

Effective Date: 5/1/04

SECTION 03. PROCEDURAL REQUIREMENTS

After the effective date of these regulations, as set forth herein, no lots, resulting from the subsequent subdivision of any tract or parcel of land, shall be sold or offered for sale or use for building development without the prior approval of the subdivision plan by the Planning and Zoning Commission.

03.01. INFORMAL DISCUSSION OF SUBDIVISION

The Commission strongly recommends that prior to the submission of an official application for approval of a subdivision or resubdivision, the applicant prepare and present a preliminary plan of the subdivision or resubdivision for informal consideration by the Commission. The preparation of the preliminary plan is recommended to facilitate general consideration of factors and problems affecting development of the land to be subdivided or resubdivided before the applicant proceeds with the official application and the preparation of the final maps, plans and documents required for formal consideration by the Commission. If the subdivision plan is presented in preliminary rather than in final form, any alterations or changes recommended by the Commission may be made more readily and economically by the applicant. Neither the preliminary plan nor the informal consideration by the Commission, however, shall be deemed to constitute any portion of the official and formal procedure of applying for or approval of subdivisions or resubdivisions of land as contemplated under the provisions of the General Statutes of Connecticut. This procedure is not a requirement for the submission of an application for subdivision.

While the informal discussion procedure is optional, if pursued, all of the information listed below will be expected by the Commission. NOTE: Any suggestions or opinions rendered by the Commission are advisory only.

- a. Name of the applicant;
- b. Name of the owner of record;
- c. Address of property being subdivided;
- d. Date, north arrow, scale, Town, State and total area of parcel proposed for subdivision;
- e. Names of abutting property owners, and all property owners shown on the current tax assessors records and all structures within 150' of the proposed subdivision;
- f. Existing and proposed street locations;
- g. Proposed lots with approximate dimensions and area;

- h. Proposed lot numbers, street names, easement areas, open space parcels and rights-of-way;
- i. Proposed well and subsurface sewage disposal system locations;
- j. Proposed storm drainage network and their connections to existing facilities;
- k. Topographic data (in accordance with Town topographic maps) including streams, ponds, watercourses, marshes and other such water bodies;
- l. Significant physical features of the land including ledge outcroppings, stone walls, existing structures, ridge lines, vistas, etc.
- m. Location of inland wetland areas, watercourses, flood plain boundaries and/or flood hazard area boundaries;
- n. Name and certification of the person responsible for the preparation of the plans.
- o. Zoning district and zoning district boundaries, if applicable.

Preliminary drawings may be based upon the Tax Assessor's Maps or a Class "D" Survey. The source of the data shall be noted on the drawing.

Four (4) paper prints of the informal discussion drawings shall be submitted to the Commission's Clerk for informal review by the Commission. The prints should be accompanied by a memo indicating that the informal discussion procedure is being pursued and a request to be placed on a regular meeting agenda. Subject to normal work load constraints, the Commission will make every effort to schedule an informal discussion for the next regular meeting.

A print of the Middlesex County Soils Survey showing soil classifications as they relate to the proposed subdivision is recommended. Where there is a question about soil classifications, it is recommended that the developer contact the Middlesex County Soil and Water Conservation District prior to the informal discussion.

The Commission may discuss whatever layout changes it feels are necessary to eliminate or improve any problems relating to health, fire safety, traffic safety and storm drainage, as well as provisions for future streets.

03.02. APPLICATION

Applications for approval of a subdivision or resubdivision shall be made to the Durham Planning and Zoning Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant or his/her lawful agent; if the subdivision

or resubdivision is proposed by a person, firm or corporation other than the owner of the land to be subdivided or resubdivided, the application shall also be signed by the owner or his/her lawful agent.

03.03. APPLICATION FEE

There shall be a fee of one hundred dollars (\$100.00) for each lot, for the processing of subdivision or resubdivision applications.

03.04. RECORD SUBDIVISION MAP

The Record Subdivision Map shall be prepared with an accuracy meeting or exceeding the standards for a Class A-2 survey as defined in the Code of Practice for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, as amended, by the Connecticut Association of Land Surveyors, Inc.

The map shall be clearly and legibly drawn and the original shall be submitted on translucent linen mylar or any other material approved by the Connecticut Public Records Administrator as provided in Section 7-31 of the Connecticut General Statutes, as amended, on sheets 24" x 36" and shall be drawn to a scale of no more than 1" = 100'. The map shall show all perimeter property boundaries of the subdivision area and the proposed layout and boundaries of all lots or parts into which it is to be divided and the following information:

- 1) The proposed name of the subdivision, which shall not duplicate the title of any previous subdivision in the Town of Durham;
- 2) Name and address of the owner of the land to be subdivided; name and address of the applicant if different from the owner;
- 3) Date; graphic and word scale; north arrow with reference to the Connecticut Coordinate Grid System, location of the property (including Tax Assessor's map, block and parcel number), and the zone;
- 4) Existing and proposed property and street lines; adjacent property lines, and street lines within 200' of the subdivision and the names of all adjacent subdivisions and/or property owners;
- 5) Existing and proposed watercourses, ponds, easements, rights-of-way including those for utilities, sewers, drainage, either on or off a site, or open space that is reserved for parks, playgrounds or other common public uses;
- 6) The accurate outline of all property which is offered for public use with the purpose indicated thereupon and all

- property that may be reserved by deed covenant for the common use of the property owners in the subdivision;
- 7) Layout of lots and lot numbers, dimensions of all lot lines, open spaces, lot areas, building set-back lines, zone(s) and location of any monuments or markers to be placed at corners or angles of all lots. Dimensions of all lines shall be to the hundredth of a foot and all bearings or deflection angles in degrees, minutes and seconds on all straight lines and the central angle, curve length and radius of all arcs shall be shown;
 - 8) Accurate location and description of monuments to be installed;
 - A) Street Monuments shall be placed at all block corners, angles, points of tangency and curvature and any other points as directed by the Town Engineer. All monuments shall be furnished by the developer and installed where indicated on the final subdivision plan prior to the acceptance of the road by the Town.
 - B) Property markers shall be set at all property corners not identified by street monuments after final approval of the subdivision plan is granted by the Commission. Until the accurate placement and location of such property markers are visible and certified by the developer's land surveyor, neither a building permit nor a certificate of occupancy shall be issued.
 - C) All monuments shall be located by a registered land surveyor. The accurate location of required monuments shall be shown with references based on traverses between U.S.C.G.S. monuments.
 - D) Monument specifications:
 - a) Property markers shall consist of iron pipes or iron or steel bars at least thirty-six (36) inches long, and not less than three-quarters (3/4) of an inch in diameter.
 - b) Street monuments shall consist of pre-cast reinforced concrete units conforming to the standards of the Town of Durham Road Policy, Design and Specifications.
 - 9) The developer shall show the existing and proposed roadway system within a one (1) mile radius of the proposed subdivision and the location of the subdivision area on a key

- map drawn to a scale of no more than 1" = 2,000';
- 10) When a subdivision covers only a portion of the land owned by the applicant, the applicant shall be required to submit a plan outlining the proposed development of the entire tract and defining the portion of the tract involved in the current application;
 - 11) An index map, if the proposed subdivision is divided into sections or is of such size that more than one sheet is required, showing the entire subdivision with lots, lot numbers, streets, street names and delineation of areas covered by section or sheet;
 - 12) All plans submitted under these regulations shall be prepared by a licensed Land Surveyor, registered in the State of Connecticut.

A Land Surveyor shall certify all plans/designs related to the following categories:

- a) delineation and definition of boundary lines;
 - b) proposed lot and street right-of-way lines;
 - c) easement locations; and
 - d) any other features that the Commission may deem appropriate for the plans.
- 13) The plan shall contain the following statement:

I hereby certify that this map and survey were prepared in accordance with the standards of a Class A-2 survey as defined in the Code of Practice for Standards of Accuracy of Surveys and Maps, adopted December 10, 1975, as amended, by the Connecticut Association of Land Surveyors, Inc.

Signature of Surveyor

- 14) A signature box containing the following words:

Approved by the Durham Planning and Zoning Commission:

Chairman

Date: _____

Expiration Date: _____

03.05. SITE DEVELOPMENT PLAN

The site development plan shall be clearly and legibly drawn and the original submitted on translucent linen mylar or any other material approved by the Connecticut Public Records Administrator as provided in Section 7-31 of the Connecticut General Statutes, as amended, on sheets 24" x 36" and shall be drawn to a scale of 1" = 20', 1" = 40' or 1" = 50'. The plan shall show existing conditions and the proposed layout of lots, streets, and improvements for the proposed subdivision and the contiguous land of the applicant that may be subdivided in the future. The purpose of the site development plan is to allow the Commission to complete a general planning review of the proposed subdivision including its relationship to any future subdivision of contiguous land of the applicant. Six (6) blue line or black line prints shall also be submitted. The plan shall contain, at a minimum, the following information:

- 1) The proposed name of the subdivision, which shall not duplicate the title of any previously submitted subdivision in the Town of Durham;
- 2) Name and address of the owner of the land to be subdivided, name and address of the applicant (if different from the owner);
- 3) Date, north arrow, graphic and word scale, property location and the zone;
- 4) The accurate location of all boundary lines of the subdivision, existing and proposed street lines, existing and proposed property lines, and the names of all adjacent subdivisions and/or property owners of record at the date of the map submission;
- 5) Existing and proposed inland wetlands and watercourses, ponds, swamps, easements, open space areas and rights-of-way;
- 6) Proposed lots and lot numbers;
- 7) Dimensions of all proposed property and street lines, the proposed lot areas and the total acreage of the property proposed for subdivision;
- 8) Proposed width of all streets with boundaries located on both sides of the street, width of pavement, street names and width of all easements and rights-of-way;
- 9) Location of proposed wells, septic systems and the appropriate protective well arcs, such well arcs shall be located entirely on each lot served;
- 10) Based upon available information, the location of existing wells, septic systems, wetlands and watercourses, buildings or other structures located within 200' of the proposed

- subdivision;
- 11) Location of proposed houses and driveways;
 - 12) Existing and proposed contours at intervals not exceeding two (2') feet based upon the Town of Durham topographic maps, or any other field or aerial datum acceptable to the Commission, and related horizontally to the Connecticut Coordinate Grid System and vertically to the USGS 1929 datum. In areas where the Town topography has intervals greater than two (2') feet the applicant shall interpolate between the contours to present a map showing existing and proposed contours at intervals not exceeding two (2') feet.
 - 13) Location and data for all deep test pits, percolation tests and groundwater monitoring data;
 - 14) Existing and proposed storm drains, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, gutters, curbs and other structures;
 - 15) Detailed soil type designations and notes;
 - 16) Any ledge outcrops and existing stone walls and fences within the subdivision;
 - 17) Location of buffer strips and screening where necessary showing the type, size, and species of shrubs, trees and other plantings, and areas of existing tree vegetation shall be shown with an indication as to the degree of disturbance proposed;
 - 18) Notes on passive solar energy techniques considered for subdivision;
 - 19) Name and license number of engineer, architect, land planner or surveyor used in preparing the site plan;
 - 20) Location and type of any existing or proposed street lighting including provisions for shading of such lighting;
 - 21) Erosion and sediment control plans/notes which meet the minimum requirements as set forth in the "Connecticut Guidelines for Soil Erosion and Sediment Control" published by the Council on Soil and Water Conservation, January 1985, as amended;
 - 22) The location of all construction equipment storage areas as well as areas to be used for the stockpiling of materials on site;
 - 23) All plans submitted under these Regulations shall be prepared by a licensed Engineer and/or Land Surveyor, registered in the State of Connecticut.
 - A) A Professional Engineer shall certify any plans/designs that are related to the following categories:
 - a) road designs - including both horizontal and vertical alignment;
 - b) erosion and sedimentation control measures;
 - c) storm drainage systems - including the design and

- location of all pipes and structures (i.e. bridges, box culverts, etc.);
 - d) subsurface sewage disposal systems;
 - e) method of providing water supply; and
 - f) any other engineered systems that the Commission may deem appropriate.
- B) A Land Surveyor shall certify all plans/designs related to the following categories:
- a) topographic features;
 - b) delineation and definition of boundary lines;
 - c) proposed lot and street right-of-way lines;
 - d) easement locations; and
 - e) any other features that the Commission may deem appropriate for the plans.
- 24) A signature box for the Commission's approval as outlined in Section 03.04.(14);
- 25) All other supporting documentation that the Commission may require including, but not limited to:
- a) grading plans;
 - b) stormwater run-off control plans;
 - c) construction plans;
 - d) as-built plans;
 - e) health certificates;
 - f) fire protection considerations.

The Commission may, upon receipt of a written request, allow the applicant to combine more than one plan on a given map.

- 26) The minimum rectangle shall be shown on the plan. If the proposed structure is not located within the minimum rectangle an explanation must be provided in writing as to the reasons why the structure is not located within the minimum rectangle.
- 27) Indicate the proposed finished first floor elevation of any proposed structures and proposed site grading.
- 28) All slopes in excess of 10 percent as measured between contours shall be shown in areas to be disturbed.
- 29) All slope in excess of 30 percent as defined in 02.12.03. shall be shown.
- 30) The Commission may request additional detail at a scale of 1"=20' or larger to assure that the proposed modifications to a lot will not render a lot unsuitable for building purposes by creating a potential danger the public health or safety. At the time of application for a zoning permit for such lot if there is a change of six feet or greater to the grading plan

the Zoning Enforcement Officer shall refer the site plan to the Commission for further review and approval.

03.05.01. Referral of Site Development Plans

The Commission shall refer the proposed site development plan to the Conservation Commission and any other municipal agency or office it deems appropriate, including, but not limited to, the Inland Wetlands and Water Courses Agency, the Board of Selectmen, the Fire Department and the Park and Recreation Commission, for review and comment.

Such municipal agencies and offices shall submit a written report to the Planning and Zoning Commission within thirty-five (35) days of the referral of the site plan. Said report shall be received by the Commission a minimum of five (5) days prior to the Commission's next regularly scheduled meeting or any public hearing scheduled on the application in question.

The failure of any such municipal agency or office to submit a written report to the Planning and Zoning Commission within thirty-five (35) days of receipt of the referral shall not prohibit the Planning and Zoning Commission from reaching a decision on the matter before it.

03.06. STORMWATER RUN-OFF CONTROL PLAN

The developer shall furnish projections of the increase in stormwater run-off created by the proposed development to show that no impact on abutting or downstream properties will occur. Should the Commission conclude that adjoining lands or streets will be affected by an increased flow or that downstream watercourses are incapable of accommodating such flow increase, a stormwater run-off control plan shall be required.

When required, the facilities shall be planned and located so as to minimize danger to the life and property of area residents and for ease of maintenance. All storm drainage controls shall be designed by a registered professional engineer. Measures for the retention and/or detention and controlled release of stormwater run-off from the development shall meet the following standards:

- 1) Peak discharges from the 2-year, 10-year, 25-year, 50-year and 100-year frequency, 24-hour duration, type III distribution storms shall be analyzed. No increases in peak flow from these storms shall be allowed. This may be accomplished by detention basins, rooftop storage, parking lot coverage, underground tanks or other effective methods.

- 2) The overall drainage system shall be designed such that the run-off rate outside the subdivision, during or after development, does not exceed the rate that existed prior to development. This may be accomplished by retention basins, infiltration basins or other acceptable means as approved by the Town Engineer.
- 3) Maximum infiltration to groundwater is encouraged. Design of the stormwater management system shall consider reducing run-off by use of such techniques as minimizing impervious areas and maximizing travel times by using grass or rock-lined channels in lieu of storm sewers.
- 4) For drainage areas of less than ten (10) acres, run-off may be calculated using the Rational Method. In all other cases, run-off shall be computed in accordance with Technical Release #55, Urban Hydrology, Engineering Division, Soil Conservation Service, USDA, January 1975, as amended, or other recognized methods approved by the Town Engineer.
- 5) Stormwater management system components shall be designed according to sound engineering principles and installed in a sequence that permits each to function as intended without causing a hazard. Single components shall not be installed until plans for the entire run-off management system are completed and approved. Final discharge points shall be approved by the Commission.
- 6) All run-off control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where run-off control structures have been accepted by the Town for maintenance, improved access easements shall be provided.
- 7) Stormwater management systems shall be visually compatible with the surrounding landscape.
- 8) Permits for stormwater management systems may also be required from the Inland Wetlands and Water Courses Agency where such systems may have an impact on inland wetlands, and from the Connecticut Department of Environmental Protection where a dam is to be constructed or water diverted (see Sections 22a-365 et seq. and 22a-409 of the Connecticut General Statutes).
- 9) Appropriate safety features and devices shall be installed to protect humans and animals.

03.07. CONSTRUCTION PLANS

Construction plans shall be submitted for all proposed roads, storm drainage systems, water systems, ditches, watercourses, headwalls, sidewalks, sediment and erosion control structures, gutters, curbs and other structures deemed necessary by the Commission. Plan and profile drawings shall be submitted for all proposed streets, storm drainage pipes, catch basins and manholes.

- 1) Plan and profile drawings shall be drawn on standard plan-profile paper at a horizontal scale of one inch equals forty feet (1" = 40') and a vertical scale of one inch equals four feet (1" = 4');
- 2) Profile drawings and elevations shall be based upon USGS datum or other permanent bench marks as approved by the Commission. The datum used shall be noted on the plans and at least one bench mark shall be shown on each plan;
- 3) Plan and profiles drawings may be generally based on aerial topographic data, but centerline data must be verified in the field;
- 4) Intersection detail drawings may be required to insure adequate pavement grading in order to control run-off. The plan shall be at a scale of one inch equals ten feet (1" = 10') and have a contour interval of one-half foot (1/2'). The plan shall show a minimum of seventy-five (75) feet of each leg of the intersection, as measured from the point of intersection, and all catch basins or other surface water collection devices as well as top of frame elevations;
- 5) The following additional information shall be included with the construction plans:
 - a) The existing grades at the centerline and both street lines for proposed streets, including spot elevations and grades, the cross-section and/or profile of the proposed street, including centerline stationing at 50 foot intervals, stations and elevations of all vertical control points, stations and elevations of all vertical high and low points, lengths of vertical curves, the grade of tangent sections, elevations at 50 foot stations on tangent sections and 25 foot stations on vertical curve sections;

- b) The complete proposed storm drainage system including pipes, structures, outlets and existing features which are to be incorporated into the designed systems;
- c) The centerline profile and spot grades of any existing street to which the proposed subdivision street connects, for a distance of 300 feet beyond the proposed road;
- d) All appropriate details and dimensions necessary to clearly explain the proposed construction including the type of construction, materials, top of frame elevation, invert elevations, stream cross-sections and profiles, etc.;
- e) Appropriate sediment and erosion control measures indicating the location and type of said measures;
- f) Sidewalks, curbs and gutters.

03.08. SANITARY WASTE DISPOSAL PLAN

Where individual on-site sewage disposal systems are proposed, the subdivision plan shall be accompanied by a sanitary report prepared by a professional engineer. The report shall demonstrate the feasibility of the ground for subsurface sewage disposal systems. Copies of the report shall be forwarded to the Department of Health for review. The plan shall contain the location of all field test results and an engineering evaluation of the test results based on an extensive sub-surface investigation.

03.09. HEALTH CERTIFICATES

A letter from the Department of Health shall be submitted to the Commission certifying that the proposed lots in the subdivision are suitable for subsurface sewage disposal systems.

03.10. CONNECTICUT DEPARTMENT OF TRANSPORTATION

Where a proposed road or storm drain intersects or joins a State highway, the applicant shall submit the plans for such road or storm drain to the Department of Transportation for review. Prior to the commencement of any construction activities on the site, a permit shall be obtained from the Department of Transportation and such permit shall be made a part of the Commission's subdivision application record.

03.11. RECORD DRAWINGS ("As-Builts")

Upon completion of all subdivision improvements, mylar record drawings ("as-builts") shall be filed with the Town Engineer within thirty (30) days of installation. The record drawings shall be submitted by a registered land surveyor and found by the Town Engineer to be equal to or better than the approved designs. The Commission is under no obligation to approve any variations from the approved construction plans. The Commission may indeed refuse any such variations and require that all improvements failing to conform to the construction plans, these regulations or the subdivision approval be reconstructed or installed, at a cost absorbed by the developer, to the original specifications as approved by the Commission prior to the release of any bonds.

03.12. ADDITIONAL EVIDENCE

The Commission may require the submission of any additional evidence necessary to establish 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 provisions will be made for water supply, stormwater drainage and sewerage; that proper provisions will be made for protective flood control measures in areas contiguous to brooks, rivers or other bodies of water subject to flooding; that open spaces for recreational uses, parks and playgrounds will be established in places deemed appropriate by the Commission; and that any proposed streets shown on the subdivision plan are harmonious with existing or proposed thoroughfares as shown in the Plan of Development. All subdivision applications shall be reviewed to assure that all other necessary permits have been identified for all other agencies as required by Federal or State Law, Local Ordinances or Regulations.