

SUBDIVISION REGULATIONS



City of Bristol, Connecticut

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SECTION ONE

GENERAL PROVISIONS

1.01 **Authority** – These Regulations, referred to as the Subdivision Regulations of the City of Bristol, are adopted by the Bristol Planning Commission under the Connecticut General Statutes to regulate the subdivision of land within the City of Bristol.

1.02 **Rules and Definitions** – In the construction of these Regulations, the rules and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.

Words used in the singular may include the plural, and the plural the singular; words used in the present tense may include the future tense. The word "shall" is mandatory and not discretionary or directory; the word "may" is permissive. Words which are specifically masculine or feminine shall be interpreted as interchangeable. The phrase "these Regulations" shall refer to the entire Subdivision Regulations of the City of Bristol. The word "Section" shall refer to a section of these Regulations, unless otherwise specified. The word "person" shall include any individual, firm, partnership, corporation, association, organization or other legal entity. The word "subdivider" shall include applicant and developer.

Agency, commission, board or department is that of the City of Bristol, unless otherwise specified.

City Council – The City Council of the City of Bristol.

City Engineer – The City Engineer of the City of Bristol.

City – The City of Bristol, Connecticut.

Commission – The Planning Commission of the City of Bristol, unless otherwise specified.

Director of Public Works – The Director of Public Works of the City of Bristol.

Reserve Strip – A privately owned strip of land which controls access to land dedicated, or to be dedicated, to use as a public street.

Resubdivision – A change in a map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use, or 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.

State – The State of Connecticut.

Street shall include streets, avenues, boulevards, roads, lanes, alleys, drives, terraces, and other public ways.

Subdivision – The division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agricultural purposes. The word "subdivision" shall also include resubdivision.

1.03 **Jurisdiction** – These Regulations are adopted pursuant to the provisions of Sections 8-25 and 8-26 of the Connecticut General Statutes and shall apply to the subdivision of land located within the corporate limits of the City of Bristol. No subdivision of land shall be made by any person until an application for same has been submitted to and approved by the Planning Commission of the City of Bristol, and a map thereof has been endorsed by the Commission and filed by the subdivider in the office of the City Clerk.

(1) All plans for subdivisions, including subdivisions in existence but which were not submitted to the Commission for required approval, whether or not shown on an existing map or plan or whether or not conveyances have been made of any of the property included in such subdivisions, shall be submitted to the Commission for its approval.

- (2) The Commission shall have the authority to determine whether the existing division of any land constitutes a subdivision or resubdivision under the provisions of these Regulations.
- (3) The Commission shall not be required to consider an application for subdivision approval while another application for subdivision approval of the same or substantially the same tract is pending before the Commission. For the purposes of this Section, an application shall not be considered "pending before the Commission" if the Commission has rendered a decision with respect to such application and such decision has been appealed to the Superior Court.

1.04 **Purpose** – These Regulations are adopted for the following purposes:

- (1) To protect and provide for the public health, safety and welfare of the City.
- (2) To guide the future growth and development of the City in accordance with the Plan of Conservation and Development for the City.
- (3) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, parks, schools and other public facilities.
- (4) To provide for the beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City so that proposed streets shall be in harmony with existing and proposed streets, especially as regards safe intersections, and shall be so arranged and of such width as to provide an adequate and convenient system for present and future traffic needs.
- (5) To establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land and to ensure proper legal descriptions and monumenting of subdivided land.
- (6) To ensure that public facilities are available and have adequate capacities to serve the proposed subdivision.
- (7) To prevent the pollution of air, streams, rivers and water bodies; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability and beauty of the City and the value of the land.
- (8) To preserve the natural beauty and topography of the City and to ensure appropriate development with regard to these natural features.
- (9) To encourage energy efficient patterns of development and land use, use of solar and other renewable forms of energy, and energy conservation.

1.05 **Interpretation, Conflict and Separability**

- (1) **Interpretation** – In their interpretation and application, the provisions of these Regulations shall be deemed to be the minimum requirements for the promotion of the public health, safety and welfare.
- (2) **Conflict** – These Regulations are not intended to interfere with or abrogate any other regulation, ordinance, rule, statute or provision of law. Where any provision of these Regulations imposes restrictions different from those imposed by any other provisions of these or other regulations, ordinances, rules, statutes or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.
- (3) **Separability** – If any section, subsection, sentence, clause, phrase or portion of these Regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

- 1.06 **Waiver** – The Commission may waive certain requirements of these Regulations by a three-quarters affirmative vote of all its members, if it finds that all of the following conditions have been satisfied:
- (1) The waiver has been specifically requested in writing by the subdivider;
 - (2) Conditions exist which adversely affect the subject property and which are not generally applicable to other property in the area;
 - (3) In the absence of a waiver, one or more requirements of these Regulations cannot be satisfied;
 - (4) The requested waiver is the minimum deviation necessary from these Regulations to permit the subdivision of the subject property; and,
 - (5) The granting of the waiver shall not have a significant adverse effect on adjacent property or on the public health, safety and welfare.

In granting a waiver, the Commission shall state upon the record its reasons for which such a waiver was granted.

- 1.07 **Penalties** – Any person making any subdivision of land without the approval of the Commission shall be fined not more than five hundred dollars for each lot sold, offered for sale or so subdivided.
- 1.08 **Conditions** – Regulation of the subdivision of land and the attachment of reasonable conditions to same is a valid exercise of the regulatory power delegated by the State to the City. The subdivider shall have the duty to comply with reasonable conditions imposed by the Commission to protect the public health, safety and welfare.
- 1.09 **Self-Imposed Restrictions** – If the subdivider places restrictions on any of the land being subdivided which are greater than those required by the City's Zoning Regulations or these Regulations, such restrictions or reference thereto shall be indicated on the subdivision map.
- 1.10 **Tracts Crossing Municipal Boundaries** – Whenever direct access to a subdivision is required across land which is located outside of the City's boundaries, the Commission may request documentation from the subdivider that the access is legally established and that the access road is adequately improved, or that a performance guarantee has been posted to assure adequate improvements.
- In general, lot lines shall be laid out so as not to cross municipal boundary lines.
- 1.11 **Applications Involving Inland Wetlands and Watercourses** – If an application for subdivision approval involves land regulated as an inland wetland or watercourse, the subdivider shall submit an application to the Inland Wetlands and Watercourses Agency no later than the day the application is filed for the subdivision. The Planning Commission shall not render a decision until the Agency has submitted a report with its final decision to the Planning Commission. In making its decision, the Planning Commission shall give due consideration to the report of the Agency.
- 1.12 **Character of the Land** – Land to be subdivided shall be of such character that it can be used for building purposes without danger to health or public safety. Land which the Commission finds to be unsuitable in its present condition for building purposes because of flooding, inadequate drainage, steep slopes, depth to bedrock, erosive soils, utility easements or similar features which might pose a threat to the public health, safety or welfare shall not be approved for subdivision unless adequate provisions are made by the subdivider to mitigate the unsuitable conditions in a manner satisfactory to the Commission.
- 1.13 **Amendments** – The Commission, either on its own initiative or by the petition of others, may amend these Regulations. The Commission shall hold a public hearing on all proposed amendments to these Regulations, shall decide thereon, and shall give notice of its decision as required by the provisions of Section 8-25 of the Connecticut General Statutes relative to the adoption of subdivision regulations.

- 1.14 **Effective Date** – The effective date of these Regulations shall be September 10, 1996. These Regulations shall supersede the subdivision regulations previously adopted by the Commission on June 15, 1966, including any amendments thereto.

SECTION TWO

APPLICATION REQUIREMENTS AND PROCEDURES

- 2.01 **Application Submission** – All applications, maps, plans, documents and data required by these Regulations shall be submitted to the City Planner's Office. The date of receipt of such applications shall be determined in accordance with the Connecticut General Statutes.

The subdivider is encouraged to become familiar in advance with all State and City regulations relative to health, buildings, streets and other pertinent data so as to become thoroughly aware of the obligations and standards expected. The subdivider is encouraged to thoroughly understand these Regulations and the requirements contained herein and the City's Plan of Conservation and Development.

- 2.02 **Public Hearing** – The Commission may hold a public hearing on any application for subdivision approval if, in its judgment, the specific circumstances require such a hearing. The Commission shall hold a public hearing on any application for resubdivision approval.

- 2.03 **Informal Consideration** – Prior to submission of a formal application for subdivision approval, the prospective subdivider may submit an informal subdivision plan to the Commission and/or to City staff for the purpose of preliminary discussion only. The plan may be general in nature but should contain sufficient information to allow the Commission or City staff to conduct a preliminary review. Any comments or suggestions regarding the informal plan by the Commission or City staff shall not be construed as a form of approval and shall not be binding upon the Commission should a formal application for subdivision approval subsequently be filed.

- 2.04 **Submission Requirements** – An application for subdivision approval shall not be considered complete unless all of the following plans and other data have been submitted:

- (1) **Application Form** – Application for subdivision approval shall be made in writing on forms provided by the Commission. Applications shall be signed by the subdivider or the subdivider's lawful agent, as well as by the property owner or the property owner's lawful agent.
- (2) **Filing Fee** – An application fee shall be submitted in the amount specified in the schedule of fees adopted by the Commission.
- (3) **Record Subdivision Map** – A subdivision map conforming to the requirements of Section 4.01.(2) of these Regulations.
- (4) **Soil Erosion and Sediment Control Plan** – A soil erosion and sediment control plan conforming to the requirements of Section 4.01.(8) of these Regulations.
- (5) **Plan and Profile Drawings** – Plan and profile drawings and typical cross-sections of all proposed streets, storm drains, sanitary sewers, catch basins, manholes, ditches, watercourses, headwalls, gutters, sidewalks, curbs, bridges, culverts and other structures and improvements, conforming to the requirements of Section 4.01.(6) of these Regulations.
- (6) **Grading Plan** – A grading plan conforming to the requirements of Section 4.01.(4) of these Regulations.
- (7) **Lot Grading Plan** – A lot grading plan conforming to the requirements of Section 4.01.(5) of these Regulations.
- (8) **Street Layout Plan** – A street layout plan conforming to the requirements of Section 4.01.(7) of these Regulations.
- (9) **Sanitation Report** – Documentation that the tract: (a) can be connected to an operational public sanitary sewer, or (b) has suitable physical characteristics to adequately satisfy all the requirements of both the Bristol-Burlington Health District and the Connecticut Department of Public Health for subsurface sewage disposal.

- (10) **Hydrological Report** – Documentation of the design of the storm drainage system, including special structures, prepared by a professional engineer registered and licensed to conduct business in the State. At a minimum, the report shall include the following:
 - a. Base map used to determine watershed and drainage patterns, including downstream runoff areas affected by the storm water runoff from the subdivision.
 - b. Methodology used to compute runoff and pipe sizes.
 - c. A plan for the perpetual maintenance and care of any permanent storm water control structures (e.g., detention ponds, retention ponds, dams, drainage ditches, storm water drains, etc.).
- (11) **Additional Information** – Other data as may be required from the subdivider in order to establish that the proposed subdivision complies with these Regulations.

2.05 **Consideration of Proposed Subdivision** – After the above application submission requirements have been met to the satisfaction of the Commission, consideration shall be given to the application as follows:

- (1) **Hearing** – If a public hearing is required, notice of the hearing shall be given as required by law. Additionally, the subdivider shall be required to post a notice on the property of the pending public hearing. Posting of the property shall be in accordance with the following:
 - a. A minimum of one sign shall be posted facing each street on which the property has frontage. Signs shall also be so posted approximately every 200 feet along the street frontage of the subject property. There shall be a minimum of two signs posted on corner and through lots, one facing each street. In those cases where the subject property does not have frontage on or is not otherwise readily visible from a street, the sign shall be posted in a location deemed suitable by the Zoning Enforcement Officer.
 - b. Signs shall be posted no more than five feet from the street line and shall be visible and readable from the street for the entire time of the required posting.
 - c. Signs shall be posted at least 12 days before the hearing and shall be removed within 5 days after the completion of the hearing.
 - d. Signs shall be prepared and posted by the subdivider at his/her own expense.
 - e. The minimum size of the sign shall be two feet by two feet. Printed lettering shall be black on a yellow background. All letters shall be capital, 1 inch high. The wording shall be as follows:

NOTICE OF HEARING
 THIS PROPERTY
 PURPOSE: SUBDIVISION
 PLACE: CITY HALL
 TIME: _____ PM DATE _____

- (2) **Review by Others** – To assist with its review of an application for subdivision approval, the Commission may refer such application to any department, agency or official it deems appropriate, to review and comment upon those technical matters which are the concern or responsibility of such department, agency or official.
- (3) **Decision** – The Commission shall approve, modify and approve or disapprove an application for subdivision approval within the period of time permitted under Section 8-26d of the Connecticut General Statutes. Notice of the Commission's decision shall be as per the requirements of Section 8-26 of the Connecticut General Statutes.
- (4) **Approval** – The Commission shall approve the subdivision if it determines that the subdivision map and plans and accompanying documents and data conform to these Regulations.

In approving the subdivision, the Commission may attach such conditions as it deems necessary to modify the subdivision map, plans or documents so as to meet the requirements of these Regulations.

- 2.06 **Filing and Recording** – The approved record subdivision map shall be filed or recorded by the subdivider at his/her own expense in the office of the City Clerk within 90 days after the time for taking an appeal from the action of the Commission has elapsed or, in the event of an appeal, within 90 days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the subdivider. Any map not so filed or recorded within the prescribed time shall become null and void, except that the Commission may extend the time for such filing for two additional periods of 90 days, and the map shall remain valid until the expiration of the extended time.
- (1) **Delivery of Record Subdivision Map** – The approved record subdivision map shall be delivered to the subdivider for filing or recording not more than 30 days after the time for taking an appeal from the action of the Commission has elapsed or, in the event of an appeal, not more than 30 days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the subdivider.
 - (2) **Endorsement of Record Subdivision Map** – Approval of the subdivision shall be signified by endorsement of the signature of either the Chairman or Secretary of the Commission on the record subdivision map. No such map shall be filed or recorded by the City Clerk until its approval has been endorsed thereon by the Chairman or Secretary of the Commission, and the filing or recording of a record subdivision map without such endorsement shall be void.
 - (3) **Effective Date of Subdivision Plan** – The date on which the Commission votes to approve the subdivision shall be the date on which the approval of the subdivision plan becomes effective.
- 2.07 **Completion of Public Improvements** – Prior to the filing of the approved record subdivision map as required by Section 2.06 of these Regulations, the subdivider shall either complete all public improvements in accordance with the provisions of Section 5 of these Regulations or post a performance guarantee with the Commission in accordance with Section 3.01 of these Regulations.
- 2.08 **Conditional Approval** – In lieu of the subdivider either completing the public improvements or posting a performance guarantee with the Commission as required by Section 2.07 of these Regulations, the Commission may allow the approved record subdivision map to be filed in the office of the City Clerk with a conditional approval endorsed thereon.
- (1) **Conditions** – Upon the occurrence of either (1) the actual construction, installation and maintenance of the public improvements by the subdivider or (2) the posting of a performance guarantee with the Commission as provided in Section 3.01 of these Regulations, the Chairman or Secretary of the Commission shall endorse a final approval on the record subdivision map, and such map shall be filed and recorded in the office of the City Clerk, as required by these Regulations.
 - (2) **Expiration Date** – A record subdivision map with a conditional approval endorsed thereon shall lapse 24 months from the date it is approved. However, the subdivider may apply for and the Commission may grant a renewal of such conditional approval for up to three additional periods of 12 months each following the end of the original 24-month period.
 - (3) **Renewal of Conditional Approval** – If a record subdivision map has only a conditional approval endorsed thereon at the end of five years from the original date of its approval, the subdivider may apply for and the Commission may grant one or more renewals of such conditional approval, provided that the total of all such renewals shall not exceed an additional five years.
 - (4) **Penalties** – Any person who, prior to the final approval of a subdivision plan, transfers title to any lot subdivided pursuant to a conditional approval shall be fined not more than \$1,000 for each lot transferred. Nothing in these Regulations shall be construed as authorizing the marketing of any lot prior to the granting or renewal of a conditional approval.
- 2.09 **Completion of Subdivision** – Any person making any subdivision of land shall complete all work in connection with such subdivision within five years after the approval of the plan for such subdivision; the

Commission's endorsement of approval on the plan shall state the date on which such five-year period expires.

- (1) **Extensions** – The subdivider may apply for and the Commission may grant one or more extensions of the time to complete all or part of the work in connection with such subdivision, provided that the time for all extensions shall not exceed ten years from the date the subdivision was approved. If the Commission grants an extension of an approval, it may condition the approval on a determination of the adequacy of the amount of the performance guarantee posted under Section 3.01 of these Regulations securing to the City the actual completion of the work.
- (2) **Expiration of Approval** – Failure to complete all work within such five-year period or any extension thereof shall result in automatic expiration of the approval of such plan, provided the Commission shall file on the land records of the City notice of such expiration and shall state such expiration on the subdivision map on file in the office of the City Clerk. No additional lots shall be conveyed by the subdivider or his/her successor in interest as such subdivider except with the approval by the Commission of a new application for subdivision approval of the subject land. If lots have been conveyed during such five-year period or extension thereof, the Commission shall call the performance guarantee to the extent necessary to complete the bonded improvements and utilities required to serve those lots.
- (3) **Phased Development of Subdivision** – When the number of lots or the complexity of public improvements so warrants, the Commission may require that a subdivision be developed in phases to ensure the timely provision of such improvements. Each phase of the subdivision shall be shown on the subdivision plan and shall be substantially completed prior to the issuance of building permits or Zoning permits for subsequent phases. For the purposes of this section, "substantially completed" shall mean the installation of all required utilities and the construction of the proposed streets and sidewalks with the exception of the second course of pavement. The City Engineer shall be responsible for monitoring the phased development of subdivisions to ensure compliance with this Section.
- (4) **Definition of Work** – For the purposes of this Section, "work" shall mean all physical improvements required by the approved plan other than the staking out of lots, including but not limited to the construction of streets, storm drainage facilities and water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electric services, planting of trees or other landscaping, and installation of retaining walls or other structures.

SECTION THREE

ASSURANCE FOR COMPLETION & MAINTENANCE OF IMPROVEMENTS

- 3.01 **Performance Guarantees** – Except as otherwise provided in Section 2.08 of these Regulations, a performance guarantee may be posted by the subdivider with the Commission at any time prior to the completion of all approved subdivision improvements and utilities. Such performance guarantee shall guarantee the satisfactory completion of all street improvements, storm drainage, sanitary sewers, water supply and any other required improvements.
- (1) **Extensions** – Upon written notification by the subdivider of his/her inability to complete the public improvements within the prescribed time and the reasons therefor, the Commission may extend the time for completion of such improvements for additional periods if it deems the reasons for incompleteness a just cause. The original performance guarantee shall remain in force during such extension.
- If the Commission denies an extension of time for the completion of the public improvements, the Commission shall so notify the Chief Building Official, who shall be requested to withhold building permits and certificates of occupancy until such improvements are completed to the satisfaction of the Commission.
- (2) **Form** – The performance guarantee shall be in a form and with surety acceptable to the Commission. The performance guarantee may be in one or more of the following forms:
- Cash, or a check payable to the City of Bristol, to be placed on deposit with the City.
 - A surety bond from a surety company licensed to conduct business in the State of Connecticut.
 - An irrevocable letter of credit from a bank chartered to conduct business in the State of Connecticut.
 - A savings passbook or statement savings account in the name of the City of Bristol to be held in escrow by the City, together with a letter from the subdivider stating that the passbook is being provided in accordance with the approved subdivision plan and may be drawn against by the City, if necessary.
- (3) **Amount** – The performance guarantee shall be in an amount equal to 110 percent of the cost of the improvements required by the Commission. The cost of such improvements shall be estimated by the subdivider using all available data to give a true and reasonable cost. The estimated cost shall be submitted to the City Engineer for review and acceptance.
- 3.02 **Failure to Complete Improvements** – When a performance guarantee has been posted and the public improvements have not been installed within the terms of such guarantee, the Commission may, after 10 days written notice to the subdivider, call that portion of the performance guarantee necessary to complete such improvements for acceptance.
- 3.03 **Partial Release of the Performance Guarantee** – When and if the City Engineer determines that a substantial portion of the public improvements called for in the final plan approved by the Commission has been completed, the City Engineer may recommend to the Commission one or more partial releases of the performance guarantee, the balance to be sufficient to complete any remaining public improvements. In no case shall the performance guarantee be reduced below 15 percent of the original amount of the performance guarantee.
- 3.04 **Release of the Performance Guarantee** – The performance guarantee shall not be released until the following conditions have been met:
- The Board of Public Works and the Commission have been satisfied that the required street improvements, storm drainage, sanitary sewers, water system and all other improvements required by the Commission have been completed in conformance with these Regulations and the specifications of the City.

- (2) The City Council has accepted the streets.
- (3) All deeds covering the transfer of land for public use, all easements, rights-of-way and rights to drain onto, through or across private property have been filed in the office of the City Clerk.
- (4) The subdivider has submitted "as built" drawings to the City Engineer.
- (5) A maintenance guarantee has been posted in accordance with Section 3.05 of these Regulations.

3.05 **Maintenance Guarantee** – Before the release of the performance guarantee or, if the public improvements are satisfactorily completed without the posting of a performance guarantee, the Commission shall require the subdivider to post a maintenance guarantee. The maintenance guarantee shall be in an amount of \$5,000 or 15 percent of the value of the bondable improvements, whichever is greater, as required by the City Engineer and in one of the forms specified above for performance guarantees. The maintenance guarantee shall remain in effect for a period of one year from the date of street acceptance by the City Council and shall be a guarantee that any damage to the accepted street and its appurtenances shall be repaired and that, at the end of the one year, such street shall be in the condition it was when the street was accepted.

3.06 **Other Requirements** – The procedures and requirements for the acceptance of public improvements associated with an approved subdivision shall be in accordance with the City's Street Ordinance and relevant provisions of the City Charter.

SECTION FOUR

STANDARDS FOR MAPS AND PLANS

- 4.01 **General Requirements** – All plans and drawings submitted as part of the application for subdivision approval shall be based upon a Property Survey prepared to a minimum accuracy of Class A-2 in accordance with the "Minimum Standards for Surveys and Maps in the State of Connecticut," Sections 20-300b-1 through 20-300b-20 of the Regulations of Connecticut State Agencies (hereinafter referred to as the Code). As appropriate, all plans and drawings shall be certified, signed and sealed by a land surveyor and a professional engineer, each of whom shall be registered and licensed to conduct business in the State. Each plan shall indicate the type of survey on which it is based, the class of accuracy used and the intent of the plan.
- (1) **Concept Plan** – If the subdivider submits an application for subdivision approval for only a portion of a larger tract capable of being subdivided, he/she shall also submit a Concept Plan for the possible future subdivision of the entire tract. Such Concept Plan shall not be considered a subdivision plan as defined herein. The Concept Plan shall indicate the approximate outline and sequence of those portions of the tract for which subsequent subdivision plans may be submitted. The Concept Plan shall be drawn at a scale of not less than 1" = 100' and, at a minimum, shall contain the following information:
- a. Title block showing the name and location of the subdivision, the name of the property owner and the name of the subdivider.
 - b. Date; map scale; north point.
 - c. The names of all abutting property owners, abutting subdivisions and existing buildings on or adjacent to the tract.
 - d. Contours at 10-foot intervals; the location of all watercourses and drainage areas on or within 100 feet of the boundaries of the tract.
 - e. The proposed layout of lots, streets and open spaces; existing City streets adjacent to the tract; proposed intersections of streets in the tract with such City streets.
- (2) **Record Subdivision Map** – The Record Subdivision Map shall be prepared to meet the standards for a Subdivision or Resubdivision Map as defined in the Code and to a minimum accuracy of Class A-2, shall be drawn at a scale of 1" = 40' and, at a minimum, shall contain the following information:
- a. Title block showing the name and location of the subdivision, the name of the property owner and the name of the subdivider.
 - b. Date; map scale; north point; date and nature of any revisions.
 - c. Key map at 1" = 800' showing the location of the tract relative to surrounding properties and streets.
 - d. Existing and proposed property and street lines; indication of adjoining property lines and street lines for a distance of 200 feet; the names of all abutting property owners.
 - e. Application number, approval date and nature of any other approvals of other boards or commissions (e.g., variance, inland wetlands permit).
 - f. Assessor's map and lot number of the tract; zoning district of the tract.
 - g. The following data for proposed street lines: dimensions on all lines to the hundredth of a foot; all bearings or deflection angles on all straight lines, and the central angle, tangent distance and radius of all arcs.
 - h. Any existing permanent structures or buildings and their disposition.

- i. Dimension, location and type of any existing and proposed easements or rights-of-way on or adjacent to the tract.
 - j. Wetlands; floodplains; stream encroachment lines; existing and proposed watercourses, ponds and conservation areas.
 - k. Proposed lots, including lot number, lot lines with accurate distances and bearings and the lot area in square feet or acres; the total area of the tract.
 - l. Building setback lines in accordance with the City's Zoning Regulations.
 - m. Existing and proposed streets and sidewalks, including curve data, rights-of-way and easements.
 - n. Proposed radii of curvatures at street intersections.
 - o. Proposed street names.
 - p. Existing and proposed survey monuments, located in accordance with the requirements of Section 5.03.(12) of these Regulations.
 - q. Proposed open spaces, parks or playgrounds, including lot number, lot lines with accurate distances and bearings and the lot area in square feet or acres.
- (3) **General Subdivision Map** – A General Subdivision Map may be required by the Commission when the subdivision cannot be shown in full on a single 24-by-36 inch sheet. This map shall be drawn at a scale of 1" = 100' and, at the minimum, shall contain the following information:
- a. Title block showing the name and location of the subdivision, the name of the property owner and the name of the subdivider.
 - b. Date; map scale; north point; date and nature of any revisions.
 - c. Existing and proposed property and street lines; indication of adjoining property lines and street lines for a distance of 200 feet; the names of all abutting property owners.
 - d. Any existing permanent structures or buildings and their disposition.
 - e. Dimension, location and type of any existing and proposed easements or rights-of-way on or adjacent to the tract.
 - f. Wetlands; floodplains; stream encroachment lines; existing and proposed watercourses, ponds and conservation areas.
 - g. Proposed lots, including lot number and lot lines.
 - h. Existing and proposed streets and sidewalks.
 - i. Proposed street names.
 - j. Proposed open spaces, parks or playgrounds, including lot number and lot lines.
- (4) **Grading Plan** – The Grading Plan shall be drawn at a scale of 1" = 40', shall be based on USCGS or other City-approved datum and, at a minimum, shall contain the same information as that required on the Record Subdivision Map plus the following additional information:
- a. Existing and proposed final contours, including spot elevations at high and low points, at intervals of not more than two feet for relatively level areas and at intervals of not more than five feet for steeper areas.

- b. Percolation test and test pit data as required by the Bristol-Burlington Health District.
- c. Proposed sanitary sewer lines and manholes.
- d. Proposed water lines.
- e. Proposed storm drainage lines, catch basins, manholes and culverts.
- f. Any existing natural features such as wooded areas (shown by foliage lines), major rock outcroppings and isolated specimen trees.
- g. Proposed fire hydrants.
- h. Any dominant vegetation and/or significant topographic features within 20 subdivider to obtain.
- i. Benchmark on USCGS or other City-approved datum.

For subdivisions involving two acres or less, the Grading Plan shall be prepared to a minimum topographic accuracy of T-2 as defined in the Code. For subdivisions larger than two acres, Classes T-3 or T-D may be used, but the subdivider shall be responsible for locating in the field existing streets, utilities, sidewalks and other significant feature to a minimum topographic accuracy of T-2.

- (5) **Lot Grading Plan** – On lots with difficult topography, the Commission may require that a preliminary lot grading plan be submitted as part of the subdivision plan to show the feasibility of constructing a residence and driveway on such lots. Such plan shall include existing and proposed final contours, a footprint of a proposed building and a proposed driveway location. Such plan shall be drawn at a scale of 1" = 40'.
- (6) **Plan and Profile Drawings** – Plan and profile drawings shall be drawn at a scale of 1" = 40' in plan, and 1" = 40' horizontal and 1" = 4' vertical in profile. Elevations shall refer to USCGS or other City-approved datum, and a benchmark of same shall be shown on each drawing. These drawings, at a minimum, shall contain the following information:
 - a. The layout of proposed streets in both plan and profile, coordinated by stations, indicating the right-of-way dimensions as shown on the Record Subdivision Map; the width of the right-of-way; the width of the pavement; existing and proposed center line grade lines with stations every 50 feet; vertical curve elevations at the beginning of the curve, end of the curve, intersection of the tangent lines and intermediate points every 50 feet; percent of grade; and length of vertical curves.
 - b. A typical street cross-section indicating right-of-way, pavement structure, curbs, sidewalks and back-of-walk grading.
 - c. All drainage, sanitary sewer and utility lines, fire hydrants, street lights and easements; other rights-of-way; the location, size, type, length, slope and invert elevations of all existing and proposed drainage structures; and sanitary sewer facilities with manholes.

Where required by the Commission, street intersections shall be drawn at a larger scale, to show proposed grading in greater detail.

- (7) **Street Layout Plan** – The Street Layout Plan shall be drawn at a scale of 1" = 100' and, at a minimum, shall contain the following information:
 - a. Title block showing the name and location of the subdivision, the name of the property owner and the name of the subdivider.
 - b. Date; map scale; north point; date and nature of any revisions.
 - c. Proposed lots, including lot number and lot lines.

- d. Existing and proposed streets and sidewalks.
 - e. Proposed street names.
 - f. Location of proposed street lights, proposed traffic control signs and proposed traffic control devices.
 - g. Location of proposed pavement markings.
- (8) **Soil Erosion and Sediment Control Plan** – The Soil Erosion and Sediment Control Plan (hereinafter referred to as a Control Plan) shall be prepared and certified by a professional engineer registered and licensed to conduct business in the State and shall contain proper provisions to adequately control accelerated erosion and sedimentation and to reduce the danger from storm water runoff from the subdivision based on the best available technology. For methods and practices necessary for certification, the latest edition of the "Connecticut Guidelines for Soil Erosion and Sediment Control" as may be amended, published by the Connecticut Council on Soil and Water Conservation shall be utilized. However, alternative principles, methods and practices may be used with the prior approval of the Commission. Such Control Plan shall include, but not be limited to:
- a. A narrative which describes: (1) the development; (2) the schedule for grading and construction activities including start and completion dates, the sequence of grading and construction activities, the sequence for installation and/or application of soil erosion and sediment control measures, and the sequence for final stabilization of the site; (3) the design criteria, construction details, installation and/or application procedures, and the operations and maintenance program for the proposed soil erosion and sediment control measures and storm water management facilities.
 - b. A development plan (which may be included on or as part of the subdivision plan) prepared, signed and sealed by a professional engineer registered and licensed to conduct business in the State which contains the following information:
 - i. The location of the subdivision and adjacent properties.
 - ii. Existing and proposed topography; soil types, wetlands and watercourses.
 - iii. Proposed site alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, streets and lot lines.
 - iv. Any existing structures on the site.
 - v. The location and details of all proposed soil erosion and sediment control measures and storm water management facilities.
 - vi. The sequence of grading and construction activities.
 - vii. The sequence for installation and/or application of soil erosion and sediment control measures.
 - viii. The sequence for final stabilization of the site.
 - c. Any other information deemed necessary and appropriate by the subdivider or required by the Commission to determine compliance of the Control Plan with these Regulations.

The Commission shall determine whether the Control Plan, as filed, complies with the requirements and objectives of this Section. If the development proposal does not comply with this Section, the Commission may either deny the application or condition the approval thereof upon compliance with this Section.

The Commission may forward a copy of the Control Plan to other agencies and/or advisors for review and comment, provided such review shall be completed within 30 days of receipt of such plan.

Site improvements shall not begin unless the Control Plan has been approved, those control measures and facilities in the plan scheduled for installation prior to site work have been installed and are functional, and a performance guarantee therefor has been posted in accordance with Section 3.01 of these Regulations.

Inspections shall be made during the development to ensure compliance with the approved Control Plan. The Commission may require the subdivider to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the approved Control Plan.

Upon completion of all work specified on the approved Control Plan, the subdivider shall notify the Commission thereof and submit a report, including maps as necessary, certifying that the soil erosion and sediment control measures have been completed as approved or as may have been modified with the prior approval by the Commission. Following receipt of the report and inspection of the site by the Commission, the Commission shall release any performance guarantee posted if it finds that the provisions of the approved Control Plan have been complied with.

For the purposes of this Section, the following definitions shall apply:

Development: in connection with a Control Plan, any construction or grading activities to improved or unimproved real estate.

Disturbed area: an area where the ground cover is destroyed or removed, leaving the land subject to accelerated erosion.

Nothing in this Section shall be construed as extending the time limits for subdivision approval under Section 8-26d of the Connecticut General Statutes.

SECTION FIVE
DESIGN STANDARDS

- 5.01 **General Improvements** – Subdivisions, including related streets, drainage and other improvements required by these Regulations, shall be planned, designed and constructed in accordance with the design standards hereinafter specified.
- (1) **Plan of Conservation and Development** – Subdivisions shall be planned and designed in general conformity with the City's Plan of Conservation and Development as adopted by the Commission under Section 8-23 of the Connecticut General Statutes, particularly with regard to the following:
 - a. Location and classification of streets.
 - b. Sanitary sewer, water supply and drainage system service areas.
 - c. Reservation of land for parks, recreation and open space.
 - (2) **Preservation of Natural Features** – In the planning, design and construction of a subdivision, due regard shall be given to the preservation and potential enhancement of existing natural features, large trees, scenic vistas and other assets of a community nature. The Commission may require the establishment of conservation easements to ensure the long-term protection of such resources.
 - a. The natural features of the tract shall be preserved to the fullest extent possible, and the felling of trees shall be held to a minimum.
 - b. The removal of topsoil or earth materials from the subdivision shall not be permitted except in accordance with the City's Zoning Regulations.
 - (3) **Ridgeline Preservation** – The higher elevations in the City, such as but not limited to Hurley Hill, South Mountain and Chippens Hill, provide an important natural and visual resource. Improper development within these areas may lead to erosion problems and the loss of natural features which add to the overall attractiveness of the City. When ridgeline areas are proposed for subdivision, the Commission may require the establishment of conservation easements to provide visual buffers and direct building improvements to less sensitive areas of the tract.
 - (4) **Passive Solar Design** – Energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation shall be encouraged in all subdivisions.
 - a. The subdivider shall be required to demonstrate to the Commission that, in developing the subdivision plan, consideration has been given to using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions.
 - b. Passive solar energy techniques mean site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season.
 - c. The site design techniques shall include, but not be limited to: house orientation; street and lot layout; vegetation; natural and man-made topographic features; and protection of solar access within the subdivision.
- 5.02 **Lot Improvements and Access** – The arrangement of lots shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all of the lots in compliance with the City's Zoning Regulations and the Public Health Code, and in providing driveway access to buildings on such lots from an approved street.

- (1) **Lot Size** – Lot size shall be as required by the City's Zoning Regulations for the zoning district in which the lots are located. No parcels, strips or other remnants of land of a size unsuitable for a building lot shall be left in any subdivision.
- (2) **Configuration** – Side lot lines shall generally be at right angles to straight street lines or radial to curved street lines, unless a variation from this provision would result in a better street or lot layout.
- (3) **Double Frontage Lots** – Unless otherwise approved by the Commission, through lots bounded by two generally parallel streets shall be prohibited.
- (4) **Corner Lots** – Corner lots shall be so configured as to allow for the erection of buildings which comply with the minimum front yard requirement on both streets.
- (5) **Lot Arrangement** – Where feasible, lots shall be so arranged opposite street intersections as to prevent headlight glare from vehicles from shining into existing or proposed residences.
- (6) **Access** – All lots shall have access directly from a public street.
- (7) **Grading** – Where feasible, lots shall be laid out so as to provide positive drainage away from all buildings. Individual lot drainage shall be coordinated with the general storm water pattern for the area. Drainage shall be designed so as to avoid concentration of storm water from each lot onto adjacent lots. Finished grades shall not cause water to discharge onto abutting property where such discharge did not previously exist, and no grading shall change the direction of surface flow as existed prior to grading.
- (8) **Rear Lots** – The maximum number of rear lots allowed in any residential subdivision shall be in accordance with the following table:

<u>Total Number of Lots in the Subdivision</u>	<u>Maximum Number of Rear Lots Allowed</u>
1 – 4	0
5 – 9	1
10 – 14	2
15 – 19	3
20 – 24	4
25 or more	5

- (9) **Lot Pins** – Where not otherwise marked by monuments as set forth in Section 5.03.(12) of these Regulations, lot corners shall be marked with iron pins at least one-half inch in diameter by eighteen inches long.

5.03 **Subdivision Streets** – Proposed streets shall be designed relative to existing topography and location, with consideration given to contours and natural features. All streets shall be so arranged as to place as many of the lots as possible at or above the grade of the streets.

- (1) **Plan of Conservation and Development** – Proposed streets shall be in harmony with existing and proposed streets as shown in the City's Plan of Conservation and Development. Streets shall be so arranged, designed and constructed and of such width as to provide an adequate and convenient street system for present and prospective traffic needs.
- (2) **Construction Standards** – Proposed streets shall be constructed in accordance with the "Standard Specifications for the Construction of Streets and Appurtenances" of the City of Bristol, as amended (hereinafter referred to as the City's Street Construction Specifications).
- (3) **Minimum Requirements** – Proposed streets shall meet the following minimum requirements:
 - a. The street shall have at least one intersection with another City street or state highway.
 - b. The street right-of-way shall have a minimum width of 50 feet.

- c. The street shall not be under consideration for abandonment.
 - d. The street geometry shall conform substantially to these Regulations and to the requirements of the City's Street Construction Specifications.
 - e. The Commission may require a right-of-way width greater than the required minimum for those existing or proposed streets designated in the City's Plan of Conservation and Development as minor arterials or collectors. In general, such widths shall be consistent with the City's Street Construction Specifications.
 - f. Unless otherwise approved by the Commission, subdivision streets shall intersect other streets at right angles for a distance of at least 100 feet from the intersecting street lines. In no case shall the angle of intersection between adjoining street lines be less than 60 degrees. Street lines at intersections shall be connected by a curve having a minimum radius of 15 feet.
 - g. Multiple street intersections resulting in more than a four-way intersection shall be prohibited.
 - h. Street intersections shall be spaced not less than 300 feet apart, measured from center line to center line.
- (4) **Existing Streets** – Where a subdivision contains lots which have frontage on an existing street and such street does not have the minimum right-of-way or improvements as specified by the City's Street Construction Specifications, such lots shall be designed to allow for the widening of the street to a minimum width described in Section 5.03.(3) of these Regulations, i.e., the front lot line of such lots shall be located 25 feet from and parallel to the centerline of the existing street. The Commission may also require that the subdivider make improvements to that portion of the street on which the lots have frontage, including, but not limited to, widening, installation of drainage, grading or tree removal, as recommended by the Director of Public Works.
- (5) **Permanent Dead-End Streets** – Unless otherwise approved by the Commission, permanent dead-end streets shall not exceed 1,000 feet in length. A greater length may be permitted because of adverse topographical or soil conditions, difficult site configuration, future street extension or similar circumstances. Permanent dead-end streets shall terminate in a turnaround having a right-of-way 100 feet in diameter.
- (6) **Temporary Dead-End Streets** – Unless otherwise approved by the Commission, temporary dead-end streets shall not exceed 1,500 feet in length or shall provide the required street frontage for not more than 30 lots, whichever is lesser. In such cases, the full width of the right-of-way shall be extended to the property line of the subdivision and shall be dedicated for highway purposes. Temporary dead-end streets shall terminate in a turnaround having a right-of-way 100 feet in diameter. Easements to those segments of the turnaround outside the normal street right-of-way width shall be provided to the City; such segments shall revert to the abutting property owners when the street is extended.
- (7) **Street Extensions** – The arrangement of streets in a subdivision shall provide for the extension of existing streets and for the future extension of proposed streets into abutting property not yet subdivided, except where the Commission determines that topography, soils or other conditions make such continuation impractical or undesirable.
- a. Where a proposed street utilizes a reserved, unimproved right of way in order to connect with an existing street, the plan and profile drawings of the subdivision shall show and include all work required to connect and complete the improvements and utilities between the existing street through the reserved right of way to the proposed street.
 - b. The Commission may require that provision be made for the future extension of streets into abutting property. Unless otherwise approved by the Commission, a proposed subdivision street which adjoins any undeveloped land capable of being subdivided shall be carried to the boundary of such undeveloped land.

- i. When the proposed street is a temporary dead-end street, the turnaround thereof shall be brought to the boundary of the subdivided tract, or as close thereto as is practical.
 - ii. When a portion of a proposed street is to be reserved as future access to abutting property, pavement and other improvements need not be installed on such portion or street stub. However, the subdivider shall rough grade such future access/street stub area and prepare and stabilize all slopes made necessary by such street.
 - (8) **Reserve Strips** – No reserve strips shall be left at the end or side of any proposed street which adjoins abutting property.
 - (9) **Grading Rights** – To allow for the future extension of streets into abutting property not yet subdivided, the Commission may require the provision of sloping rights on those lots which abut the unimproved portion of the street.
 - (10) **Street Names** – Proposed street names shall be so selected as to avoid duplication or similarity with existing street names. Proposed street names shall require the approval of the Commission. Proposed street names shall be indicated on the subdivision plan. When existing streets are proposed to be extended, the existing street name shall be used.
 - a. Temporary street name signs shall be installed by the subdivider during street construction and prior to the issuance of any building permit. Such signs shall be of a durable, weatherproof material and shall be located at street intersections.
 - b. Permanent street name signs and traffic control signs shall be installed by the subdivider as required by the City's Street Ordinance.
 - (11) **Street Lighting** – The subdivider shall provide for the installation of street lights in the subdivision.
 - (12) **Monuments** – Stone or concrete monuments conforming to City specifications shall be set at the street line of all new subdivision streets at: all points of curvature, all points of tangency, all angle points and other intermediate points as may be required by the City Engineer. The monuments shall be as approved by the City Engineer and set as directed by the City Engineer at the subdivider's expense. The proposed location of such monuments shall be indicated on the subdivision plan.
 - (13) **Traffic Control Devices** – The subdivider shall be responsible for the cost and installation of any traffic control devices deemed necessary by the City's Traffic Authority. Standards for such devices shall be as set forth in the Manual on Uniform Traffic Control Devices for Streets and Highways.
 - (14) **State Highways** – When a subdivision is proposed on a State highway, the Commission may refer the subdivision to the Connecticut Department of Transportation for its review and comment.
- 5.04 **Sidewalks** – Unless otherwise deferred by the Commission, sidewalks shall be installed on both sides of all proposed streets in subdivisions for the entire length of the street. Such sidewalks shall be constructed in accordance with the City's Street Construction Specifications. Unless otherwise deferred by the Commission, sidewalks shall be completely installed before the street shall be considered for acceptance by the City.
- (1) [Reserved]
 - (2) **Deferment** – Any request for deferment of sidewalk installation shall be made in writing by the subdivider at the time of submission of an application for subdivision approval. In deciding upon such a request, the Commission shall consider the following:
 - a. The proximity of the subdivision to schools, parks, playgrounds or other such public facilities.
 - b. The proximity of the subdivision to shopping facilities.
 - c. The presence of other sidewalks in the area.

- d. Sidewalk plans adopted by the Commission as part of the City's Plan of Conservation and Development.
- e. The topography of the area.

If such a request is approved by the Commission, the subdivider shall sign a caveat to be filed on the land records of the City acknowledging that such deferment may be revoked at any time in writing by the City Council. Such revocation shall require the property owner to install the sidewalk to current City specifications within 360 days of the date of such revocation.

5.05 **Utilities, General Requirements** – Proper provision shall be made for water, sewerage and storm water drainage. In areas contiguous to brooks, rivers or other bodies of water subject to flooding, proper provision shall be made for protective flood control measures.

- (1) **Laterals** – Prior to paving the street, the subdivider shall install laterals from all utilities in proposed and existing streets to the street line.
- (2) **Easements** – The subdivider shall convey in writing to the City easements at least 20 feet in width for those utilities which are not located within the street right-of-way, to allow for present or future connections or extensions of such utilities and for the maintenance thereof.
- (3) **Installation** – All utilities associated with the subdivision shall be installed at the subdivider's expense. Gas, electric, telephone and cable television utilities shall be installed in proposed and existing streets as specified by the appropriate utility company and shall be subject to the inspection and acceptance of such company. Where feasible, all such utilities shall be placed underground.

5.06 **Sanitary Sewers** – All sanitary sewers shall be designed and constructed in accordance with the City's Sewer Ordinance, under the inspection of and to the satisfaction of the City. All sewer construction shall be performed only after issuance of the subdivider's permit for sanitary sewers by the City Engineer.

- (1) **Public Sewers** – Unless otherwise waived by the Commission, the subdivider shall install sanitary sewers in the subdivision in accordance with the following provisions:
 - a. If accepted City sanitary sewers are located within 500 feet of the subdivision, the subdivider shall extend such sewers to and install them within the subdivision. Such distance shall be measured from the end of the existing main along the proposed route of extension via existing streets and existing or proposed easement areas to the nearest point of the subdivision.
 - b. If accepted City sanitary sewers are located 500 feet or more from the subdivision, as measured in a. above: (1) the subdivider may extend them to and install them within the subdivision, or (2) the subdivider shall construct a "capped" or "dry" sanitary sewer for future connection when sanitary sewers are extended to that area. "Capped" sewers shall be extended to serve all lots in the subdivision, with outlet at the boundary of the subdivision. Such sewers shall be designed, in terms of location and grade, to connect into existing mains.
 - c. If a pumping station and force main are required to sewer the subdivision, the subdivider shall furnish and install complete in place a suitable underground sanitary sewage pumping station and force main. The pumping station, force main and any appurtenances shall be designed, approved, constructed, inspected and accepted in accordance with the requirements of Section 5.05 of these Regulations.
- (2) **On-Site Sewers** – In areas where on-site sewage disposal systems are proposed, the subdivider shall complete the necessary soil tests as required by the Bristol-Burlington Health District prior to submission of the application for subdivision approval.

- 5.07 **Water** – A potable, adequate and dependable water supply shall be provided for every lot within the subdivision. Where City water is provided, the design, construction, inspection and acceptance of the service shall be in accordance with the rules and regulations of the Bristol Water Department.
- (1) **Extension of Water Service** – Unless otherwise waived by the Commission, the subdivider shall install City water in the subdivision in accordance with the following provisions:
 - a. If an existing City water main is located within 500 feet of the subdivision, the subdivider shall extend such water main to and install it within the subdivision. Such distance shall be measured from the end of the existing main along the proposed route of extension via existing streets and existing or proposed easement areas to the nearest point of the subdivision.
 - b. If an existing City water main is located 500 feet or more from the subdivision, as measured in a. above: (1) the subdivider may extend the main to and install it within the subdivision, or (2) the subdivider shall construct a "dry" water line for future connection when City water service is extended to that area. "Dry" water lines shall be extended to serve all lots in the subdivision, with outlet at the boundary of the subdivision.
 - (2) **Public Utilities Regulatory Authority Certificate** – No subdivision using water supplied by a company incorporated on or after October 1, 1984, and as defined by Section 16-262m of the Connecticut General Statutes, shall be approved by the Commission unless such company has been issued a certificate of public convenience and necessity from the Connecticut Public Utilities Regulatory Authority and the Connecticut Department of Public Health pursuant to Section 16-262m of the Connecticut General Statutes.
 - (3) **Fire Hydrants** – When a water main is extended, fire hydrants shall be installed at the expense of the subdivider. Hydrants shall be located no more than 500 feet apart, and their location shall be as approved by the Commission upon recommendation of the Bristol Water Department.
 - (4) **Private Wells** – Where public water is not required, a private well may be permitted for each lot, provided that each well can be designed, located and constructed in accordance with the requirements of the Bristol-Burlington Health District.
- 5.08 **Storm Drainage** – The subdivider 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 in the subdivision or in a tributary drainage area. All drainage facilities shall be designed by a professional engineer registered and licensed to conduct business in the State and shall be subject to the approval of the City Engineer.
- (1) **Location of Drainage Facilities** – Drainage facilities shall be located within the street right-of-way where feasible, or in perpetual, unobstructed easements, where necessary. Such easements shall be at least 20 feet in width.
 - a. Where it is necessary to discharge storm water from a public right-of-way across private property not included in the subdivision, the subdivider shall obtain from the owners of such property an agreement which grants to the City a right to permanently discharge storm water across such property and shall submit copies of such agreement to the Commission prior to final approval of the subdivision.
 - b. Within the limit of the streets and other public rights-of-way, all storm drainage, watercourses and drainage ways within the subdivision shall be enclosed in suitable closed conduits. Where approved by the Commission, open drainage shall be in swales of acceptable design with protection to prevent erosion and other damage to the slopes.
 - (2) **Design of Drainage Facilities** – The design of storm drainage facilities shall be based upon the maximum ultimate development of the watershed as permitted under existing zoning. All bridges and culverts shall be designed such that the required headwater and backwater produced by such structures shall not cause flooding of abutting property.

- a. For watersheds one square mile and larger, the design of culverts, bridges and through watercourses shall be based upon not less than a 100-year storm. For watersheds less than one square mile, the design shall be for not less than a 50-year storm.
- b. The drainage system for roads, including catch basins, inlets, pipe, underdrains and gutters within or abutting the subdivision shall be designed for not less than a 25-year storm.
- c. Storm drainage facilities shall be adequate for present uses, and additional storm drainage created by new subdivisions shall not increase the City's obligation for additional storm drainage facilities on existing City streets, unless otherwise approved by the Board of Public Works.

5.09 **Open Spaces, Parks and Playgrounds** — The Commission may require that up to 15 percent of the total area of a subdivision be set aside for open spaces, parks or playgrounds. Such open spaces, parks or playgrounds shall be shown on the subdivision plan. In determining the need for such land, the Commission shall consider the size of the subdivision, the City's Plan of Conservation and Development, and the presence or absence of any existing open spaces, parks or playgrounds in the neighborhood.

- (1) **General Character of Land** – Such land shall be of such location, shape, topography and general character as to meet the purpose of these Regulations, as determined by the Commission.
- (2) **Deferred Dedication** – The Commission may defer the requirements for the immediate provision of such land in a subdivision which is a part of a larger tract of land, provided that:
 - a. The subdivider agrees to dedicate an area of land in the undeveloped portion of the tract equal to the requirements of this Section for the developed portion.
 - b. The subdivider grants the City an option to accept such land when the undeveloped portion of the tract is hereafter subdivided.
- (3) **Access and Location** – Such land shall abut or have direct access to a public street through a right-of-way dedicated to public use. Such right-of-way shall be at least 15 feet in width. When a subdivision abuts an existing open space, park or playground, the Commission may require that the lot lines of such land form a continuation of the existing open space, park or playground to provide a single, unified area.
- (4) **Inclusion of Wetland Areas** – Unless otherwise approved by the Commission, the ratio of wetlands to non-wetlands of such land shall be no greater than the ratio of wetlands to non-wetlands of the entire tract.
- (5) **Conservation Easements** – Where the purposes of open space preservation can be achieved through permanent restrictions upon property, as distinct from fee ownership thereof, the Commission may approve the use of conservation easements. Such easements shall be in a form approved by the Commission and shall apply to locations which meet the requirements of this Section.
- (6) **Schedule** – Unless otherwise approved by the Commission, provisions for the permanent disposition, reservation and management of such land shall be completed or implemented no later than the time of filing of the approved subdivision plan in the office of the City Clerk. Unless otherwise approved by the Commission, disposition of such land shall be by warrantee deed.
- (7) **Provisions for Ownership and Maintenance** – Proper provision shall be made by the subdivider and approved by the Commission for the permanent disposition, reservation and management of such land, including but not limited to one or more of the following options:
 - a. Establishment of suitable restrictive covenants.
 - b. Establishment of a homeowners' association.
 - c. Conveyance to a land trust or similar non-profit conservation organization.
 - d. Conveyance to the City, if accepted by the City Council.

- (8) **Fees in Lieu of Open Space** – With the approval of the Commission, the subdivider may pay a fee to the City or pay a fee to the City and transfer land to the City in lieu of any requirement to provide open spaces, parks or playgrounds. Procedures for same shall be as follows:
- a. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten percent of the fair market value of the land to be subdivided prior to the approval of the subdivision.
 - b. The fair market value shall be determined by an appraiser jointly selected by the Commission and the subdivider.
 - c. A fraction of such payment the numerator of which is one and the denominator of which is the number of approved lots in the subdivision shall be made at the time of the sale of each approved lot in the subdivision and placed in a fund established by the City to be used for the purpose of preserving open space or acquiring additional land for open space or for recreational or agricultural purposes.
- (9) **Exemptions** – The open space requirements of these Regulations shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, equal to twenty five percent or more of the total housing to be constructed in such subdivision.