

## SECTION 1

### AUTHORITY

- 1-01** Pursuant to the authority by Chapter 126 of the General Statutes of the State of Connecticut, 1958 Revision as amended, the Planning and Zoning Commission of the Town of Burlington, acting in its capacity as a Planning Commission, hereby adopts these Regulations which shall hereafter be know, cited and be referred to as the ***Subdivision Regulations of the Town of Burlington, Connecticut.***

## SECTION 2

### PREAMBLE

**2-01 STATEMENT OF POLICY** It is declared to be the policy of the Burlington Planning and Zoning Commission to consider land subdivision as part of a balanced growth and development design which shall incorporate social, environmental and other appropriate considerations, relevant to the health, safety and welfare of the Town, its inhabitants and its property owners. This means, among other things, that land to be subdivided shall be of such character that:

- A. It may be used for building purposes without danger to health or public safety.
- B. Proper provision can be made for waste water supply, storm drainage and sanitary sewerage disposal.
- C. The proposed streets shall be in harmony with existing or proposed principal thoroughfares, especially in regard to safe intersections with thoroughfares. These streets can be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs.
- D. Open spaces which enhance the environmental quality of the town can be preserved and development appropriately integrated with regard to these natural features.
- E. Development does not impose burdens on municipal services in excess of their capacity and planned expansion.
- F. Adequate access to properties for fire fighting apparatus can be provided.
- G. Adequate light, air and privacy can be afforded all properties.
- H. Overcrowding of land and undue congestion of population is avoided.
- I. Pollution of air, streams and ponds is prevented and the water table safeguarded. The prudent use and management of natural resources is encouraged in order to preserve the integrity, stability and value of the land.

**2-02 MAINTENANCE OF ENVIRONMENTAL QUALITY** The completed Subdivision shall accomplish the development of the land as envisaged by these Regulations and shall create and maintain a level of environmental quality which safeguards the health and tranquility of Burlington residents and preserves the valuable natural resources for future residents.

## SECTION 3

### DEFINITIONS

**3-01 INTENT** The following terms shall have throughout this text, the meaning given herein.

#### **3-02 GENERAL USAGE**

- A. words used in the singular include the plural; words used in the masculine include the feminine and neuter;
- B. words used in the present tense shall include the future tense; and
- C. the word “shall” is to be interpreted as mandatory; the word “may” is discretionary.

#### **3-03 SPECIFIC TERMS**

- A. **APPLICANT** means any person having a legal or equitable interest in land or his agent who shall apply to the Commission for approval of a Subdivision.
- B. **APPLICATION** means an application for the approval of a proposed Subdivision or Resubdivision.
- C. **CONNECTICUT DOT SPECIFICATIONS** means the State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges and Incidental Construction . Form 814, as amended.
- D. **COMMISSION** means the Burlington Planning and Zoning Commission, acting in its capacity as a Planning Commission.
- E. **DEVELOPER** shall be synonymous with “Applicant” as above defined.
- F. **IMPROVEMENTS** mean any physical addition to land that increases its utility. As used in these Regulations, improvements include but are not limited to, construction and installation of roadways, paved streets, curbs, gutters, sidewalks, utilities, street signs, monuments, driveway aprons, shade trees, drainage facilities, erosion and sedimentation control measures, fire ponds, sewer and water systems, buildings, earth filling or removal, seeding and grading.

- G. **LAND SURVEYOR** means a licensed land surveyor registered in the State of Connecticut.
- H. **LOT, PLOT, PARCEL** mean a plot or parcel of land occupied or capable of being occupied by one principal building determining the land use form and the accessory buildings, structures or uses customarily incident to it, including such open spaces as are required by the Subdivision Regulations. A piece of land salable as a unit. In the case of public, institutional, commercial or industrial lots, a group of buildings under the same ownership may be considered as occupying one and the same lot.
- I. **OPEN SPACE** means a parcel or parcels of land designed and intended for the use or enjoyment of residents of the subdivision and/or of the general public together with such complementary structures, improvements and facilities necessary or desirable for such use.
- J. **PROFESSIONAL ENGINEER** means qualified professional civil engineer registered in the State of Connecticut.
- K. **PERSON** mean individual, partnership, corporation or other legal entity.
- L. **PLAN and PROFILE** means drawing or drawings upon which the subdivider's design for street construction, drainage and other improvements is presented to the Commission.
- M. **PRINT** means blueprint, Photostat, lithoprint or other copy which reproduces exactly the data on the original drawing from which it was made.
- N. **RESUBDIVISION** means a change in a map of an approved or recorded Resubdivision or Subdivision if such change:
1. affects any street layout shown on such map;
  2. affects any area reserved thereon for public use; or
  3. diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.
- O. **SANITARY SEWER** shall have a meaning as defined by the Burlington Water Pollution Control Authority. (Referred to herein as the Burlington Sewer Commission)

- P. **STREET RIGHT-OF-WAY** means that portion of land between property lines defining the limits of land dedicated, secured or reserved for public use.
- Q. **STREET** mean and includes roads, highways, avenues, boulevards, lanes laid out and intended as a public vehicular access way. The classification of streets shall be determined by the Commission on an individual basis taking into consideration the present and prospective traffic demand and burden, and the function of such street. Streets shall be classified by the following functions:
1. **Arterial** is a street which bears a State of Connecticut Highway designated route number.
  2. **Collector** is a street which connects several Subdivisions or residential, and/or business areas and is a part of a continuous route connecting various areas of the community and high traffic penetration points. In general, most major, existing through Town streets fall within this classification. Such streets are as listed in Appendix D of these Regulations.
  3. **Local** is a street which carries or will carry traffic from Minor streets to the Collector streets or other Local streets and provides direct access to the Subdivision from Collector streets or other Local streets.
  4. **Minor** is a street which serves only as a means of access to residential properties and provides access to Collector or Local streets. This classification shall be limited to not more than 20 dwelling units and terminating in a permanent cul-de-sac.
- R. **STREET PAVEMENT** means the wearing or exposed surface of the roadway used by vehicular traffic, including the sub-base and base course.
- S. **STREET WIDTH** means the width of the street right-of-way.
- T. **SUBDIVIDER** shall be synonymous with "Applicant."
- U. **SUBDIVISION** mean the division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and shall include Resubdivision. Any tract or parcel of land which, subsequent to January 1, 1970, is divided or redivided so that the parcel or tract existing on January 1, 1970, is thereby divided into three or more parts or lots may be a Subdivision.

- V. **SUBDIVISION, MAJOR** means a Subdivision, other than a Minor Subdivision. All Resubdivisions shall be considered Major Subdivisions.
- W. **SUBDIVISION, MINOR** means a Subdivision of not more than five lots fronting on an existing street, containing no water courses or proposed drainage structures, not involving any appreciable physical changes or containing land of adverse geophysical character as stated in Section 4-05 of these Regulations. Only one Minor Subdivision will be permitted from an original parcel of land.
- X. **TOWN** means the Town of Burlington, Connecticut.

## SECTION 4

### GENERAL REQUIREMENTS

- 4-01 SUBDIVISION PLAN REQUIRED** No subdivision of land shall be made and no lot in a subdivision shall be sold, offered for sale or subdivided until a Subdivision Plan, prepared in accordance with the requirements of these Regulations, has been approved by the Commission and filed or recorded in the Office of the Town Clerk.
- 4-02 RECORDING OF SUBDIVISION** No Subdivision Plan shall be filed or recorded by the Town Clerk until its approval by the Planning and Zoning Commission is indicated upon the plan and any recording of a subdivision plan without such approval shall be void.
- 4-03 ZONING COMPLIANCE** Each lot shall comply with the minimum requirements of the Zoning Regulations for the zoning district in which it is located. The Commission shall, however, require larger lot areas that required by the Zoning Regulations where physical limitations, conditions affecting drainage or lack of municipal sanitary sewage disposal or water supply apply to such lot as required by Section 4-08 of these Regulations.
- A. **PARCEL LESS THAN ZONING** The Commission shall not approve any Subdivision Plan which would result in the creation of a parcel less than the minimum size required by the Zoning Regulations of the Town, except that such Subdivisions may be permitted when such parcels are to conveyed to the owner of an adjacent existing lot and incorporated into such existing lot.
- 4-04 CHANGES AFFECTING APPROVED LOT** Any proposed change in an approved subdivision affecting the dimensions, area or layout of lots shall be resubmitted to the Commission for approval in accordance with the standards set forth in these Regulations.

**4-05 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 of the public. Land of such character that in its natural state, is unsuitable for occupancy or 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 not be subdivided for residential use or for any other uses that may increase the 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. Proposed building lots shall be designed and arranged to make the best use of natural amenities such as waterbodies, watercourses and vegetation.

A. **LOT ARRANGEMENT** Lot arrangements shall be such that there will be no reasonably foreseeable difficulties in securing building permits to build on all lots in compliance with the Zoning Regulations and Health Codes and in providing driveway access to buildings on such lots from an approved street.

1. **LOT AREA TO PERMIT UTILITY FACILITIES** Each lot proposed to be served by a private, individual well and/or a private, individual sewage disposal system shall be large enough and contain sufficient land of proper character to permit satisfactory performance of such well and/or sewage system and shall comply with all applicable regulations.

2. **STREAMS AND WALLS** Insofar as practicable, lot layouts shall provide for streams and walls to al the side or rear lot lines or in public Open Space.

B. **CORNER LOTS** Special consideration shall be given to the dimensioning of corner lots to provide a useable and desirable building site which contains sufficient area for accessory uses and the maintenance of privacy.

C. **SIDE LOT LINES** To the extent practicable, all side lot lines shall be substantially at right angles to the street on which the lot faces or radial to curved street lines.

- D. **LOTS ON ARTERIAL OR COLLECTOR STREETS** Where lots front on a town or state highway designated by the Commission as an Arterial or Collector street (see Appendix D) and where traffic flows on such street might result in the creation of hazardous conditions the Commission may require, in the interest of public safety, that the lots face internally with no driveways leading to such Arterial or Collector street. This requirement shall be noted on the Subdivision Plan.
1. Where such layout or arrangement is impractical and the Commission allows lots to front on an Arterial or Collector street, the building line may be increased up to 100 feet.
  2. Where the driveway access from a Collector or Arterial street may be necessary for several adjoining lots, the Commission may require that such lots be served by combined access drives in order to limit the possible traffic hazard on such street.
  3. Double frontage and reversed frontage lots may required where necessary to provide separation of residential development from Arterial streets or to overcome specific disadvantages of topography and orientation.
- E. **ACCESS TO IMPROVED ROAD** No lot shall be approved which does not have direct access on an existing improved town road or on a proposed street which has been bonded for construction in conformance with these Regulations.
- F. **LOT GRADING** Where the grade of an existing or proposed road will be materially higher or lower than the proposed lots fronting on it, the Commission may, for reason of providing adequate site distance on driveways, alleviating excessive or hazardous slope, or excessive runoff, require any lot or any part of such lot to be regarded to conform to the road grade.
1. Where regrading of a lot is required in order to provide a buildable site, such changes in topography shall be shown on the Subdivision Grading Plan and submitted for Commission approval.
  2. Such plane shall demonstrate practical methods for controlling potential erosion and stabilizing areas of cuts and fills on individual lots.

3. Lots shall be graded to provide positive drainage away from all proposed buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed to avoid the concentration of storm drainage water from each lot to adjacent lots and to avoid both proposed or functioning septic systems and their reserve areas.
  - a. Where the finished grading of a lot fronting on an existing street will cause drainage problems in that street, the developer shall, at his expense, install drains in the street or make such other provision as may be necessary to correct the condition.

**4-06 REAR LOTS** The Planning Commission may permit rear lots in “R30” and “R45” Residential Districts, subject to the following conditions and safeguards:

- A. **DESIRABILITY** The land characteristics and physical site conditions shall make rear lot development practical.
- B. **REQUIREMENTS** Each rear lot shall have an access way in fee simple, as part of the lot which shall be limited to the exclusive use of said lot:
  1. Each access way shall be at least 25 feet in width.
  2. The total number of adjoining access ways shall not exceed two.
  3. The area of such access way shall not be included in the minimum required area of the lot.
  4. Such access way shall extend to an accepted town road or to a road in an approved Subdivision.
  5. The grade of the access way shall not exceed 12% within 35 feet of its intersection with the accepted or approved road.
- C. **MAXIMUM NUMBER OF LOTS** The maximum number of rear lots may not exceed 1/5 of the total of lots in any Subdivision.
- D. **MINIMUM LOT AREA** The minimum lot area of a rear lot exclusive of access shall not be less than three acres. The Net Lot Area requirement in Section 4-08 may be satisfied within the minimum lot area of three acres required by this section. If, after application of all Natural Resource Characteristic reduction, such Net Lot Area is less than the required one acre minimum, the minimum lot area shall be increased beyond the three acres to meet the requirements.

- E. A landscape buffer may be required within the lot and along the access way to ensure that the development of rear lots will be in harmony with surrounding and protect existing homes.

**4-07 LOT MARKERS** All lots shall be clearly defined at angle points by iron or steel stakes at least three-quarters inch in diameter and thirty-six inches in length and places in the ground to existing grade, or by a suitable dial adequately imbedded in ledgerrock, or by other comparable means subject to approval by the Commission. The accurate placement and location of such lot markers shall be certified by the developer's surveyor prior to the sale or transfer of any building lot, or the issuance of a building permit by the Building Official.

**4-08 MINIMUM LOT AREA AS DETERMINED BY PHYSICAL LIMITATIONS** Extensive study has substantiated that the dominant nature and physical character of the Town of Burlington is one which exhibits steep topography, excessive erosion hazard and a high percentage of soil types possessing severe limitations for intensive urban development and on-site sewage disposal systems. These problems, combined with a situation wherein neither municipal water nor sewers are generally available, or programmed, and where the majority of the municipality is located within the definition of public water supply watersheds, create a need for larger building lot areas.

- A. It is therefore deemed essential to the protection of the public health and safety of the Town's inhabitants and the maintenance of the quality of surface and ground waters of the Town, that the minimum lot area required by these Regulations, irrespective of the Zoning District in which the Subdivision is located, be determined by multiplying the Reduction Factor indicated below times those portions of the lot which exhibit the listed Natural Resource Characteristics.
  - 1. For example, under c. below, if 10,000 sq.ft. of the area of the proposed building lot possesses slopes in excess of 15%, the listed Reduction Factor would limit the area that would be applied toward the "Minimum Lot Area" for the Zoning District to 7,500 sq.ft. (10,000 sq.ft. times 0.75 equals 7,500 sq.ft.) Likewise, if a proposed building lot contains 8,000 sq.ft. of a soil listed as an Inland Wetland soil type under a. below, on 2,000 sq.ft. (8,000 sq.ft. times 0.25 equals 2,000 sq.ft.) of such area could be used in meeting the "Minimum Lot Area" required for the Zoning District in which the land is located. Under d., no portion of a pond could be used in the quantification of lot area.

2. Such percentage allowances shall be cumulative in their application. That is to say, that portion of a lot which contains slopes in excess of 15% would have the final total lot area reduced by 25%, in addition to, and despite the fact that certain portions of the proposed lot may have already had percentage reductions based upon other Natural Resource Characteristics, (i.e., lot area after application of other Reduction Factors times 0.75 equals Net Lot Area.)

	<b>Natural Resource Characteristics</b>	<b>Reduction Factor</b>
a.	Inland Wetlands as delineated by the Town of Burlington of the State of Connecticut in accordance with Sections 22a-32 and 22a-38 of the Connecticut General Statutes, as amended.	0.25
b.	Soil Series, other than those officially designated as Inland Wetland, classified by the Soil Conservation Service, U.S.D.A., as having poor or very poor suitability of infiltration rate for septic tanks.	0.50
c.	Slopes in excess of 15%.	0.75
d.	Ponds, lakes and perennial streams.	0.0
e.	Land located within any right-of-way or easement for use other than the lot itself.	0.0

3. The Subdivision Application shall be accompanied by a work sheet indicating the areas of all Natural Resource Characteristics in tabular form by lot. Such component areas shall be clearly delineated and quantified on a print of the Subdivision Plan in the case of a Minor Subdivision or on the Overall Development Plan in the case of a Major Subdivision.

- B. Regardless of the minimum area requirement of any Zoning District, in any application for Subdivision where both public water supply and public sewage systems are not available, the minimum Net Lot Area requirement, after all Natural Resource Characteristic reductions have been applied, shall not be less than one full acre.

1. The minimum Net Lot Area requirement, following reductions, shall be either be contiguous or of such size and location, relative to the proposed structure, that both initial and reserve on-site sewage disposal systems can be adequately designed to meet all requirements of the State and Local Health Code.

**4-09 STREETS-GENERAL** Streets shall be of sufficient width, suitably located and adequately constructed to accommodate the prospective traffic and to afford access of school buses, police vehicles, fire fighting, snow removal and other road maintenance equipment and shall be coordinated to compose a safe and convenient system. The arrangement of streets shall be such as to cause no undue hardship to adjoining properties. All streets shall be constructed in accordance with the Town's specifications for road or street construction, as contained in Section 11 of the Regulations.

- A. **CONFORMITY WITH TOPOGRAPHY** The street plan of a proposed Subdivision shall bear a logical relationship to the original topography of the property and shall have a location and grade which preserve the natural terrain, substantial trees and other natural features in the Subdivision which enhance property values.
- B. **CONSIDERATION FOR ENVIRONMENT** Proposed street and rights-of-way shall be planned with due consideration for accomplishing an environmentally desirable layout and development of land in the Subdivision and in the nearby vicinity.
- C. **LOCAL STREETS TO DISCOURAGE THROUGH TRAFFIC** Proposed Local street and rights-of-way shall be planned to discourage through traffic and to provide a safe and convenient system for prospective traffic in the Subdivision. Local streets shall also provide a safe and convenient system for present and prospective traffic in the neighborhood around the Subdivision.
  1. Local streets shall be curved wherever practical to avoid conformity of lot appearance. Such streets shall be arranged to obtain as many as possible of the building sites at, or above, the grade of the streets.
- D. **TRAFFIC CIRCULATION** All streets shall be properly integrated with the existing and proposed system of Arterial and Collector streets and dedicated rights-of-way.

**4-10 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.

- A. **RESPONSIBILITY** When a subdivider proposes the continuation of an existing street which terminates in a temporary cul-de-sac, it shall be the full responsibility of that subdivider to improve said street extension or connection. This includes but is 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.
- B. **STREETS TO BE CONSTRUCTED TO BOUNDRIES** New street shall be constructed to the boundaries of the Subdivision to provide access to adjoining property and shall intersect with other streets designated by the Commission.
- C. **RIGHTS-OF-WAY** Where it is necessary to provide an adequate and convenient system for present and prospective traffic needs, the Commission may require the applicant to Public rights-of-way for extending or connecting streets to adjoining unsubdivided property. Land in such rights-of-way, as well as slope rights on abutting lots, shall be deeded to the Town as part of the Submission procedure contained in Section 6-18 of the Regulations.
- D. **CONSTRUCTION OF ROADWAY OVER RIGHT-OF-WAY** Where a proposed Subdivision abuts an approved Subdivision containing an unimproved street right-of-way, the developer of the proposed Subdivision shall construct the connecting street and all required improvements from the proposed Subdivision street, over the full length of right-of-way that was previously deeded to the Town, to the approved street in the existing Subdivision.
- E. **COLLECTOR STREETS** Existing or proposed Collector streets shall be so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs.
  - 1. All Collector streets shall be properly related to specific traffic generators such as industries, business districts, schools, churches, shopping centers, population densities and to the pattern of existing and proposed land uses.

F. **TEMPORARY CUL-DE-SAC STREETS** A temporary turnaround shall be provided on all temporary cul-de-sac streets, with the notation on the Subdivision Plan that land outside the normal street right-of-way shall automatically revert to abutters whenever the street is continued and accepted by the municipality.

1. When such street is extended beyond the turnaround, the subdivider constructing the extended street shall remove the road construction in the segments of the temporary turnaround, fill with earth and loam and seed in an appropriate manner as per Section 4-10 A of these Regulations.

**4-11 SUBDIVISIONS TO HAVE ACCESS FROM IMPROVED STREET** No Subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from, another existing public street which is suitably improved and paved, or a street shown upon a map approved by the Commission and recorded in the Town Clerk's office. Such street or highway must be suitably improved as required by the appropriate regulations and specifications, or such improvements secured by performance bond.

A. **EXISTING STREET IMPROVEMENTS** Whenever any Subdivision is proposed for land abutting or accessible only by an existing unimproved road or unpaved street and the Commission shall determine that approval of the Subdivision Plan would endanger the public safety unless such street was altered or improved beyond the limits of the proposed Subdivision, the Commission may disapprove such plan or may condition its approval upon completion of the improvements or alteration of such street by and at the expense of the subdivider.

B. **STREET WIDENING AND IMPROVEMENT** Where a Subdivision abuts an existing street which does not comply with the minimum width of right-of-way or pavement requirements, the Commission may require additional widths where necessary for public safety. When required by the Commission, the subdivider shall dedicate the necessary right-of-way to the Town for street widening and shall show such right-of-way and/or roadway widening on the Subdivision Plans and the Street Plan and Profile. Drainage, pavement widening or resurfacing or other improvements made necessary by the Subdivision shall be constructed by the subdivider at his expense.

- 4-12 STREET GRADES** Streets shall be designed to avoid excessive cuts and fills and to avoid a combination of steep grades and sharp curves. Grades of all streets shall conform to the specifications of Section 10.
- 4-13 STREET LINES** Where no street lines have been established on an existing street, front property lines for subdivision lots located on Collector streets shall not be closer than 30 feet from the center of the paved portion of the travelway or 60 feet from the parallel to an established street line on the opposite side of the street or, in case of a Local or Minor street no closer than 25 feet from the center of the paved portion of the travelway or 50 feet from and parallel to an established street line on the opposite side of the street.
- 4-14 STREET NAMES** All streets shown on a proposed Subdivision shall be approved by the Commission. Proposed street names shall be substantially different so as not to be confused in sound or spelling with present street names in the Town, except that streets that join or are in alignment with streets of an abutting or neighboring property shall bear the same name.
- 4-15 OPEN SPACE, PARKS AND PLAYGROUNDS** Whereas, it is the public interest to preserve the existing character of the Town, and whereas the subdivision of land often increase the need for public recreational areas, open space and playgrounds may be required by the Commission in amounts and in places which it considers proper and reasonable.
- A. The Commission may, in all Subdivisions or Resubdivisions of more than 10 lots, require not more than fifteen percent (15%) of the gross area of the subdivision to be dedicated to the public use as open space, parks or playgrounds; and where the proposed street system does not conform to a convenient pattern of pedestrian circulation, particularly in the vicinity of schools, open space, parks and playgrounds, the Commission may require the establishment of easements for pedestrian ways or bicycle paths.
  - B. The Commission may require that the area or areas to be so dedicated to the public use shall be located and laid out in appropriate relationship to similar areas of existing and prospective subdivisions.
  - C. Where such areas are in private ownership, they shall be accessible and available to residents of the Subdivision.

**4-16 INLAND WETLANDS AND WATERCOURSES** All land and streams protected by the Inland Wetlands and Watercourses Act and Town Ordinances and Regulations pursuant thereto: shall be noted on the application for Subdivision and accurately shown on the Subdivision Plan. Where an Inland Wetland Soil Type is proposed to be affected by a regulated activity, the Applicant shall file such Subdivision with the Burlington Inland Wetland and Watercourses Commission for a report.

A. The precise limits of any Inland Wetland Soil Type, as delineated by the Soils scientist, shall be accurately and conspicuously marked in the field.

**4-17 PRESERVATION OF NATURAL DRAINAGE SYSTEM** All streams and watercourses shown on the U.S. Geological Survey or U.S Soil Conservation Service maps, as well as areas contiguous to flooding, are hereby declared to be the Natural Drainage System for the Town and shall be preserved for such purposes. Toward this end the following rules shall apply:

A. No stream, watercourse or body of water , whether intermittent or year-round, shall be relocated, dredged, diverted, filled or enclosed in pipe without specific authorization to do so by the Burlington Inland Wetlands and Watercourses Commission.

1. Drainage facilities shall be large enough to accommodate potential run-off from the entire upstream drainage area, whether inside or outside the Subdivision, under conditions of maximum development permitted by the Zoning and/or Subdivision Regulations.

B. Natural land contours shall be preserved within 50 feet of all streams, watercourses or bodies of water unless specifically authorized by the Commission under highly unusual circumstances.

**4-18 PRESERVATION OF NATURAL FEATURES** Due regard shall be given to the preservation and enhancement of natural cover and contours of the land and other community assets.

**4-19 FIRE PROTECTION MEASURES** Fire protection measures required by the Regulations shall be completed prior to the issuance of a certificate of occupancy for each dwelling or commercial building subject to these regulations. A note to that effect shall be placed on the recorded subdivision map and/or site plan. When a subdivision is to developed in several sections, phases or stages, the Commission may determine where fire protection structures or ponds shall be located. The Building Inspector shall enforce these provisions on behalf of the Commission.

A. **FIRE PONDS, DRY HYDRANTS AND UNDERGROUND TANKS** In order to provide for adequate fire protection, underground water tanks and/or fire ponds with dry hydrants (“water supply unit”) shall be required in accordance with the following:

1. Any application for subdivision or zoning approval, whether proposed in sections, stages or phases, involving a) four or more homes on a street, driveway, public or private road; b) construction of greater than 10,000 square feet of commercial or industrial space; c) any healthcare or residence considered a “group home”; d) unit housing of 9 or more units in total, regardless of the number of buildings; and e) such other isolated development where the Commission, acting to protect public safety and provide protection from fire, shall deem appropriate, shall provide for provision and construction of one or more of the following structures or in combination thereof; dry hydrant, fire pond or underground tank. All streets, driveways, public or private roads greater than 1,000 feet in length shall have multiple dry hydrants, fire ponds or underground tanks installed so the distance between them is not greater than 1,000 feet, provided however, that rear lots on private drives greater than 1,000 feet serving only one house shall be permitted to install one underground tank producing 10,000 gallons of volume.
  - a. Except as set forth above, an underground tank shall hold a minimum volume of 20,000 gallons. Underground tanks must comply with NFPA standards and have the necessary fire protection and fill fittings.
  - b. Fire ponds shall provide a year-round volume of at least 40,000 gallons.
  - c. Underground tanks and fire ponds shall be constructed with at least one dry hydrant.
  - d. Underground tanks shall, whenever possible, be located parallel to the road right of way. Each tank or fire pond with dry hydrant shall have unobstructed access and a maintenance area and the access and maintenance area shall be surrounded by a permanent twenty (20”) foot right-of-way easement extended 20 feet from and around the edge of the structure or shore of the pond, which permanent easement shall be deeded to the Town of Burlington within two (2) months of completion of construction of the underground tank or fire pond.

- e. Landscaping shall not obscure or obstruct the access to the water supply unit from a street, road or driveway, but may be used to screen or support a dry hydrant.
- f. Underground tank(s) and dry hydrants shall meet the design standards annexed to these regulation as amended from time to time.
- g. Fire pond construction shall meet the designated standards of the Soil Conservation Service of the State and/or Federal governments. The dry hydrant length shall not exceed 150' and provide a minimum of 1,500 gallons per minute.
- h. Dry hydrants in conjunction with fire ponds and underground tanks shall be accessible from a public road (within 30') or from an access way suitability improved to support emergency vehicles (GVW 35,000). Where private drives greater than 1,000 feet are limited to service only one dwelling, the water supply unit shall be located within reasonable proximity to the residence (approximately 200-500'). An easement for the access way shall be provided to the Town of Burlington at the time of road dedication. Access must be accessible in all four seasons.
- i. The use of residential and commercial sprinkler systems is encouraged. A subdivision that provides for residential sprinkler systems in accordance with the NFPA standards will be exempt from developing underground tanks or fire ponds for those specific building lots.
- j. When specific site characteristics, in the opinion of the town engineer, create unusual difficulty in installation of one or more structures or ponds, such as ledge, steep slopes, inadequate ground or surface water supply, the applicant may utilize a suitable off site location for such water supply unit(s), wherever possible. The applicant shall obtain and convey or cause to be conveyed to the Town of Burlington a permanent easement for ingress and egress, by vehicles of gross weight of up to GVW 35,000 and for maintenance, fire protection and other safety activity for itself or its agents and signs. In the alternative, the applicant may substitute equivalent fire protection structures or ponds approved by the Commission. The Commission may seek to review and written advice from the Chief of the Burlington Volunteer Fire Department on an application by application basis.

- k. Subdivision performance and maintenance bonds shall include all proposed water supply units which shall be deemed to be “improvements” as the term is used in the Subdivision Regulations.
- l. An appendix may be attached to these regulation and amended from time to time providing guidelines for dry hydrant construction, water tank installation and recommendations from the NFPA concerning rural water resources.
- m. The terms and requirements of the CGS Section 7-312 as amended shall be complied with prior to conveyance of any easements to the Town.

## 2. FIRE HYDRANTS

- a. In subdivision to be served by a public water supply system, fire hydrants shall be required.
- b. Fire hydrants shall be spaced so that each buildable area of each present or future lot shall be within 1000’ of a hydrant and each commercial or industrial building shall be within 500’ of a hydrant.
- c. The size, type and installation of hydrants shall conform to the specifications of the Town of Burlington Fire Department.

**4-20 LOCATION OF UTILITIES** Where there exists any surface or underground utility, such as gas lines, power lines or main lines for water and sewage, the Subdivision Plan shall indicate by center line and all other data the location of such facilities.

- A. To lessen the hazard to such pipe or power lines, the subdivider shall comply with the conditions and requirements of the respective charters, ordinances, and/or specifications of the public or private utility owning the particular facility.

**4-21 RESERVED STRIPS** No privately owned reserved strip shall be permitted which limits or controls access to any street or to any land dedicated or proposed to be dedicated for public use or which shall impair the orderly development of the Town.

**4-22 SOIL EROSION AND SEDIMENT CONTROL PLAN** Each application submitted under these regulations shall include measures to minimize soil erosion and sedimentation resulting from land development. Measures for controlling erosion and sediment shall equal or exceed those contained in "Connecticut Guidelines for Soil Erosion and Sediment Control," January, 1985.

**A. SUBMISSION OF DETAILED PLANS** If the cumulative disturbed area within a subdivision shall exceed more than one-half acre, erosion and sediment control plans shall be submitted, certified and sites inspected in accordance with the administrative regulations promulgated by the Town Engineer. Such regulations are a part of these subdivision regulations and are contained in Appendix E thereto.

**4-23 PASSIVE SOLAR ENERGY** No subdivision shall be approved until the applicant has demonstrated the consideration in developing the plan, of the use of passive solar energy techniques which would significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions. Passive solar energy techniques mean site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage with a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) House orientation; (2) street and lot layout; (3) vegetation; (4) natural and manmade topographical features; and (5) protection of solar access with the development.

## SECTION 5

### SANITARY AND UTILITY REQUIREMENTS

**5-01 GENERAL** Each Subdivision Plan shall provide for adequate water supply, storm water drainage, surface water drainage, sanitary sewage disposal, electricity, telephone, and any other utilities in amounts and locations considered necessary by the Commission to protect health, safety, and general welfare.

#### **5-02 SEWAGE DISPOSAL**

- A. **SANITARY SEWERS** Sanitary sewers shall be installed in new streets in all Subdivisions which are developed in lands within the direct service area of any public sanitary sewer trunk line is existing, or in the process of being constructed, or which can be reasonably expected to be extended to serve the Subdivision within a period of five years. For the purpose of determining if a sanitary trunk line can reasonably expected to be extended within a period of five years, the Commission shall accept written verification concerning the five year period from the Burlington Sewer Commission. All such sewer facilities shall be constructed in accordance with sound engineering design and applicable Town of Burlington Sewer Commission standards. Where no trunk line exists, but one is reasonably expected to be extended within five years, Subdivision sewer systems shall be capped, and on-site disposal systems used on a temporary basis.
- B. **PRIVATE ON-SITE DISPOSAL** Where individual on-site sewage disposal systems are proposed, the Subdivision application shall be accompanied by a Sanitary Report prepared by a professional engineer registered in the State of Connecticut. The report shall demonstrate the feasibility of the ground for sub-surface disposal of septic tank effluent, and all tests and proposed systems shall be prepared in conformance with the latest State of Connecticut Health Code and Sanitary Specifications and the Bristol/Burlington Health District's Sanitary Code.
1. **DEEP HOLE TEST PITS** Deep hole test pits shall be dug in natural soils in the area of the proposed leaching system and reserve area by the subdivider on each proposed lot. The Director of Health will prescribe the time of year, location, depth, and other details including the number of pits and shall supervise the testing thereof. Pits shall be filled immediately following satisfactory test results certified by the Director of Health of his Designated agent and shall be in minimal conformance to the public health code.

2. **SEEPAGE TEST** Soil percolation or seepage test shall be taken by the subdivider and supervised by the Director of Health or his designated agent. Test holes shall be dug in natural soils in the area of each proposed leaching system and reserve area.
  3. **AREA OF SPECIAL CONCERN** Where the test holes reveal that the area will require special consideration, a written procedure for sewage disposal, prepared by a professional engineer and approved by the Director of Health, shall be submitted.
  4. **TEST DATA** The results of such tests shall be accurately shown and listed in tabular form by lot, and made part of the Subdivision Plan. The test data submitted shall include: date of testing, elevation of ground water, and notations relative to stoniness, mottling, and depth to bedrock. The location of all observation pits and percolation tests shall be shown on the Subdivision Plan and staked in the field.
- C. **APPROVAL BY DIRECTOR OF HEALTH** Prior to approval of the Subdivision Plan, the applicant shall obtain from the Director of Health approval for sewage disposal. As part of this process, he shall submit to the Commission and the Director of Health the following:
1. Evidence that the seasonal characteristics of the site have been considered in the preparation of plans for sanitary waste disposal.
  2. Evidence that seepage quality of the subsoil, the ground water level, topography, lot size and proposed land uses, existing utilities and proposed extension thereof have been considered.
  3. All restrictions imposed by the imposed by the Director of Health shall be added to the Plan by the Applicant.

## 5-03 WATER SUPPLY

- A. **GENERAL** A potable, adequate, and dependable water supply shall be provided for every lot or dwelling unit, without expense to the Town, and to the satisfaction of the Commission and the Bristol/Burlington Health District or its designated agent.
- B. **PUBLIC WATER SUPPLY CONNECTIONS** The Commission shall require public water supply connections and/or extensions to be made 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 into such a reasonable distance of an existing public water supply system as to make extension thereof feasible.
- C. **FIRE HYDRANTS** Where a public water is extended, fire hydrants shall be installed at locations determined by the Board of Selectmen.
- D. **PRIVATE WELLS** In a Subdivision which is located where a public water service is not available, a private water source shall be required for each lot provided that each well or supply can be designed, located and constructed in accordance with the latest standards and requirements of the State of Connecticut Department of Health, and approved by the Bristol/Burlington Health District.
1. As a prerequisite to the issuance of a Certificate of Occupancy by the Building Official, satisfactory evidence shall be provided confirming the water production of the well at a rate of with storage capacity determined by be adequate by the Bristol/Burlington Health District and shall be in minimal conformance to the public health code.

**5-04 OTHER UTILITIES** The Planning Commission shall require the developer to provide adequate telephone and electric services to and/or in the proposed Subdivision in appropriate instances.

- A. **GENERAL DESIGN** All gas, telephone, and electric systems or facilities shall be designed and constructed in accordance with the accepted standards and pertinent specifications of the State Public Utility Commission Regulations, and the local utility.
- B. **UNDERGROUND UTILITIES** The Planning Commission shall require the underground installation of any telephone, cable T.V., electric , or power to serve any proposed Subdivision, except where consideration of terrain or subsurface conditions, or inordinate expense make such installation impractical.
- C. **UTILITY EASEMENTS** The Planning Commission may require the subdivider to provide perpetual unobstructed easements for such utility system, facility, or portion thereof, which it deems necessary to protect the public health, safety and general welfare and to adequately serve any other land that adjoins the proposed subdivision.

1. Easements shall be provided by the subdivider for the full width and length of any enclosed drainage system within the Subdivision which will carry drainage runoff from said Subdivision and/or from any other lands situated within the watershed.
2. In general, such easements shall be centered on or adjacent to rear or side lot lines and shall provide satisfactory access to any connecting street.
3. The minimum width for utility easements shall be no less than 20 feet.

## SECTION 6

### SUBMISSION PROCEDURES

- 6-01 FAMILIARIZATION WITH REGULATIONS** The Planning Commission recommends that the Applicant familiarize himself with these Regulations and discuss informally with the Building Official, Town Planner, Highway Superintendent, and the Director of Health, 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 Town.
- 6-02 OPTIONAL INFORMAL CONFERENCE** At any time prior to submission of a Subdivision application, a subdivider shall have the right, but shall not be required, to meet informally with the Commission itself, at either a regular or special meeting thereof, without public hearing, to discuss a proposed subdivision.
- A. Such an informal discussion is recommended in order to facilitate general review of the factors and problems affecting the development of the Subdivision or Resubdivision before the applicant proceeds with formal application and final plans, maps, and documentation required for formal consideration by the Commission.
1. The formal review is provided as a courtesy to the applicant in the belief that plans or concepts presented in preliminary rather than final form, and alterations or changes suggested by the Commission, may be made more readily and economically.
  2. The nature, details, and degree of accuracy of submitted information, studies, reports and maps, shall be at the option of the applicant. It should, however, be recognized that the value of the conference to the applicant will reflect and be directly related to the amount of preliminary data provided at the conference.
- B. An informal conference with the Commission can be obtained by submitting a letter to the Commission at a regular meeting specifically requesting such a conference and a place on the agenda of subsequent meeting.
- C. Neither informal plans nor the informal review by the Commission shall be deemed to constitute any portion of the official and formal procedure of applying for and approving subdivisions of land.

D. The Commission shall take no action either to approve or disapprove such proposed subdivision on the basis of such informal conference.

1. Any plans, maps or other documents discussed by the Commission at the informal conference shall be retained by the Applicant.

**6-03 SUBDIVISION PROCEDURE** 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 is granted, the subdividing owner, or his authorized agent, shall apply for approval of such proposed Subdivision in accordance with the following procedures:

A. **APPLICATION FORM AND FEE** An application for consideration of Subdivision Plan (or Resubdivision), signed by the Applicant or his authorized agent, shall be submitted to the Commission at a Regular meeting or at the Office of the Building Official, on forms prescribed by the Commission accompanied by a fee of fifty dollars (\$50.00) or twenty-five dollars (\$25.00) per lot shown on the Subdivision Plan, whichever fee is greater.

B. **SUBMISSION OF MAPS AND REPORTS** The applicant shall cause the proposed Subdivision to be accurately surveyed, and shall submit, as part of the Application, the maps, plans, and technical reports required under Section 7 of these Regulations entitled, “Application Requirements”.

C. **INCOMPLETE APPLICATIONS** When an Application is submitted without the maps, studies and information required by the provisions of Section 7 of these Regulations, the Commission shall invite the Applicant to withdraw the Application without prejudice, or deny said Application.

D. **SUBDIVISION PENDING** The Commission shall not consider an Application for approval of a Subdivision Plan while another Application for Subdivision of the same or substantially the same parcel is pending.

E. **OFFICIAL DATE OF RECEIPT** The receipt of a completed Application shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission of such Application or thirty-five days after such submission, whichever is sooner.

F. **SUBMISSION TO REGIONAL PLANNING AGENCY** Whenever the area of a proposed Subdivision, or Resubdivision, abuts or includes land in a neighboring municipality, the Commission shall, before approving the plan, submit such plan to the Central Connecticut Regional Planning Agency and the Agency of the region in which the other municipality is located (if different from the C.C.R.P.A.)

1. The Regional Agency(s) shall, within thirty days, report to the Commission, and to the Subdivision applicant, its findings on the inter-municipal aspects of proposed Subdivision.
2. If such report of the Regional Planning Agency(s) is not submitted to the Commission within thirty days after transmittal, it shall be presumed that such Agency has approved of the proposed Subdivision.
3. The report of such Regional Planning Agency(s) shall be purely advisory.

G. **FILING WITH INLAND WETLANDS COMMISSION** If a Subdivision Application involves land regulated as an Inland Wetland or Water Course and the Burlington Inland-Wetlands and Water Courses Commission has not already reviewed the Application, the applicant shall file with the Wetlands Commission a copy of the Application within ten days after filing such Application with the Planning and Zoning Commission.

1. The Planning and Zoning Commission shall give dues consideration to any report filed with it by such Inland-Wetlands Commission prior to rendering a decision on such Application.

**6-04 REVIEW BY OTHERS** Plans and maps may be transmitted by the Commission to the Town Planner, Director of Health, Building Official, Highway Superintendent, Fire Chief and Traffic Authority for their reports and recommendations. At the discretion of the Commission, the Application may also be referred to any other person or agency for their technical review and recommendations.

**6-05 PUBLIC HEARING**

- A. The Commission may hold a Public Hearing regarding any Subdivision proposal if, in it's judgment, the specific circumstances require such action.
- B. No plan of Resubdivision shall be acted upon by the Commission without a Public Hearing.

- C. Whenever a Public Hearing is required the applicant shall, as a condition of the application process cause to be erected and maintained notice to the public as more particularly specified in Section 6-06 B hereof.
- D. Whether or not a Public hearing is held, every application shall be afforded the opportunity to appear before the Commission to discuss the Application before final action by the Commission.

**6-06 NOTICE OF PUBLIC HEARING**

- A. Notice of Public Hearing shall be given by publication in a newspaper of general circulation in the Town of Burlington at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days prior to the date of such Public Hearing. A copy of such notice shall be sent by register or certified mail to the applicant.
- B. Notice of the Public Hearing shall also be given by signage as follows:

A minimum of two signs must be posted and maintained substantially without interruption on the premises which is the subject of the application at least twelve (12) days before the hearing or any reconvening thereof and must be removed with fifteen (15) days after the completion of the last to occur of the hearing, adjourned hearing or any rehearing thereof. Proof of compliance with the 12-day requirement shall be the responsibility of the applicant. The Commission or its designee(s) may assume this responsibility upon express written agreement of applicant and Commission. Both signs shall be posted on or about the street frontage line, not the paved or traveled surface, and one sign shall face the traffic flow from one direction and the other shall face the traffic from the opposite direction. If the subject premises abut two or more streets, two signs are required, posted and maintained, per street. Each sign must be no more that 15 feet, plus or minus 2 feet, from the edge of the paved surface or traveled portion, in plain and unobstructed view of the traffic flow intended to see the sign, and must be visible and readable for the full time of the required posting. Each sign shall be minimum of 2 feet by 2 feet and shall be yellow in color with legible black block printed lettering. The wording shall be as follows:

**NOTICE OF HEARING, PLANNING & ZONING COMMISSION,  
TOWN HALL, 7:30P.M., DATE OF HEARING.**

**6-07 TIME LIMITS OF PUBLIC HEARING**

- A. If a Public Hearing is held on an Application, such hearing shall commence within sixty-five days after receipt of such Subdivision Application.
  - 1. The applicant may consent, preferably in writing, to one or more extensions of this period provided they do not exceed in total sixty-five days.
- B. Hearings on Applications shall be concluded within thirty days after they begin.
  - 1. The applicant may consent, preferably in writing, to one or more extensions of this period, provided they do not exceed in total thirty days.

**6-08 APPLICANT TO ATTEND COMMISSION MEETING** The applicant or his authorized representative is urged to attend the meeting of the Commission for which his Subdivision Plan has been placed on the Commission’s Agenda.

**6-09 STUDY OF PLAN** The Commission shall study the practicability of the Subdivision Plan taking into consideration the objectives stated in Section 2 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, locations, and width of streets, their relation to the topography, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the effect of the proposed Subdivision on natural features, watercourses, and the land regulated under the Inland Wetlands Act.

- A. After studying and reviewing submitted information, the Commission may require new and additional information, which might require changes or alterations of such submitted plans.

**6-10 ACTION BY COMMISSION** Within sixty-five days after the Public Hearing thereon or, if no Public Hearing was held, within sixty-five days after the date of receipt of the Subdivision Plan, the Commission shall take action on the Application.

**6-11 DECISION** The Commission shall approve, modify and approve, or disapprove any Subdivision or Resubdivision Application or maps and plans submitted therewith.

- A. The grounds for denial shall be stated in the record of the Commission.

**6-12 WAIVER OF CERTAIN REGULATION REQUIREMENTS** The requirements of these subdivision regulations may be waived by three-quarters (3/4) vote of the full Commission when it is demonstrated that strict compliance with such regulations will cause and exceptional difficulty or unusual hardship. The Commission shall not grant a waiver unless its finds the following conditions are met:

1. The property for which the waiver is sought is uniquely affected by these regulations;
2. Physical features of the property or its location cause exceptional difficulty or unusual hardship in meeting the requirements of these Regulations;
3. The granting of waiver will not have a significantly adverse effect upon adjacent property or the public health and safety;
4. The granting of waiver will not be in conflict with the Plan of Conservation and Development;
5. Where it is proposed to vary any engineering standard contained in these regulations, a favorable report from the town Engineer is required.

WAIVER REQUEST – A request for waiver shall when practicable be submitted in writing by the applicant at the time of the application for subdivision approval is made. The request shall detail the extent of the waiver requested and contain sufficient data for the Commission to make the findings required above. The Commission may require a public hearing be held in conjunction with a request for a waiver.

**6-13 VOTES AND MINUTES** The votes of each member of the Commission shall be reduced to writing and made available for public inspection within forty-eight hours, excluding any Saturday, Sunday, or legal holiday, and shall also be recorded in the minutes of the session at which taken, which minutes shall be available for public inspection within seven days of the session to which they refer. (F.O.I.A. – C.G.S. Section 1-12)

**6-14 NOTIFICATION OF ACTION** Notice of the decision of the Commission shall be published in a newspaper having a general circulation in the municipality. The Secretary or Clerk of the Commission shall, under his signature, notify the applicant by certified mail in a written, printed, typewritten, or stamped form, with fifteen days after such decision has been rendered.

- A. Such notice shall be simple statement that such Application was approved, modified and approved or disapproved, together with the date of suction action.

**6-15 APPEAL FROM COMMISSION ACTION** An appeal to the Superior Court may be taken from the Commission's action or decision within fifteen days from the date of publication of notice thereof.

**6-16 FAILURE OF COMMISSION TO ACT** The failure of the Commission to act upon a Subdivision Application with the period prescribed by the General Statutes of Connecticut shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand. In such an instance, the Commission must endorse and deliver the plan to the applicant.

- A. Any person aggrieved by the Commission's failure to tact may appeal to the Superior Court with 20 days after the expiration of the 65 day period and extensions thereof.

**6-17 CONDITIONAL APPROVAL** The commission may approve the subdivision Plan conditioned on the construction of all improvements or on the filing of a 100% bond, as defined in Section 9.02 A and submission of warrantee deeds, satisfactory to the Town's Attorney, to street, and appurtenant easements.

**A. STATUTORY CONDITIONAL APPROVAL** In accordance with the provisions of Section 8-25 of the Connecticut General Statutes, as amended, in lieu of either completion of the required subdivision improvements or posting of bond for the completion of the improvements, an applicant may request, and the Commission may authorize, the filing of the plan with **CONDITIONAL APPROVAL** endorsed thereon in letters three(3) inches in height. Final Approval shall be conditioned on:

1. The actual construction, maintenance and installation of any improvements and/or utilities prescribed by the Commission, evidenced by a Certificate of Completion issued by the Town Highway Foreman and approved by the Commission, or,
2. The furnishing of a bond, in accordance with the provisions of the Burlington Subdivision Regulations, in formed and amount acceptable to the Town Highway Foreman and approval by the Commission.

**NO LOTS MAY BE SOLD AND NO BUILDING PERMITS ISSUED UNTIL FINAL APPROVAL IS SECURED.**

Upon the occurrence of either of such events described in (1) or (2) above, the Commission shall cause a final approval to be endorsed thereon in a manner provided for by these regulations. Any such Statutory Conditional Approval shall lapse on the date specified by the Commission, which period shall not exceed five (5) years from the date such approval is granted. The applicant may apply for and the Commission may, in its discretion, grant a renewal of such Statutory Conditional Approval for an additional period of up to five (5) years. Any person, firm or corporation who, prior to such final approval, sells or offers for sale any lot subdivided pursuant to a Statutory Conditional Approval shall be fined in accordance with the provisions of the Connecticut General Statutes , as amended.

**6-18 FULFILLMENT OF CONDITIONS** If the approval is conditional, the applicant shall fulfill all conditions within thirty days. If such conditions are not fulfilled within such period the conditional approval shall become null and void, and the Subdivision Plan shall be considered to be disapproved. In such a case, the Commission shall publish notice of such disapproval and the applicant shall be so informed by certified mail.

A. Upon receipt of a written request, the Commission may extend the time for fulfillment of conditions for an addition period of not more than thirty days.

**6-19 ENDORSEMENT OF PLANS** The Commission, following completion of all improvements, and acceptance of same by the Town or receipt of bond and deeds in connection with streets, easements and open spaces, shall affix the date of approval of the Subdivision Plan on said plan and shall endorse said plan with the signature of the Chairman or Secretary. In the case of a conditional approval, said conditional approval shall be noted in the minutes of the Commission with the date of said conditional approval shall be noted in the minutes of the Commission with the date of said conditional approval, and upon the Commission's subsequent determination that all conditions have been complied with the approval signed by the Chairman or Secretary with the date of approval affixed on the Plan.

**6-20 DELIVERY OF PLANS TO APPLICANT** Approved and endorsed plans shall be delivered to the applicant for filing or recording promptly after time for taking an appeal from the action of the Commission has elapsed.

A. In the event of an appeal, plans shall be delivered promptly upon a withdrawal or judgment in favor of the applicant.

**6-21 FILING WITH TOWN CLERK** The endorsed Subdivision Plan and all required easements, restrictions of deeds shall be filed or recorded by the applicant in the Office of the Town Clerk within ninety days of the date such plan is delivered to the applicant.

- A. Any plan not so filed or recorded with the prescribed time shall become null and void, except that the Commission may extend the time for such filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extended time.
- B. If the Subdivision Plan is altered, changed, erased, or revised between the time the Commission's approval is endorsed on the Plan and the time the Plan is filed with the Town Clerk, the approval shall be null and void unless the alteration has been approved by the Commission and so indicated on said Plan.

**6-22 SUBDIVISION TO BE COMPLETED WITHIN FIVE YEARS** Any person, firm or corporation making any Subdivision of land shall complete all work in connection therewith within 5 years after approval on the Plan. The Commission's endorsement of approval on the plan shall state the date on which such five-year period expires.

- A. Failure to complete all work within such five year period shall result in automatic expiration of the approval of such plan provided the Commission shall file on the Burlington land records notice of such expiration and shall state such expiration on the Subdivision Plan on file in the office of the Town Clerk, and no further lots shall be conveyed in the Subdivision except the approval by the Commission of a new Application for Subdivision of the subject land. If lots have been conveyed during such five year period, the Town shall call the bond or other surety on said Subdivision to the extend necessary to complete the work required to serve those lots.
- B. "Work" for the purpose of this section means all physical improvements required by the approval of the Plan, and included but is not limited to the construction of storm drainage facilities, water and sewer lines, the setting aside of Open Space and recreation areas, installation of telephone and electric service, grading, planting of trees or other landscaping, and the installation of retaining walls or other structures.

## SECTION 7

### APPLICATION REQUIREMENTS

- 7-01 INFORMATION REQUIRED** A Subdivision or Resubdivision Application shall consist of the Subdivision or Resubdivision Plan, Topographic Map, Grading Plan, Street Plan and Profile Map, Erosion and Sediment Control Map, supportive documentation, and any additional information as outlined below.
- 7-02 MAP SPECIFICATIONS** All maps and plans shall consist of sheets 24 inches by 36 inches or 24 inches by 18 inches or 18 inches by 12 inches, and shall be clearly and legibly drawn on translucent cloth or polyester film with black waterproof ink. The subdivider shall provide five (5) paper prints of all maps and plans. In the event that the Commission requires the subdivider to make modifications to the maps as submitted, the subdivider may resubmit three (3) paper prints of all maps and plans as modified; however, the subdivider shall in all cases submit five (5) paper prints of all maps and plans for signature by the Commission after approval. One (1) translucent cloth or polyester film copy of the Subdivision Plan for recording with the Town Clerk shall be provided following approval by the Commission.
- 7-03 MINOR SUBDIVISIONS** Applications for Minor Subdivisions shall include the following:
- A. APPLICATION FORM** An application for approval of a Subdivision or Resubdivision shall be made in writing on forms prescribed by the Commission. (Application blanks are available at the Building Officials Office.) The Application form shall be signed by the applicant or his authorized agent; and, if the Subdivision or Resubdivision is proposed by a person, firm or corporation other than the owner of the land to be subdivided or resubdivided, the Application shall also be signed by the owner of the land or his authorized agent.
  - B. APPLICATION FEE** An application fee as per Section 6-03A. All application fees shall be made payable to the "Town of Burlington".
  - C. BOUNDARY SURVEY** A Boundary Survey conforming to the requirements of Section 8-02 of these Regulations.
  - D. TOPOGRAPHIC MAP** A Topographic Map conforming to the requirements of Section 8-03 of these Regulations.
  - E. SUBDIVISION PLAN** A Subdivision Plan conforming to the requirements of Section 8-04 of these Regulations.

- F. **GRADING PLAN** A Grading Plan conforming to the requirements of Section 8-05 of these Regulations.
- G. **SANITATION REPORT** Every application for approval of a Subdivision must include satisfactory evidence that the site has suitable physical characteristics to adequately satisfy all the latest requirements of both the Town and the Connecticut State Department of Health for subsurface sewage disposal and water supply or that the proposed lots can be connected to an operational public sanitary sewer or public water supply. When it is proposed to connect to public sanitary sewers, a sewer feasibility study shall accompany the Subdivision application.
- H. **NATURAL RESOURCE CHARACTERISTICS WORK SHEET** A work sheet indicating the areas of all Natural Resource Characteristics in tabular form by lot as per Section 4-08 of these Regulations.
- I. In all instances where easements and/or rights-of-way are located on the site, the applicant shall furnish the Commission with:
  - 1. Copies of the instrument evidencing such a right and
  - 2. A statement that the applicant has notified such parties of the proposed subdivision and the impact such subdivision would have on the right.

**7-04 MAJOR SUBDIVISIONS** All Subdivisions other than Minor Subdivisions shall be considered Major Subdivisions and application in connection with such shall consist of all the requirements contained in Section 7-03, preceding, as well as the following:

- A. **OVERALL DEVELOPMENT PLAN** An Overall Development Plan, developed on the same sheet and in combination with data from the Boundary Survey and Topographic Map, conforming to the requirements of Section 8-06 if these Regulations.
- B. **STREET PLAN AND PROFILE** Street Plan and Profile Maps in connection with all proposed streets, and existing streets if determined appropriate by the Commission, conforming to the requirements of Section 8-07 if these Regulations.

- C. EROSION AND SEDIMENTATION CONTROL PLAN** For those areas of the Subdivision which are proposed to be graded or disturbed by construction and which exhibit existing slopes in excess of 15 per cent, a developer shall submit a plan for minimizing and controlling the effects of erosion and sedimentation. Such plans shall conform to the requirements of Section 8-08 of those Regulations, and may be combined with the Grading Plan.
1. The Commission may refer such Plan to the Burlington Inland-Wetlands and Water Courses Commission and/or the Soil and Water Conservation District or other persons or agencies for an evaluation of the impact of the proposed Subdivision on the land and water, considering, among other elements, soils, surface and subsurface waters, topography, flora and fauna and other such pertinent elements.
- D. HYDROLOGICAL REPORT** A Hydrological Report, prepared by a Civil engineer licensed as a Professional Engineer in the State of Connecticut detailing the design of the proposed storm drainage system. Pipe sizes shall be based upon the entire watershed as fully developed. The Report shall, at the minimum, include the following:
1. A base map showing watershed boundaries and drainage patterns.
  2. The methodology and calculations used to compute runoff and pipe sizes, in accordance with the provisions of Section 10-03 D, of the Regulations.
- E. COST ESTIMATE** An engineer's detailed estimate of the cost of construction of all proposed improvements satisfactory to the Highway Superintendent and the Commission.
- F. STATE HIGHWAY COORDINATION** A written statement that the Applicant has met in the field with the State of Department of Transportation concerning any proposed construction within the State Highway.
- G. OPTIONAL DOCUMENTATION** The Commission may require the subdivider to submit additional documentation whenever it determines that such documentation is reasonably necessary to determine the impact of the proposed subdivision on the health, safety, or welfare of the Town provided notice of said requirement must be mailed (or given) to the applicant within 35 days of the date of official receipt of the Subdivision Application.

## SECTION 8

### STANDARDS FOR MAPS AND PLANS

**8-01 GENERAL REQUIREMENTS** The maps and plans required by these Regulations shall show the information and be prepared in accordance with the standards hereinafter specified.

- A. All such maps and plans shall be prepared by, and shall bear the name, seal, and signature of a land surveyor and/or engineer licensed as such by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut.

**8-02 BOUNDARY SURVEY** A Boundary Survey shall be drawn to a scale of either 1 inch = 100 ft., 1 inch = 40 ft., or 1 inch = 20 ft., and shall conform to the Class A-2 requirements of the "Code of Practice for Standards of Accuracy of Surveys and Maps" of the Connecticut Associations of Land Surveyors, Inc. and shall show the following:

- A. The name and address of the present owner or owners of the land.
- B. The date of survey and date of map, approximate true north point, graphic and written scales, Town and State.
- C. The location and names of owners of record of all abutting property and Subdivisions, including those whose properties are separates from the premises by a public highway.
- D. The total acreage of the parcel.
- E. The locations of all existing monuments and pins and the Town line where applicable.
- F. A location Key, at a scale of one inch equals 1,000 ft., showing the location of the property with respect to surrounding property, all Zoning Districts, and streets within 1,000 feet of the property.
- G. Lengths and directions of present property lines, with dimensions on all lines to the hundredth of a foot; all bearings or interior angles to the nearest second, and the central angle, tangent distance and radius of all curves.

- H. Present buildings, on-site sewage disposal systems, wells and other occupation, including comparable information on adjacent properties for a distance of 100 feet from the boundary.
- I. Existing streets, width of pavement, storm drainage structures, utilities and all easements or rights-of-way.
- J. Certification of the Land Surveyor, under seal.

**8-03 TOPOGRAPHIC MAP** A Topographic Map based on the National Geodetic Datum of 1929, drawn to a scale of either one inch equals one hundred (100) feet, one inch equals forty (40) feet, or one inch equals twenty (20) feet, and conforming to the Class A-2 requirements of the "Code of Practice for Standards of Accuracy of Surveys and Maps" of the Connecticut Association of Land Surveyors, Inc. Such map may be combined with the Boundary Survey and shall show the following:

- A. Present property lines and other data required of a Boundary Survey.
- B. Present wooded areas indicated by a foliage line, and significant rock outcrops.
- C. Recognized land marks, including boundary and internal walls and fences and private roads and ways within the area to be subdivided and for at least 50 feet beyond the boundary lines.
- D. Size, top of frame, and invert elevations for all culverts, manholes, or catch basins and surface water elevations for all brooks at 50 foot stations. These data for at least 50 feet beyond the boundary lines, where practical.
- E. Contours at two foot intervals with spot elevations at high and low points, for a distance at least 50 feet beyond lines. (For land in excess of 25 per cent slope, five foot contour intervals will be permitted.)
  - 1. All such data are to be either taken in the field or result from aerial photogrammetry with proper ground control. Information obtained from enlarging U.S.G.S. Topographic Quadrangles will not be considered acceptable.
- F. Accurate delineation of all soil types designated as Inland Wetlands.
- G. The location of existing waterbodies, watercourses, swamps and marshes with the direction of flow and water surface elevations.

- H. All data in connection with existing streets adjacent to or abutting a proposed subdivision, including walls, fences, pins, and monuments on both sides of such street, location and width pavement, utility poles and their numbers, storm drainage structures, public utilities, driveways, intersections with other streets and street lights.
- I. Certification of the Land Surveyor, under seal.

**8-04 SUBDIVISION PLAN** The Subdivision Plan shall be prepared with an accuracy meeting, or exceeding, standards for a Class A-2 Survey as defined in the Code of Practice for Standards of Accuracy of Surveys and Maps as adopted by the Connecticut Association of Land Surveyors, Inc. The map shall be drawn to a scale of either one inch equals forty (40) feet, or one inch equals twenty (20) feet, and shall show the following:

- A. Title of the Subdivision, which shall not duplicate the title of any previous subdivision in the Town.
- B. Name and address of the owner of the land to be subdivided and the name and address of the applicant if different from the owner.
- C. The date, revision dates, approximate true north point, graphic and written scales, Town and State.
- D. The location and names of owners of record of all abutting property and developments, including those whose properties are separated from the premise by a public road.
- E. The location of all existing and proposed monuments and pins, and the Town line, where applicable.
- F. A locational key, at a scale of one inch equals 1,000 feet, showing the proposed Subdivision section including all proposed lots and streets in relation to the overall property as well as to surrounding properties, all Zoning Districts and streets within 1,000 feet of the property.
- G. Existing and proposed property and street lines, and adjoining property lines for a distance of 100 feet.
- H. Existing and proposed water courses and ponds, conservation areas, and easements and right-of-way.
- I. Proposed lots and lot numbers.

- J. Existing and proposed Open Spaces, parks, recreation areas and stream protection; the square footage or acreage of all lots and the aforementioned areas; and the total acreage of land included in the Subdivision. Dimensions on all lines to the hundredth of a foot; all bearings or interior angles to the nearest second, and the central angle, tangent distance and radius of all curves.
- K. The location and width of all streets, rights-of-way and easements; including rights-of-way reserved for future streets.
- L. Street names and building lines.
- M. Certification of the Land Surveyor, under seal.
- N. Accurate delineation of all soil types designated as Inland Wetlands.
- O. The accurate location of all percolation test hole and observation pits, with the percolation rate of tests listed in tabular form by lot.
- P. The locations and dimensions of all existing buildings and structures, including walls. Any building or structures to be removed, demolished, relocated or retained shall be so identified.
- Q. The statement: "The Subdivision Regulations of the Town of Burlington are a part of the Plan, and approval of this Plan is contingent upon compliance with all the requirements of said Subdivision Regulations."
- R. Approval box, including the word "Approved by Burlington Planning and Zoning Commission," a blank space for date, so labeled, and a blank space for the signature of the Chairperson or Secretary of the Commission, so labeled.
- S. The statement: "In accordance with State Statutes, Section 8-26c., all work in connection with this Subdivision must be completed by \_\_\_\_\_."
- T. Approval box for Director of Health.

**8-05 GRADING PLAN** A Grading Plan shall be drawn to a scale of one inch equaling forty (40) feet and shall be based on the National Geodetic Vertical Datum of 1929. Before a Certificate of Occupancy is issued in connection with any structure, a review of constructed improvements shall be conducted by the Building Official or his agent to insure conformance with this Plan as approved. Such map shall developed upon the Subdivision Plan as a base and shall include the following additional information.

- A. Existing site contours at two foot intervals, with spot elevations at high and low points, as well as contours for a distance at least 50 feet beyond the boundary lines, where practical. (For land in excess of 25 percent slope, five foot contour intervals will be permitted).
  - 1. All such data is to be either taken in the field or result from aerial photogrammetry with proper ground control. Information obtained from enlarging U.S.G.S. topographic quadrangles will not be considered acceptable.
- B. Size, top of frame and invert elevations and locations for all existing and proposed culverts, manholes, or catch basins. In addition, surface water elevations for all brooks shall be shown as required by the Commission for at least 50 feet beyond the boundary lines, where practical.
- C. All data in connection with existing streets adjacent to or abutting a proposed Subdivision, including wall, fences, pins, and monuments on both sides of such street, location and width of pavement, utility poles and their numbers, storm drainage structures, public utilities, driveways, intersections with other streets, and street lights.
- D. Proposed structures and access driveways.
- E. The location of existing or proposed on-site sewage disposal systems and reserve sewage disposal systems.
- F. Tentative location of wells.
- G. Proposed and finished contours.
- H. The precise location and first floor elevations of all structures.

**8-06 OVERALL DEVELOPMENT PLAN** An Overall Development Plan shall be drawn to a scale of one inch equaling one hundred (100) feet and developed upon a base which shall include all information contained in the Boundary Survey and Topographic Map. (Topographic data used beyond the boundary of the submitted section may be derived from U.S.G.S. Topographic Sheets). Such layout shall provide for the best arrangement of land being subdivided as well as other contiguous land owned or under option by the applicant to be subdivided at a future date. Particular attention should be given to the pattern, location and width of streets, their relation to the topography of the land, sewage disposal, drainage, lot sizes and arrangements, the future development of adjoining lands as yet unsubdivided, and the location of watercourses, drainage ways, and soil types designated as Inland Wetlands. This Plan shall show the following additional data.

- A. An overall traffic circulation pattern.
- B. Provision for future road connections to adjacent properties.
- C. Land to be set aside for open space, parks, recreational areas, or stream belt protection.
- D. Lot layout as contained in the current Subdivision Application as well as proposed future lot layout and numbering.
- E. Center line road stationing in 100 foot increments.
- F. Preliminary Storm Drainage System including catch basins, manholes, pipes, watercourses, headwalls, etc.
- G. Initial, intermediate, and ultimate development stages or sections, where the applicant wishes to develop the proposed Subdivision in stages.
- H. The limits of all Natural Resource Characteristics as per Section 4-08 including an area breakdown of all such characteristics by lot.

**8-07 STREET PLAN AND PROFILE** Proposed Street Plans and Profiles of proposed streets drawn on Plan-Profile paper at scales of 1" = 40' horizontally and 1" = 4' vertically, prepared by a professional engineer licensed to do business in the State of Connecticut, showing:

- A. Layout of the street in Plan coordinated by stations with the profile.
- B. Tangent bearings, curve data and distances to the nearest hundredth of a foot.

- C. Connections to existing streets.
- D. Typical cross-sections at points as required by the Commission; cross-sections shall indicate the shoulders, curbs, ditches, gutters, sidewalks, slopes, width of pavement, and other pertinent information.
- E. Vertical curves figured in at least five points, including high and low points.
- F. Elevations at 50 foot stations, including vertical curves.
- G. Street drainage facilities and their connection to existing facilities or watercourses, designed with proper allowance for increased flow due to future development of the entire area within the watershed, with accurate locations, invert and top of frame evaluations and sizes of drains, pipes, culverts, catch basins, and endwalls.
- H. Location grade and size of all utility lines, and the location and width of street pavement.
- I. Scale, date, title, north arrow and street name.
- J. The title under which the proposed Subdivision will be recorded and the name of the owner or owners, and the proposed developer, if other than the owner.
- K. At least two permanent bench marks per sheet to which all elevations must refer.
- L. Existing grades at the street center line and each street right-of-way line, together with the proposed street grade at center line.
- M. Guide rails where the side slope on fill is steeper than one vertical to four horizontal.
- N. Under drains whenever, in the opinion of the Highway Superintendent, drainage conditions require it.
- O. Machine formed bituminous curbing.
- P. Location and width of all drainage and utility easements, accurately tied to street and property lines.
- Q. Location of lot lines intersecting the street lines, lot numbers, and street line information.

- R. Location of existing and proposed street lighting facilities, as required by the Board of Selectman.

**8-08 EROSION AND SEDIMENTATION CONTROL PLAN** A Plan shall be drawn to a scale of one inch equaling forty (40) feet developed on a base consisting of Grading Plan. The area of the lots shown on the Erosion and Sedimentation Control Plan may be limited to the portion of the Subdivision affected by the proposed regarding, cuts, fills, coils or rock removal or the development of homes and sewage disposal systems.

**A. PLAN REQUIREMENTS** Such plan shall include the following information:

1. The limits of areas proposed for regarding by excavation or filling.
2. The limits of areas proposed to be reserved and protected from excavation or filling.
3. Cross section drawings covering proposed excavation areas.
4. Notations and details on erosion and sedimentation control methods to be employed.
5. Details of planting and revegetation.

**B. GENERAL REQUIREMENTS** Methods for erosion and sedimentation control, surface restoration and construction procedures shall, where applicable, comply with, but not be limited to, the recommendations of the **Erosion and Sedimentation Control Handbook for Connecticut**, revised 1976, prepared by the United States Department of Agriculture, Soil Conservation Service. The following measure are effective in minimizing erosion and sedimentation and shall be included where applicable in the Plan:

1. Stripping of vegetation, regrading or other development shall be done in a way that will minimize erosion.
2. The Grading Plan shall hold cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential.
3. Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

4. Temporary vegetation and/or mulching shall be used to protect exposed areas during development.
5. The permanent (final )vegetation and structural erosion control measures shall be installed as soon as seasonably practical in the development.
6. Sediment in the runoff water shall be trapped by the use of sediment basins, silt traps, or similar measures until the disturbed area is stabilized, at which time, basins shall be filled, graded and seeded.

**C. EXCAVATION, FILLS AND GRADING**

1. Cut and fill earth slopes shall not be steeper than 3:1 (horizontal/vertical).
2. Adequate provisions shall be shown on the Plan to prevent surface water from damaging the cut face excavation or the sloping surfaces of fills.
3. Cut and fills shall not endanger adjoining property.
4. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil.
5. Fills shall not encroach on natural water courses or constructed channels.
6. Grading shall not be done in such a way so as to divert water onto property of another landowner without the written consent of the landowner.
7. During grading operation, necessary measures for dust control will be exercised.
8. Grading equipment will not be allowed to cross flowing streams except by means of bridges and culverts.

**D. CONDITIONS RELATING TO EROSION CONTROL**

1. The estimated costs of measures to be taken to control erosion and sedimentation, when such excavation, filling or grading is accomplished as part of or concurrent with the construction of the road, shall be covered in the performance bond required by the Commission.
2. Before a Certificate of Occupancy is issued, a review of constructed improvements shall be conducted by the Building Official or his agent to ensure conformance with the Plan as approved.

**E. TREE PRESERVATION** In order to prevent the cutting and destruction of trees which are necessary for sedimentation and erosion control, the applicant may, as part of the Erosion Control Plan, be required to provide the Commission with a program for the preservation of such trees.

## SECTION 9

### IMPROVEMENTS AND SECURITY

**9-01 IMPROVEMENTS** The subdivider may either construct all improvements required in connection with the Subdivision, or in lieu of the completion of such work and installations previous to the approval of a plan, the Commission may accept a bond in an amount and with security and conditions satisfactory to it securing to the municipality the actual construction and installation of such improvements. No building permit shall be issued by the Building Official of the Town of Burlington for the construction of any building in the Subdivision, unless all improvements have been completed and accepted by the Town or until the aforementioned performance bond has been accepted.

**9-02 SECURITY** In lieu of requiring the completion of public improvements previous to approval of Subdivision Plan, the Commission may accept a bond in an amount and with security and conditions satisfactory to it.

**A. DEFINITION** For the purpose of this section, a Bond shall mean one of the following; subject to the approval of the Commission:

1. A Bond secured by a passbook savings account.
2. A Bond secured by an irrevocable letter of credit.
3. Any other form of security satisfactory to the Commission.

**All such bond shall be subject to the approval of the Town Attorney.**

**B. COVERAGE PERIOD** The Bond shall secure to the Town the actual construction and installation of such improvements and utilities within one year from the day of approval of the Subdivision Plan. The Commission may extend the completion date for public improvements for additional periods. As a condition for such extension, the Commission may require the increase in the amount of the bond.

**C. FORM** Bonds shall be duly executed on forms provided or approved by the Town, with proper reference to all maps and plans showing the streets, drainage and other improvements covered by the Bond and shall have attached thereto a copy of the detailed Cost Estimate as per Section 7-04E. of these Regulations. Forms and other data shall be provided as follows:

**1. BONDS SECURED BY A PASSBOOK SAVINGS ACCOUNT**

Shall be accomplished by:

- a. The Savings Account Passbook;
- b. A withdrawal slip in the amount of the bond, properly endorsed and made payable to the Town; and
- c. A letter from the Bank acknowledging that the account has been assigned to the Town for the period established for the construction or installation of Public Improvements, plus six months.

**2. BONDS SECURED BY IRREVOCABLE LETTERS OF CREDIT**

Shall be provided by a bank or other similar reputable institution or individual, subject to the approval of the Town attorney. The Letter of Credit shall be in such form and accompanied by such documents as may be prescribed by the Commission.

**9-03 INSPECTION OF IMPROVEMENTS** The Highway Superintendent or other person designated by the Commission shall be informed by the developer in advance of all relevant construction by the developer and may inspect required improvements during construction to assure their satisfactory completion. In the case of a new streets(s) or change(s) in existing streets(s), the work shall be inspected in accordance with the Section 11 of these Regulations governing road construction. If the Highway Superintendent or the person designated by the Commission finds upon inspection, that any of the required improvements have not been constructed and maintained in accordance with the approved plans, he shall notify the applicant and the Commission in writing and the applicant shall be responsible for completing or repairing said improvements according to specifications.

**9-04 IMPROVEMENTS REQUIRED BY UNFORESEEN CONDITIONS** If it shall appear, during the course of construction of any new street, or any other improvements required by the Commission in connection with the approval of the plans, profiles, and specifications, that additional work is required to complete all improvements, and to remedy conditions such as but not limited to, springs, existing drains, swampy conditions, sidehill drainage from butts, bedrock, or other conditions, the Highway superintendent shall require such additional work to be done by the developer at no cost to the Town.

- 9-05 MODIFICATION OF DESIGN OF IMPROVEMENTS** If at any time before or during the construction of the required improvements, it is demonstrated to the satisfaction of the Highway Superintendent, that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Highway Superintendent may, upon approval of the Chairman of the Commission, authorize minor modifications, provided these modifications are within the spirit and intent of the Commission's approval and do not constitute a waiver or substantial alteration of the function of any improvements required by the Commission. The Highway Superintendent shall issue any authorization under this Section in writing and shall transmit a copy of such authorization to the Commission at their next regular meeting.
- 9-06 CERTIICATES OF OCCUPANCY DURING CONSTRUCTION OF IMPROVEMENTS** No Certificate of Occupancy shall be issued by the Building Inspector of the Town of Burlington, for the occupancy of any building in the subdivision where the road, upon which the lot is located, has not been accepted by the Town of Burlington, until a determination is made by the Planning Commission and the Highway Superintendent that the unaccepted road has been sufficiently developed and is sufficiently accessible to permit the provision of snow removal and other municipal services, and until the subdivider presents the Bond, in an amount sufficient to satisfy the Commission to guarantee provision for snow removal and other municipal services in the same degree as is normally provided by the Town to residents living on Town accepted streets.
- 9-07 FAILURE TO COMPLETE IMPROVEMENTS** Where a Bond has been posted and required improvements have not been installed within the terms of such Bond, the Town may thereupon declare the Bond to be in default and require the tall the improvements be installed regardless of the extent of the building development.
- 9-08 PARTIAL RELEASE** When and if the Highway Superintendent determines that a substantial portion of the public improvements called for in the subdivision Plan approved by the Commission has been completed, he may recommend one or more partial releases of a portion of the security, the balance to be sufficient to guarantee completion of the public improvements. Such partial release shall be authorized by the Commission only upon recommendation of the Highway Superintendent. Releases shall be granted in amounts in excess of \$1,000. In no event shall a Bond be released below 25% of the actual cost of improvements.

**9-09 FINAL RELEASE** Bonds will not be released until requested, in writing by the developer and the following conditions have been met:

- A. CERTIFICATION AND ACCEPTANCE** The Highway Superintendent has submitted a letter stating that all required improvements have been satisfactorily completed.
- B. RECORD PLANS** The applicant's engineer or surveyor has certified to the Commission, through submission of detailed "Record" plans, that all public improvements are in accordance with submitted construction plans for the subdivision. "Record" plans shall include Plan and Profile Maps, and may at the discretion of the Commission, include Grading Plans, and Erosion and Sedimentation Plans as described in Section 8. Such plans shall show any modifications or changes made during construction, and one copy of each provided on translucent cloth or polyester film.
  - a. The applicant's surveyor shall certify on the "Record" plans that all lot markers, as defined in Section 4-07 of these regulations, have been placed as shown on the Subdivision Plan to the accuracy of a Class A-2 survey.
- C. MAINTENANCE BOND** A Maintenance Bond, as described in Section 9-10 A. of these Regulations shall be filed with the Town.
- D. DOCUMENTS AND CONDITIONS** Confirmation that all required documents have been furnished the Commission and all conditions and requirements of the Commission's approval of the Subdivision application, including the placement of lot markers, have been satisfied.

**9-10 MAINTENANCE OF IMPROVEMENTS** The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks, if required, until acceptance of said improvements by the Town.

- A. MAINTENANCE BOND** The applicant shall be required to file a Maintenance Bond with the Town in order to assure the satisfactory condition of the required improvements, for a period of one (1) year after the date of their acceptance by the Town. The Maintenance Bond shall be in an amount equal to 25% of the cost of improvements and shall be of such form as described in Section 9-02 of these Regulations.
  - a. Maintenance Bonds will not be released until requested in writing by the developer. Such request shall be accompanied by a letter from the Highway Superintendent recommending said release and stating that all required improvements have remained in good condition during the maintenance period.

**9-11 DETAILED PLOT PLAN** No Building Permit shall be issued in connection with any lot until the person making application has provided a detailed Plot Plan of such lot drawn to a scale of 1 inch equals 40 feet. Such individual Plot Plan shall show all information pertaining to the lot as contained in the GRADING PLAN (Section 8-05) and the EROSION AND SEDIMENTATION CONTROL PLAN (Section 8-08) as approved by the Commission.

A. Minor modification in site grading differing from plans approved by the Commission may be made based upon substitute house plans or changed siting.

1. Under no circumstances will modifications which effect the locations of wells or on-site disposal systems be approved unless so authorized in writing by the Director of Health.

**9-12 CERTIFICATE OF OCCUPANCY** No Certificate shall be issued by the Building Official until the person applying for such Certificate has demonstrated, by the submission of an "as-built" or "Record Plot Plan," prepared by a licensed land surveyor, that all structures have been located and grading and landscaping performed in accordance with the approved Detailed Plot Plan. In addition, the following shall be provided:

A. A letter from the developer's surveyor certifying the placement of lot markers as per Section 4-07 of these Regulations.

B. Satisfactory evidence shall confirm the water production of any proposed well as per Section 5-03 D.1. of these Regulations.

## SECTION 10

### DESIGN STANDARDS FOR STREETS AND DRAINAGE

**10-01 DESIGN STANDARDS** Design standards for roads and drainage are established in order to provide for streets of suitable location, width, and improvement to accommodate traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment, and to coordinate roads so as to compose a convenient system and avoid hazards caused by storm water.

**10-2 STREET DESIGN** Streets shall be designed in accordance with the following schedule:

#### Street Design (Minimum Requirements)

Type of Street	Minor	Local	Collector
R.O.W. width, ft.	50	50	60
Cleared	32 (min.)	38	46
Pavement width, ft.	22	26	32
Stabilized shoulders (2), ft.	5	6	7
Minimum sight distance, ft.	150	200	325
Design speed M.P.H.	25	30	45
Minimum center line radius of curves, ft.	125	150	300
Tangent lengths between curves, ft.	None	100	250
Maximum grade, % (see note 1)	12	10	10
Minimum angle at intersections	75	85	90
Maximum Grade within 60 ft. of intersection, of center line, %	3	3	3
Minimum offset to intersections, on opposite side of street, ft.	200	200	200
Minimum street grade, %	1	1	1

NOTES: 1. For a listing of officially designated Collector Streets see Appendix D.

#### **A. DEAD END STREETS**

1. **PERMANENT CUL-DE-SAC** Permanent cul-de-sacs shall, in general , not exceed 1,500, or provide access to more than 20 building lots, whichever is more restrictive requirement.

2. **TEMPORARY CUL-DE-SAC** Streets capable of future extension shall terminate in a temporary turnaround.
3. **TURNAROUNDS** All cul-de-sac shall terminate in a circular turnaround, or shall terminate with another adequately designed turning area of comparable maneuverability subject to the approval of the Commission. Except as otherwise approved by the Commission, all turnaround areas shall meet one or the other of the following design standards:
  - a. Cul-de-sac turnarounds without landscaped center islands shall have a minimum right-of-way radius of 50 feet with a 25 foot right-of-way radius at each connecting point and shall have paved area with a radius of 40 feet measured from the inside of the bituminous lip curbing.
  - b. Cul-de-sac turnarounds with landscaped center islands shall have a minimum right-of-way radius of 55 feet with a 25 foot right-of-way radius at each connecting point and shall have a minimum outside of pavement radius of 45 feet measured to the inside of the bituminous lip curbing. The landscaped island shall have a maximum radius of 23 feet to the pavement side of its bituminous lip curbing. The paved area around the island shall be a minimum if 22 feet wide. The island shall be planted and landscaped by the subdivider and sloped to drain. A notation shall be placed on the subdivision map indicating which lots shall be responsible for the continued maintenance of planting and landscaping on the island.

**B. STREET INTERSECTIONS** The following standards shall apply to all street intersections:

**1. LAYOUT AND SPACING**

- a. Intersections on opposite sides of the street shall be spaced at least 200 feet apart, measured between centerlines.

- b. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street.
  - c. Separating distances between intersections with Arterial or Collector streets, when located on the same side of the street, should be at least eight hundred (800) feet apart where Topography, sight distances and safety considerations allow.
  - d. At four-way intersections the centerlines of all streets shall meet a common point.
2. **ANGLES** Except where impractical or undesirable, all streets shall intersect at approximately right angles. No intersections shall be less than 75 degrees. The angle of street entry shall not become less than 75 degrees within 100 feet of the center of the intersection.
3. **GRADIENTS** The maximum tangent line grade of all street intersections shall not exceed 3 percent within a distance of 60 feet from the center of intersection.
4. **STREET LINE RADIUS** The minimum street line radius at the intersection of two Local streets or a Local and a Minor street shall be at least twenty-five (25) feet; the minimum street line radius at an intersection involving a Collector street shall be at least thirty (30) feet.
5. **GRADE APPLICATION AT INTERSECTIONS** The centerline grade of secondary street shall begin at centerline.
6. **VISIBILITY AT STREET INTERSECTIONS** Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and / or vegetation (including trees) in connection with the grading of the public right-of-way to the extent required by the Commission to provide an adequate sight distance. A sight-line easement shall be shown on the Subdivision Plan limiting future planting, signs, etc., within this area to ensure the continuance of adequate sight-lines.

- C. SIDEWALKS** The Commission may require the installation of sidewalks on streets in the vicinity of schools and playgrounds and in other places deemed proper by the Commission for public necessity and safety. When sidewalks are required, plans for the sidewalks shall be shown on the Street Plan and Profile. Sidewalks shall be a minimum of four feet in width and shall be located within the street lines with the back edge one foot from the property line. The sidewalk shall be laid on a six inch bank run gravel base, tamped and rolled, and shall be constructed of reinforced concrete, four inches thick, having a minimum 28 day design strength of 3,000 pounds per square inch and having expansion joints with premoulded fillers spaced every twenty feet and suitable weakened plane joints.
1. **SIDEWALKS REQUIRED** Portland cement sidewalks shall be installed to serve each subdivision lot abutting any street in Residence R-15 Districts.
  2. Sidewalks shall be designed with due attention to pedestrian safety, sufficient snow shelf, and preservation of street trees.
- D. CURBS** Curbs shall be required on all new streets and shall conform to construction and design standards as required in the Appendix of these Regulations. Such curbing shall be machine formed bituminous, installed on both edges of pavement except at driveways.
- E. GUIDE RAILS** Guide rails shall be provided where the side slope on fill is steeper than one vertical to four horizontal. They shall conform to Conn DOT Spec. 9.01. Posts shall be seven feet long and shall be set 3'-6" into the ground. Spacing shall be 8'-0" on centers except where otherwise ordered. Guide railing shall consist of wire cable, or metal guard posts, or other approved means as designated by the Highway Superintendent.
- F. SIDE SLOPES** Where side slopes are located within the street right-of-way, they shall not exceed, for earth banks, one vertical to two horizontal and for rock ledge, one vertical to ¼ horizontal.
- G. VERTICAL CURVES** Appropriate vertical curves for transition of tangent grade lines shall be established on all streets and at street intersections to insure adequate sight distance. Vertical curves shall provide the minimum required sight distance for the given design speed.

- H. MINIMUM CROSS PITCH** The paved portion of all streets shall be designated to incorporate a minimum cross pitch of ¼ inch per foot. Grading for the cleared portion of the right-of-way shall be in accordance with the standard road cross-section contained in Appendix A of these Regulations.
- I. ROAD PAVEMENT** All road pavement, shoulders, drainage, improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications contained in Section 11 of these Regulations.
- J. STREET LIGHTING FACILITIES** The developer at the discretion of the Board of Selectmen may be required to install one lighting pole at each intersection to prevent hazard. The location of such poles shall be shown on the Street Plan and profile. The cost of all lighting fixtures, poles, and installation shall be the responsibility of the developer. The developer shall bond such facilities with all other improvements.
- K. STREET NAME SIGNS** The developer shall be responsible for the cost and installation of street name signs. Such signs shall be placed at each intersection with existing streets as well as at each intersection within the development. The location, type and size of such signs shall be subject to the approval of the Highway Superintendent. The developer shall bond such street name signs with all other improvements.
- L. TRAFFIC CONTROL DEVICES** The developer shall be responsible for the cost and installation of any traffic control devices deemed necessary by the Traffic Authority. The developer shall bond such traffic control devices with other improvements. Necessary State permits for work related to State highways shall be the responsibility of the developer and shall be coordinated through the office of the Local Traffic Authority.
- M. MONUMENTS** Monuments shall be provided on both street right-of-way lines at the beginning and termination of each street and at each deflection or tangent point in between. Monuments shall be made of concrete and shall be not less than four inches square by 36 inches in length with a suitable brass plug top. Each monument shall be set in place, after all street construction is completed, with the marked point set on the point of reference following setting.

## 10-3 DRAINAGE AND STORM SEWERS

- A. GENERAL REQUIREMENTS** The developer shall be fully responsible for constructing adequate facilities for the control, collection, conveyance and acceptable disposal of storm water, other surface water and subsurface water, whether originating within the subdivision area or in a tributary drainage area. All drainage facilities shall be designed by a registered professional engineer and be subject to the approval and final acceptance of the Commission.
- B. LOCATION OF STORM WATER FACILITIES** Drainage facilities shall be located in the right-of-way where feasible, or in perpetual unobstructed easements, where necessary. Such easements shall be at least 20 ft. in width.
1. Easements shall be provided for storm water pipes that may need to be installed in the future to serve undeveloped land within the watershed that normally drains across the area of the proposed Subdivision.
  2. Lands along watercourses subject to flooding or overflowing during a 100 year design storm period shall be preserved and retained in their natural state as drainage ways.
- C. DRAINAGE DISCHARGE** The discharge of all storm water from a Subdivision shall be in suitable streams or other acceptable and suitable storm water drainage facilities having adequate capacity to carry the additional water. Where the discharge will be onto or through private property, proper easements and discharge rights shall be secured for the Town by the applicant from all affected property owners. Such easements shall be indicated on the Subdivision Plan and must be acceptably executed before approval of such Subdivision Plan.
1. Sufficient and adequate facilities shall be constructed wherever necessary to prevent the flow of surface drainage from the property on which it originates onto adjacent property in sufficient quantity, concentration or velocity to cause damage or create a nuisance on adjoining property.

2. Where a new street intercepts an existing street which has no underground drainage system or has a drainage system of insufficient capacity to carry the additional flow, appropriate facilities shall be installed by the developer to intercept and dispose of any drainage from the new street which would otherwise be discharged onto the surface of the existing street or into its drainage system.
3. In order to reduce drainage structures and recharge water tables, the subdivider shall lead storm drainage into marshes, wet areas, or impoundments where possible.

**D. DRAINAGE DESIGN** All designs shall be based on the maximum ultimate development of the entire watershed as permitted by the Zoning Regulations. All bridges and culverts shall be designed such that required head and backwater produced by the structure shall not cause flooding of abutting property.

1. **PERMITTED METHODS** Design of all structures shall be based upon the following methods:
  - a. Rational Method (watershed area of less than 500 acres)
  - b. Methods contained in "Urban Hydrology for Small Watersheds", Technical Release No. 55 published by the Engineering Division, Soil Conservation Service, U. S. Department of Agriculture (watershed area of less than 2000 acres)
  - c. Unit Hydrograph Method (watersheds over 2000 acres)
2. **CULVERTS, BRIDGES, AND CHANNELS** On watersheds one square mile or over, the design of culverts, bridges, and channels shall be based upon not less than a 100 year storm. On watersheds of less than one square mile, the design for the culverts, bridges and channels shall be for not less than a 50 year storm.
3. **STREET DESIGN** The drainage system for roads, including catch basins, inlets, pipe, and underdrains within or abutting the subdivision shall be designed for not less than a 25 year storm.

4. **UNDERDRAINS** Adequate underdrains shall be constructed whenever, in the opinion of the Highway Superintendent, drainage conditions require it. They may be required even though not shown on the approved construction plans.
  - a. Underdrain outlets shall be connected to drainage structures whenever practical. When impractical, they shall be terminated with an approved endwall. At all underdrain outlets, a “free outlet” condition should be provided.
5. **DITCHES** Drainage ditches will, in general, not be permitted where it is feasible to install underground pipe. Storm drain outfalls shall be extended to grade.
6. **CULVERTS** Culverts under streets shall be extended at least to the edge of the right-of-way of the street. Headwalls, paving, flared-ends, and/or riprap, adequate to prevent erosion, shall be provided at the ends of all culverts and shall conform to Conn DOT standards.
7. **ADJOINING FACILITIES** Provisions shall be made to dispose of surface water which now drains naturally into the subdivision from adjoining properties with proper allowance for increased intensity of flow due to future developments.

**E. STANDARDS** Storm drainage shall be constructed in accordance with the following standards and procedures:

1. **HYDRAULIC DESIGN** Hydraulic design shall be based on the Manning Formula for Full Flow:

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2} = C, S^{1/2}$$

Q = culvert discharge, cu. ft./sec.

n = Manning’s coefficient of roughness

Storm drains shall be designed for full flow.

2. **MINIMUM SLOPE AND COVER** Storm drains shall be a minimum pitch of 0.5%. Variance from this requirement may be granted by the Commission if storm sewers are designed with a minimum self cleaning velocity of two (2) feet per second with full flowing pipes. The minimum cover over pipe shall be four feet from the invert but in no case shall be less than two feet over the top of the pipe.
3. **PIPE** All drainage pipe shall be Class IV reinforced concrete (Conn DOT Spec. M.08. 01-6) unless substitution of other materials is approved by the Commission. The minimum size pipe shall be 15 inches. Laying length shall be less than four feet.
4. **MANHOLES** Manholes or catch basins shall be provided at each change in direction or grade of the pipe and shall not be spaced more than 300 feet apart. They shall be CHD standard.
5. **CATCH BASINS** Catch basins shall be of typical CHD design and constructed not more than 300 feet apart. On steep slopes or in special grade situations, the Commission may require basins to be provided with double inlet grates.
6. **DISTANCE WITHOUT INTERCEPTION** Curb-inlet catch basins shall be provided in order that surface water will travel without interception not more than four hundred feet on streets with grades up to and including 5%, and not more than three hundred feet on streets with grades over 5%. A smooth transition shall be provided from the highest point of the catch basins to ground level.
7. **HEADWALLS, ENDWALLS OR FLARE END SECTIONS** Reinforced concrete headwalls, endwalls, or flared ends shall be provided at the open end of any pipe, and shall conform to the "State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges, and Incidental Construction." Culverts under streets shall be extended to the edge of the right-of-way of the street.
8. **SPECIAL STRUCTURES** Bridges, box culverts, deep manholes and other special structures shall be designed in accordance with the "State of Connecticut Department of Transportation Standard Specifications for Roads, Bridges and Incidental Construction."

## SECTION 11

### ROAD CONSTRUCTION PROCEDURES

#### 11-01 GENERAL

- A. The term ConnDOT Specifications and any and all Section Numbers refer to the State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges, and Incidental Construction, Form 814, 1988. M Section number designations refer to Division III of the same publication.
1. The term Superintendent of Roads shall mean the Superintendent or his designee.
- B. Prior to the start of any construction work which would or could provide access from a public highway, a sign stating "PASS AT YOUR OWN RISK – NOT A PUBLIC HIGHWAY" shall be installed at a location and elevation to be determined by the Superintendent of Roads. The sign shall be orange with black letter and 18 inches by 24 inches in size. The sign and post can be provided by the Town of Burlington, subject to a deposit to be determined by the Board of Selectman. The deposit will be refunded provided the items are returned in a reusable condition.
- Maintenance of the sign or signs shall be the sole responsibility of the developer.
- C. The contractor or developer shall notify the Superintendent of Roads at the beginning and end step of the construction procedure, and shall not proceed with the next step until the Superintendent of Roads has inspected and approved the work.
- D. All applicable items on earthwork as listed in ConnDOT Specifications shall be performed, in addition to which:
1. Clearing and grubbing shall be done in accordance with ConnDOT Specification 2.01.
  2. Subbase material, in accordance with ConnDOT specifications, will be required where the majority of the existing material at subgrade elevation is soft and yielding, or ledge rock.

## 11-02 GRADING OF RIGHT-OF-WAY

- A. Excavation shall not be made below subgrade except where rock or stone masonry is encountered or removal of unstable is directed by the Highway Superintendent.
- B. When ledge rock is encountered, this material shall be excavated to a depth of not less than two (2) feet below subgrade unless otherwise directed.
- C. Material removed below subgrade shall be replace with approved material thoroughly compacted or as otherwise directed.
- D. Spring or seepage water encountered shall be reported to the Highway Superintendent.
- E. Fills shall not be started until the area has been inspected and approved by the Highway Superintendent.
- F. Only material approved by the Highway Superintendent shall be used as fill.
- G. Fills shall be placed and compacted in a manner satisfactory to the Highway Superintendent.
- H. Compaction must be such that no creeping or weaving appear ahead of the roller on the final rolling.
- I. At least the top six (6) inches of pavement subgrade in fills shall be of selected granular material approved by the Highway Superintendent.
- J. No stone over five (5) inches in its greatest dimension shall be placed within twelve (12) inches of the elevation of the subgrade.
- K. All residential street pavements shall be graded as shown in the standard cross-section.
- L. All driveways shall pitch up from the edge of pavement for a distance of not less than four (4) feet. Minimum pitch shall be four (4) inches (4) feet.

### **11-03 PREPARATION OF SUBGRADE**

- A. The rough subgrade shall be cleaned of all loose or foreign material and reshaped if rutted. Approved material shall be added to meet the established grades and standard cross-sections. Shaping and compacting, as directed by the Highway Superintendent, shall be done with blade graders and a three (3) wheel power roller weighing 8 to 12 tons.
- B. The finished surface shall be smooth and even and shall not vary more than one-half (  $\frac{1}{2}$  ) inch from the standard cross-section and grade shall be corrected by cutting or filling followed by repeated rolling until a well compacted surface is obtained.

### **11-04 CONSTRUCTION OF BASE**

- A. The Base shall consist of nine (9) inches, after compaction, of processed aggregate base placed in two (2) courses or layers, one of five (5) inches and one of four (4) inches. In the alternative, the base may be constructed of two (2) courses or layers of gravel as follows: The first course or layer shall be “bank-run” gravel consisting of sound, tough durable particles of gravel, free from shale, clay, loam, vegetable matter or stones more than four (4) inches in diameter, having a minimum depth of twelve (12) inches after compaction. The second course or layer shall be a “top dressing” of processed aggregate base having a minimum depth of four (4) inches, after compaction.
  - 1. The gravel base shall meet the requirements of Section 3.02 and M.02.03.
  - 2. The processed aggregate base shall meet the requirements of Section 3.04 and M.05.01-1, 2b and 3.
- B. Each course or layer is to be spread with an approved spreader or stone box and rolled with a three (3) wheel roller weighing 8 to 12 tons. A pneumatic roller or vibrating roller may be used instead of a 3 wheel power roller if approved by the Highway Superintendent.
- C. Rolling shall proceed in a longitudinal direction beginning at the gutter line and proceeding toward the center. Sufficient overlap with the inside roller wheel shall be maintained to avoid any unrolled areas. Rolling shall be continued until the material is well keyed and does not creep ahead of the roller. In no case should one roller complete more than 200 square yards per hour. Water, to aid in compaction, shall be applied as directed.

- D. Voids in surface shall be filled by brooming.
- E. The final surface shall not vary more than one-half (  $\frac{1}{2}$  ) inch from the established grade and standard cross-section.
- F. The base course shall not be constructed during freezing weather or on a wet or frozen subgrade.

#### **11-05 DENSE GRADED BITUMINOUS PAVEMENT**

- A. The roadway surface shall consist of a two course bituminous concrete pavement obtained from a ConnDOT approved plant.
- B. The first course shall be a bituminous binder, one and one-half (  $1 \frac{1}{2}$  ) inches minimum thickness after compaction. This binder course shall meet the requirements of Section 4.06 and M.04 for Bituminous Concrete Class 2.
- C. The second course shall be a dense graded bituminous concrete, one and one-half (  $1 \frac{1}{2}$  ) inches minimum thickness after compaction. This top or finish course shall meet the requirements of Section 4.06 and M.04 for Bituminous Concrete Class 1.
- D. Both courses shall be placed and compacted with a ten (10) ton tandem roller as per Section 4.06.03-8.
- E. No bituminous surfacing work shall be performed between October 15<sup>th</sup> and April 15<sup>th</sup>, except with the written consent of the Superintendent of Roads.
- F. All surfaces that have been in place longer than 5 calendar days shall receive a tack coat. Emulsions for tack coat shall be diluted 50/50 with water and shall not be heated in excess of 160° F. Care must be taken not to apply too heavy a coating: application rate of the diluted emulsion shall be 0.03 to 1.10 gallons per square yard. The emulsion shall be applied by a pressurized spray method and shall include a method of measuring consumption acceptable to the Superintendent of Roads.

#### **11-06 BITUMINOUS LIP CURBING**

- A. Bituminous Lip curbing shall meet the requirements of Section 8.15 and M.04 for Bituminous Concrete Class 3.

## **11-07 AMENDMENTS**

- A. The provisions of Section 11 will be automatically amended if and whenever the State of Connecticut, Department of Transportation (or its successor), Standard Specifications for Roads, Bridges and Incidental Construction, Form 814, 1988 is revised.

## **11-08 VALIDITY**

- A. If there is a conflict between these specifications and the State of Connecticut, Department of Transportation, Standard Specifications for Roads, Bridges and Incidental Construction, Form 814, 1988, the provisions of the Form 814 or its successor shall prevail.

## SECTION 12

### LEGAL STATUS PROVISIONS

- 12-01 LEGAL REQUIREMENTS FOR SUBDIVISION** Pursuant to the General Statutes of the State of Connecticut no Subdivision or Resubdivision of land shall be made until a plan for such Subdivision or Resubdivision has been approved by the Commission in accordance with adopted subdivision regulations.
- 12-02 CONDITIONS** Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is a valid exercise of police power delegated by the State of this municipality. The developer has the duty to comply with reasonable conditions imposed by the Commission to protect the public health, safety, and welfare.
- 12-03 AMENDMENTS** The provisions of these Regulations may, from time to time, be amended, modified, changed, or repealed by the Commission in accordance with the provisions of the General Statutes of the State of Connecticut as amended.
- 12-04 INTERPRETATION** In their 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 or structures than is imposed or required by such existing provisions of law, ordinance, contract, or deed, the provisions of these regulations shall control.
- 12-05 PENALTIES** These Regulations shall be enforced under and violations hereof shall be subject to penalties set forth in the applicable provisions of the General Statutes of Connecticut, Revision of 1958, as amended, and any ordinance enacted pursuant thereto.
- 12-06 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 Regulation shall not be affected or impaired, or the application thereof to other persons or circumstances.
- 12-07 REPEALER** All Subdivision Regulations previously adopted for the Town of Burlington are hereby repealed.
- 12-08 ENFORCEMENT** The Building Official shall serve as the Enforcement Officer for these Regulations.
- 12-09 EFFECTIVE DATE** The effective date of these Regulations shall be April 15, 1981.

## 12-10 REVISIONS

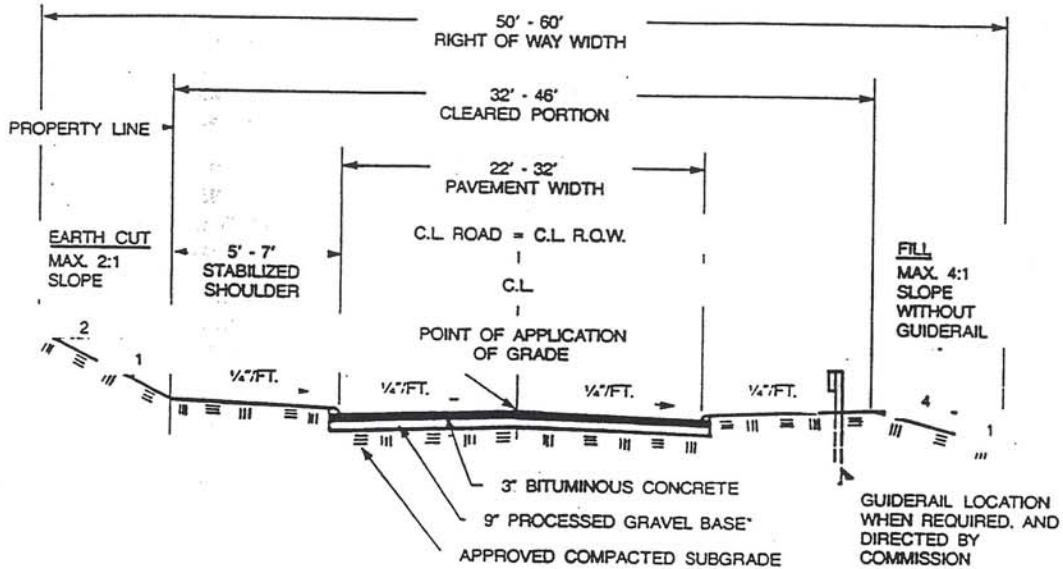
### REVISIONS TO SUBDIVISION REGULATIONS

<u>SECTION</u>	<u>ADOPTED</u>	<u>EFFECTIVE</u>
6-03 A	2/10/82	3/1/82
3-03 U	2/10/83	6/1/83
9.01	2/10/83	6/1/83
6-16	1/9/85	2/1/85
9-01	1/9/85	2/1/85
9-02	1/9/85	2/1/85
9-06	1/9/85	2/1/85
9-08	1/9/85	2/1/85
10-2	7/24/85	9/1/85
4.06 D	7/24/85	9/1/85
4.08 B 1	7/24/85	9/1/85
4.22	12/11/85	12/31/85
4.22.01	12/11/85	12/31/85
Appendix A	12/11/85	12/31/85
4.22.01	1/14/87	2/10/87
4.23	1/14/87	2/10/87
Appendix E	1/14/87	2/10/87
7.02	10/28/87	12/1/87
10-02 A	4/27/88	6/1/88
7-02	4/27/88	6/1/88
7-03 I	4/27/88	6/1/88
8-02 I	4/27/88	6/1/88
7.02	7/27/88	8/24/88
8-04 F	12/13/89	12/13/89
9-09 B	3/13/91	3/14/91
11- all	3/13/91	3/14/91

APPENDIX A

TYPICAL RIGHT OF WAY GRADING AND DESIGN DATA

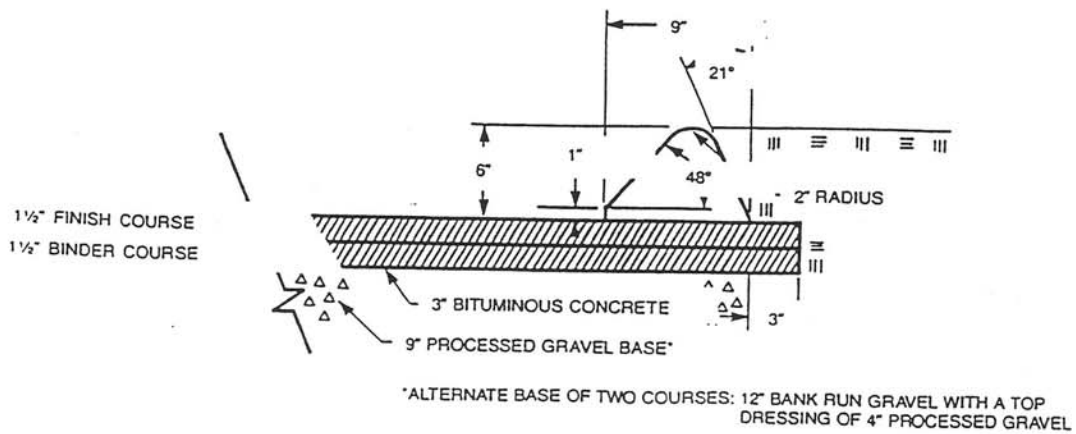
CROSS-SECTION



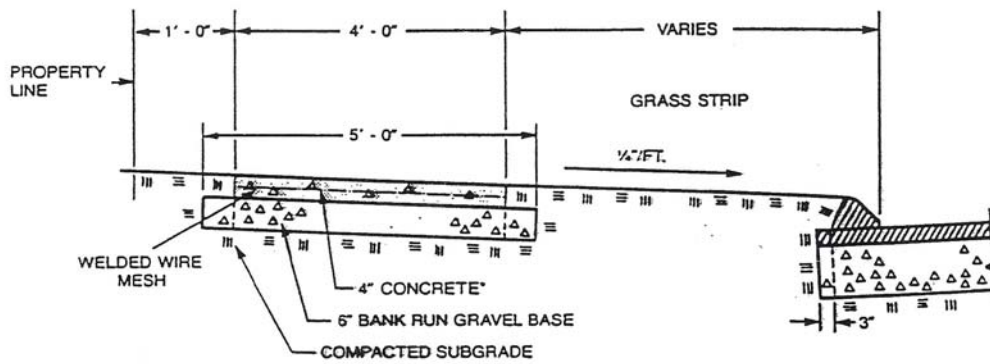
APPENDIX B

STANDARD PAVEMENT AND CURBING

LIP CURBING TO BE MACHINE-FORMED  
 BITUMINOUS CONCRETE



APPENDIX C  
TYPICAL SIDEWALK SECTION  
CONCRETE SIDEWALK SECTION



\*UNDER DRIVEWAYS INCREASE THICKNESS TO 6".

NOT TO SCALE

## **APPENDIX D**

### **Officially Designated**

#### **ARTERIAL AND COLLECTOR STREETS**

##### **A. ARTERIAL STREETS**

1. Conn. Rt. 4
2. Conn. Rt. 69 (Milford St.)
3. Conn. Rt. 179 (Riverside Avenue)

##### **B. COLLECTOR STREETS**

1. Barnes Hill Road
2. Belden Road
3. Bradley Road
4. Case Road
5. Clear Brook Road
6. Covey Road
7. East Chippens Hill Road
8. Foote Road
9. Ford Road
10. George Washington Turnpike
11. Hotchkiss Road
12. Jerome Avenue
13. Johnnycake Mountain Road
14. Lyons Road
15. Main Street (South of Reservoir Hill Road)
16. Monce Road
17. Nepaug Road
18. Prospect Street
19. Punch Brook Road
20. Reservoir Hill Road
21. Rock Road
22. Sand Bank Hill Road
23. Scoville Road
24. South Main Street
25. Stafford Avenue
26. Stone Road

## APPENDIX E

### ADMINISTRATIVE SPECIFICATIONS

#### SOIL EROSION AND SEDIMENT CONTROL SPECIFICATIONS FOR LANS DEVELOPMENT

##### C.01 DEFINITIONS

- C.01.01 “Certification” means a signed, written approval by the Burlington Town Engineer or official designate, designated agent of the Burlington Planning and Zoning Commission, or the Hartford County Soil and Water Conservation District that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.
- C.01.02 “County Soil and Water Conservation District” means the Hartford County Soul and Water Conservation District established under subsection (a) of section 22a-315 of the General Statutes, as amended.
- C.01.03 “Development” means any construction or grading activities to improved or unimproved real estate.
- C.01.04 “Disturbed area” means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- C.01.05 “Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.
- C.01.06 “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.
- C.01.07 “Inspection” means the periodic review of sediment and erosion control measures shown on the certified plan.
- C.01.08 “Sediment” means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- C.01.09 “Soil” means any unconsolidated mineral or organic material of any origin.
- C.01.10 “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.

- C.02           ACTIVITIES REQUIRING A CERTIFIED EROSION AND SEDIMENT CONTROL PLAN  
A soil erosion and sediment control plan shall be submitted with any application for development when the disturbed area of such development is cumulatively more than one-half acre.
- C.03           EXEMPTIONS  
A single family dwelling that is not a part of a subdivision of land shall be exempt from these soil erosion and sediment control regulations.
- C.04           EROSION AND SEDIMENT CONTROL PLAN
- C.04.01       To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerate erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the “Connecticut Guidelines for Soil Erosion and Sediment Control” (1985) as amended. Alternative principles, methods and practices may be used with prior approval of the Town Engineer.
- C.04.02       Said plan shall contain, but not be limited to:
- i.       A narrative describing:
    - a.       The development
    - b.       The schedule for grading and construction activities including: start and completion dates; sequence of grading and construction activities; sequence for installation and/or application of soil erosion and sediment control measures; and sequence for final stabilization of the project site;
    - c.       The design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
    - d.       The construction details for proposed soil erosion and sediment control measures and storm water management facilities;
    - e.       The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;

- f. The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.
- ii. A site plan map at 1" = 100' or larger scale to show:
  - a. The location of the proposed development and adjacent properties;
  - b. The existing and proposed topography including soil types, wetlands, watercourses, and water bodies;
  - c. The existing structures on the project site, if any;
  - d. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
  - e. The location of and design for all proposed soil erosion and sediment control measures and storm water management facilities;
  - f. The sequence of grading and construction activities;
  - g. The sequence for installation and/or application of soil erosion and sediment control measures;
  - h. The sequence for final stabilization of development site.
- iii. Such plan shall be prepared by a Professional Engineer registered in the State of Connecticut unless a waiver is granted by the Town Engineer. Such engineer shall certify that the plans as prepared comply with the requirements and objectives of these regulations.
- iv. Any other information deemed necessary and appropriate by the Town Engineer.

C.05 MINIMUM ACCEPTABLE STANDARDS

C.05.01 Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapters 3 and 4 of the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off site erosion and/ or sedimentation.

C.05.02 The minimum standards for individual measures are those in the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended. The Town Engineer (or the County Soil and Water Conservation District) may grant exceptions when requested by applicant if technically sound reasons are presented.

C.05.03 The appropriate method from Chapter 9 of the "Connecticut Guidelines for Soil Erosion and Sediment Control" (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Town Engineer.

C.06 ISSUANCE OR DENIAL OF CERTIFICATION

C.06.01 The town Engineer or official designate the Hartford County Soil and Water Conservation District shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

C.06.02 Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapter 124, 124A or 126 of the Federal Statutes.

C.06.03 Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District which may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.

C.07            CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL

C.07.01        The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a performance bond in an amount satisfactory to the Town Engineer or official designate. Such bond shall be a cash bond, letter of credit or assignment of passbook acceptable to the Town Attorney.

C.07.02        Site development shall not begin unless the soil erosion and sediment control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.

C.07.03        Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan.

C.07.04        All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

C.08            INSPECTION

C.08.01        The Town Engineer or official designate may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained.

C.08.02        Where field conditions so indicate, the Town Engineer or official designate may require corrective or alternate means of soil erosion and sediment control measures not shown on the certified plan.

## APPENDIX F

### SPECIFICATIONS FOR DRIVEWAYS

1. A driveway serving private property and intersecting with a street or state road shall be constructed in such a manner that it does not interfere with the existing drainage, the movement of traffic or the removal of snow from the abutting street. The owner and/or contractor shall maintain and protect the vehicular and pedestrian traffic while during construction for the full length of the project, provide sufficient travel lanes and pedestrian pass ways to move traffic and maintain construction signs and barricades approved by the current The Manual of Uniform Traffic Control Devices so as to forewarn traffic of the construction.
  - a. Prior to issuance of such a permit, the applicant shall submit plans satisfactory to the Zoning Enforcement Officer for the design and construction of the Apron and the remainder of the driveway where there exists a reasonable question regarding any aspect of the construction within the Apron or the remainder of the driveway the Zoning Enforcement Officer may require plans prepared by a licensed, professional engineer, certifying to their compliance with applicable regulations of the Planning & Zoning Commission.
2. The driveway will be constructed in such a manner that it does not permit runoff of water from the abutting street or road to enter the property or adjacent properties.
3. A temporary “tracking pad” using 1 ¾” stone and 12’ in length, covering the width of the proposed driveway shall be constructed so as to prevent material being tracked onto the street or road.
4. All slopes within the Town’s right-of-way shall be no steeper than 2:1 and shall be covered with a minimum, four (4) inches of topsoil and suitably seeded with a permanent grass type seed mixture or planted with other acceptable vegetative ground cover to prevent erosion. A sedimentation/erosion control plan may be required; such plan shall be submitted prior to issuance of the Curb Cut Permit. Field adjustments may be required to this plan.
5. No more than one combination entrance and exit will be allowed for any property with frontage of less than fifty (50) feet. Parcels having frontage from fifty (50) feet to one hundred (100) feet may be permitted one (1) curb cut to be used by separate driveways. Lots with frontage in excess of one hundred (100) feet shall conform to such driveway layouts as the Town shall approve.

6. Driveways shall not encroach a property within three (3) feet from any property line.
7. Driveways shall not enter a street or road within twenty-five (25) feet of an intersection or corner (exemptions must be in writing and approved by the DOT, the Police Department or Highway Department, as applicable).
8. Driveways shall maintain a minimum sight distance of two hundred (200) feet in both directions. This minimum length may be increased or decreased by written permission of the Town Engineer.
9. Driveways shall be paved for a distance of fifteen (15) feet into the private property from the edge abutting street or road paved surface and shall be designed in a manner so as to confine the surface water to the gutter areas and permit free flowage of the water in drainage ways of the street or road.
10. The minimum corner radius at the intersection of a street or state road and sides of a driveway shall be five (5) feet. Each driveway shall meet the edge of the street road or at an angle of not less than 75 degrees nor more than 105 degrees.
11. The grade in the Apron\* shall be not more than a 3% and shall be paved with a material approved by the Director of Public Works. Beyond the Apron the maximum grade shall not exceed ten (10%) percent except that a grade of greater than 10% but not more than 15% may be permitted for up to 100 feet provided such section of excessive grade is paved with material approved by the Director of Public Works.
12. The width of a driveway, (not including the flared portion), shall be a minimum of twelve (12) feet up to a maximum of twenty-four (24) feet.
13. Where culverts are required within the Town right-of-way, such culverts will be such size, (not less than fifteen (15) inches in diameter), as to adequately convey surface runoff and shall be expected to withstand AASHTO H-20 loadings. The minimum cover over the top of the culvert shall be a minimum one (1) foot unless otherwise approved by the Town. Inlet and outlet ends shall have flared ends with 6" rip-rap stone.

\*The driveway area from the edge of the paved street or road surface to a line parallel to and fifteen feet from the paved road surface.

## DRIVEWAY PERMIT REGULATIONS

1. The Zoning Enforcement Official and the Public Works Director or designee is the authorized representative of the Commission.
2. Permit Applications for driveway installation or improvement, including for a curb cut permit, will be required when installing a new driveway. If the Town's right of way or street needs to be excavated, a Road Excavation Permit will be required also from the Public Works Director.
3. A permit or permits are needed for: Installing a new driveway
4. The Town's duly authorized representatives must inspect the site of the proposed work before any permits for construction is issued.
5. The amount of the fee, payable to the Town of Burlington, for Curb Cut permits shall be: \$25.00 per driveway.
6. All work shall be performed in accordance with the requirements of the Specifications for Driveways (Appendix F).
7. A cash bond shall be posted by the applicant or applicant's contractor to insure completion of work within the "Apron" (the driveway area from the paved road surface edge back a distance of fifteen (15) feet, including the curb cut, as required in paragraph 9 hereof. Failure to complete the construction in accordance with these regulations shall result in the bond reverting to the Town and the work shall be completed within the Apron by the Town.

The bond schedule is as follows:

Driveways without culverts	\$1500.00
Driveways with culverts	\$2000.00

No permit shall be granted by the Town until the receipt of the cash bond to ensure the completion of the work. Said bond will be held for 180 consecutive calendar days after the completion of the work.

8. A Certificate of Insurance must accompany the permit application: no permit shall be issued until the Town has received this Certificate.

9. The work within the Apron shall be completed as promptly as possible after the first cut is made but no later than one (1) year after the issuance of a permit. All construction work covered by the permit will be subject to the inspection and approval by the Town. An extension of time may be granted by the Town upon written request by the owner showing good cause of up to an additional six (6) months. Said extension shall not be unreasonably withheld.
10. No dirt, gravel or other material shall be allowed to wash onto or be deposited on the Town roadway; said material will be removed promptly by the owner. Should the owner fail to remove said material, the Town of Burlington may remove said material and make repairs to the Town road that may be necessary. In such event the Town of Burlington shall charge the owner full cost of said removal and repair, and if payment is not received before 180 days after completion, shall thereafter deduct its costs from the Bond sum.
11. No Zoning permit will be issued unless a driveway permit has been issued with the appropriate cash bond.
12. No Certificate of Occupancy shall be issued until the Town approves the work, the granting of an extension under paragraph 9 notwithstanding.
13. In the event that the applicable Zoning Regulations or Subdivision Regulations provide different specifications than the specifications herein, or provided for in Appendix F, then the more stringent requirements shall govern.