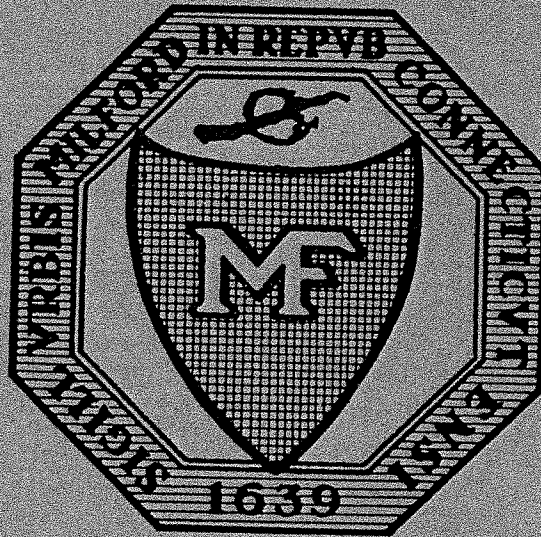


MILFORD, CONNECTICUT

# PROPOSED SUBDIVISION REGULATIONS

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Prepared for the Milford Planning and Zoning Board  
April, 1972

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MILFORD, CONNECTICUT  
APRIL, 1972

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## CHAPTER I DECLARATION OF POLICY

SECTION 1.1 AUTHORITY. By the authority of the General Statutes of the State of Connecticut and the Charter for the City of Milford, as amended, the City Planning and Zoning Board is empowered to approve any subdivision of land and to adopt regulations covering the subdivision of land.

SECTION 1.2 POLICY. It is declared to be the policy of the City Planning and Zoning Board to consider land subdivisions as a part of a plan for the orderly, efficient, and economical development of the City. 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, storm-drainage and sanitary sewerage; that the proposed streets shall be in harmony with existing or proposed principal thoroughfares shown in the City Development Plan, 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 City Development Plan.



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 district in which the land is located.

2.2.4 Applicant to Attend Board Meeting. The applicant, or his authorized representative, should 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.

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

2.2.6 Study of Layout. The Board shall study the practicability of the Preliminary Layout, taking into consideration the objectives stated in Chapter I of these Regulations, the requirements of the community, and the best arrangement of the land being subdivided. Particular attention will be given to the pattern, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the City Development Plan.

2.2.7 Access for Public Safety Equipment. If the Board finds, on the basis of reports by the Fire Department, Police Department, or other Departments responsible for the public safety, that streets leading into (but not part of) the proposed subdivision are not adequately improved to provide proper access by fire-fighting, police, or other public safety equipment, the Board may defer conditional approval of all or a portion of the Preliminary Layout until assurances are established that such streets will be improved to a condition making such access possible.

2.2.8 Action by the Board. The Board will then act to conditionally approve, with or without modifications, or disapprove the Layout as a basis for preparation of the Final Subdivision Plan. Any conditional approval of the Preliminary Layout by the Board shall not constitute or require an approval of the Final Subdivision Plan, nor shall disapproval of the Preliminary Layout bar submission of the Final Subdivision Plan for approval.

2.2.9 Notification of Action. The Executive Secretary shall, within 15 days, notify the applicant, in writing, of the action taken by the Board. Such notice may be by mailing or other appropriate means of delivery.

SECTION 2.3 REQUIRED FINAL SUBDIVISION PLAN. Whenever any subdivision of land (as defined in these regulations and including "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 procedures.

2.3.7 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 City Engineer and the Health Administrator, as well as his own report summarizing either the facts of the proposed subdivision together with his recommendations and comments or the history of the preliminary application and approval, and any new or changed conditions since the time of preliminary consideration, if applicable.

2.3.8 Study of Plan. The Board shall study the practicability of the Final Subdivision Plan taking into consideration the objectives stated in Chapter I of these Regulations, the requirements of the community and the best arrangement of the land being subdivided. Particular attention will be given to the pattern, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, the requirements of the City Development Plan, and conformity with the conditionally approved Preliminary Layout, new information or changed conditions which might require alteration of the plan and necessary improvements, if applicable.

2.3.9 Public Hearing. A public hearing regarding a subdivision application may be held by the Board, if, in its judgment, the circumstances require such action. The Board shall hold a public hearing on any application for a resubdivision. Notice of any public hearing shall be given in accordance with State Statutes. Whether or not a public hearing is held, every applicant shall be afforded the opportunity to appear before the Board to discuss the application before final action by the Board.

2.3.10 Action by Board. Within 65 days after the public hearing thereon or, if no public hearing was held, within 65 days after the date of submission of the Final Subdivision Plan, (as defined in these Regulations), the Board shall take action on the application. Such action shall consist of tentative approval to become final upon the submission of any required bond or easement rights, tentative approval to become final upon the completion of required improvements or disapproval. In tentatively approving or disapproving an application, the Board shall state in its records any conditions of approval, any modifications required, and the grounds for its action.

2.3.11 Notification of Action. The Executive Secretary shall, within 15 days, post notice of the decision of the Board in accordance with State Statutes. In the case of an approval given, subject to the posting of a performance bond, said bond shall be posted in accordance with the provisions of Section 2.5, herein.

2.3.12 Filing Plans with the Board. The applicant shall file, with the Board, one clothback print and one cloth tracing of the Record Map, one copy of the Record Map at a scale of one inch equals 100 feet, together with one cloth tracing of the Construction Plans and one copy of the Plan-Profiles.

2.3.13 Endorsement of Plan. The Chairman of the Board or the Executive Secretary shall endorse the Final Subdivision Plan on behalf of the Board when all the conditions of approval have been complied with.



post a performance bond in an amount estimated by the Director of Public Works to be sufficient to secure to the City the actual installation of the required improvements within two years after the date of acceptance of such bond. If all the required work is not completed within such two-year period, the Board may grant extensions for one-year periods; provided that the bond is adjusted to reflect current construction costs, and further provided that all required improvements shall be completed within five years of the date of tentative approval of the Final Subdivision Plan.

2.5.1.1 The subdivider shall specify in his application which of the two alternatives he proposes to follow. In any event, no construction work shall be started before the Board has granted tentative approval to the Final Subdivision Plan, and a bond is posted with the Executive Secretary. If a public utility is required by the Board, the Board may accept assurance in writing from each public utility company whose facilities are proposed to be installed, in lieu of bond. 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 and the bond as an additional Party of the First Part and as an additional principal with the written consent of the surety, or until the new owner presents an acceptable agreement and surety bond in his own name.

2.5.2 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 City Attorney as to form, sufficiency and manner of execution. The terms of such bond shall require completion of the work within two years. Alternately, the Board may, upon written request, allow the assignment of a Savings Bank Deposit Book or a Certified Check.

2.5.2.1 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 correction 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.

2.5.3 Inspection. The City Director of Public Works shall be the inspection agent of the Board to assure that all City specifications and Board requirements are met during the construction of the required improvements. Said inspector shall notify in writing the Executive Secretary of progress during construction and upon completion of the required improvements.

2.6.2 Formal Offer of Dedication. The recording of an endorsed Final Subdivision Plan shall constitute an irrevocable offer of dedication by the subdivision owner to the City of Milford for streets, recreation areas, easements, and other improvements and open space areas which are formally offered and so noted on the approved Plan.

2.6.3 Official Acceptance. Official acceptance of formal offers of dedication of streets, recreation areas, easements, and other improvements and open space areas shown on the approved Final Subdivision Plan shall rest with the City. The City shall not officially accept any such formally offered improvements or open space areas unless and until all taxes thereon for any fiscal year or portion thereof have been paid by the subdivider. The subdivider shall be required to maintain such improvements and open space areas until they are officially accepted by the City.

3.2.5 Building Setback Lines. The Planning and Zoning Board may require buildings to be setback from the street line a distance greater than the minimum building setback line prescribed in the Zoning Regulations, where topography, soils or other conditions make such minimum building setback line impractical or undesirable, as determined by the Board, and/or where the Board deems said greater distance to be aesthetically desirable for the subject subdivision or portion thereof.

3.2.6 Lot Depth. Lots shall not be of unreasonable depth, encouraging the later creation of a second building lot at the rear. The depth of lots shall not, in general, exceed 2-1/2 times the actual lot width, except where topography, soil or other conditions create unusual circumstances.

3.2.7 Side Lot 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.

3.2.8 Lot Markers. All lots shall be clearly defined by iron or steel stakes at least three-quarters inch in diameter and thirty inches in length and placed in the ground to existing grade, or by a suitable dial adequately imbedded in ledge-rock, or by requirements or by other appropriate means subject to approval by the Board. The accurate placement and location of such lot markers shall be certified by the developer's surveyor.

3.2.9 Zoning Compliance. Each lot shall comply with the minimum requirements of the Zoning Regulations for the Zoning District in which it is located.

SECTION 3.3 STREETS. 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 safe and convenient system. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties.

3.3.1 Street Layout. 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 lots as possible at or above the grade of the streets.

3.3.2 Continuation of Existing Streets. The arrangement of streets in the proposed subdivision shall provide for the continuation of existing streets in adjoining subdivisions and for the proper projection of proposed streets into adjoining properties which are not yet subdivided, except where topography, soils, or other conditions make such continuance impractical or undesirable, as determined by the Board.

3.3.4.1 A temporary dead-end street with an adequately designed turnaround area may be approved by the Board only when a right-of-way is provided to continue the proposed street from the turnaround area to the boundary of the subdivision. Said right-of-way shall be dedicated to the City or otherwise permanently secured for the City by the subdivider. In addition, any necessary slope rights on abutting property shall be either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

- (1) The Board may permit any portion of the required improvements to terminate at the beginning of the turnaround area.
- (2) When a subdivision is proposed to be developed in stages, the Board may require the subdivider to post satisfactory surety to sufficiently cover the estimated cost of removing any temporary turnaround, replacing all curbs and driveway aprons, replanting all unpaved areas extending the future street together with all other required improvements, or any portion of said removing, replacing, replanting, and extending which is or would be located between the point of termination at the beginning of the temporary turnaround area and the boundary of such subdivision section.
- (3) The Board may require all buildings, structures, and uses to be setback from the street lines of a temporary turnaround area in the same manner as a permanent turnaround area.

3.3.4.2 A temporary dead-end street without turnaround provisions may be approved by the Board for the projection of future streets; provided that its length is equal to or less than the minimum required lot depth for the Zoning District in which it is located and further provided that it extends to the boundary of the subdivision.

- (1) The Board may require the subdivider to improve such dead-end street up to the boundary of the subdivision; or the Board shall require the subdivider to dedicate to the City or otherwise permanently secure for the City such dead-end street right-of-way. In addition, any necessary slope rights on abutting property shall be either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

3.3.5 Street Grades. Streets shall be designed so as to avoid excessive cuts and fills and to avoid a combination of steep grades and sharp curves. Grades of all streets shall conform, in general, to the natural terrain and shall not be less than 1.0 percent nor more than 5 percent for arterial streets and not less than 1.0 percent nor more than 8 percent for collector and minor streets; except that the Board may permit maximum grades of 10 percent on minor streets only, and then only for reasonably short distances, subject to approval by the Board and the City Engineer.

3.3.8.5 Blocks. In general, blocks shall not exceed 1,200 feet in length and shall be at least as wide as the minimum required lot depth for the Zoning District in which it is located.

3.3.9 Street Names. All streets shown on a proposed subdivision shall be named. Streets shall have names and not numbers or letters like 1st, First, or "A" Street. Proposed street names shall be substantially different so as not to be confused in sound or spelling with present names in the City of Milford, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name.

3.3.10 Street Improvements. The developer shall install all required sidewalks, curbs, storm drains and pavement on proposed streets, as well as curbs, sidewalks, and pavement between the edge of existing pavement and the new curb line on existing streets which bound or intersect the proposed subdivision. The developer shall also install all required street signs, monuments, driveway aprons and shade trees. Such improvements shall be installed in accordance with City or utility company standards and specifications. The developer shall make the necessary provisions with the utility companies for the installation of fire hydrants as directed by the Fire Department 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 in accordance with Section 2.5, herein.

3.3.10.1 Street Pavement. All proposed streets shall be improved to their full width and shall be paved between curbs in accordance with specifications prepared by the Department of Public Works.

- (1) Minor Streets. All minor streets shall be improved to their full width and 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, revised July 17, 1964, as amended.
- (2) Collector Streets. All collector streets shall be improved to their full width and shall be paved between curbs as follows:
  - (a) Sub-Base Course. Eight-inch depth of compacted gravel.
  - (b) Base Course. Four-inch depth of compacted processed aggregate.
  - (c) Surface Course. Two and one-half inch depth of compacted bituminous concrete.
- (3) Arterial Streets. All arterial streets shall be improved to their full width and shall be paved between curbs as follows:

- 3.3.10.5 Street Signs. Street signs shall be provided at all proposed street intersections and shall be installed in accordance with "Specifications for Criss-Cross Style Street Name Signs" as prepared by the Department of Public Works and dated March 18, 1955, as amended.
- 3.3.10.6 Monuments. Monuments shall be provided and constructed in accordance with Section 3.4, herein.
- 3.3.10.7 Storm Drainage. Storm drainage facilities shall be provided and constructed in accordance with Section 3.5, herein.
- 3.3.10.8 Special Structures. Special structures shall be provided and constructed in accordance with Section 3.6, herein.
- 3.3.10.9 Sanitary Sewerage. Sanitary sewerage facilities shall be provided and constructed in accordance with Section 3.7, herein.
- 3.3.10.10 Other Utilities. All other utilities, such as fire hydrants, gas lines, and street lights, shall be provided and constructed in accordance with Section 3.8, herein.
- 3.3.10.11 Shade Trees. Shade trees shall be provided in accordance with Section 3.11, herein.

SECTION 3.4 MONUMENTS. Reinforced concrete monuments of 1:2:4 mix and at least 3" square at top, 6" square at the bottom and 3'6" long shall be set on street lines at all angle points, points of curvature and other critical points, as determined by the Board, that will enable the land surveyor or engineer 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 or shall be marked with a cross at least 1/2 inch deep 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 to the established grade. The monuments shall be set in place after all other street construction is completed. The accuracy of location of such monuments shall be certified in writing by the land surveyor or engineer making the Final Subdivision Plan, before the City will consider acceptance of the street.

SECTION 3.5 STORM DRAINAGE. Adequate surface and subsurface storm drainage facilities shall be installed within the subdivision by the subdivider to carry existing water courses and to drain the proposed streets and streets which may reasonably be expected to be constructed at some future date on adjoining property which normally drains across the area of the proposed subdivision. No storm drainage facilities shall be constructed unless the design of such facilities has been approved by the Director of Public Works, the City Health Administrator, and/or the Connecticut Department of Transportation, as applicable.

3.5.3 Pipe Size. All storm drain pipe sizes shall be determined by actual design with due consideration to the avoidance of problems which may arise from the concentration of storm water run-off from or onto adjacent properties; provided that the minimum pipe size shall be 15 inches in diameter. All pipe for storm drains shall be reinforced concrete pipe; except that asphalt coated corrugated metal pipe may be used in special cases, subject to approval by the Director of Public Works or City Engineer.

3.5.4 Pipe Cover. No storm drain shall be constructed with less than three feet cover; except that where it is impossible or undesirable to obtain the required depth, the cover may be reduced to not less than 18 inches if the pipe and method of construction in that section are approved by the City Engineer.

3.5.5 Gradients. The minimum grade for storm drains or open ditches shall not be less than .005 feet per foot, or sufficient to give a mean velocity of three feet per second when pipe or ditch is flowing one-half full. The maximum grade for storm drains or open ditches shall not exceed 0.2 feet per foot, or sufficient to give a mean velocity of fifteen feet per second when pipe or ditch is flowing one-half full.

3.5.6 Manholes and Catch Basins. Manholes shall be constructed along storm drains at all changes of horizontal alignment, vertical gradients, and pipe sizes. Where the pipe sizes are increased, the crowns should be level. Distances between manholes should not exceed 400 feet. The first catch basin in a storm drainage system shall be located within 350 feet of the high point in the roadway. All other catch basins shall be spaced not more than 300 feet apart. All catch basins shall be connected to a manhole, and the pipe size used to make such connection shall be at least 15 inches in diameter. Double grate catch basins shall be used at sags where, due to street run-off, a design flow in excess of 2 cubic feet per second or a velocity exceeding 3 feet per second will be entering the inlet. The Board may require closer spacing of or permit greater spacing of manholes and catch basins, subject to the approval of the Director of Public Works.

3.5.7 Underdrains. Where excessive ground water, swampy, marshy, or wetland conditions are encountered or where difficult drainage configuration is anticipated, the Board may require that suitable underdrains be installed for the effected land area and be connected to the nearest drainage facility, subject to approval by the City Engineer.

3.5.8 Discharge. The discharge of all storm water from the subdivision shall be into suitable watercourses or waterbodies or into storm sewers, open ditches, or other City drainage facilities with adequate capacity to carry the additional water. Any pipe installed to discharge storm water from any street shall extend a minimum distance from such street line of not less than 75 feet, or 25 feet beyond the rear of the existing or proposed principal building, whichever is greater. Where the discharge of storm water shall be onto private property adjoining the proposed subdivision, appropriate easements or drainage rights shall be provided or obtained for the City by the subdivider.



SECTION 3.7 SANITARY SEWERAGE. The Planning and Zoning Board may require the developer to provide adequate sanitary sewers to and/or in the proposed subdivision, in appropriate instances. No sanitary sewerage system, or part thereof, serving proposed lots, shall be constructed unless the design of such facilities has been approved by the Board of Sewer Commissioners, Director of Public Works, City Health Administrator, and/or Connecticut Department of Health, as applicable.

3.7.1 Design. All sanitary sewerage disposal systems shall be designed and constructed in accordance with the pertinent specifications of the State Water Resources Commissions, State and City Health, and/or Sanitary Codes, and the City "Regulations to Control the Installation of Sanitary Sewers in Subdivision and Residential and Commercial Developments" dated September 1971, as amended.

3.7.2 Pipe Size. All sanitary sewers shall be sized and designed on the basis of the type, density, and intensity of development existing, proposed, and planned within the area tributary to a sewage treatment plant. In addition, an appropriate allowance for infiltration of ground water shall be made in accordance with City specifications.

3.7.3 Sanitary Sewer Connections. The subdivider shall provide sanitary sewer connections and/or extensions to each lot in any subdivision which is either:

- (1) Located within an area currently served by an existing public sanitary sewerage system; or
- (2) Located within such a reasonable distance of an existing sanitary sewerage system as to make extension thereof economically feasible, as determined by the Board.

3.7.4 Sanitary Sewer Projections. In addition to the temporary provision for private, individual, on-site sewage disposal systems, the Board shall require the subdivider to install and cap sanitary sewer mains in all proposed streets with connections to each lot in any subdivision which is either:

- (1) Located within an area proposed to be served by a public sanitary sewerage system which is planned, programmed, and funded in an officially adopted Capital Budget;
- (2) Located within an area proposed to be served by a public sanitary sewerage system which is planned and programmed in an officially approved Capital Improvements Program; or
- (3) Located in any Zoning District, except when the proposed lots in said subdivision are one acre or more in area, and within such an unreasonable distance of an existing public sanitary sewerage system as to make the complete extension thereof uneconomical and infeasible at the date of submission of the Final Subdivision Plan, as determined by the Board.

SECTION 3.8 OTHER UTILITIES. The Planning and Zoning Board may require the developer to provide adequate water, gas, and electric services to and/or in the proposed subdivision in appropriate instances. No water, gas, and electric systems, facilities or parts thereof, serving proposed lots, shall be constructed unless the design of such systems or facilities has been approved by the local Utility Company, City Engineer, City Health Administrator, Connecticut Department of Health, and/or Connecticut Public Utilities Commission, as applicable.

3.8.1 General Design. All water, gas, and electric systems or facilities shall be designed and constructed in accordance with the accepted standards and pertinent specifications of the State and City Health and/or Sanitary Codes, State Public Utility Commission Regulations, and the local Utility Company.

3.8.1.1 All such utility work on any existing or approved City street and any street proposed for City acceptance shall also comply with the requirements of the City Ordinance Relating to Street Openings providing for permits and establishing regulations for such work dated May 22, 1954, as amended.

3.8.2 Public Water Supply Connections. The Board may require public water supply connections and/or extensions to be made available to each lot in any subdivision which is either:

- (1) Located within an area currently served by an existing public water supply system; or
- (2) Located within such a reasonable distance of an existing public water supply system as to make extension thereof economically feasible.

3.8.3 Private, Individual, On-Site Water Supply Systems. All water wells and other individual water supply systems, or parts thereof, shall be constructed in accordance with the specifications and designs approved by the City Health Administrator.

3.8.4 Underground Utilities. The Planning and Zoning Board may require the underground installation of any telephone, electric, or power utility system, or portion thereof, intended to serve any proposed subdivision, if it is deemed aesthetically desirable, in the judgement of the Board, and if such installation is determined, by or to the satisfaction of the Board, to be economically feasible.

SECTION 3.9 UTILITY EASEMENTS. The Planning and Zoning Board may require the subdivider to provide perpetual unobstructed easements at least 20 feet in width for any utility system, facility, or portion thereof, which it deems necessary to protect the public health, safety and general welfare.

3.9.1 Easements, at least 20 feet in width, shall be provided by the subdivider for all utility systems, facilities, or portion thereof, that are not intended to be installed within a street right-of-way.

3.10.2 Improvements. The Board shall require the subdivider to grade, loam and seed any such site reserved for parks, playgrounds, recreation or other open space purposes and may require the subdivider to fence in said site.

SECTION 3.11 SHADE TREES. Shade trees shall be planted by the Subdivider as required by the Board; and the size, kind and location of such trees shall be subject to the approval of the Board. In the determination of tree requirements the following principals shall be used as a guide:

- (1) Trees shall be planted along each side of every street and shall be located near the street or lot lines, as determined by the Board.
- (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) The diameter of trees shall be not less than 1-1/2 inches.
- (4) Trees shall be planted in such locations as to least interfere with overhead telephone, electric or power lines.

SECTION 3.12 LOAM. All areas of the proposed subdivision, excepting roadways, sidewalks and other paved areas, shall be covered, by the subdivider, with a minimum of six inches of loam. Loam shall mean a loose fertile soil composed of clay, sand and organic matter and shall be suitable for growing lawns and shrubs.

SECTION 3.13 PEDESTRIAN EASEMENTS. In areas where the proposed street system does not conform to a convenient pattern of pedestrian circulation, as determined by the Board, particularly in the vicinity of parks, playgrounds, schools or other public or semi-public places, the Board may require the subdivider to provide rights-of-way or easements, at least 10 feet in width, for suitable pedestrian ways.

SECTION 3.14 RESERVE STRIPS. Reserve strips of land which, in the opinion of the Board, show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

- (12) All existing and proposed building setback lines and/or other building restriction lines.
- (13) Names, locations and widths of all existing street rights-of-way and pavement in and within 200 feet of the subdivision.
- (14) The proposed name and location and the approximate width and grade of all proposed street rights-of-way and pavement. Approximate elevations shall be shown at the beginning and end of each proposed street, at street intersections, and all points where there is a decided change in the slope or direction.
- (15) The locations of all existing monuments and the Town Line where applicable.
- (16) When the subdivision borders an existing street, the Board, the City Engineer, may require a separate map showing the width of the existing street, width of pavement, existing curbs and sidewalks, existing storm drains and sanitary sewers, if any, and the location of utilities, a profile of the existing street with elevations of the street line, for a distance of 200 feet beyond the extremities of the subdivision. The scale of this map shall be determined by the City Engineer. The purpose of this map is to determine the proper transition from existing conditions to the proposed new lines and grades.
- (17) The location of all percolation, seepage, soil, water or other similar test holes, pits, borings, or wells, as prescribed by the City Health Administrator.
- (18) A location map, at a scale of one inch equals 400 feet or 800 feet, showing the location of the subdivision with respect to surrounding property, all Zoning Districts and streets within 1,000 feet of the applicant's property and the proposed street tie-in to any existing street intersection.

SECTION 4.2 FINAL SUBDIVISION PLAN. Final subdivision plans submitted to the Board for approval and recording shall be certified that the accuracy of the information on these maps meets standards for a "class A-2 Transit Survey" of the Connecticut Technical Council Inc., shall be signed by a Registered Land Surveyor or Professional Engineer licensed in the State of Connecticut, and shall be clearly and legibly drawn on transparent linen tracing cloth or mylar 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 25" x 37"; 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. A copy of the transparency on 25" x 37" white drawing paper with cloth back on linen cloth shall be provided for recording with the City Clerk. The Final Subdivision Plan shall include a Record Map, a Construction Plan, and Plan-Profiles, as applicable.

- (13) The length and bearing or angle of all straight lines and the radius, arc length, central angle, and tangent distance of all curves. All dimensions shall be shown in feet and decimals of a foot.
- (14) Sufficient data to enable any surveyor or engineer 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 Registered Land Surveyor or Professional Engineer licensed in the State of Connecticut and shall be tied in, where possible, with reference points, previously established by a public authority or by a Registered Land Surveyor or Professional Engineer.

4.2.2 Construction Plans. The final Subdivision Plan shall include a Construction Plan showing the following information:

- (1) The location of existing and proposed waterbodies, watercourses, swamps, marshes, and wetlands, with the direction of flow and water surface elevations, as well as other significant physical features such as wooded areas and rock outcrops.
- (2) The accurate location of the regulatory flood protection elevation, established wetland boundaries and boundaries of other flood-prone areas including the seasonal high water level, apparent high water mark and mean high water mark, where applicable.
- (3) The accurate locations and dimensions of existing and proposed flood protection and erosion control works, where appropriate.
- (4) The location and dimensions of all existing buildings and structures, including but not limited to signs, fences, and walls.
- (5) Existing and proposed elevations based on actual field or aerial surveys and referenced to U.S.G.S. datum shall be shown:
  - (a) at each lot corner;
  - (b) along each lot line at intervening intervals, if such line is 100 feet or more in length, and at each 5-foot change in elevation; and
  - (c) at the approximate location of each foundation corner of all proposed or anticipated principal buildings or structures.

Additional elevations and/or elevations at lesser intervals may be required, as deemed necessary or appropriate by the Board.

- (6) Detailed site plans showing the location and type of building to be constructed and proposed grading for all lots, or portions thereof, which are situated below street grade shall be required prior to subdivision approval, if deemed necessary by the Board.
- (7) The locations of all proposed shade trees and/or existing shade trees to be retained in accordance with the provisions of Section 3.11, herein.

4.2.5 Offers of Dedication. The applicant shall tender official offers of dedication, in a written form satisfactory to the City Attorney and Board, for all land including rights-of-way, easements, open space areas, and other proposed public uses which are not otherwise specifically reserved and retained under restrictive covenants by the subdivider.

4.2.6 Reservations. The applicant shall submit to the Planning and Zoning Board written copies of all agreements, restrictive covenants, or other legal documents governing the use, reservation, ownership, and/or maintenance of all land including rights-of-way, easements, open space areas and other proposed areas which are not otherwise subject to Offers of Dedication.

4.2.7 Environmental Report. The Planning and Zoning Board may, when deemed necessary to protect the public health, safety, and welfare, require the applicant to prepare and submit appropriate environmental impact studies and shall prescribe the conditions of any such study.

4.2.8 Other Information. The Planning and Zoning Board may require any other information deemed necessary to determine conformity of the proposed Final Subdivision Plan with the intent and provisions of These Regulations.

SECTION 4.2 "AS-BUILT" PLANS. Prior to the release of any subdivision or performance bond, the applicant shall submit the following "as-built" plans and documents to the Planning and Zoning Board. All required "as-built" plans or maps shall be clearly and legibly drawn on transparent linen tracing cloth or mylar with black waterproof ink.

4.3.1 Street Plans. The applicant shall submit "as-built" tracings of the street construction plans showing all changes, if any, in the alignment of streets, curbs, sidewalks, and driveway aprons. These "as-built" street plans shall be signed and sealed by a Registered Land Surveyor or Professional Engineer licensed in the State of Connecticut.

4.3.2 Storm Drainage Plans. The applicant shall submit "as-built" tracings of the storm drainage construction plans by streets showing grades, elevations, manholes, catchbasin connections, and any underdrains that may have been constructed. These "as-built" storm drainage plans shall be signed and sealed by a Professional Engineer licensed in the State of Connecticut and shall be subject to approval by the Director of Public Works.

4.3.3 Sanitary Sewage Plans. The applicant shall submit "as-built" tracings of the sanitary sewer construction plans by street showing the elevation depth and grades, size of pipe, manholes, hubs, details of any special structures, location and depth of all building connections, and location and depth of any lateral installed to service any land, lot, building, or use in the future. These "as-built" sanitary sewer plans shall be signed and sealed by a Professional Engineer licensed in the State of Connecticut and shall be subject to approval by the Director of Public Works.

## CHAPTER V DEFINITIONS

SECTION 5.1 GENERAL TERMS. In the interpretation and use of these Regulations, words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in law, shall be construed and understood accordingly. All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" and "will" are mandatory and not directory. "Unless otherwise specified, all distances shall be measured horizontally."

SECTION 5.2 OTHER TERMS. Except as otherwise stated, or as the context may otherwise require, the following words, for the purpose of these Regulations, shall be defined as follows:

5.2.1 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.

5.2.2 Board: Means the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.3 Date of Submission: Means the first regular public meeting of the Board at which the application appears on the agenda.

5.2.4 Developer: Shall be synonymous with "applicant" as above defined.

5.2.5 Easement: Means authorization by a property owner, for the use by another and for a specified purpose, of any designated part of his property.

5.2.6 Executive Secretary: Means the Executive Secretary of the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.7 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 City Clerk for recording.

5.2.8 City Development Plan: Means the Development Plan 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.

5.2.9 Plan-Profiles: The drawing or drawings upon which the subdivider's design for street construction, drainage, and other improvements is presented to the Board.



## CHAPTER VI. LEGAL STATUS PROVISIONS

SECTION 6.1 AMENDMENTS. The provisions of These Regulations may, from time to time, be amended, modified, changed, or repealed by the Board in accordance with the provisions of the General Statutes of the State of Connecticut, as amended.

SECTION 6.2 INTERPRETATION. In the interpretation and application, the provisions of These Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Where These Regulations impose a greater restriction upon land, buildings, structures, uses or improvements than is imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of These Regulations shall control.

SECTION 6.3 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 Planning and Zoning Board; and that whoever, being the owner or agent of the owner of any land located within the jurisdiction of the Planning and Zoning Board, shall transfer or sell or offer to sell any land by reference to or exhibition of, or by other use of a plan of a subdivision before such plan has been approved by the Board and recorded or filed in the Office of the City Clerk, shall be fined not less than Twenty-Five nor more than Two Hundred Dollars for each lot so transferred or sold; and the description 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 City of Milford may enjoin such transfer or sale and may recover said penalty by a civil action. Any persons or person who violates any other provision of These Regulations shall be fined not more than \$50 for each offense.

SECTION 6.4 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 affected or impaired.

SECTION 6.5 REPEALER. All Subdivision Regulations previously adopted for the City of Milford are hereby repealed.

SECTION 6.6 EFFECTIVE DATE. These Regulations shall become effective as provided by law, upon enactment by the Planning and Zoning Board of the City of Milford, Connecticut. However, any Final Subdivision Plan officially submitted to the Board prior to the date of adoption of these revised Subdivision Regulations or any amendments thereto, may be approved by the Board under the terms of the prior Subdivision Regulations of the City 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.