

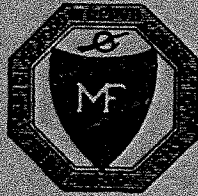
City Clerk 1964

Subdivision Regulations

of the

TOWN of MILFORD

Connecticut



1955

MILFORD PLANNING
& ZONING BOARD
MILFORD, CONN.

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CHAPTER I

DECLARATION OF POLICY

By the authority of the General Statutes of the State of Connecticut and the Council-Manager Act for the Town of Milford, as amended, the Town Planning and Zoning Board is empowered to approve any subdivision of land and to adopt regulations covering the subdivision of land.

It is declared to be the policy of the Town Planning and Zoning Board to consider land subdivisions as a part of a plan for the orderly, efficient, and economical development of the Town. This means, among other things, that land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety; that proper provision shall be made for water supply, surface-drainage and sanitary sewerage; that the proposed streets shall be in harmony with existing or proposed principal thoroughfares shown in the Plan of Development, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs; that, in places deemed proper by the Board, open spaces for parks and playgrounds shall be shown on the subdivision plan; that undue density of population shall be avoided, especially where development would create an undue burden on municipal facilities; that adequate access to properties for fire fighting apparatus shall be provided; that adequate light and air shall be afforded to all properties; and that the completed subdivision shall accomplish the development of the land as envisaged in the Plan of Development for the Town.

In order that land subdivisions may be made in accordance with this policy, these Regulations are hereby adopted.

CHAPTER II

PROCEDURE IN FILING SUBDIVISION APPLICATIONS

Section 1. Application for Approval Required

Whenever any subdivision of land (as defined in these regulations and to include "resubdivision") is proposed to be made, and before any lots are sold and before any building permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for approval of such proposed subdivision in accordance with the following procedure.

Section 2. Preliminary Layout

A. Discussion of Requirements

Before preparing the Preliminary Layout, the applicant should discuss with the Board's Executive Secretary the requirements

for the subdivision of land.

B. Application

The subdivider shall file, in duplicate, an application for the consideration of a Preliminary Layout, on forms provided by the Board, accompanied by a fee of Twenty (\$20.00) Dollars plus Two (\$2.00) Dollars per lot for each lot shown on the Preliminary Layout, together with three paper prints of the Preliminary Layout. The Preliminary Layout shall, in all respects, be in conformity with Chapter IV of these regulations ("Specifications for Preliminary Layouts Final Subdivision Plans and Plan Profiles"). Any request for variance of the General Subdivision Requirements shall be made a part of the application.

C. Technical Reports

The applicant shall obtain from the Director of Public Works a report as to the general feasibility of the proposed drainage plan and street grades, and from the Health Administrator a report as to the general feasibility of sewage disposal in the area proposed to be subdivided, and shall deliver said reports to the Executive Secretary. The Board may also require reports from the Police Chief and the Fire Chief as to access by fire fighting, police and other public safety equipment to the proposed subdivision.

D. Check by Executive Secretary

At the time of the filing of an application for the consideration of a Preliminary Layout and the presentation of such a layout, the Executive Secretary shall accept such application and layout and shall place the matter on the agenda of the next regular public meeting of the Board, provided the application and layout are received and accepted at least ten (10) days prior to such meeting and, further provided, the applicant delivers the required technical reports at least six (6) days before such meeting. If the above described time requirements are not met, the application shall be held for the subsequent regular public meeting of the Board. The applicant or his agent shall certify that the information contained in the application and layout is true and correct and meets the zoning requirements for the zone in which the land is located.

E. Applicant to Attend Board Meeting

The applicant, or his authorized representative, should then attend the meeting of the Board for which his Preliminary Layout has been placed on the Board's agenda. The Board may defer consideration of any Preliminary Layout to the next regular public meeting if the applicant, or his representative, does not appear at such meeting.

F. Report of Executive Secretary

At the regular public meeting of the Board at which such application is first considered, the Executive Secretary shall present the reports of the Director of Public Works and the Health Administrator, as well as his own report summarizing the facts of the proposed subdivision, together with his recommendations and comments.

of the Final Subdivision Plan, (as defined in these Regulations), the Board will take action on the application. Such action shall consist of tentative approval to become final upon the posting of a performance bond, tentative approval to become final upon the completion of required improvements, or disapproval.

H. Notification of Action

The Executive Secretary shall, within seven (7) days, notify the applicant, in writing, of the action taken by the Board. Such notice may be by mailing within seven (7) days, or other delivery. In the case of an approval given, subject to the posting of a performance bond and the payment of an inspection fee, said bond and fee shall be posted in accordance with the provisions of Section 5 of this Chapter.

I. Void If Altered

If the Final Subdivision Plan is altered, changed, erased, or revised between the time the Board's approval is endorsed on the Plan and the time the Plan is filed with the Town Clerk, the approval shall be null and void unless the alteration has been approved by the Board, and so indicated on the Plan.

J. Signature on Plan

The Chairman of the Board or the Executive Secretary shall endorse the plan on behalf of the Board when all the conditions of approval have been complied with.

K. Filing of Plan

Within ninety (90) days following the tentative approval by the Board the applicant shall file the Final Subdivision Plan with the Town Clerk. Any Final Subdivision Plan not so filed or recorded shall become null and void.

Section 4. Modified Procedure in Certain Cases

A. Subdivision Not Requiring a New Street

Where all lots of a proposed subdivision have frontage, in accordance with the requirements of the Zoning Regulations, on an existing Town or State Road, or on a road approved by the Town Planning and Zoning Board since July 25, 1955, the provisions of Chapter II, Section 2 above shall not apply, except that Section 2- Sub-section B relating to fees shall be followed. Such subdivisions may be submitted as a Final Subdivision Plan as provided in Section 3 above.

B. Adjustment of Existing Lot Boundaries

Where it is proposed to adjust existing lot boundaries without increasing the number of lots, without decreasing the area of any lots, and without the change in any street or area reserved for public use, a Correction Map showing such lot boundary changes may be approved in writing by the Chairman. The procedure of Sections 1, 2, and 3 above (Chapter II), may be omitted in whole or in part, if, in the judgment of the Chairman, no useful purpose would be served by such requirements.

the Final Subdivision Plan, and the applicant shall deliver a print of the endorsed Plan to the Executive Secretary. In the event the Director of Public Works or the Health Administrator refuses to approve the applicant's proposal, then the applicant shall obtain a report from that office setting forth the facts of the controversy and shall deliver such report to the Executive Secretary. The Board will then determine what is to be required and shall substitute its approval in lieu of the approval of the Director of Public Works or the Health Administrator if said office refuses to accept the Board's determination. In the event the Director of Public Works or the Health Administrator has approved a design which the Board finds to be inadequate, then the Board may substitute its requirement for that office's and shall endorse the Plan accordingly.

C. Check by Executive Secretary

At the time of the filing of the Final Subdivision Plan, the Executive Secretary shall accept such Plan and shall place the matter on the agenda of the next regular public meeting of the Board, provided the Plan is received and accepted at least ten (10) days prior to such meeting and, further provided, the applicant delivers the required technical approvals or reports at least six (6) days before such meeting. If the above described time requirements are not met, the plan shall be held for the subsequent regular public meeting of the Board.

D. Applicant to Attend Board Meeting

The applicant, or his authorized representative, should then be prepared to attend the meeting of the Board for which his Final Subdivision Plan has been placed on the Board's agenda. The Board may defer consideration of any Final Subdivision Plan to the next regular public meeting if the applicant, or his representative, does not appear at such meeting.

E. Report of Executive Secretary

At the regular public meeting of the Board at which said Final Subdivision Plan is first considered, the Executive Secretary shall present the reports of the Director of Public Works and the Health Administrator, as well as his own report summarizing the history of the preliminary application and approval, and any new or changed conditions since the time of preliminary consideration.

F. Study of Plan

The Board will carefully study the Final Subdivision Plan, giving particular attention to conformity to the approved Preliminary Layout, new information or changed conditions which might require alteration of the plan, and necessary improvements such as, but not necessarily limited to, sidewalks, curbs, street pavement and drainage structures.

G. Action by Board

Within sixty (60) days from the date of submission

of the Final Subdivision Plan, (as defined in these Regulations), the Board will take action on the application. Such action shall consist of tentative approval to become final upon the posting of a performance bond, tentative approval to become final upon the completion of required improvements, or disapproval.

H. Notification of Action

The Executive Secretary shall, within seven (7) days, notify the applicant, in writing, of the action taken by the Board. Such notice may be by mailing within seven (7) days, or other delivery. In the case of an approval given, subject to the posting of a performance bond and the payment of an inspection fee, said bond and fee shall be posted in accordance with the provisions of Section 5 of this Chapter.

I. Void If Altered

If the Final Subdivision Plan is altered, changed, erased, or revised between the time the Board's approval is endorsed on the Plan and the time the Plan is filed with the Town Clerk, the approval shall be null and void unless the alteration has been approved by the Board, and so indicated on the Plan.

J. Signature on Plan

The Chairman of the Board or the Executive Secretary shall endorse the plan on behalf of the Board when all the conditions of approval have been complied with.

K. Filing of Plan

Within ninety (90) days following the tentative approval by the Board the applicant shall file the Final Subdivision Plan with the Town Clerk. Any Final Subdivision Plan not so filed or recorded shall become null and void.

Section 4. Modified Procedure in Certain Cases

A. Subdivision Not Requiring a New Street

Where all lots of a proposed subdivision have frontage, in accordance with the requirements of the Zoning Regulations, on an existing Town or State Road, or on a road approved by the Town Planning and Zoning Board since July 25, 1955, the provisions of Chapter II, Section 2 above shall not apply, except that Section 2- Sub-section B relating to fees shall be followed. Such subdivisions may be submitted as a Final Subdivision Plan as provided in Section 3 above.

B. Adjustment of Existing Lot Boundaries

Where it is proposed to adjust existing lot boundaries without increasing the number of lots, without decreasing the area of any lots, and without the change in any street or area reserved for public use, a Correction Map showing such lot boundary changes may be approved in writing by the Chairman. The procedure of Sections 1, 2, and 3 above (Chapter II), may be omitted in whole or in part, if, in the judgment of the Chairman, no useful purpose would be served by such requirements.

The Chairman shall report each such action at the next regular meeting of the Board where the action shall be placed in the Board's minutes. The Executive Secretary shall keep a record of each such map.

C. Development by Sections

Where an applicant proposes to develop the subdivision in stages or sections or where the Board requires development in stages or sections under the Low Priority conditional approval procedure set forth in Section 1 of Chapter III, the requirements of Section 2 above shall not apply for the second and subsequent stages or sections.

Section 5. Performance Bond and Inspection

A. Installation of Improvements

The subdivider shall install all street, drainage, sanitary, and other improvements specified in the Planning Board action granting tentative approval of the Final Subdivision Plan within ninety (90) days after such tentative approval and prior to endorsement by the Board, or, as an alternative, if the subdivider elects to file such plan before installing the required improvements, he shall within ninety (90) days after the Board's tentative approval, post a performance bond in an amount estimated by the Board to be sufficient to secure to the Town the actual installation of the required improvements within two years after the date of acceptance of such bond. The subdivider shall specify in his application which of the two alternatives he proposed to follow. In any event, no construction work shall be started before the Board has granted tentative approval to the Final Subdivision Plan and, if a bond is required, no work shall be started until such bond has been posted with the Executive Secretary. As to public utilities required by the Board, the Board may accept assurance, in writing, from each utility company whose facilities are proposed to be installed, in lieu of bond.

B. Bond

The performance bond shall be a licensed surety company bond, written in accordance with a form supplied by the Board and satisfactory to the Town Attorney as to form, sufficiency, and manner of execution. The terms of such bond shall require completion of the work within two years.

C. Inspection

The Town Director of Public Works shall be the inspection agent of the Board to assure that all Town specifications and Board requirements are met during construction of the required improvements. The Developer shall pay to the Town an inspection fee of Fifteen (\$15.00) Dollars for each lot shown on the Final Subdivision Plan to cover the cost of such inspection. If the developer proposes to install the required improvements prior to endorsement of final approval, he shall pay such inspection fee before any work is commenced; if the developer proposed to install the improvements after posting a bond, he shall pay such fee before the plan is filed with the Town Clerk. The Director of Public Works shall notify the Executive Secretary of progress during construction and upon completion of the required improvements.

D. Release of Bond

Upon completion of the required improvements to the satisfaction of the Director of Public Works and the Board, certification of accurate monument location by the developer's surveyor, delivery of instruments of street easement dedication satisfactory to the Town Attorney, and fulfillment of any other requirement or condition of approval, the Board shall recommend to the Town Manager that the surety company and principal be released of their liability in the performance bond. If the improvements are not installed as required, the Board may recommend to the Town Manager that the bond be declared in default and the surety company be called upon to perform.

CHAPTER III

GENERAL REQUIREMENTS FOR SUBDIVISION OF LAND

Section 1. General

A. Character of Land

Land of such a character that it cannot be used without danger to health or peril from fire, flood or other menace, shall not be subdivided for residential purposes nor for such other uses as may increase danger to health, life, or property, or aggravate a flood hazard, but such land shall be set aside for such uses as shall not be endangered by periodic or occasional flooding or shall not produce unsatisfactory living conditions.

B. Conformity to Town Plan of Development

Subdivisions shall be in harmony with the Town Plan of Development as it is prepared and adopted by the Board.

C. High Priority Areas

Whenever a proposed subdivision is located within an area designated on the Subdivision Priority Map (a part of the Plan of Development) as a High Priority Area, the provisions of Sub-sections D, E, and F of this Section shall not apply.

D. Low Priority Areas

Whenever a proposed subdivision is located within an area designated on the Subdivision Priority Map (a part of the Plan of Development) as a Low Priority Area, the Board shall consider whether:

- (a) at least one existing street leading from the subdivision to the High Priority Area is of sufficient width, suitable grade and alignment, suitably improved, and suitably located to accommodate the prospective increased traffic and to provide adequate means of access for fire fighting equipment;
- (b) the existing sanitary sewer mains and sewage disposal facilities or water mains and water pumping facilities or storm water drains are adequate to accommodate the additional demand

that would be created by the subdivision;

- (c) the public elementary school system, either existent or approved for construction, is adequate to accommodate the prospective number of school-age children who are likely to live in the subdivision.

E. Conditional Approval

If the Board finds any municipal facilities to be inadequate to serve the proposed subdivision, in accordance with D above, then the approval may be subject to a development schedule shown on the Preliminary Layout. Such schedule shall permit not less than 20 per cent of the lots, shown on the approved Preliminary Layout to be developed each year over a period not to exceed five years, in order to allow time for necessary municipal facilities to be constructed at a rate somewhat parallel with the rate of construction in the subdivision. The subdivider may then present a Final Subdivision Plan comprising the number of lots scheduled for the first year, and additional Plans each year in keeping with the schedule.

F. Construction of Municipal Facilities

However, if the applicant chooses to assist the Town in providing the necessary municipal services, as determined in accordance with D above, then the site of the subdivision shall be reclassified as a High Priority Area and the provisions of E above shall not apply. The developer shall be required to pay to the Town the cost, as determined by the Board, of the necessary municipal services within the following limits:

- (a) In the case of streets, no right-of-way shall be required to be widened to a width greater than 60', no street pavement shall be required to be widened to a width greater than 40', and no street improvement shall be required in excess of the specifications applicable to secondary streets. Where land outside the subdivision must be acquired for street widening, the applicant shall pay to the Town the costs of acquisition, including engineering and legal fee
- (b) In the case of sanitation, water or drainage facilities, no new facility or enlargement of an existing facility shall be required in excess of that necessary to serve the houses in the subdivision. However, this section shall permit the Board to consider off-site problems which might be created by the new development, in which case no new facility shall be required in excess of that necessary to meet the condition created by the subdivision.
- (c) In the case of public schools, it shall be assumed that each lot in a one-family residence zone will accommodate one house, and that each house will

add one additional child to the kindergarten through eighth grade school population, and that one class room will be necessary for each thirty children, and no public school facility shall be required in excess of the buildings and equipment so determined.

Section 2. Streets

A. Width, Location, and Construction

Streets shall be of sufficient width, suitably located, and adequately constructed, to accommodate the prospective traffic, and to afford access of police, fire fighting, snow removal, and other road maintenance equipment, and shall be coordinated so as to compose a convenient system. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties.

B. Continuation of Existing Streets

The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions, and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic, and the construction or extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. Where the topographic or other conditions make such continuance impracticable, in the opinion of the Board, the above requirement may be modified.

C. Reserve Strips

Where proposed streets do not extend to, or are not adjacent to, the boundaries of the tract, they shall be separated from such boundaries by a distance not less than the minimum lot depth prescribed by the Zoning Regulations for the Zoning District in which the proposed subdivision is located. Reservation of the title in any land controlling access to streets is prohibited.

D. Dead-end Streets

Where cul-de-sac streets are included in a subdivision, they shall generally not exceed 400 feet in length and shall terminate in a circular turnaround having a minimum radius of 50 feet, and the Board may require the reservation of an easement 20 feet wide to provide for continuation of pedestrian traffic and utilities. A dead-end street for the purpose of future development of adjacent property need not have turnaround provisions if it is less than 200 feet in length, and extends to the boundary of the tract.

E. Lots Larger than Zoning Requirements

Where a tract is proposed to be subdivided into lots averaging more than double the required size under the Zoning Regulations, the Board may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary properly to serve such potential lots.

F. Intersections with Major Roads

Minor or secondary street openings into a major road shall, in general, be at least 500 feet apart.

G. Block Size

Blocks shall not be excessively long, thereby causing unnecessary circuituous travel on the streets. In long blocks, the Planning Board may require the reservation of a 20-foot wide easement through the block to provide for the crossing of underground utilities where needed or desirable. In general, no block shall be less than 200 feet in width, nor more than 1,200 feet in length.

H. Relation to Topography

The street plan of a proposed subdivision shall bear a logical relationship to the topography of the property, and all streets shall be arranged so as to obtain as many of the building sites as possible at or above the grade of the streets.

I. Angle of Intersection

Except where impracticable, all streets shall join each other so that for a distance of at least 100 feet the street is approximately at right angles to the street it joins.

J. Four-cornered Intersections

Cross (four-cornered) street intersections shall be avoided, where possible, with the exception of major highway crossings.

K. Lots in Business Districts

Whenever lots of a proposed subdivision are situated within a business zone, such lots shall be of sufficient size and dimensions to permit adequate provisions for off-street loading, unloading, and parking, with the standards set forth in the Zoning Regulations of the Town of Milford to be considered minimum.

L. Widths of Right-of-way

Streets shall have the following widths, unless otherwise indicated on the Town Development Plan:

Major streets	-	80 feet
Secondary streets	-	60 feet
Minor streets	-	50 feet

Where a subdivision abuts or contains an existing street which does not comply with width requirements, the subdivision must dedicate the necessary area to the Town for street widening and show such widening on the Final Subdivision Plan.

M. Distance Between Curb Lines

Streets shall have the following distances between curbs or curb lines:

Major streets	- as determined by the Board
Secondary streets	- 40 feet
Minor streets	- 30 feet

N. Improvements

Unless waived by the Board, the developer shall be required to install sidewalk, curb, storm drains and pavement on proposed streets, as well as curb, sidewalk and pavement between edge of existing pavement and the new curb line on existing streets which bound or intersect the proposed subdivision. The developer shall also be required to install street signs, monuments, driveway aprons, fire hydrants, street lights and shade trees. Such improvements shall be installed in accordance with municipal or utility company standards. (See Chapter VI, Section 1, Page 19.)

O. Grades

Grades of all streets shall conform, in general, to the terrain and shall not be less than 0.5 per cent nor more than 5 per cent for major streets, and not less than 0.7 per cent nor more than 8 per cent for secondary and minor streets.

P. Changes in Grade

All changes in grade shall be connected by vertical curves so that clear visibility shall be provided for a safe distance.

Q. Changes in Line

Where street lines deflect more than 10 degrees from each other within a block, the inside radius shall be not less than 100 feet.

R. Street Intersections

At 90 degree street corners, intersecting property lines shall be cut by diagonals beginning 15 feet from the point of intersection and curb lines shall be on a 15' radius. Where the street intersection is sharper than 90 degrees, the Board may require greater diagonals and radii.

S. Steep Grades and Curves

A combination of steep grades and curves shall be avoided. Where the grade of a street intersecting another street exceeds 5 per cent, the land at each corner of such intersection shall be so graded as to prevent a blind corner, and sufficient land shall be included in the street right-of-way at the intersection to permit permanent maintenance of visibility for safety of traffic.

T. Watercourses

Where a water course separates an existing street from abutting property to be subdivided, provision shall be made for carrying such watercourse by means of culverts or other structures of design recommended by the Director of Public Works and approved by the Board. New streets shall not be laid out in such a manner as to create the situation described above.

U. Dedication of Streets

Approval of a Final Subdivision Plan shall not be deemed to constitute or effect an acceptance by the Town of any street. However, the filing of an approved Final Subdivision Plan shall constitute an irrevocable offer of dedication by the owner of the land to the Town.

V. Names

Type of Name: All streets shown on a preliminary Layout or Subdivision Plat shall be named. Streets shall have names and not numbers or letters (such as 1st, First, or "A" Street).

Names to be Substantially Different: Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names in the Town of Milford, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name.

Section 3. Lots

A. Lots to be Buildable

The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other natural conditions, in complying with the Zoning Regulations in order to build on each lot. Lots shall not be of unreasonable depth, encouraging the later creation of a second building lot at the rear.

B. Side Lines

All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, unless a variation from this rule will give a better street or lot plan.

C. Corner Lots

Corner lots shall be of sufficient dimensions so that any structure placed thereon shall conform to the building setback line of each street.

D. Lot Depth

Depth of lots shall not, in general, exceed 200 feet, except in areas where the minimum lot size required by the Zoning

Regulations is 40,000 square feet or more where the depth of lots shall not exceed 300 feet. Where topographic or other conditions create unusual conditions, this requirement may be modified.

E. Driveway Access

Where practicable, lots shall be so laid out that the driveways have access to a local street and not to a major road carrying general traffic.

F. Lot Size to Permit Sewage Disposal

Lots to be served by septic tanks shall be large enough to contain sufficient land of proper character to permit satisfactory performance of septic tank disposal fields, and compliance with the Regulations of the Town Health Administrator.

G. Conformance to Zoning

Lots shall meet the minimum area and frontage requirements established by the Zoning Regulations for the zone in which they are located. However, where a literal interpretation of this requirement would prevent the best arrangement of streets and lots, the Board may vary the requirement to permit no more than two lots in each block to be not more than 5 per cent below the area and frontage requirements of the Zoning Regulations.

Section 4. Utilities

A. Required Utilities

The Board may require the developer to provide water, sanitary sewer, electric and gas services in and to the subdivision, in appropriate instances.

B. Sewage Disposal

Septic tanks and other individual disposal systems shall be constructed in accordance with the specifications and design approved by the Health Administrator. Sanitary sewers shall be constructed in accordance with the specifications and design approved by the Director of Public Works.

C. Gas, Water and Electric Services

All gas, water and electric services required by the Board shall be installed in accordance with the specifications of the utility company serving the area.

D. Utility Easements

Where topography, or other factors, make impractical the inclusion of utilities within the street lines, perpetual unobstructed easements at least 15 feet in width shall be provided across property outside the street lines, and with satisfactory access to the street.

Section 5. Parks, Playgrounds and Natural Features

A. Required Parks and Playgrounds

The Board may require adequate, convenient and suitable areas for parks or playgrounds, or other recreational purposes to be set aside for such purposes in the Subdivision Plan, but in no case more than 10 per cent of the gross area of any subdivision.

B. Preservation of Natural Features

Due regard should be shown for the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses and falls, beaches, historic spots, and similar irreplaceable assets.

C. Improvements

Where the Board requires land to be set aside for parks, playgrounds or natural features, the Board shall require that the site be graded, loamed and seeded and may require it to be fenced.

D. Ownership and Maintenance

When area for park, playground or natural features shall have been required on the Final Subdivision Plan, the approval of said Final Subdivision Plan shall not constitute an acceptance by the Town of such an area.

CHAPTER IV

Specifications for Preliminary Layouts, Final Subdivision Plans and Plan Profiles

Section 1. Preliminary Layout

Preliminary Layouts submitted to the Board shall be drawn on sheets 24" x 36", or 18" x 24", and preferably at a scale of one inch equals 40 feet or 100 feet, and shall show the following information:

- A. Proposed subdivision name or identifying title.
- B. The location and approximate dimensions of all existing property lines (include entire area proposed to be subdivided and remainder of the tract owned by the subdividing owner).
- C. All pertinent features, such as existing structures, railroad, water courses, swamps, wooded areas and shorelines, that have a relationship to the property. (In the case of property abutting tidal waters, the line of mean high tide shall be shown)

- D. The location, width and approximate grade of all proposed streets. Approximate elevations shall be shown at the beginning and end of each street, at street intersections, and at all points where there is a decided change in the slope or direction.
- E. The approximate location, dimensions and area of all proposed lots.
- F. The approximate location and dimensions of all property proposed to be set aside for playground or park use.
- G. The names of all adjoining property owners of record, or the names of adjoining developments.
- H. The name and address of the owner or owners of land to be subdivided, the name and address of the subdivider, if other than the owner, and the name and seal of the licensed land surveyor.
- I. The date, approximate true north point, and scale.
- J. Names, widths, and existing walls or fences and elevations of existing streets, showing both sides of the street and all streets within 200 feet of the subdivision boundary.
- K. Existing sanitary or storm sewers and easements.
- L. Contours of the existing surface of the land, with intervals not to exceed 5 feet, unless waived or required otherwise by the Director of Public Works.
- M. Proposed provisions for collection and disposal of storm water and sewage.
- N. The location of the property with respect to surrounding property and streets. This shall include an area map at scale of one inch equals 600 feet, showing all streets and property within 1000 feet of the applicant's property.
- O. Tie-in to nearest existing street intersection.

Section 2. Final Subdivision Plan

Final Subdivision Plans submitted to the Board for approval and subsequent recording shall be clearly and legibly drawn on transparent linen tracing cloth with black waterproof ink. The Plan shall preferably be drawn at a scale of one inch equals 40 feet, or, if necessary, at one inch equals 100 feet, on sheets 24" x 36" and, when more than one sheet is required, an index sheet of the same size, showing the entire subdivision, shall be submitted with the Plan. The Plan shall show the following information:

- A. Proposed subdivision name or identifying title, which shall not duplicate or too closely approximate that of any other development in the Town.

- C. Elevations where there is a change in grade.
- D. Existing and proposed curbs, sidewalks, street lights, and fire hydrants.
- E. Per cent grade.
- F. Stations at grade changes, centerline intersections, and 100 foot intervals.
- G. Locations, size and invert elevations of existing and proposed storm water drainage facilities and sanitary sewers.
- H. Typical cross-section of each street indicating location, dimensions and materials of sidewalk, curb and pavement improvements.
- I. Sufficient computations to permit the Director of Public Works to check drainage design.
- J. Certification by a registered land surveyor or professional civil engineer.

CHAPTER V

DEFINITIONS

For the purpose of these Regulations, certain words and terms used herein are defined as follows:

- 1. Applicant: means any person, firm or corporation, partnership or association, who shall apply to the Board for approval of the laying out of any subdivision, as hereinafter defined, either for himself or as an agent for others.
- 2. Board: means the Planning and Zoning Board of the Town of Milford, Conn.
- 3. Date of Submission: means the first meeting of the Board at which the application appears on the agenda.
- 4. Dead-End Street: means a street or a portion of a street with only one vehicular outlet.
- 5. Easement: means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
- 6. Final Subdivision Plan: means the final map, drawing or drawings, and all required supporting data upon which the subdivider's plan of subdivision is presented to the Board for approval and, which, if approved, will be submitted to the Town Clerk for recording.

- B. Date, approximate true north point, and scale.
- C. Name and address of owner, subdivider, and licensed land surveyor.
- D. Names of owners of record of abutting properties or developments.
- E. Locations, names and widths of existing streets, highway easements, building lines, parks and other public property.
- F. Locations, widths, and names of all proposed streets, and location, dimensions and status of all easements proposed by the subdivider, and locations of all property proposed to be dedicated for park or recreational use.
- G. Lot areas in square feet. All lots shall be numbered in accordance with a scheme approved by the Town Assessor.
- H. The length and bearing or angle of all straight lines, and the radius, length, central angle and tangent of all curves. All dimensions shall be shown in feet and decimals of a foot.
- I. Sufficient data to enable any surveyor to determine readily the location of every street line, lot line, boundary line, and to reproduce such lines upon the ground. This data shall be made by a licensed land surveyor and tied in, where possible, with reference points previously established by a public authority or by a licensed land surveyor.
- J. Location of existing and proposed property line monument.
- K. The accurate outline of all property which is offered, or to be offered, for dedication for public use, with the purpose indicated thereon, and of all property that is proposed to be reserved by deed covenant for the common use of the property owners of the subdivision.
- L. Certification by a licensed land surveyor.

Section 3. Plan-Profiles

When new streets or improvements of existing streets are involved in a subdivision of land, the Final Subdivision Plan shall be accompanied by complete plan-profiles of each such street drawn at a scale of 1" equals 40' horizontal and 1" equals 4' vertical on 24" x 36" plan-profile tracing cloth and showing:

- A. Existing ground surface on the center line and the proposed center line grade, as well as existing elevation both street lines.
- B. By proper notation, location of bench mark. Elevation shall be based on the U.S.C. & G.S. datum plane where possible or to other datum approved by the Director of Public Works.

- C. Elevations where there is a change in grade.
- D. Existing and proposed curbs, sidewalks, street lights, and fire hydrants.
- E. Per cent grade.
- F. Stations at grade changes, centerline intersections, and 100 foot intervals.
- G. Locations, size and invert elevations of existing and proposed storm water drainage facilities and sanitary sewers.
- H. Typical cross-section of each street indicating location, dimensions and materials of sidewalk, curb and pavement improvements.
- I. Sufficient computations to permit the Director of Public Works to check drainage design.
- J. Certification by a registered land surveyor or professional civil engineer.

CHAPTER V

DEFINITIONS

For the purpose of these Regulations, certain words and terms used herein are defined as follows:

1. Applicant: means any person, firm or corporation, partnership or association, who shall apply to the Board for approval of the laying out of any subdivision, as hereinafter defined, either for himself or as an agent for others.
2. Board: means the Planning and Zoning Board of the Town of Milford, Conn.
3. Date of Submission: means the first meeting of the Board at which the application appears on the agenda.
4. Dead-End Street: means a street or a portion of a street with only one vehicular outlet.
5. Easement: means authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
6. Final Subdivision Plan: means the final map, drawing or drawings, and all required supporting data upon which the subdivider's plan of subdivision is presented to the Board for approval and, which, if approved, will be submitted to the Town Clerk for recording.

7. Major Street: means a street which serves or is designed to serve as a major artery and is designated on the Plan of Development for the Town of Milford.
8. Minor Street: means a street intended to serve primarily as an access to abutting properties.
9. Plan of Development, or Town Plan: means the Plan of Development prepared and adopted by the Board pursuant to Section 856 of the General Statutes, and includes any part of such plan separately adopted and any amendment to such plan or parts thereof.
10. Plan-Profiles: means the drawing or drawings upon which the subdivider's design for street construction and drainage is presented to the Director of Public Works.
11. Preliminary Layout: means the preliminary drawing or drawings and all required supporting data indicating the proposed manner of layout of the subdivision to be submitted to the Board for its consideration.
12. Print: means a blueprint, photostat, lithograph or other copy which reproduces exactly the data on the original drawing from which it is made.
13. Resubdivision: means a change in a map of an approved recorded subdivision or a resubdivision such change (a) affects any street layout shown on such map, or (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon, if any of the lots shown thereon have been conveyed after the approval or recording of such map.
14. Secondary Street: means a street which serves, or is designed to serve, as a traffic way for a neighborhood or as a feeder to a major street which is so designated on the Plan of Development.
15. Street: means and includes streets, roads, avenues, boulevards, lanes, or other ways.
16. Street Pavement: means the wearing or exposed surface of the roadway used by vehicular traffic.
17. Street Width: means the distance between property lines.
18. Subdivider: shall be synonymous with "applicant" as above defined.

19. Subdivision:

means the division of a tract or parcel of land into three or more lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for agricultural purposes, and shall include resubdivision.

20. These Regulations:

means the Subdivision Regulations of the Town of Milford, Conn., as contained herein, and includes any amendments thereto.

CHAPTER VI

MISCELLANEOUS

Section 1. Specifications

A. Street Pavement

Streets shall be paved between curbs in accordance with "Specifications for Minor Residential Streets", as prepared by the Town Department of Public Works and dated April 13, 1955.

B. Sidewalks

Sidewalks shall be constructed in accordance with "Specifications for Cement Concrete Sidewalks" as prepared by the Town Department of Public Works and dated October 2, 1953.

C. Curbs

Curbs shall be constructed in accordance with "Specifications for Cement Concrete Battered Curb" as prepared by the Town Department of Public Works and dated November 17, 1953.

D. Driveway Aprons

Driveway aprons shall be constructed in accordance with "Specifications for Driveway Aprons" as prepared by the Town Department of Public Works and dated April 19, 1955.

E. Street Signs

Street signs shall be installed in accordance with "Specifications for Criss-Cross Style Street Name Signs" as prepared by the Town Department of Public Works and dated March 18, 1955.

F. Drainage

Storm water drainage structures shall be installed and constructed in accordance with "Specifications for Storm Water Drainage Structures" as prepared by the Town Department of Public Works.

G. Shade Trees

Shade trees shall be planted as ordered or required by the Board, and the size, kind and location of such trees shall be subject to the approval of the Town Tree Warden. In the determination of tree requirements the following principals shall be used as a guide:

- (1) Trees shall be planted on each side of every street, and, if esplanades of sufficient width are planned, also along the center line thereof.
- (2) Trees shall be planted approximately 60 feet apart, subject to location of driveways, cross-streets or walks, and variations made necessary by the tree species.
- (3) Trees shall be located near the property line as may be determined by the Tree Warden.
- (4) The diameter of trees shall be not less than 1½" in circumference.
- (5) Trees shall be planted in such locations as to least interfere with overhead power lines.

H. Monuments

Reinforced concrete monuments of 1:2:4: mix, 4" square at the top, 8" square at the bottom and 3'6" long shall be set at all street intersections, and at all angles and curves or other critical points in the street lines as will enable a registered surveyor to correctly stake out any lot in the subdivision. Each monument shall have a brass plug or iron rod at least 6" long in the top, and shall be so set that the marked center of the top shall be the point of reference. The tops of such monuments shall be set at the established grade. The monuments shall be set in place after other street development is completed. The accuracy of location of such monuments shall be certified, in writing, by the land surveyor making the Record Subdivision Plan, before acceptance of the plan by the Town.

I. Loam

All areas, excepting roadways, sidewalks, and other surfaced areas shall be covered with a minimum of four inches of Loam shall mean a loose fertile soil composed of clay, sand and silt matter, and shall be suitable for growing lawns and shrubs.

Section 2. Penalties

It is also declared that no subdivisions of land shall hereafter be made unless the same shall have been submitted to and approved by the Town Planning and Zoning Board, and that whoever, being the owner or agent of the owner of any land located within the jurisdiction of the Town Planning and Zoning Board, shall transfer or sell or offer to sell any land by reference to or exhibition of a plan of a subdivision before such plan has been approved by the Board and recorded or filed in the Office of the Town Clerk, shall be fined not less than Twenty-five nor more than Two Hundred Dollars for each lot so transferred or sold; and the definition of such lot by metes and bounds, or by courses and distances

in the instrument of transfer or other document used in process of selling or offering for sale or transferring shall not exempt the transactions from such penalties. The Town of Milford may enjoin such transfer or sale and may recover said penalty by a civil action.

Section 3. Variances

The Board may vary, subject to appropriate conditions, such requirements of the foregoing regulations as, in its judgment of the special circumstances and conditions relating to a particular subdivision, are not requisite in the interest of the public health, safety and general welfare. When making its determination as to the improvements to be required, the Board shall take into consideration the prospective character of the development, the interests of the Town as a whole, and the purpose and intent of these Regulations.

Section 4. Effective Date

These Regulations shall be in full force and effect from and after July 25, 1955. However, any final subdivision Plan submitted to the Board prior to the date of adoption of these revised Subdivision Regulations may be approved by the Board under the terms of the prior Subdivision Regulations of the Town of Milford, and the construction of improvements required in such (or prior) approval may be continued to completion in accordance with the then applicable specifications.

Section 5. Validity

If any part of these Regulations shall, for any reason, be held to be invalid or unconstitutional, the validity of any other section or remaining portion of these Regulations shall not be effected or impaired.

Section 6. Repeal of Old Regulations

All Subdivision Regulations previously adopted for the Town of Milford are hereby repealed.

Public Hearings held May 4th and 18th, 1955.
Regulations adopted June 23, 1955

Earl H. Woodhead, Chairman
Thomas Turnbull
David Clarke
Charles Honek
Sidney Brodman
Anthony Gilormine
Donald Spengler
William Miller
John Dunigan
John Healy

George C. Lay, Executive Secretary

CITY OF MILLINGTON, CONNECTICUT

AMENDMENTS TO THE SUBDIVISION REGULATIONS

Effective May 21, 1958

1. Amend Chapter II, Section 5C, by adding a second paragraph after the first paragraph of the section at the bottom of page 6, as follows:

"If, during any phase of construction, it shall appear to the Director of Public Works that City specifications or board requirements are not being complied with, the Director of P.W. shall immediately give written notice to the developer and the sub-contractor who may be responsible for such non-compliance. Such notice shall state the nature of the non-compliance; shall direct the developer and such sub-contractor to cease and desist such non-compliance; and shall direct the developer and such sub-contractor to correct all work which does not comply with City specifications or board requirements. A copy of such notice shall be mailed directly to the office of the surety company on the performance bond. If the developer or such sub-contractor fails to comply with the terms of such notice within a period of ten days, the Director of Public Works shall cause all work on such subdivision to stop and shall refer the matter immediately to the City Attorney."

2. Amend Chapter II, Section 5D, by re-writing to read as follows:

*D-Release of Bond

Upon completion of the required improvements to the satisfaction of the Director of Public Works and the board, certification of accurate monument location by the developer's surveyor, delivery of instruments for any required easements satisfactory to the City Attorney, and the fulfillment of any other requirement or condition of approval, the board shall adopt a resolution to terminate the performance bond. If the improvements are not installed as required, the board shall request a complete written report from the Director of Public Works and refer the matter to the City Attorney for any proper action on the performance bond."

3. Amend Chapter VI, Section 2, by adding the following sentence:
"Any person who violates any other provision of these subdivision regulations shall be fined not more than \$50.00 for each offense".

EFFECTIVE NOVEMBER 21, 1958

4. Amend Chapter II, Sec. 4, Paragraph C. - The following words are deleted: "or where the board requires development in stages or sections under the low priority conditional approval procedure set forth in Section 1, of Chapter III".
5. Amend Chapter III, Sec. 1, - Paragraph "C, D, E, F" are deleted.
6. Amend Chapter III, Sec. 2, Paragraph B. - Improvements -
The following words are deleted: "fire hydrants, street lights" and the following sentence is added: "The developer shall make the necessary provisions with the Utility Companies for the installation of fire hydrants and street lights prior to occupancy of adjacent residences in accordance with the City policy on location and also guarantee to pay any rental or service charges until such time as the board releases the developer's bond."

AMENDMENT TO THE SUBDIVISION REGULATIONS

EFFECTIVE NOVEMBER 21, 1958 continued

7. Amend Chapter III, Section 2, Paragraph D. After the words - "radius of 50 feet" the following words are added: "and having a 15 foot radius at each connection point".

EFFECTIVE DECEMBER 6, 1958

8. Chapter III, Section 5 - Parks, Playgrounds and Natural Features to be amended to read as follows:

A. Required Parks and Playgrounds - Land shall be reserved for park, playground or other recreational purposes in locations where the board deems that such reservations would be appropriate. Each reservation shall be of suitable size, dimensions, topography and general character, and shall have adequate road access, for its recreational or other purpose. In general, no area shall be reserved for recreation purposes unless it has an area of at least 5 acres, or will have at least that size when combined with probable future reservations of land in adjoining subdivisions. In no case shall an area of less than three acres be reserved for recreation purposes unless it is combined with adjoining land set aside for such purposes, the combined land area meeting the standards of this paragraph. Due regard should be shown for the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses and falls, beaches, historic spots, and similar irreplaceable assets. The amount of area to be reserved for park, playground and recreation purposes or public open spaces shall be ten percent of the gross area of the subdivision except as provided in paragraph "B" below.

B. Provision for Cash Payment - Where a subdivision is too small to establish an adequate recreation area site; where the land in a subdivision is unsuitable in character, or where the Town Plan of Development or good judgment would not locate a recreation area or public reservation, the applicant may be required to provide cash payment to the City of Milford, deposited to the account of the Park and Playground fund to be used for acquisition of such areas in suitable locations as determined by the board. The amount of said cash payment to be \$60 per lot, in the subdivision and payable prior to filing of the approved subdivision map with the Town Clerk. The number of lots in a subdivision shall be considered the maximum possible under the zoning regulations for the zone, unless the subdivider has laid out larger lots which cannot be further subdivided because of lot arrangement or deed restriction.

9. EFFECTIVE MARCH 24, 1959 (VOIDED BY STATE STATUTES)
Chapter II, Sec. 5, Paragraph C. Inspection is amended to increase the inspection fee to \$30 for each lot.

10. EFFECTIVE SEPTEMBER 25, 1959
Chapter VI, Sec. 1, Paragraph D. is amended to read as follows:
Driveway aprons shall be constructed in accordance with "Specifications for Concrete Driveway Aprons" as prepared by the City Department of Public Works and dated August 17, 1959.

AMENDMENTS TO SUBDIVISION REGULATIONS11. EFFECTIVE SEPTEMBER 25, 1959

Chapter III, Section IV, Paragraph C. is amended to read as follows: All gas, water and electric services installed in the development shall be installed in accordance with the accepted standards of the local utility company and all such work on city streets and streets proposed for city acceptance shall also conform to the requirements of Section VI, of an Ordinance Relating to Street Openings Providing for Permits and Establishing Regulations for such work in the City of Milford, effective May 22, 1952, as amended.

12. Amend Chapter II, Section 5B, by changing the words "Town Attorney" in the first paragraph to read "City Attorney" and by adding a second paragraph after the first paragraph of the section as follows:

A performance bond equal to 10% of the total original bond shall be required for a period of one year after the initial acceptance of the required improvements to guarantee the quality of workmanship, material and construction of these improvements. The developer shall comply with the instructions of the Director of Public Works and also institute corrective measures, repairs and maintenance on his own initiative, as needed, to insure the first class condition of all municipal improvements during the year and at the termination of the maintenance period.

13. Amend Chapter II, Section 5D by re-writing to read as follows:

D-Release of Bond

Upon completion of the required improvements to the satisfaction of the Director of Public Works and the board, certification of accurate monument location by the developer's surveyor, delivery of instruments for any required easements satisfactory to the City Attorney, and the fulfillment of any other requirement or condition of approval, the board shall, except as permitted below, adopt a resolution to reduce the performance bond to a sum equal to 10% of the total original bond which will be released at the end of one year, providing all the provisions as stated in Chapter II, Section 5B, paragraphs 1 and 2 have been complied with, to the full satisfaction of the Planning and Zoning board. In the case of bonds for amounts of \$5,000 or less covering work not liable to defects or to need maintenance work the board may release the entire bond.

CITY OF MILFORD, CONNECTICUT

AMENDMENTS TO THE SUBDIVISION REGULATIONS

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14. EFFECTIVE OCTOBER 15, 1963 ADOPTED OCTOBER 1, 1963
Chapter V, Paragraph 1, page 17, is amended to read as follows:
1. Applicant: means any person, firm or corporation, partnership or association owning land or his agent who shall apply to the Board for approval of the laying out of such land into any subdivision as hereinafter defined.
15. Chapter VI, Section 1, page 19, "Specifications", Paragraph A, "Street Pavement" is amended to read as follows:
" Streets shall be paved between curbs in accordance with " Specifications for Minor Residential Streets ", as prepared by the City Department of Public Works and dated October 10, 1962."
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16. EFFECTIVE NOVEMBER 20, 1963 ADOPTED NOVEMBER 12, 1963
Chapter II, Section 5A, page 6, is amended by adding the following:
" If said subdivider transfers or sells 50% of his interest in the land for which no certificate of occupancy has yet been issued and which is covered by the final subdivision plan, the bond covering such plan shall be in default until such time as the new owner shall endorse the agreement as an additional Party of the First Part and the bond as an additional principal with the written consent of the surety, or until the new owner presents a new agreement and surety bond in his own name."