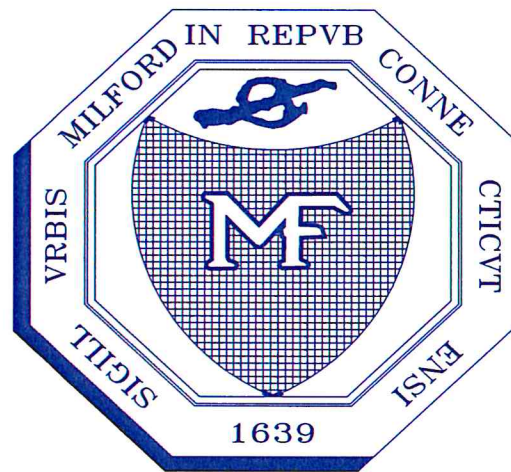
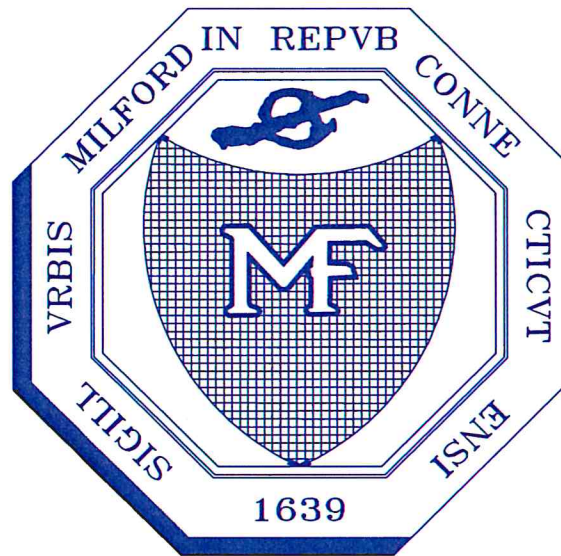


SUBDIVISION REGULATIONS



MILFORD, CONNECTICUT
2000

SUBDIVISION REGULATIONS



MILFORD, CONNECTICUT
1999

SUBDIVISION REGULATIONS

City of Milford, Connecticut

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SUBDIVISION REGULATIONS
MILFORD, CONNECTICUT

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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 land as envisaged in the City Development Plan.

CHAPTER II

SUBMISSION PROCEDURES

SECTION 2.1 GENERAL The Planning and Zoning Board strongly recommends that the applicant discuss informally with the Board, City Engineer, Health Administrator, and other interested parties, his plan of subdivision prior to submitting an application. This is recommended in order that the applicant may acquaint himself with any current plans for development of the City. It is contemplated that such discussions will inform the applicant as to the desires of the Board, City Engineer, Health Administrator, and other interested parties, as regards street, public facility, and utility development in the City. The majority of these informal discussions can be held by the applicant without notification to the Board. Informal discussion with the Board itself, prior to filing an official application for a Final Subdivision Plan, can be obtained by submitting a letter to the Board requesting a place on the agenda at least two weeks prior to a regular public meeting.

SECTION 2.2 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.

2.2.1 DISCUSSION OF REQUIREMENTS Before preparing the Final Subdivision Plan, the applicant should discuss with the Board's Executive Secretary and the City Engineer the requirements for the subdivision of land.

2.2.2 APPLICATION The subdivider shall file, in duplicate, an application for the consideration of a Final Subdivision Plan, on forms prescribed by the Board, accompanied by a fee of sixty dollars (\$60.00) or twenty dollars (\$20.00) per lot for each lot shown on the Final Subdivision Plan, whichever fee is greater. A resubdivision is an additional eighty-five dollars (\$85.00)

2.2.3 SUBMISSION OF MAPS The applicant shall cause the proposed subdivision to be accurately surveyed, and shall submit four paper prints of each of the maps required under Section 4.1, herein. The Final Subdivision Plan including the Record Map, Construction Plans and the Plan-Profiles shall, in all respects, be in conformity with Chapter IV of these Regulations entitled, Specifications for Final Subdivision Plans and As-Built Plans.

2.2.4 **TECHNICAL APPROVALS** The applicant shall obtain from the City Engineer approval of the proposed street layout, alignment, and grades and drainage design, together with a recommendation for the amount of bond, and from the Health Administrator, approval of the proposed design for sewage disposal facilities. In the event the City Engineer or the Health Administrator refuses to approve the applicant's proposal, then the applicant shall obtain a report from such office setting forth the facts of the controversy and shall deliver such report to the Executive Secretary. The Board may also require approvals from the Police Department and the Fire Department as to access by fire fighting, police and other public safety equipment to the proposed subdivision.

2.2.5 **ACCEPTANCE 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 two weeks prior to such meeting and further provided, the applicant delivers the required technical approvals or reports at least one week 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.

2.2.6 **APPLICANT TO ATTEND BOARD MEETING** The applicant, or his authorized representative, should 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.

2.2.7 **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 the facts of the proposed subdivision together with his recommendations and comments.

2.2.8 **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, and the requirements of the City Development Plan.

2.2.9 **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 re-subdivision. 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.

2.2.10 **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.

2.2.11 **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 2.4, herein.

2.2.12 **FILING PLANS WITH THE BOARD** The applicant shall file with the Board, two mylar tracings of the Record Map, one mylar of the Record Map at a scale of one inch equals one hundred feet, together with one mylar tracing of the Construction Plans and one mylar tracing of the Plan-Profiles.

2.2.13 **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.

2.2.14 **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 City Clerk, the approval shall be null and void unless the alterations have been approved by the Board and so indicated on said Plan.

2.2.15 **RECORDING OF ENDORSED PLAN** Within ninety days following the tentative approval by the Board, the applicant shall file the endorsed Final Subdivision Plan and any required easements, restrictions or deeds with the City Clerk. Any Final Subdivision Plan not so filed or recorded shall become null and void.

SECTION 2.3 MODIFIED PROCEDURES

2.3.1 **ADJUSTMENT OF EXISTING LOT BOUNDARIES** Where it is proposed to adjust existing lot boundaries without increasing the number of lots, without changing any lots except in accordance with the standards of the zone in which it is located, and without changing any street or an area reserved for public use, a Correction Map showing such lot boundary changes may be approved in writing by the Chairman of the Board. The procedure of Section 2.1 and 2.2 above 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 public 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 and the applicant shall file an endorsed copy of said Correction Map with the City Clerk.

2.3.2 **SPECIAL PERMIT USE** Where an applicant proposes a subdivision, or any portion thereof, which is subject to Special Permit and Site Plan Approval under the Zoning Regulations, the Planning and Zoning Board may approve and permit said subdivision, or portion thereof, subject to all applicable procedures and requirements of both these Regulations and the Zoning Regulations. The Planning and Zoning Board may, upon written request by the applicant, allow the simultaneous submission of an application for Special Permit and Site Plan Approval and filing of an application for a Final Subdivision Plan, subject to legal notice and public hearing in accordance with State Statutes.

SECTION 2.4 **PERFORMANCE BOND AND INSPECTION**

2.4.1 **INSTALLATION OF IMPROVEMENTS** The subdivider shall install all street, drainage, sanitary, and other improvements specified in the Planning Board's action granting tentative approval of the Final Subdivision Plan within ninety 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 days after the Board's tentative approval, post a performance bond in an amount estimated by the Director of Public Works to be sufficient to secure to the City of Milford 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.

2.4.1.1 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% or more 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.

2.4.2 **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. Alternatively, the Board may, upon written request, allow the assignment of a Savings Bank Deposit Book or a Certified Check.

2.4.2.1 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.

2.4.3 **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.

2.4.3.1 If during any phase of construction, it shall appear to the Director of Public Works or his authorized agent that the City specifications or Board requirements are not being complied with, notice shall be immediately given, in writing, to the Zoning Enforcement Officer by the Director of Public Works, setting forth the nature and extent of the non-compliance. The Zoning Enforcement Officer shall forthwith give written notice to the developer and any other person, firm or organization who may be responsible for such non-compliance. Such notice shall state the nature of the non-compliance and shall direct the developer and any other person, firm, or organization responsible, to cease and desist such non-compliance and shall direct that all work be corrected so as to comply with City specifications or Board requirements. A copy of such notice, from the Zoning Enforcement Officer, may be mailed directly to the office of the surety company issuing the performance bond. If the developer or any other person, firm, or organization fails to comply with the terms of such notice within a period of ten (10) days, the Zoning Enforcement Officer shall cause all work on such subdivision to stop and may refer the matter to the City Attorney or Prosecutor for further legal action.

2.4.4 **RELEASE OF BOND** Prior to the release of any subdivision or performance bond, the applicant shall comply with the requirements of Section 4.2 of these Regulations entitled As-Built Plans. Upon submission of the required as-built plans and documents in accordance with Section 4.2, herein, completion of the required improvements to the satisfaction of the Director of Public Works and the Board, delivery of instruments for any required easements satisfactory to the City Attorney, and the fulfillment of any other requirement or conditions 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 shall be held for one year to assure satisfactory operation and proper maintenance, and shall be released thereafter; provided that all the provisions as stated in Section 2.4.2, herein, 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.

SECTION 2.5 DEDICATION AND ACCEPTANCE Approval by the Board of a Final Subdivision Plan shall not be deemed to constitute or effect any acceptance by the City of any street, recreation area, easement, or any other improvement or open space area shown on the Plan.

2.5.1 **FORMAL NOTATION OF INTENT** Streets, recreation areas, easements, and other improvements or open space areas shown on the Final Subdivision Plan may be offered for dedication to the City by formal notation thereof on the approved Plan. The Board may require the filing of a written agreement between the subdivider and the City regarding the future ownership and maintenance responsibilities for such formally offered improvements or open space area.

2.5.2 **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.

2.5.3 **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 of 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.

CHAPTER III DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS

SECTION 3.1 GENERAL Proposed subdivisions and all street, drainage and other improvements shall be designed and constructed in accordance with the Plan of Development, Plan of Sewerage System, and the Zoning Regulations; any other official plans and applicable laws, ordinances, codes and regulations; and the standards and specifications hereinafter specified.

SECTION 3.2 BUILDING LOTS Proposed building lots shall be of such size, shape, location, topography and character that buildings can be reasonably constructed, occupied and used for building purposes without danger to the health and safety of the occupants and the public. Land of such a character in its natural state that it is unsuitable for occupancy of building purposes because of danger to the public health, safety and welfare by reason of inaccessibility, difficult configuration, high ground water, flooding conditions, erosion hazards, ledge rock, steep sloping topography, severe soil conditions or other similar conditions shall be appropriately identified as a "Protection Area" on the Final Subdivision Plan and shall not be subdivided for residential use nor for such other uses as may increase danger to health, life or property or otherwise aggravate the hazard; unless and until appropriate corrective measures have been taken by the subdivider to eliminate such hazards, subject to approval by the Planning and Zoning Board, City Engineer and Health Administrator. Proposed building lots shall be designed and arranged to make best use of the natural terrain, avoiding unnecessary re-grading, to protect the natural environment, and to preserve the natural amenities such as waterbodies, watercourses, and vegetation.

3.2.1 LOT LAY-OUT AND DRIVEWAY ACCESS Except where impractical or unreasonable, lots shall be so laid out that the driveways have access to a local street and not to a major road carrying general traffic.

3.2.2 LOT AREA TO PERMIT RESUBDIVISION Where a tract is proposed to be subdivided into lots averaging more than double the minimum required lot area for the Zoning District in which said tract is located, 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 to properly serve such potential lots or otherwise required deed restrictions barring any resubdivision of the subject property. Any such required deed restrictions shall be recorded with the City Clerk and a copy shall be filed with the Executive Secretary.

3.2.3 LOT AREA TO PERMIT UTILITY FACILITIES Each lot proposed to be served by a private, individual water-well and/or a private, individual sewage disposal system shall be large enough to contain sufficient land of proper character to permit satisfactory performance of such well and/or system, and shall comply with the regulations of the City Health Administrator.

3.2.4 **CORNER LOT AREA** Corner lots shall be of sufficient size and dimensions so that any building placed thereon can conform to all yard requirements.

3.2.5 **BUILDING SETBACK LINES** The Planning & Zoning Board may require buildings to be set back 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 ½ 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.

3.3.2.1 When a subdivision proposes the continuation of an existing dead-end street, it shall be the full responsibility of the subdivider to improve said street extension or connection; including, but not limited to, the removal of any temporary turnaround, the replacement of all curbs and driveway aprons, the replanting of all unpaved areas and the extension or connection of all other required improvements.

The Board may require the subdivider to post satisfactory surety to sufficiently cover the estimated cost of removing any existing turnaround area, replacing all curbs and driveway aprons, replanting of 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 of such dead-end street and the boundary of the subdivision.

3.3.2.2 When a right-of-way for a future street or extension of a street is proposed on a Subdivision Plan, the Board may require the subdivision to improve all or any portion of said right-of-way.

3.3.3 STREET WIDTHS Streets shall be designed with minimum right-of-way widths and minimum roadway widths (i.e. that portion of the street included between the curb or curb lines) in accordance with the following schedule:

<u>General Street Classification</u>	<u>Minimum Right-of-Way Width (feet)</u>	<u>Minimum Roadway Width (feet)</u>
Minor	50	30
Collector	60	40
Arterial	80	As Determined

3.3.3.1 Where a subdivision abuts or contains an existing street which does not comply with the minimum width requirements, the Board may require additional widths where deemed necessary or less width only to connect existing streets within areas which were substantially built-up on the effective date of these Regulations. When required by the Board, the subdivider shall dedicate the necessary right-of-way to the City for street widening and shall show such right-of-way and/or roadway widening on the Final Subdivision Plan. Drainage or other improvements made necessary by the subdivision shall be constructed by the subdivider in such street.

3.3.4 **DEAD END STREETS** Where permanent dead end streets are proposed in a subdivision, they shall generally not exceed 1,200 feet in length and shall terminate in a circular turnaround having a minimum right-of-way radius of 50 feet with a 25 foot right-of-way radius at each connection point, or shall terminate with another similarly shaped and adequately designed turning area of comparable maneuverability, subject to approval 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.

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 five percent for arterial streets and not less than 1.0 percent nor more than eight percent for collector and minor streets; except that the Board may permit maximum grades of ten percent on minor streets only, and then only for reasonably short distances, subject to approval by the Board and the City Engineer.

3.3.6 **VERTICAL CURVES** Appropriate vertical curves for all changes in gradient shall be established on all streets and at street intersections where the algebraic difference in grades exceeds 0.5 percent. Vertical curves shall provide a minimum safe stopping sight distance along the street centerline based on the applicable design or posted speed.

The minimum length of vertical curves for safe stopping sight distances shall be determined as follows:

<u>Design Speed</u>	<u>Stopping Sight Distance</u>
30 mph	200 feet
40 mph	275 feet
50 mph	350 feet

3.3.6.1 The minimum length of vertical curves for safe passing sight distances shall also be considered in the design of collector and arterial streets.

3.3.7 HORIZONTAL CURVES Where street lines deflect more than ten degrees from each other within a block, the minimum radius of curvature at the center line of such streets shall be established on the basis of the applicable design or posted speed; provided that the minimum radius of curvature at the centerline of minor streets only shall not be less than 150 feet.

3.3.8 STREET INTERSECTIONS The following standards shall apply to all street intersections:

3.3.8.1 LAYOUT & SPACING Cross (four cornered) street intersections shall be avoided, where possible, with the exception of arterial street crossings. Intersections shall be spaced at least 150 feet apart, measured between centerlines; except that minor or collector street intersections with arterial streets shall, in general, be spaced at least 500 feet apart.

3.3.8.2 ANGLES Except where impractical or undesirable, all streets shall intersect at approximately right angles. No intersections shall be less than 60 degrees. The angle of entry shall not become more acute than 60 degrees for a distance of at least one hundred feet from the center of the intersection.

3.3.8.3 RADII At right angle street intersections, street lines shall be rounded by an arc having a minimum radius of 15 feet and curb lines shall be rounded by an arc having a minimum radius of 25 feet. The Board may require greater radii where the street intersection is sharper than 90 degrees.

3.3.8.4 GRADIENTS The gradient of proposed streets at intersections shall generally not exceed three percent within a distance of one hundred feet from the center of the intersection.

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 street names 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 installations 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 2.4 herein.

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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 Ten-inch depth of compacted gravel.
- (b) Base Course Five-inch depth of compacted processed aggregate.
- (c) Surface Course Three-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:

- (a) Sub-Base Course Ten-inch depth of compacted gravel.
- (b) Base Course Five-inch depth of compacted processed aggregate.

(c) Surface Course Three-inch depth of compacted bituminous concrete.

(4) Slopes Necessary cut or fill sections which extend or are proposed to extend beyond the street line shall not be steeper than two feet horizontal to one foot vertical (2:1), except in rock. The Board or City Engineer may require flatter slopes in order to maintain the stability of the embankment. Embankments at street intersections shall be adequately cut back in order to maintain a minimum sight distance of at least one hundred feet along each approach leg. No cut or fill slopes shall extend outside the boundary of the subdivision, unless appropriate slope rights are either temporarily or permanently secured for the City by the subdivider, as required by the Director of Public Works.

(5) Disturbed Surfaces All ground surfaces that are disturbed due to grading and constructing the street shall be appropriately loamed and seeded in accordance with the standard specifications of the Department of Public Works.

3.3.10.2 DRIVEWAY APRONS Driveway aprons shall be provided on all proposed streets, shall be designed to prevent storm water run-off from the street onto any abutting lot and shall be constructed in accordance with "Specifications for Driveway Aprons" as prepared by the Department of Public Works and dated August 17, 1959, as amended, or as otherwise approved by the City Engineer.

3.3.10.3 CURBS Curbs shall be provided along both edges of all proposed roadways and shall be constructed in accordance with "Standard Specifications for Concrete Sidewalks and Curbs" as prepared by the Department of Public Works and dated March, 1967, as amended; except where topography, soil or other natural or man-made conditions make such installation unnecessary or undesirable, as determined by the Board.

3.3.10.4 SIDEWALKS Sidewalks shall be provided in all proposed Residential Districts, except R-AA, R-A and R-30. The Board may require sidewalks on all proposed streets in R-AA, R-A and R-30 Districts, as well as all other Zoning Districts. All required sidewalks shall be constructed in accordance with "Standard Specifications for Concrete Sidewalks and Curbs" as prepared by the Department of Public Works and dated March, 1967, as amended.

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 Crisscross 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 STREET TREES Street trees shall be provided in accordance with Section 3.11, herein. (Amended effective 8/7/93.)

3.3.10.12 TREE PROTECTION DURING CONSTRUCTION No person may conduct any activity within the drip line or six feet from the trunk (whichever is greater) of any tree designated to remain in the builder's site plan of development. Protective barricades shall be placed around all required trees in or near development areas, as determined by the City Planner or designees, prior to the start of development activities. These barricades, constructed of wood or plastic fencing or other approved materials shall be erected in accordance with standards provided by the above said authorities, and shall remain in place until development activities are completed. The area within the protective barricade shall remain free of all building materials, dirt, fill, solvents, or other construction debris, vehicles, and development activities.

SECTION 3.4 MONUMENTS Reinforced concrete monuments of 1:2:4 mix and at 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 one-half 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 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 street 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.

3.5.1 DESIGN AND CONSTRUCTION All storm drainage facilities shall be designed and constructed in accordance with the pertinent specifications of the Connecticut Department of Transportation, the "Specifications for Storm Water Drainage Structures" as prepared by the Department of Public Works, and the additional standards as set forth hereinafter.

3.5.1.1 The "Rational Method" shall be used for computing the storm water run-off; $(Q = AIC)$ where Q = run-off in cubic feet per second, A = area of the contributing watershed in acres, I = rainfall intensity in inches per hour, and C = coefficient of imperviousness.

3.5.1.2 All storm drainage facilities designed to carry established streams shall be based on a fifty-year frequency.

3.5.1.3 All other storm drainage facilities shall be designed to carry storm water run-off based on a ten-year frequency.

3.5.1.4 Storm sewers located within a street shall be placed at least Four feet from the street centerline; except that storm sewers on long curves shall be constructed on chords.

3.5.1.5 Drainage computations based on standard engineering formulae acceptable to the City Engineer or the Connecticut Floor Flow Formula, as applicable, shall be submitted by the applicant to substantiate the design of all storm drainage facilities.

3.5.2 OPEN DITCHES If, in its judgment, there will be no flood or erosion hazards and no danger to the public health and safety, the Board may permit the flow of rivers, streams, and brooks in their natural courses through the subdivision and may permit the discharge of storm water and established watercourses in open ditches across the proposed lots. In general, open ditches should be confined to lots of 18,000 square feet in area or larger.

3.5.2.1 All open ditches, except existing natural watercourses, shall have a minimum depth of six inches, a maximum depth of four feet, and side slopes not exceeding one foot vertical to one and one-half feet horizontal distance or such lesser slope necessary for soil stability, as determined by the Board.

3.5.2.2 The Board may require open ditches to be lined with gravel, crushed stone, or other permeable material to permit subsurface seepage necessary to recharge groundwater supplies.

3.5.2.3 The Board may require fencing, rip-rap, planting suitable vegetation, or other protective measures to protect the public health, safety and welfare.

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 fifteen (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 eighteen (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 on-half full. The maximum grade for storm drains or open ditches shall not exceed 9.2 per foot, or sufficient to give a mean velocity of 15 feet per second when pipe or ditch is flowing one-half full.

3.5.6 **MANHOLES, CATCH BASINS, ENDWALLS AND HEADWALLS** Such structures shall conform to the Connecticut Department of Transportation standards.

3.5.7 **UNDERDRAINS** Where excessive groundwater, 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 affected

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.

3.5.9 **CHANNEL ENCROACHMENT LINES** Channel encroachment lines may be required by the Board along any major watercourse or waterbody for the purpose of preventing constriction of the natural watercourse or waterbody by buildings, structures, filling and removing operations or other facilities, activities or construction. The necessity for said building restriction or fill and removal restriction lines shall be determined by the Board, and the subdivider shall be required to place said lines on the Final Subdivision Plan with explanatory notation. The location of such channel encroachment lines shall be based upon proper hydraulic computations which shall be provided by the applicant and shall be subject to the approval of the City Engineer.

3.5.10 **COMBINED SEWERS** No combined sanitary and storm sewers shall be permitted.

SECTION 3.6 SPECIAL STRUCTURES Bridges, culverts, headwalls, deep manholes, and other special structures shall be designed in accordance with Department of Public Works standards and good engineering practice acceptable to the Board and the City Engineer.

3.6.1 **SIZE** Bridges, culverts, or other structures erected to carry streets over watercourses or waterbodies shall be designed to handle maximum storm water run-off anticipated from the watershed for a storm of at least a 25-year frequency.

3.6.2 **CAPACITY** Bridges and culverts shall be designed to sustain a minimum safe load of not less than twenty tons, unless anticipated traffic conditions would necessitate a greater safe load design as determined by the City Engineer.

3.6.3 **WIDTH** No bridge or culvert shall be constructed to less than the full width of the minimum required street, including pavement, curb and sidewalk areas.

3.6.4 **OTHER SPECIAL STRUCTURES** The Board may require any other special structure that it deems necessary to protect the public health, safety and welfare.

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 Sewer Commission, the 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 Commission, State & City Health and/or Sanitary Codes, and the City "Regulations to Control the Installation of Sanitary Sewers in Subdivision & Residential & 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 located within an area proposed to be served by a sewer system which is planned, programmed and funded in an officially adopted Capital Budget. Where a subdivision is located within an area proposed to be served by a public sanitary sewer system in an officially approved Capital Improvement Program and located such an unreasonable distance from an existing public sanitary sewer system as to make the complete extension thereof uneconomic and infeasible as determined by the Board. The Board may require the

subdivider to install and cap sanitary sewer mains with connections to each lot, as is required above.

3.7.5 **PIPE LOCATION** Sanitary sewer pipes and water supply pipes shall be laid in separate trenches; except when the applicant can prove to the satisfaction of the Board that the design and placement of such sewer and water pipes in the same trench will not result in any contamination of the water supply, subject to approval by the City Engineer, Health Administrator, and Board. All sanitary sewer pipes located in the same right-of-way or easement with any water supply pipes. The center of streets shall be reserved for sanitary sewer construction.

3.7.6 **PRIVATE, INDIVIDUAL, ON-SITE SEWAGE DISPOSAL SYSTEMS** All septic tanks and other individual sewage disposal systems, or parts thereof, shall be constructed in accordance with the specifications and design approved by the City Health Administrator.

3.7.6.1 No part of said system shall be constructed with 75 feet of a water well, spring, or domestic water suction pipe, nor within 50 feet of a tributary of a drinking water supply.

3.7.6.2 No part of said system shall be located within 10 feet of any street, lot or water pressure line, nor within 15 feet of a septic building served or any watercourse or waterbody.

3.7.6.3 No part of said system shall be laid out in areas where high ground water, flooding, ledge rock, or other similar conditions will interfere with its effective operation. The bottom of any leaching area, cesspool, or other similar facility shall be at least four feet above ledge rock and shall be at least 18 inches above the maximum ground water level, unless said facility is structurally flood and/or waterproofed, subject to approval by the City Engineer.

3.7.6.4 Suitable soil percolation or seepage tests shall be taken by the subdivider as required by the City Health Administrator, who may prescribe the time (relative to seasonal high water tables, earth fill and removal operations, and final grading plans), locations, and number of said tests, as well as any other conditions deemed necessary to protect the public health, safety, and general welfare.

3.7.7 **OWNERSHIP AND MAINTENANCE** The Planning and Zoning Board may require the subdivider to provide suitable agreements, satisfactory to the City Attorney and Board of Sewer Commissions as to form, sufficiency, and surety for the ownership and maintenance of any sanitary sewerage system, or portion thereof.

3.7.7.1 The subdivider shall provide and record suitable restrictive

covenants, satisfactory to the City Attorney and Board, for each lot which is intended to be served by a private individual on-site sewage disposal system.

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 Because it is deemed aesthetically desirable, the Planning & Zoning Board shall require the underground installation of any telephone, cablevision, electric, or power utility system, or portion thereof, intended to serve any proposed subdivision. This may be waived upon request and determined, by

or to the satisfaction of the Board, not to be economically feasible. (Amended effective 8/7/93)

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.

3.9.2 Easements shall be provided by the subdivider for the full width and length of any watercourse or open drainage ditch within the subdivision which will carry drainage run-off from said subdivision and/or from any other lands situated within the watershed.

3.9.3 Easements, at least 20 feet in width, shall be provided by the subdivider for any utility system, facility or portion thereof, that may need to be installed, connected, continued or extended, at any time, in order to adequately serve any other land that adjoins the proposed subdivision.

3.9.4 In general, such easements shall be centered on or adjacent to rear or side lot lines and shall provide satisfactory access to any connection street.

SECTION 3.10 OPEN SPACE, PARKS, PLAYGROUNDS AND NATURAL FEATURES Land shall be reserved by the subdivider for open space, parks, playgrounds, or other recreation 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 street access, for its recreational activities or other purposes. In general, no area shall be reserved for recreation purposes unless it has an area of at least 2 acres, or will have at least that size when combined with probably future reservations of land in adjoining subdivisions. In no case, shall an area of less than 1 acre be reserved for recreation purposes unless it is or can reasonably be combined with adjoining land set aside for such purposes, with the combined land area meeting the standards of this Section. 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, watercourses and falls, beaches, historic spots, and similar irreplaceable assets. The amount of area to be reserved for open space, parks, playgrounds, recreation or other public purposes shall be 10 percent of the gross area of the subdivision, except as provided in Section 3.10.1 below and/or except where greater requirements apply under the Zoning Regulations. (Amended effective 8/7/93.)

3.10.1 ACCEPTANCE OF CASH PAYMENT The Board may require the provision of open spaces, parks and playgrounds, when, and in the place deemed proper by the Board, said open spaces, parks, and playgrounds shall be shown on the

subdivision record map plan, with the approval of the Board, the applicant may pay a fee to the Planning and Zoning Board or pay a fee and transfer land to the municipality in lieu of any requirement to provide open space. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Board and the applicant. A fraction of such payment, the numerator of which is one, and the denominator of which the number of approved parcels within the subdivision, shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund designated for the purpose of preserving open space, acquiring additional land for open space, or for recreational or agricultural purposes. The open space requirement of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin for no consideration; or if the subdivision is to contain affordable housing as defined by Connecticut General Statute Section 8-39a, equal to twenty percent or more of the total housing to be constructed in such subdivision. (Effective 8/7/93.)

3.10.2 IMPROVEMENTS The Board shall require the subdivider to grade, loam, seed, and install plant materials (trees, shrubs, and perennials) as the Board deems appropriate for such sites reserved for parks, playgrounds, recreation or other open space purposes and may require the subdivider to fence in said site. (Amended effective 8/7/93.)

SECTION 3.11 STREET 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 ½ inches.
- (4) Trees shall be planted in such locations as to least interfere with overhead telephone, electric or power lines.

SECTION 3.12 LOAM Suitable areas of the subdivision as determined by the Board 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.

CHAPTER IV SPECIFICATIONS FOR FINAL SUBDIVISION PLANS AND AS-BUILT PLANS

SECTION 4.1 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 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. An additional mylar with black waterproof ink 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.

4.1.1 RECORD MAP The final Subdivision Plan shall include a Record Map showing the following information:

- (1) Proposed subdivision name or identifying title, which shall not duplicate or too closely approximate that of any other development in the City.
- (2) The name and address of the owner of the land to be subdivided, the name and address of the subdivider, if other than the owner, and the name and seal or certification of the Registered Land Surveyor and/or Professional Engineer licensed in the State of Connecticut.
- (3) The date, approximate true north point, graphic and written scales, City and State.
- (4) An accurate boundary survey of the applicant's property showing the location and dimensions of all existing street and lot lines (include entire area proposed to be subdivided and remainder of the tract owned by the subdividing owner).
- (5) Where the applicant wishes to develop the proposed subdivision in stages, the Plan shall indicate initial, intermediate, and ultimate development stages or sections.
- (6) The location and names of owners of record of all abutting property and developments.

- (7) The specific purpose and accurate location, dimensions, and areas in square feet of existing and proposed rights-of-way, easements, reservations, and open space areas dedicated to or offered for public use or otherwise reserved for the common use of the lot owners of the subdivision, both within and adjoining the subdivision.
- (8) The locations, numbers, dimensions, and areas in square feet of all existing and proposed lots, and the total acreage of land included in the subdivision. All lots shall be numbered in accordance with a scheme approved by the City Assessor.
- (9) All existing and proposed building setback lines and/or other building restriction lines.
- (10) The names, locations and widths of all existing and proposed street rights-of-way and pavement in and within 200 feet of the subdivision.
- (11) The locations of all existing and proposed monuments and the Town line, where applicable.
- (12) The 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.
- (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.

4.1.2 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.
 - (a) All subdivision proposals shall be consistent with the need to minimize flood damage.
 - (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
 - (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
 - (d) Base flood elevation data shall be provided for subdivision proposals.
- (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 street trees and/or existing street trees to be retained in accordance with the provisions of Section 3.11, herein.

4.1.3 **PLAN – PROFILES** The Final Subdivision Plan shall be accompanied by complete plan-profiles (including engineering calculations, designs, drawings, plans, profiles, cross-sections, and specifications, where appropriate) for all proposed street, utilities, special structures, and other improvements to be dedicated to the City or as otherwise required by the Board. Such plan-profiles shall be certified by a Registered Professional Engineer licensed in the State of Connecticut and shall be drawn at a scale of one inch equals 40 feet horizontal and one inch equals 4 feet vertical on 25" x 37" plan-profile sheets. Each plan-profile drawing shall show at least the following information:

- (1) The location and dimensions of existing and proposed street rights-of-way, street pavement, curbs, sidewalks, culverts, catchbasins, manholes, utility easements, utility lines, special structures, and other improvements.
- (2) Profiles of the existing ground surface on the center line and the proposed center line grade, as well as existing elevations, on both street lines.
- (3) Typical cross-sections of each street and bridge indicating locations, dimensions, and materials of sidewalk, curb, and pavement improvements.
- (4) Profiles and cross-sections of existing and proposed storm drainage, sanitary sewage, water supply, and other utility systems and facilities, where appropriate, showing locations, grades, size, invert elevations, and proposed connections to existing facilities.
- (5) Profiles, cross-sections and drawings of special structures and other installations, as required by the Board.
- (6) Stations at grade changes, centerline intersections, and at 100 foot intervals.
- (7) Percent grade, and elevations where there is a change in grade.

- (8) Elevations shall be based on actual field or aerial surveys and shall be referenced to U.S.G.S. datum where possible, or to other datum approved by the Director of Public Works.
- (9) The locations of all bench marks shall be shown by proper notations.
- (10) Sufficient computations to permit the Director of Public Works to check utility design, particularly drainage facilities.

4.1.4 **PRIOR APPROVALS** In the case of any use, improvement, system facility or other item requiring approval of any Department of the Federal, State or City Governments, the approval for such Department shall be submitted by the applicant.

4.1.5 **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.

4.1.6 **RESERVATIONS** The applicant shall submit to the Planning & 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.

4.1.7 **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.

4.1.8 **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 mylar with black waterproof ink.

4.2.1 **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.

4.2.2 **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.

4.2.3 **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.

4.2.4 **CONSTRUCTION CERTIFICATIONS**

4.2.4.1 The applicant shall submit a statement for street construction, signed and sealed by a Professional Engineer licensed in the State of Connecticut, certifying that the construction and depth of sub-base, the construction and depth of processed aggregate base, and the construction and depth of bituminous concrete pavement conform to the standard specifications.

4.2.4.2 The applicant shall submit a statement for monument and lot marker locations, signed and sealed by a Registered Land Surveyor or Professional Engineer licensed in the State of Connecticut, certifying that the location of monuments and lot markers accurately conform to the Final Subdivision Plan.

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 APPROVED Means a signed, written approval by the Planning and Zoning Board (its designated agent or the New Haven County Soil and Water Conservation District) that a soil erosion and sediment control complies with the applicable requirements of these Regulations.

5.2.3 BOARD Means the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.4 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.

5.2.5 COUNTY SOIL AND WATER CONSERVATION DISTRICT Means the Milford County Soil and Water Conservation District established under subsection (a) of section 22a-315 of the General Statutes.

5.2.6 DATE OF SUBMISSION Means the regular public meeting of the Board at which the application appears on the agenda.

5.2.7 DEVELOPER Shall be synonymous with “applicant” as above defined.

5.2.8 DEVELOPMENT Means any construction or grading activities to improved or unimproved real estate.

5.2.9 **DISTURBED AREA** Means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion to improved or unimproved real estate.

5.2.10 **EASEMENT** Means authorization by a property owner, for the use by another and for a specified purpose, of any designated part of his property.

5.2.11 **EROSION** Means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

5.2.12 **EXECUTIVE SECRETARY** Means the Executive Secretary of the Planning and Zoning Board of the City of Milford, Connecticut.

5.2.13 **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.

5.2.14 **GRADING** Means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

5.2.15 **INSPECTION** Means the periodic review of sediment and erosion control measures shown on the certified plan.

5.2.16 **LOT, REAR** A rear lot is any lot connected to a City accepted street via a private means of access. The width of the access and the lot size shall be defined by the applicable zoning district. The required lot area shall not include the area of the private means of access. Each lot shall require its own individual private means of access.

5.2.17 **PLAN-PROFILES** The drawing or drawings upon which the subdivider's design for street construction, drainage, and other improvements is presented to the Board.

5.2.18 **PRINT** A blueprint, photostat, lithoprint, or other copy which reproduces exactly the data on the original drawing from which it is made.

5.2.19 **PROFESSIONAL ENGINEER** A currently practicing Civil Engineer licensed or registered in the State of Connecticut.

5.2.20 **RESUBDIVISION** A change in a map of an approved or recorded subdivision or resubdivision if such change: (a) affects any street layout shown on such map; or (b) affects any area reserved thereon for public use; or (c) diminished the size of any lot shown thereon have been conveyed after the approval of recording of such map.

5.2.21 **RIGHT-OF-WAY** The street or lot lines defining the limits of land dedicated, secured, or reserved for public use.

5.2.22 **SEDIMENT** Means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by explosion.

5.2.23 **SOIL** Means any unconsolidated mineral or organic material of any origin.

5.2.24 **SOIL EROSION AND SEDIMENT CONTROL PLAN** Means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

5.2.25 **STREET** Means and includes any right-of-way used for streets, roads, highways, avenues, boulevards, lanes, or other vehicular access ways. Streets are further classified by the following functions:

5.2.25.1 **ARTERIAL** A street which serves or is designed to serve as a major artery and is designated on the Plan of Development.

5.2.25.2 **COLLECTOR** A street which serves or is designed to serve as a traffic way for a neighborhood or as a feeder to a major street and is so designated on the Plan of Development.

5.2.25.3 **MINOR** A street intended to serve primarily as an access to abutting properties.

5.2.25.4 **DEAD-END** A minor street or a portion of a street with only one vehicular outlet.

5.2.26 **STREET PAVEMENT** The wearing or exposed surface of the roadway used by vehicular traffic, including the sub-base and base course.

5.2.27 **SUBDIVIDER** Shall be synonymous with “applicant” as defined above.

5.2.28 **SUBDIVISION** 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.

5.2.29 **SURVEYOR** A currently practicing surveyor licensed or registered in the State of Connecticut.

5.2.30 **THESE REGULATIONS** The Subdivision Regulations of the City of Milford, Connecticut as contained herein and including any amendments thereto.

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 subdivision 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 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 Fifty Dollars for each offense.

SECTION 6.4 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 City as a whole, and the purpose and intent of these Regulations.

SECTION 6.5 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 affected or impaired.

SECTION 6.6 REPEALER All Subdivision Regulations previously adopted for the City of Milford are hereby repealed.

SECTION 6.7 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.

EFFECTIVE SEPTEMBER 8, 2000

REGULATION AMENDMENT CHANGE TO THE SUBDIVISION REGULATIONS

3.3.10.12 (NEW) TREE PROTECTION DURING CONSTRUCTION

No person may conduct any activity within the drip line or six feet from the trunk (whichever is greater) of any tree designated to remain in the builder's site plan of development. Protective barricades shall be placed around all required trees in or near development areas, as determined by the City Planner or designees, prior to the start of development activities. These barricades, constructed of wood or plastic fencing or other approved materials shall be erected in accordance with standards provided by the above said authorities, and shall remain in place until development activities are completed. The area within the protective barricade shall remain free of all building materials, dirt, fill, solvents, or other construction debris, vehicles, and development activities.

SECTION 3.10 OPEN SPACE, PARKS, PLAYGROUNDS AND NATURAL FEATURES

Land shall be reserved by the subdivider for open space, parks, playgrounds, or other recreation 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 street access, for its recreational activities or other purposes. In general, no area shall be reserved for recreation purposes unless it has an area of at least 2 acres, or will have at least that size when combined with probably future reservations of land in adjoining subdivisions. In no case, shall an area of less than 1 acre be reserved for recreation purposes unless it is or can reasonably be combined with adjoining land set aside for such purposes, with the combined land area meeting the standards of this Section. 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, watercourses and falls, beaches, historic spots, and similar irreplaceable assets. The amount of area to be reserved for open space, parks, playgrounds, recreation or other public purposes shall be 10 percent of the gross area of the subdivision, except as provided in Section 3.10.1 below and/or except where greater requirements apply under the Zoning Regulations. (Amended effective 8/7/93.)

3.10.1 ACCEPTANCE OF CASH PAYMENT The Board may require the provision of open spaces, parks and playgrounds, when, and in the place deemed proper by the Board, said open spaces, parks, and playgrounds shall be shown on the subdivision record map plan, with the approval of the Board, the applicant may pay a fee to the Planning and Zoning Board or pay a fee and transfer land to the municipality in lieu of any requirement to provide open space. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Board and the applicant. A fraction of such payment, the numerator of which is one, and the denominator or which the number of approved parcels within the subdivision, shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund designated for the purpose of preserving open space, acquiring additional land for open space, or for recreational or agricultural purposes.

The open space requirement of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin for no consideration; or if the subdivision is to contain affordable housing as defined by Connecticut General Statute Section 8-39a, equal to twenty percent or more of the total housing to be constructed in such subdivision. (Effective 8/7/93.)

3.10.2 **IMPROVEMENTS** The Board shall require the subdivider to grade, loam, seed, and install plant materials (trees, shrubs, and perennials) as the Board deems appropriate for such sites reserved for parks, playgrounds, recreation or other open space purposes and may require the subdivider to fence in said site. (Amended effective 8/7/93.)