

# **Town of Union Connecticut**

## **Subdivision Regulations**



**Effective June 27, 2003**

## DEFINITIONS

Commission: The Union Planning and Zoning Commission.

Town: The Town of Union, Connecticut

Subdivision: The General Statutes define a subdivision as “the division of a tract or parcel of land into three or more parts or lots 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.”

Re-subdivision: The General Statutes define a re-subdivision as “a change in a map of an approved or recorded 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 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.”

Major Street: A street of considerable existing or potential continuity serving primarily as an artery for intercommunication among areas of the Municipality or as an important traffic collector in a neighborhood and on which through traffic past abutting properties is or will be dominant.

Local Street: A street, which primarily provides access to abutting properties.

The following regulations are the Subdivision Regulations of the Town of Union, Connecticut, which were adopted by the Union Planning and Zoning Commission on June 27, 2003 pursuant to the General Statutes of the State of Connecticut, as amended.

## 1.0 General Provisions

- 1.1 The following regulations shall apply to the subdivision and re-subdivision of land within the Town of Union.
- 1.2 No subdivision or re-subdivision of land shall be made, and no tract or parcel of land or lot in a subdivision shall be sold or offered for sale and no building shall be erected thereon, until a map for such subdivision or re-subdivision has been submitted to and approved by the Commission and recorded in the Office of the Town Clerk.
- 1.3 No subdivision or re-subdivision map shall be considered approved until its approval has been endorsed thereon by the Chairman and Secretary of the Commission, or until the time for action by the Commission, as specified in the General Statutes of the State of Connecticut has elapsed without such action.
- 1.4 The Commission, in reviewing any subdivision or re-subdivision maps, and the person, firm or corporation proposing a subdivision or re-subdivision, shall follow the procedures hereinafter specified. The Commission shall not approve any subdivision or re-subdivision map unless it conforms to the standards hereinafter specified.
- 1.5 The standards hereinafter specified are to be construed as minimum standards. They may be increased by the Commission where the Commission determines that such action is necessary, required, and for good cause shown.
- 1.6 Any person, firm or corporation making any subdivision or re-subdivision of land without the approval of the Commission shall be subject to penalties in accordance with the General Statutes of the State of Connecticut.
- 1.7 Previously approved subdivision maps and re-subdivision maps submitted for approval shall not be required to conform with any subsequent change of these subdivision regulations until a period of five years has elapsed from the effective date of such change. Subdivision maps shall be deemed to be approved when endorsed by the Commission and filed or recorded with the Town Clerk. Subdivision maps shall be deemed to be submitted for approval when an application for approval of the subdivision map has been submitted to the Commission accompanied by a subdivision map and such other documents as may be required by these regulations in form and content as to all essential matters as specified in these regulations.

## 2.0 Procedure

All land to be subdivided or re-subdivided shall be of such character that it can be used for building purposes without danger to health or public safety, that proper



provision shall be made for water, drainage and sewerage and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, that proper provision shall be made for protective flood control measures and that the proposed streets are in harmony with existing or proposed principal thoroughfares, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width, to provide an adequate and convenient system for present and prospective traffic needs. Due regard shall be given in the subdivision of land, to the preservation and potential enhancement of existing natural features and other assets of a community nature.

## 2.1 Presentations

All applications, complete with all maps, plans and other documents and fees required to be submitted to the Commission by these regulations, shall be mailed or delivered to the Secretary of the Commission. The date of receipt of a formal application for approval of a subdivision or a re-subdivision shall be the date of the next regularly scheduled meeting of the Commission immediately following the date of application, or thirty-five days from the date of application, whichever is sooner. Where all of the required maps, plans and other documents and fees are not mailed or delivered on the same date as the application, the date of application shall be considered as the date when all such required maps, plans and other documents and fees have been mailed or delivered to the Secretary of the Commission.

Before submitting a proposal for the subdivision or re-subdivision of land, a subdivider should familiarize himself with the Subdivision Regulations, Zoning Ordinance, and other applicable regulations, ordinances and standards of the Town and with any existing or proposed plans of the Commission and other Town Authorities in the neighborhood of the land to be subdivided that will have an influence on the layout of streets, lots, parks and recreation areas and the provision and installation of utilities and storm drainage.

## 2.2 Preliminary Consideration

The Commission recommends that, prior to filing of an official application for approval of a subdivision or re-subdivision, the applicant prepare and present a preliminary layout of the proposed subdivision or re-subdivision for informal discussion with the Commission. The purpose of preparing a preliminary layout is to allow general consideration of factors and problems affecting development of the land to be subdivided before the applicant proceeds with the formal application and the preparation of required maps, plans and documents. The preliminary layout should be drawn for a scale of 200 feet or less to the inch and should show existing and proposed property and street lines, proposed lots, existing and proposed drainage, water courses, ponds and swamps, existing contours



from available U.S.G.S. maps and other sources, the location of any test holes, principal wooded areas and ledge outcrops and any proposed parks, recreation areas and open spaces. The Commission may hold an informal discussion meeting with the applicant and may recommend any changes in the proposed maps and plans to guide the applicant in making formal application.

Any action taken and any suggestions made by the Commission with respect to the preliminary layout shall not be construed as implying approval of a proposed subdivision or re-subdivision, such action and suggestions being made only for the purpose of aiding the applicant to establish a basis for design of the proposed subdivision consistent with the requirements of these Subdivision Regulations and other Town Regulations, Ordinances and Standards.

## 2.3 Application Requirements

In order to apply for approval of a subdivision and before the Commission shall consider any proposed subdivision, the following requirements shall be met and information submitted by the person, firm or corporation proposing a subdivision:

### 2.3.1 Application

Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant, and if the subdivision is proposed by a person, firm, or corporation other than the owner of the land to be subdivided, the application shall also be signed by the owner.

### 2.3.2 Application Fee

An application fee of \$250.00 plus \$50.00 for each lot shown on the subdivision map shall accompany the application and shall be paid to the Commission, checks made payable to "Treasurer, Town of Union". Additional consulting fees incurred by the Town will be paid by the applicant.

### 2.3.3 Subdivision Map

A subdivision map shall be submitted, prepared by, and bearing the seals of a land surveyor and engineer, licensed to practice in the State of Connecticut. The licensed surveyor shall certify that the accuracy of the survey information meets standards for a "Class A-2" Transit Survey of the Connecticut Technical Council, Inc. The licensed engineer shall certify that he was in responsible charge of design of all improvements (excluding dwellings and their accessory structures) shown on the Subdivision Map. The overall map shall be 24 by 36 inches, shall be drawn to a scale of 100 feet or less to the inch.

Four blue line or black line paper prints of the maps shall also be submitted for the records of the Commission.

The map should show the following:

- a. Key Map scale shall be 1 inch equal to 1000 feet and should show general location of project.
- b. Existing and proposed property and street lines.
- c. Adjoining property lines and the names of the adjoining owners.
- d. Location of existing storm drainage facilities, culverts and bridges, with description as to type, sizes, invert elevations, and directions of flow.
- e. Existing and proposed water courses, ponds, easements, discharge rights, and rights of way, rock ridges and outcroppings, large trees and wooded areas, swamps, walls, fences and building.
- f. Existing and proposed parks, recreation areas and open spaces.
- g. Proposed lots, lot numbers and Assessors map/block/lot numbers.
- h. All dimensions and all bearings or angles on all property lines, proposed lots, street lines, easements, rights of way, parks, recreation areas and open spaces.
- i. The central angle, tangent distance, length and radius of all arcs.
- j. The width of all streets, rights of way, and easements.
- k. The square footage and acreage of all lots, parks, recreation areas, playgrounds and open spaces and the total acreage of the subdivision.
- l. Zoning district, including exact boundary lines of district if more than one district.
- m. Town boundaries (if subdivision is on or immediately adjacent thereto).
- n. Location and size of proposed storm drainage facilities.
- o. Street line monumentation and street names.

- p. The survey relationship of proposed streets to nearby monumented Town or State Highways.
- q. Title, date, graphic scale, Town and north point.
- r. The words “Approved by the Union Planning and Zoning Commission” with a designated place for the approval signatures and date of signing.
- s. The words “Approved by the Director of Health of the Town of Union” with a designated place for the director’s signature and date of signing.
- t. An index map if the proposed subdivision is divided into sections or is of such size that more than one map is required, and a location map (scale 1” = 1,000’) showing the location of the subdivision in relation to major streets in the Town.
- u. The map shall also show by proper designation thereon all parcels of land proposed to be dedicated to public use for which deeds are included and all parcels title to which is reserved by the Applicant, or which is to be reserved by deed covenant for the common use of the property owners of the subdivision.

### 2.3.3 Construction Plans and Specifications

Plan, profile and detail drawings of all proposed streets, storm drains, catch basins, manholes, ditches, water courses, headwalls, sidewalks, curbs, gutters and other structures shall be submitted. Plan and profile drawings shall be prepared on , overall size 24” x 36” and shall be drawn to a horizontal scale of one inch to forty feet and a vertical scale of one inch to four feet. Profile drawings and elevations shall be based on Town, State or U.S. benchmarks or on a suitable benchmark provided by the Commission, noted and described on the drawings and on the Subdivision Map. In the case of streets, profiles shall show the existing grades and proposed elevations at the center-line, both street lines and 30 feet inside each property line; these elevations to be shown at intervals of 50 feet or less along the streets. The profiles shall be properly stationed and shall show vertical curve data and stopping sight distance. The depth, invert, slope and size of all pipes, ditches and streams shall be shown. The street plan shall be properly stationed, shall show the width of right-of-way and pavement,



curbs, gutters and sidewalks, location of driveway cuts, street trees, street signs and traffic control signs and all underground utilities.

Detail drawings shall also be submitted showing, at appropriate scales, all the detailed information required to adequately construct and install all proposed facilities.

Construction specifications shall be submitted, adequately describing all materials included in the construction of the improvements and the construction methods to be used.

An estimate of the cost of all required improvements shall be prepared and submitted to the Commission for its guidance in setting the amount of any performance bond required.

All construction plans, drawings, specifications and estimates shall be prepared by and bear the seal of an engineer licensed to practice in the State of Connecticut.

Four black or blue ink paper print copies of each drawing and four copies of the typewritten specifications and estimates shall be submitted with the Subdivision Map.

#### 2.3.5. Topographic Plan

A plan shall be presented showing existing ground elevations, proposed ground elevations if regarding is contemplated, and the proposed layout of streets, lots, park and recreation areas, and drainage at a scale of 100 feet or less to the inch. Existing and proposed elevations shall be based on the same bench mark as required in Paragraph 2.3.4 and shall be shown as follows: For land that slopes less than approximately 2 percent, show spot elevations at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions; for land that slopes more than approximately 2 percent either show contours with an interval or not more than 5 feet if ground slope is regular and such information is sufficient for planning purposes or show contours with an interval of not more than 2 feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings. Four black line or blue line prints of the plan showing existing and proposed ground elevations shall be submitted and shall bear the seal of a land surveyor or engineer licensed to practice in the State of Connecticut.

### 2.3.6 Plans for Parks, Playgrounds and Recreation Areas

In the event that an area to be used for park, playground or recreational purposes is required to be shown, the Applicant shall submit to the Commission prior to final approval of the Subdivision Map, four (4) black or blue line copies of a drawing conforming to the size, margin and title box requirements of the Subdivision Map, showing at a scale of not less than 20 nor more than 50 feet to the inch, such area and the following features thereof:

- a. The boundaries of the said area, giving lengths and bearings, of all straight lines, radii, lengths, central angles and tangent distances of all curves.
- b. Existing features, such as brooks, ponds, clusters of trees, rock outcrops, stone walls, structures.
- c. Existing and, if applicable, proposed changes in grade and contours of the said area and of area immediately adjacent.
- d. Improvements to said area required by the Commission.

### 2.3.7 Field Location of Proposed Improvements

Proposed roads shall be staked by the Applicant, if directed by the Commission, along their centerline every 100 feet, or more frequently if required, in order to permit the Commission, the First Selectman and their duly authorized representatives to observe grades, types of terrain traversed, lot access and other factors on the site. Each stake shall be referenced and shall indicate the approximate height of proposed cut or fill. Locations of drainage facilities shall also be staked by the Applicant if directed by the Commission.

### 2.3.8 Sanitation Certificate

A statement from the Town Health Officer shall be obtained and submitted to the Commission by the applicant certifying that the land to be subdivided and the subdivision plans are satisfactory for private sewage disposal and water supply systems. Adequacy of plans for sewage disposal facilities shall be based on percolation tests carried out in accordance with State Sanitary Code Regulations and witnessed by the Town Director of Health or his designated alternate. A minimum of one percolation test and two deep hole tests per lot shall be made. The method of making such test and reporting of said results shall be as prescribed by the Commission and the Town Director of Health. At its discretion, the Commission may require the applicant to submit a report from

a sanitary engineer, licensed to practice in the State of Connecticut, certifying that the land to be subdivided and the subdivision plan are satisfactory for private sewage disposal and water supply systems. All sewage disposal systems and water supply systems shall meet the applicable requirements of the Connecticut State Department of Health. All costs in connection with securing a sanitation certificate, making, witnessing, and reporting of percolation tests, sanitary engineering reports, etc., shall be borne by the Applicant.

#### 2.3.9 Connecticut Department of Transportation Permit

Where a proposed road or drain joins a State Highway, the Applicant shall obtain a permit for such connection from the Connecticut Department of Transportation and shall present a copy of such permit to the Commission at the time the application is submitted.

#### 2.3.10 Easements and Deeds

Easements for public rights of way and easements and discharge rights for storm drainage and water courses draining existing or proposed public streets or public streets that may be constructed in the future shall be confirmed by written easements and deeds describing the land involved and the privileges of the Town in a legal form satisfactory to the Town Counsel.

#### 2.3.11 Offers of Cession

Formal offers of cession to the Town, of all streets, parks, recreation areas and open spaces which are not marked on the subdivision map with the notation to the effect that such cession will not be offered, shall be submitted by the Applicant to the Commission with the Application. Such offers shall be in a legal form satisfactory to the Town Counsel. Such offers of cession shall only be accepted at a Town Meeting and approval of the subdivision map by the Commission shall not constitute an acceptance or the dedication of any street, park, recreation area or open space by or to the Town.

#### 2.3.12 Other Evidence

Other evidence shall be submitted establishing that the land to be subdivided is of such character that it can be used for building purposes without danger to health or public safety, that proper provision will be made for water, drainage and sewerage and, in



areas contiguous to brooks, rivers or other bodies of water subject to flooding that proper provision will be made for protective flood control measures, that in placed deemed proper by the Commission open spaces for parks and playgrounds will be established, and any proposed streets shown on the subdivision map will be in harmony with existing or proposed thoroughfares, especially in regard to safe intersections with such thoroughfares.

#### 2.3.13 Waiver of Application Requirements

Where a proposed subdivision consists of lots fronting on an existing improved street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property, the Commission may vote to waive the requirements of Article 2.3.5. The Commission may vote to waive the requirements of Article 2.3.5 for any re-subdivision.

### 2.4 Consideration of Plans

After the foregoing application requirements have been met, the Commission shall pursue the following procedure:

#### 2.4.1 Public Hearing

The Commission shall give consideration to the proposed subdivision, and if it shall find that the maps and plans and the accompanying certificates, documents and data conform to the requirements of these Regulations, the Commission may hold a public hearing on the subdivision application. The Commission may also request the submission of such additional evidence that it deems necessary for a reasonable review of the proposed subdivision. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the Town at least twice at intervals of not less than two days, the first not more than 15 days, nor less than 10 days and the last not less than two days prior to the date of such hearing, and the applicant shall, not less than 10 days prior to the date of the public hearing, send notice to all properties within 500 feet in all direction, by US Postal Office Return Receipt Requested. Receipts shall be delivered to the Planning and Zoning Commission no later than the Wednesday prior to the scheduled public hearing. A list of the property owners, within 500 feet, names and current mailing addresses shall be submitted with the application.. The Commission shall hold a public hearing on any application for a re-subdivision.

#### 2.4.2 Final Approval

The Commission, after the public hearing if any, shall give approval to the proposed subdivision if it shall find that the subdivision maps and plans, accompanying certificates, documents and data conform to the conditions and requirements of these Regulations. In granting approval the Commission may attach such conditions that it deems necessary to modify the subdivision map, plans or documents and to preserve the purpose and intent of these Regulations. The Commission shall approve, modify and approve, or disapprove any subdivision application or maps and plans submitted therewith within 65 days after the public hearing. . Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the Town, and addressed by certified mail to the applicant by the Secretary of the Commission within fifteen days after such decision has been rendered. Such notice shall be a simple statement that such application was approved, modified and approved, or disapproved, together with the date of such action. The failure of the Commission to act 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 not to exceed a further period of 65 days may be had with the consent of the applicant. The grounds for its action shall be stated in the records of the Commission.

No subdivision map shall be approved by the Commission as long as the applicant is in default, with respect to these Regulations, on a previously approved subdivision.

No changes, erasures, modifications, or revisions shall be made in any subdivision map after approval has been given by the Commission and endorsed in writing on the map unless the said map is first re-submitted to the Commission and such Commission approves any modifications. In the event that any such subdivision map is recorded without complying with this requirement, the same shall be considered null and void, and the Commission shall institute proceedings to have the map stricken from the records of the Town Clerk.

#### 2.4.3 Map Endorsement and Bond

Subdivision approval shall not be deemed to take effect until all of the conditions of approval, if any, have been met and the subdivision map has been endorsed by the Chairman or Secretary of the Commission. The Commission shall not authorize its Chairman and Secretary to endorse the subdivision map to permit



filing with the Town Clerk until all conditions of final approval have been met, all required easements and deeds have been presented and all required subdivision improvements have been completed in accordance with the plans as approved. In lieu of completion of all or part of required improvements prior to endorsement of the subdivision map, the applicant shall: (1) file with the Commission a surety, cash or savings account bond, in legal form approved by the Town Counsel and with surety acceptable to the Commission and in such amount as the Commission may deem sufficient to insure the completion of subdivision improvements within five years in accordance with the plans as approved, and (2) request the Commission to approve the subdivision on the condition that no lot or building in the subdivision shall be sold until all required improvements serving the lots or building have been completed to the satisfaction of the Commission. As a condition of approval the applicant shall agree to file with the Commission a bond in legal form approved by the Town Counsel and with surety acceptable to the Commission and in such amount that the Commission shall deem sufficient guaranteeing the satisfactory construction and operation of all required subdivision improvements for a period of two years after such improvements have been completed to the satisfaction of the Commission.

#### 2.4.4 Filing

The endorsed subdivision map, shown any modifications upon which final approval of the subdivision was contingent, shall constitute the approved record Subdivision Map. The date of endorsement of the record subdivision map shall be noted on the map by the Chairman and Secretary of the Commission. Within ninety days after the endorsement of the record subdivision map, the applicant shall file and record the Mylar map and any required easements and deeds in the office of the Town Clerk. Filing and recording fees shall be paid by the Applicant. Failure to file and record the endorsed record subdivision map within the ninety day period shall render the Commission's approval null and void, except that, upon written request of the applicant, the Commission may extend the time for such filing for two additional periods of ninety days and the endorsed record subdivision map shall remain valid until the expiration of such extended time.

#### 2.4.5 Release of Conditions

At the request of the applicant, the Commission shall execute a statement certifying that the subdivision has received approval,



that all of the conditions of approval have been met and that all required subdivision improvements have been completed in accordance with plans and specifications as approved.

#### 2.4.6 Certificate of Compliance

Before release of any subdivision bond, or before the Commission authorizes its Chairman and Secretary to endorse any subdivision map to permit filing with the Town Clerk when no subdivision bond has been posted, the Commission shall request the applicant to present a statement, signed and sealed by the engineer who prepared the construction plans and specifications for the subdivision improvements, certifying that such engineer has inspected all of the required construction work and that all of the required improvements have been completed in accordance with plans and specifications as approved. Any expense incurred in securing a certificate of compliance shall be borne by the applicant.

#### 2.4.7 Release of Bond

At the time that a developer requests a release of bond, the developer shall also;

- a) Request acceptance of any proposed public streets, easements, or improvements that are a part of a subdivision or re-subdivision;
- b) Submit deeds or other documents for proposed public streets, easements or other improvements;
- c) Submit "As Built" drawings of all improvements; and
- d) Submit a Maintenance Bond in an amount equal to ten (10) percent of the total construction cost for all public improvements. Said bond shall be written to expire two (2) years from the date of acceptance of streets and/or other bond improvements to insure the Town against any defects which become apparent during that period.

Where a bond is required and no streets or other public improvements subject to acceptance by a Town Meeting are involved, a developer may petition the Commission for release of such bond provided that all bonded improvements have been satisfactorily completed.

### 3.0 Map Design Standards

#### 3.1 General

The following regulations and design standards shall apply to the planning and map layout of streets, lots, parks, recreation areas and other improvements and facilities shown on the subdivision map.

#### 3.2 Building Lots

Lot dimensions shall comply with the minimum standards of the Town of Union Zoning Regulations. The proposed lots shall be of such shape, size, location, topography and character that buildings can be reasonably constructed and that they can be occupied and used for building purposes without danger to the health and safety of the occupants and the public. Any lot which is found to be unsuitable for occupancy and building 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 an approved lot" on the subdivision map, until necessary improvements to the lot have been made and approved by the commission and a revised subdivision map has been submitted to and approved by the Commission.

Building lots shall be so arranged and shall be of such shape; size, location and character that buildings can be reasonably constructed in conformity with the requirements of the Zoning Ordinance of the Town and proper access can be provided to such buildings from an approved street. Side lot lines shall be right angles to straight street lines and radial to curved street lines, unless a variance from this rule will give a better street or lot plan. . Where lots are more than double the minimum area required in the Zoning district in which a subdivision is located, the Commission may require 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.

#### 3.3 Streets

##### 3.3.1 Classification of Streets

All existing and proposed streets and vehicular rights of way shown on the subdivision map shall be classified by the Commission as Major Streets or Local Streets (see "Definitions").

3.3.3.1 Where no street lines have been established on an existing street, front property lines shall be no closer than 25 feet from the center line of the paved portion of the street or, if the street is not paved,

from the center line of the portion traveled by motor vehicles, as best can be determined. If a street line for an existing street has been established only on the side of the street opposite the proposed subdivision, the front lines in the subdivision shall not be closer than 50 feet from such street line. The Town may require the dedication or deeding to the Town of all property between the front property lines and the street.

- 3.3.3.2 Where the grade of the existing street will be materially higher or lower than the proposed lots fronting on it, the Commission may, for reason of providing adequate sight distance on driveways, alleviating excessive or hazardous slope, or excessive runoff, require any lot or any part of such lot to be re-graded as necessary.
- 3.3.3.3 Where the Commission finds that the finished grading of a lot may cause excessive water to drain into or onto the street or otherwise cause drainage problems on the street, the Commission may require the developer to install drains in the street or make such other provisions as may be necessary to correct the condition.
- 3.3.3.4 If a tract being subdivided contains a water body, or portion thereof, lot lines shall be so drawn that responsibility for safe maintenance of the water body is assured.

3.3.2 Minimum Design Standards

Streets shall be planned to conform to the following minimum standards:

<u>Standard</u>	<u>Minor Street</u>	<u>Major Street</u>
Right-of-way Width	50 feet	50 feet
Pavement Width	24 feet	32 feet
Tangent between Reverse Curves	100 feet	200 feet
Minimum Grade	0.6%	0.6%
Maximum Grade	10%	6%
Minimum Length of Vertical Curve	100 feet	150 feet
Minimum Stopping Sight Distance	200 feet	350 feet



### 3.3.2.1 Cul-de-sac-Streets

Where cul-de-sac streets are included in a subdivision, they shall not exceed one thousand (1000) feet in length. They shall be equipped with a turnaround which has a minimum right-of-way radius of sixty (60) feet and a minimum pavement radius of fifty (50) feet. When a cul-de-sac is proposed as a temporary measure pending future development of adjoining property, it shall be so designed as to be feasible of continuation in the adjacent tract.

When there is possibility of extension of street, all portions of the cul-de-sac, including pavement, grass strip and sidewalk width, shall occupy the space by virtue of an easement delivered to the Town before acceptance of the street.

The developer extending a street from a cul-de-sac shall be required to remove the existing pavement outside of the standard traveled way, loam and seed said area in which pavement has been removed and install curbs and sidewalks in the original cul-de-sac are in accordance with Town requirements.

### 3.3.3 Intersections

The following standards shall apply to street intersections:

3.3.3.1 No more than two streets shall intersect at any one point.

Four way intersections of streets primarily intended to serve abutting property shall be avoided.

3.3.3.2 Except where impracticable because of topography, or other conditions, all streets shall joint each other so that for a distance of at least 100 feet the streets are at right angles to each other. In any case where right angle intersections are impracticable, major streets and local streets intersecting with major streets shall not intersect at an angle of less than 85 degrees and no local street shall intersect with another local street at an angle of less than 60 degrees. Within 50 feet of an intersection, the grades of proposed streets shall not exceed three (3) percent.

3.3.3.3 Intersecting street lines of major streets and local streets shall be rounded at the corner with a minimum radius of 20 feet. A larger radius may be required by the Commission where deemed necessary because of an angle of intersection and type of traffic anticipated.

3.3.3.4 Street jogs with centerline offsets of less than 125 feet shall be avoided.

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

#### 3.3.4 Street Planning

Proposed streets and rights of way shall be planned in such a manner as to provide safe and convenient access to proposed lots and with due consideration for accomplishing an attractive layout and development of the land in the subdivision and in the neighborhood. Streets should in general follow the contour of the land and should have a location and grade which preserves the desirable trees and natural features in the subdivision and which enhances property values in the subdivision. Proposed local streets shall be planned to discourage through traffic but also to provide a safe and convenient system for prospective traffic in the neighborhood around the subdivision and shall be planned where appropriate to provide for continuation of existing streets in adjoining areas and for projection into adjoining properties when subdivided. Proposed streets, which may be projected into adjoining properties, shall be carried to the boundary line; no reserve strips will be permitted.

Lots shall not, in general, derive access exclusively from a major street. When a subdivision abuts or contains an existing or proposed major street, the Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. Streets shall be arranged so as to obtain as many as possible of the building sites at or above the grade of the street. Steep grades and sharp curves shall be avoided.

#### 3.3.5 Existing Streets

Proposed subdivisions abutting on existing Town streets or State Highways shall provide for proper widening of the right of way of such streets or highways to the width appropriate for the

classification given such streets or highways by the Commission. Such provision shall be in the form of a deed dedicating sufficient land to the Town to enable the Town to widen the street or highway to the appropriate width from the centerline of the street or highway to the proposed property lines of the subdivision.

#### 3.3.6 Street Lines

Street lines on each side of a proposed street or right of way shall be parallel or concentric arcs.

#### 3.3.7 Street Names

All proposed street names shall be submitted to the Commission for approval . Streets shall bear names which are appropriate to the character of the Town and which do not duplicate or too closely approximate in spelling or sound existing street names in the Town of Union or any adjoining town.

#### 3.3.8 Monuments

Two street monument sites, preferably on a tangent and with an unobstructed line of sight between them shall be provided for each 800 feet of street or fraction thereof and shall be spaced not less than 200 feet apart unless otherwise permitted by the Commission.

#### 3.3.9 Building Setback Lines

All building setback lines shall be shown on the subdivision map along any street.

#### 3.3.10 Traffic Control Devices

Those devices used to warn of unusual road or traffic conditions and to furnish information about road use, such signs and markings, directional signaling and illumination shall be installed at the direction of the Commission at the expense of the applicant.

### 3.4 Easements

Easements, at least 30 feet in width, shall be provided for all storm drains and other utilities that are not to be installed in the streets. Easements shall also be provided for the full width of the channel of any stream or drainage ditch in the subdivision which will carry drainage runoff from any proposed street, existing street, or streets which may be constructed in the future on the undeveloped land



within the watershed. Easements shall also be provided for storm water pipes that may need to be installed in the future to serve undeveloped land within the watershed that normally drains across the area of the proposed subdivision. Where the discharge of storm water shall be into private property adjoining the proposed subdivision, proper easements and discharge rights shall be secured by the applicant for the Town before approval of the final map.

### 3.5 Channel Encroachment Lines/High Water Level

Channel encroachment/high water level and street, side and rear boundaries 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 and construction. The width of the channel shall be based on sound engineering calculations and anticipating long range storms and flow potentials and recognizing proper alignment and gradients of the channel. A note shall be placed on subdivision map explaining the channel and building lines and stating the restrictions against encroachment upon the channel in a manner approved by the Town of Union Inland, Wetlands and Watercourses Commission.

### 3.6 Water Supply and Sewage Disposal Facilities

Where individual on-site water supply and sewage disposal facilities are proposed, the location of all test pits and test holes and a feasible location and layout for a well and sewage disposal system for each lot shall be shown on the subdivision map. The size of the disposal system shall be shown, along with any proposed grades or elevations essential to the proper functioning of the system. The reserve area required by the State Sanitary Code shall also be delineated.

### 3.7 Underground Utility Wires

Electric and telephone wires shall be installed underground expect that the Commission may waive this requirement at the request of the applicant in cases where the Commission shall determine that the installation of underground service will result in unusual difficulty or hardship. In making such determination, the Commission shall take into account the following:

- a. The size and nature of the subdivision.
- b. Unusual topographic or other natural conditions.
- c. Type of service existing in the area adjacent to the subdivision at the time of application for waiver.

The Commission may grant a full or partial waiver of this requirement, and in approving such waiver may permit the installation of electric and telephone wires on poles or may require a combination of underground and overhead services.

### 3.8 Utilities in Streets

The Commission shall, wherever possible, require that underground utilities be placed in the street right-of-way between the paved roadway and street line to simplify location and repair of the lines, pipes, conduits and appurtenances when they require attention. The applicant shall install underground service connections to the property line of each lot within the subdivision for such required utilities before the street is paved.

### 3.9 Parks and Recreation Areas

Land for parks, playground, recreation areas and open spaces shall be provided and reserved in each subdivision as deemed necessary and in locations deemed proper by the Commission. The land reserved shall be of such size, location, shape, topography and general character as to be useful to satisfy the needs determined by the Commission. The reservation of land shall also conform to any Town plan of development pertaining to parks, playgrounds, recreation areas and open spaces. In determining the need for provision of land for parks, playgrounds, recreation areas and open spaces, the Commission shall be guided by, but not limited to, a standard of ten (10%) percent of land area of the subdivision, and shall take into consideration the size of the subdivision and any existing parks, playgrounds, recreation areas and open spaces in the neighborhood. In lieu of providing open space the Commission may accept a fee equivalent of ten (10%) percent of the fair market value as determined by an appraiser jointly selected by the Commission and the applicant of the land to be subdivided.

Where a property line of a proposed subdivision abuts an existing park, playground, recreation area or open space, the Commission may require the new park, playground, recreation area or open space to form a continuation of the existing area to provide a single large unified area. Such parks, playgrounds, recreation areas or open spaces shall abut or have direct access to a public right-of-way dedicated to public use. No privately owned reserved strips which control access to such areas will be permitted. The right-of-way shall not be included in the required area,



shall be at least 30 feet wide and shall be leveled off in a manner suitable for pedestrian and vehicular traffic with a maximum grade of 12 percent.

When a park, playground, or other recreation area or open space shall have been shown on a subdivision map, the approval of said map shall not constitute an acceptance by the Town of such area. The Commission shall require the map to be endorsed with appropriate notes to this effect. The Commission may also require the filing of a written agreement between the applicant and the Town covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area. Where title to land designated for parks, recreation areas or open space is to remain with the applicant or reserved by deed covenant for the common use of the property owners of the subdivision, there shall be submitted copies of agreements or other documents showing the manner in which such areas are to be maintained and the provision made therefore. All agreements and covenants governing the maintenance of such undeeded parcels of land shall be acceptable to the Town Counsel as to their legal sufficiency.

#### 4.0 Improvements

##### 4.1 General

All required subdivision improvements shall be designed and constructed as provided herein, subject to the approval of the Commission.

##### 4.2 Modification of Required Improvements

If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Commission that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Commission may authorize modifications provided these modifications are within the spirit and intent of the Commission's approval of the subdivision map and do not extend to the waiver or substantial alteration of the function of any improvements required by these regulations. If it shall appear that additional work is required owing to unforeseen conditions such as, but not limited to springs, ancient drains, side hill drainage from cuts, bedrock or other conditions which were not apparent at the time of the approval by the Commission, the Commission may require such additional work to be done and may require additional surety. The Commission shall issue any authorization for modification or request for additional work in writing to the applicant and shall transmit a copy of such authorization or request to the First Selectman or his/her designee.



#### 4.3 Inspection of Improvements

All required improvements are subject to inspection by the Commission, the First Selectman and/or their duly authorized representatives. The applicant shall provide free access to the site of the work for the purposes of such inspection at all times when construction work is underway on any of the proposed improvements. Whether or not such inspection is carried out, the applicant shall not in any way be relieved of his responsibilities to comply with these regulations.

At least ten days prior to commencing construction of any required improvements, the applicant shall notify the Commission and the First Selectman in writing of the time when he proposes to commence construction of such improvements.

If the Commission shall find upon inspection that any of the required improvements have not been constructed in accordance with approved specifications and requirements, the Commission shall notify the applicant and, if necessary, the bonding company, and take all necessary steps to preserve the Town's rights under the bond.

#### 4.4 Completion of Improvements

The required improvements shall not be considered to be completed until the installation of improvements has been approved by the Commission and "as built" maps and drawings satisfactory to the Commission have been submitted showing all improvements as constructed in the same detail as required for the approved subdivision map and construction plans. The "as built" maps and drawings shall be prepared and sealed by an engineer licensed to practice in the State of Connecticut. If the applicant satisfactorily completes all required improvements prior to the signing of the subdivision map by the Chairman of the Commission then said maps and drawings shall be submitted prior to the signing of the map. Any bond shall not be released until said maps and drawings are submitted and accepted.

#### 4.5 Improvements and Easements on Individual Lots

The applicant shall provide each purchaser of a lot with an accurate survey map certifying to the exact dimensions of the lot and exact location of all buildings, utilities (including sewage disposal facilities) and easements thereon.

#### 4.6 Streets

Streets shall be designed and constructed in accordance with the following minimum standards as defined in Section 3.3.2.

##### 4.6.1 Cross Section

Pavements shall be designed with a crown with a cross slope of  $\frac{1}{4}$  inch per foot. A 10-foot sidewalk area shall be provided and graded on each side of the pavement. The sidewalk area shall be graded to an elevation six inches above the top of the crown.

##### 4.6.2 Sub-Grade

The method of construction of the sub grade shall be as specified by the "State of Connecticut State Highway Department Standard Specifications".

##### 4.6.3 Base Course

The base course shall have a minimum depth of twelve (12) inches after compaction and the materials and method of construction shall be as specified for "Rolled Gravel Base" of the "State of Connecticut State Highway Department Standard Specifications". Where ledge rock is encountered, the depth shall be increased as requested by the First Selectman or his/her duly recognized representative.

##### 4.6.4 Pavement

The pavement shall consist of a bituminous surface treatment. The materials and method of construction shall be as specified for "Bituminous Surface Treatment" Section 4.14 of the "State of Connecticut State Highway Department Standard Specifications".

##### 4.6.5 Slopes

Cut or fill sections beyond the sidewalk area shall not exceed a slope of 1 : 2 except in rock. Fill slopes for embankments less than 4 feet in depth shall not exceed a slope of 1 : 4. The Commission may require a decrease in the amount of slope to whatever extent is necessary to maintain the stability of the bank under the particular soil conditions. The Commission may require the removal or lowering of embankments adjacent to street intersections in order to assure adequate sight distance at the intersection. No cut or fill sections beyond the 10 foot sidewalk area shall extend into property outside the subdivision or property not owned by the applicant unless appropriate slope rights are obtained for the Town; in the absence of such slope rights, appropriate retaining walls shall be constructed

within the subdivision to prevent encroachment upon adjoining property. All large rocks, boulders, waste material, felled trees, stumps and brush shall be removed from the street right-of-way and disposed of in a manner approved by the First of Selectman or his/her duly authorized representative.

#### 4.6.6 Sidewalks

The Commission may require the installation of sidewalks on major streets, in pedestrian easements, on local streets in the vicinity of schools and playgrounds and in other places deemed proper by the Commission for the public necessity and safety. When sidewalks are required, plans for sidewalks shall be shown on the construction plans. Sidewalks shall be a minimum of four feet in width and shall be located within the street lines with one edge abutting the property line. Sidewalks shall be constructed of Portland Cement Concrete, 5 inches thick, placed on a 12-inch gravel base. When sidewalks cross driveways, the concrete shall be increased to 8 inches in thickness and the materials and methods of construction shall be as specified in Section 9.21 Concrete Sidewalks of the "State of Connecticut State Highway Department Standard Specifications.

#### 4.6.7 Construction Procedure

Line and grade stakes shall not be spaced more than fifty feet apart and shall be set and maintained in good order during construction and until the street is approved. The First Selectman or his/her representative shall be notified 48 hours before gravel is placed on the sub grade and before any pavement operations.

### 4.7 Storm Drainage

Storm drainage shall be provided for by design and construction of drainage facilities in accordance with the standards set forth herein. The applicant shall submit a drainage analysis map, showing the tributary watershed area and downstream area affected by runoff, and the criteria and computations used in determining the location and size of proposed facilities. In preparing the drainage analysis map and computations, the applicant's engineer shall include in his study the effect of the subdivision on the existing downstream drainage facilities outside of the area of subdivision.

#### 4.7.1 General

Sufficient pipe shall be installed within the subdivision to carry existing watercourses and to drain the proposed subdivision and subdivisions, which may reasonably be expected to be developed at some future date on



adjoining property which normally drains across the area of the proposed subdivision. When it is its judgment there will be no substantial danger from soil erosion or danger to the public health and safety, the Commission may permit the discharge of rivers and large streams in their natural courses and may permit the discharge of storm water and established water courses across proposed lots in open channels.

#### 4.7.2 Design Flow

In estimating the quantity of runoff for storm drainage design the following minimum factors shall be used:

##### 4.7.2.1 Quantity of Flow

Q (runoff in cubic feet per second) equals A (in acres) times C (runoff coefficient) times R (rainfall, in inches per hour).  $Q = A \times C \times R$

##### 4.7.2.2 Rainfall Formulae

For street storm drainage systems,  $R = 170/t + 23$ .

For bridges over existing minor streams and culverts carrying existing minor streams,  $R = 230/t + 30$ .

Where R equals rainfall intensity, in inches per hour, and t is the concentration time, in minutes.

##### 4.7.2.3 Runoff Coefficient

Minimum value of C = 0.30. The Commission may require that the value of C be increased where consideration of existing conditions or proposed improvements indicate such increase would be warranted.

#### 4.7.3 Design Criteria

4.7.3.1 The minimum storm sewer pipe size shall be fifteen inches.

4.7.3.2 The minimum roadway cross culvert size shall be twenty-four inches

4.7.3.3 The minimum velocity (pipe flowing full) shall be three feet per second

4.7.3.4 The maximum velocity of flow in open channels shall be as follows:

- a. Open channel, unprotected: five feet per second.

- b. Open channel, protected: ten feet per second.  
A protected channel shall be defined as one in which the bank slopes and/or bottom have been lined with suitable stone riprap or concrete pavement.
- 4.7.3.5 Pipe Storm Sewers may be designed to flow full, but shall not be designed to flow under pressure at design flow.
- 4.7.3.6 Culverts shall have a minimum slope of one percent and shall be provided with suitable flared ends and erosion protection at the outlet.
- 4.7.3.7 Open Channels, except, existing stream relocations or improvements, shall have a minimum slope of two percent, a minimum depth of one foot, a maximum depth of three feet, minimum side slopes of two horizontal to one vertical, and shall provide a minimum freeboard of six inches.
- 4.7.3.8 Bank slopes of open channels designed for velocities of five feet per second or less shall be seeded or sodden with a suitable turf to prevent soil erosion.
- 4.7.3.9 Bank slopes and bottoms of open channels designed for velocities of five to ten feet per second shall be protected by stone riprap.
- 4.7.3.10 Storm drain inlet or outlet pipes or culverts receiving or discharging storm runoff crossing residential lots shall be extended to a point at least twenty-five feet upstream or downstream from the nearest point of any sanitary sewage disposal system.
- 4.7.3.11 Manholes or catch basins shall be provided at each change in direction or grade of the pipe and shall not be spaced more than 400 feet apart.
- 4.7.3.12 Catch basins shall be provided in order that surface water will not travel without interception more than four hundred feet on streets with grades up to and including five percent and not more than 300 feet on streets with grades over five percent. On steep slopes or in special situations, the Commission may require catch basins to be depressed and/or set behind the gutter line to facilitate the collection of water and may require the installation of double inlets.
- 4.7.3.13 The discharge of all storm water shall be into suitable streams or rivers or into Town drains with adequate capacity to carry the additional water.
- 4.7.3.14 Culverts under streets shall extend to the right of way lines of the street, except where a shorter length is required by roadside drainage channel design.
- 4.7.3.15 Driveway pipe culverts shall be installed wherever a driveway crosses a roadway gutter or ditch. The minimum driveway culvert size shall be fifteen inches.

4.7.3.16 Individual subdivision lots shall be graded insofar as is reasonable, as determined by the Commission, to prevent storm water from the lot flowing in a concentrated stream across adjacent lots and to prevent insofar as is possible, storm water from the lot flowing over the sanitary sewage disposal system on that lot.

#### 4.7.4 Construction

The materials and construction methods for all culverts, pipes and structures shall be in accordance with the applicable sections and details of the standards currently used by the State of Connecticut Department of Transportation. All pipes shall be laid to line and grade as shown on approved drainage plans and profiles.

Line and grade stakes shall be maintained in good order until the work has been inspected and approved by the First Selectman or his duly authorized representative. . No pipe or structure shall be backfilled until inspected and approved by the First Selectman or his duly authorized representative.

#### 4.8 Special Structures

Bridges, box culverts, deep manholes and other special structures shall be designed in accordance with good engineering practice and shall be subject to the approval of the Director of Public Works. No structures shall be backfilled or covered until inspected and approved by the Director of Public Works. Bridges and box culverts shall be designed to carry the full width of required street pavements and at least a five-foot sidewalk on each side.

#### 4.9 Monuments

Monuments shall be built of 1:2:3 concrete, 4 inches square. They shall be three and one-half feet long with a brass plug and a 1/8-inch rod inserted and set on the street line.

#### 4.10 Guide Rails

Guide rails shall be installed along all streets where there will be an embankment with a depth of 4 feet or more within 20 feet of the proposed pavement. See State specifications for installation.

#### 4.11 Trees

Existing healthy trees shall be preserved wherever feasible. No tree with a diameter of six inches or more as measured three feet above the base of



the trunk shall be removed unless such tree is within the right-of-way of a street as shown on the final subdivision map. Removal of trees on land outside of rights-of-way in the subdivision shall be subject to the approval of the Commission, except that all fallen, dead and diseased trees shall be removed and all diseased and dead limbs pruned within 150 feet of all buildings in a subdivision. Where no trees exist in the front yard of a lot, street trees shall be planted. Street trees shall be spaced approximately 50 feet apart, subject to variations made necessary by driveways, street corners and walks. Trees to be planted shall be 1-3/4 inch caliper or larger and shall have a minimum height of ten feet. The kind of tree shall be subject to the approval of the Commission and shall not include low branching trees, trees which are disease bearing or trees which create a hazard to traffic or pedestrians.

#### 4.12 Parks, Playgrounds, Recreation Areas and Open Spaces

Proposed parks, playgrounds and recreation areas shall be graded, landscaped, fenced, drained, equipped with playground and recreational facilities or otherwise improved as deemed necessary by the Commission to make the facility usable for the purpose intended. Land to be used as public open space shall be left in condition for the purpose intended. Undesirable growth and debris shall be removed from all such areas. Wooded and brook areas shall be left natural, open spaces shall be graded to properly dispose of surface water and shall be properly seeded.

#### 4.13 Grading and Seeding

Where a site grading plan is required and approved by the Commission, the land shall be brought to final grades shown, covered with the minimum of six inches of good arable topsoil and suitably seeded, by proper application of lime, fertilizer, seed and mulch, so as to establish a good ground cover and prevent erosion. Where slopes are steeper than two horizontal to one vertical, they shall be sodden. All seed and sod shall produce an acceptable stand of perennial grass containing Kentucky Bluegrass, Creeping Red Fescue, K-31 Tall Fescue, a mixture of these types or other species approved by the Commission. Grass seed containing Ryegrass and/or Clover in a total amount of over 20 percent by weight shall not be used. Where conditions are such that final seeding of a graded area is not feasible at the time grading is completed, the area shall be suitably seeded with ryegrass to prevent erosion. Prior to the final seeding of the area, the existing temporary ground cover shall be plowed under and the area otherwise prepared for final seeding.

All areas within street lines and within easements, not occupied by pavement or sidewalks, that are disturbed by construction operations shall also be final graded, top soiled, limed, fertilized, seeded and mulched as described above.

4.14 Lot Corner Markers

All lot corners not otherwise marked by concrete monuments shall be permanently marked by solid iron pins, at least 5/8 inch in diameter and three feet long, set so the top of the pin extends six inches above existing grade.

5.0 Appeals

5.1 General

Any person aggrieved by an official action of the Commission on a subdivision application may appeal there from, within fifteen days from the date when notice of such decision was published in a newspaper pursuant to the provisions of Article 2.4.2, to the Court of Common Pleas for Tolland County.

In those situations where the approval of the Commission must be inferred because of the failure of the Commission to act on an application, any person aggrieved by such approval may appeal there from, within twenty days after the sixty-five day period prescribed in Article 2.4.2 for action by the Commission, to the Court of Common Pleas for Tolland County.

6.0 Penalty

6.1 General

Any person, firm or corporation making any subdivision of land without the approval of the Commission shall be fined as provided by the General Statutes, as amended, not more than five hundred dollars (\$500.00) for each lot sold or offered for sale or so subdivided.

7.0 Validity

7.1 General

If any section, paragraph, sentence, clause or phrase of these subdivision regulations shall for any reason be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of these regulations.

8.0 Effective Date

8.1 General

These subdivision regulations and any amendment thereto shall be in full force and effective from the date of adoption by the Union Planning and Zoning Commission.

The effective date of these regulations is June 27, 2003.

Subdivision Regulations originally enacted in the Town of Union on April 16, 1973.