

Effective Date: 5/1/04

07. ADMINISTRATIVE

07.01. WAIVERS

The Commission, by a three-quarters (3/4) vote of all of its Members, may vary any requirement or standard contained in these Regulations provided that such waiver does not conflict with the general purpose and intent of these Regulations and such action is deemed essential because of special circumstances or other unusual topographic conditions. Special circumstances which would warrant a waiver of these Regulations might include topography that would require excessive cuts and/or fills, construction that would cause excessive impact on inland wetlands and watercourses, construction that would cause exceptional maintenance problems or a situation where conformance to a design requirement would be detrimental to the overall design of the subdivision. To secure such variance, the applicant shall submit a written request to the Commission detailing the reasons for the waiver.

07.02. AMENDMENTS

These Regulations may be amended by the Commission at a meeting called for that purpose. However, no such amendment shall become effective until after a public hearing has been held in accordance with the applicable provisions of the General Statutes of Connecticut.

07.03. VALIDITY

If any section, subsection, sentence, or phrase of these Subdivision Regulations is ruled invalid or unconstitutional, for any reason, 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 portions of these Regulations.

07.04. PENALTIES

No subdivision or resubdivision of land or any sale or offering of such property shall be made until an appropriate plan, prepared in accordance with the requirements of these Regulations, has been approved by the Planning Commission and a mylar copy, signed by the Commission, has been filed in the Office of the Town Clerk.

Any person, firm or corporation making any subdivision of land

without the approval of the Commission may be fined not more than \$500 for each lot sold, offered for sale, or so subdivided.

## 07.05. APPEALS

Any person aggrieved by an official action or decision of the Commission may appeal such decision to the Superior Court for the judicial district where the Town is located within fifteen (15) days from the date when notice of such action or decision was published by the Commission.

## 07.06. EFFECTIVE DATE

The effective date of these Regulations shall be June 15, 1992.

### 07.06.01. Amendments to Regulations

<u>Section</u>	<u>Brief Description</u>	<u>Effective Date</u>
03.05. 17)	Site Development Plan - Existing tree vegetation shall be shown with an indication as to the degree of disturbance	7/1/95
06.	Designer Subdivisions - Deleted	11/20/95
04.06.	Lot Access - new	5/1/96
07.01.	Waivers - include ..."construction that would cause excessive impact on inland wetlands and watercourses" ...	5/1/96
04.05.02.	Delete existing Section Cul-de-Sacs and replace with a new Section Cul- de-sacs or Dead End Road	7/10/96
04.01.01.	Add new subsection 4) to "Character of Subdivision Land"	10/9/96
06.	Add Section - Designer Subdivisions	11/1/96
02.12.02	Amend "Lot Area"	5/1/97
03.01.e.	Amend "Informal Discussion of Subdivision"	5/1/97
05.05.	Amend "Public Hearing"	10/31/97
02.12.03.	Amend Lot Area Minimum Rectangle	1/15/00

<u>Section</u>	<u>Brief Description</u>	<u>Effective Date</u>
03.05.01.	Amend Site Development Plan, Subsections 26, 27, 28, and 29	1/15/00
02.12.03.	Amend Lot Area Minimum Rectangle	7/1/00
03.05.	Amend Site Development Plan Subsection 12)	7/1/00
03.05.	Amend Site Development Plan, New Subsection 30)	7/1/00
04.01.01.	Amend Character of Subdivision Land	7/1/00
03.05.	Amend Site Development Plan, Subsection 9)	3/15/02
02.12.01	Amend "Lot" definition	5/1/04