Secretary of the Commission shall be filed by the applicant in the Office of the Town Clerk within ninety days of the date such plan is delivered to the applicant. The Commission may extend such time for filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extension time. Any plan not filed by the applicant in the Office of the Town Clerk within the prescribed time shall become null and void. The filing or recording of a subdivision plan without the endorsement of the Commission Chairman or Secretary shall be void. Plans which require the signature of the Chairman prior to filing shall not become effective until the following steps are completed:

- A. A transparency of the Certificate of Action is affixed to the original plan mylar; b) the conditions are noted and incorporated onto the plan; c) the mylar original is signed by the TPZ Chairman; and d) a mylar copy of the signed mylar original is filed in the Town Plan and Zoning Office.
- B. The Commission reserves the right to require, in addition to mylar fillings, the submission of plans on AutoCAD Release 12, or later version, DXF file State Plane Coordinate System NAD83, for incorporation into the Town Planning Department's GIS database.

7.5 Completion of Subdivisions, Performance Bond and Issuance of Building Permits and Certificates of Occupancy

In lieu of completion of all subdivision improvements prior to endorsement by the Chairman or Secretary for filing in the Land Records the subdivide may choose either one of the following options to secure map endorsement, filing and the issuance of building permits:

- A. Construct the proposed public street(s) up the binder course, acceptable to the Town Engineer, and post performance bond surety for the balance of the uncompleted improvements; or,
- B. Post a Performance Bond, with adequate surety for all subdivision improvements, with the Town

Manager. The amount of such bond shall be sufficient to cover the cost of all required utilities and improvements as shown on the Utilities and Improvement Map(s) and as determined from an estimate made by the Town Engineer or his designee. This estimate shall be adjusted annually to account for any price increases, which affect the development of the subdivision. The amount of the bond required may be reduced as the work is completed and approved by the Town Manager; the amount of the reduction shall first be approved by the Commission. Prior to the reduction or release of bond, the subdivide shall furnish a Professional Engineer's certificate that the public utilities and improvements have been completed in accordance with the approval requirements. The bond shall be released only when all requirements of the Commission's Certificate of Action have been completed to the satisfaction of the Commission and the Town Manager, and necessary easements and rights-of-way have been deeded to the Town.

In no event shall a Certificate of Occupancy be issued unless at least one street leading from the limit of the subdivision to the dwelling has been brought to the top of bituminous concrete binder course and the streets and drainage are in an operable condition satisfactory to the Town Manager.

Pursuant to Section 8-26(c) of the General Statutes all work in connection with the subdivision's development shall be completed within five(5) years after the approval of the plan except that subdivisions approved on or before October 1, 1989 shall expire not more than seven(7) years from the date of such approval and subdivisions consisting of four hundred or more dwelling units shall complete all work with ten(10) years. During the period of construction before acceptance of any public improvements it shall be the sub divider's responsibility to maintain the bond amount set by the Commission with the Town Manager.

7.6 Responsibility of the Sub divider It shall be the responsibility of the subdivide to repair, immediately, any damage to the abutting town streets, sidewalks, curbs, or surface water drains that may be caused as a result of the development of the subdivision. In addition, the subdivide shall maintain all improvements and provide for snow removal on streets and sidewalks, if required, until the acceptance of the public improvements by the Town.

7.7 Acceptance of Streets and Maintenance Bond When a street is ready for "Acceptance" the subdivide shall notify the Town Manager, in writing. A field inspection shall then be made by the subdivide and the Town Engineer.

Prior to notifying the Town Manager, it shall be the responsibility of the subdivide to secure a Check List from the Town Engineer to insure that all requirements have been completed.

Prior to "Final Acceptance" by the Town of Newington the following shall be completed:

- a. All items noted on the Final Field Inspection must be corrected. Improvements proposed for public use shall not be accepted until defects are repaired to the Town Manager's satisfaction.
- b. The subdivide shall give the Town of Newington a Warranty Deed for the street(s) and drainage easements to be accepted.
- c. A letter from a Registered Land Surveyor that certifies all merestones have been installed according to the "approved plan".
- d. "As Built" duplicate mylars of street plan and profile are filed in the Engineering Department.
- e. Provide Town Manager with Maintenance Bond or other acceptable surety in amount of not less than 5% of originally estimated subdivision improvements or \$2,000 which ever is greater. This surety will remain in effect for one(1) year from the date of acceptance by the Town Manager to cover the maintenance for newly accepted streets and subdivision improvements.

7.8 Reduction of Performance Bond A subdivide may request, in writing, to the Town Planning and Zoning Commission, a reduction Performance Bond when a minimum of 50% of the bonded work is completed.

7.9 Release of Performance Bond When all the requirements of subdivision are completed to the satisfaction of the Town of Newington, a subdivide may request in writing to the Town Planning and Zoning Commission for release of the Performance Bond. Prior to release of the bond, the following must be completed:

1. Street (s) accepted by Town of Newington and the posting of a one(1) year maintenance bond.

2. Letter from registered Land Surveyor stating all lots are pinned.
3. Trees have been planted as required by Subdivision Regulations.
4. Open Spaces areas have been deeded, improved or protected as required by the approved subdivision plan.
5. Any special requirements set by Town Planning and Zoning Commission are completed.

