

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,