

TOWN OF PLAINFIELD, CONNECTICUT

PLANNING AND ZONING
COMMISSION

*Subdivision
Regulations*

Adopted September 29, 1971
Effective September 30, 1971
As Amended through April 1, 2011

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As Amended Through October 1, 2008

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Section 1 Purpose

- 1.1 In accordance with Section 8 - 25 of the Connecticut General statutes, the Plainfield Planning and Zoning Commission has adopted these regulations to establish proper standards for the design of subdivision and construction of streets and other improvements for the purpose of providing for the orderly growth of the Town in accordance with the Plan of Conservation and Development.
- 1.2 The Planning and Zoning Commission may approve, approve with modifications or disapprove a subdivision after applying these Regulations to reasonably protect the rights of individuals, property values, public health, safety and welfare and after considering the following:
- a. Land to be subdivided shall be suitable for building purposes without danger to health or public safety and shall not result in water or air pollution, excessive noise or other menace;
 - b. Proper provision shall be made for water supply, storm and surface water drainage, sewage disposal, fire protection and other services;
 - c. Proper provision shall be made for protection of the quality and quantity of water supplies;
 - d. In areas subject to flooding, proper provision shall be made for protective flood control measures;
 - e. Proposed roads shall be located in accordance with the Town road system as recommended in the Plan of Development. Existing and proposed roads and related improvements shall be designed and constructed in accordance with the Town's Engineering Standards and Specifications so as to provide a safe and convenient system for present and prospective traffic;
 - f. Proper provision shall be made for the conservation of natural, historical and cultural resources and the preservation of open space, stream belts, scenic points, large trees, agricultural lands and recreation areas as identified in the Plan of Development and required by the Planning and Zoning Commission;
 - g. Proper provision shall be made to control soil erosion and sedimentation and to prevent the pollution of wetlands, watercourses and water bodies;
 - h. Provision shall be made to encourage and permit energy efficient patterns of development and land use in accordance with Section 8-25 (b) of the Connecticut General Statutes; and
 - i. Proper provision shall be made for securing the construction of streets and required improvements in conformity with Town Engineering standards and specifications;

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Section 2 Title and Authority

- 2.1 These regulations shall be known and may be cited as the Subdivision Regulations of the Town of Plainfield.
- 2.2 These regulations were prepared by the Planning and Zoning Commission of the Town of Plainfield in accordance with Section 8-25 of the Connecticut General Statutes.

Section 3 Definitions

- 3.1 Certain words used in these Regulations are defined as set forth in the Section. In case of any question over the meaning of a word, phrase or sentence whether defined herein or not, the Commission reserves the right to make a determination thereof, being guided in such determination by the purpose and intent of these Regulations. The word “shall” is always mandatory. All references to the Connecticut General Statutes are to the revision of 1958, as amended.
- 3.2 **Agricultural Purposes:** Means the pursuit of agriculture and farming as defined in Title 1, Chapter 1 of the Connecticut General Statutes.
- 3.3 **Applicant:** Refers to the person proposing a subdivision or resubdivision.
- 3.4 **Application:** Refers to the maps, texts, reports and supporting data required by these Regulations in proposing a subdivision or resubdivision.
- 3.5 **Board:** Refers to the Board of Selectmen of the Town of Plainfield.
- 3.6 **Bond, Maintenance:** A bond furnished to the Town which guarantees for a period of two years the work covered by a performance bond to indemnify the Town against defective workmanship or materials.
- 3.7 **Bond, Performance:** A sum of money placed in escrow by the applicant which may be used by the Town to complete subdivision improvements in the event that the applicant does not complete the required improvements, including soil erosion and sediment controls.
- 3.8 **Building:** Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials.
- 3.9 **Certification:** Approval by the Plainfield Planning and Zoning Commission that a soil erosion and sediment control plan complies with the erosion and sediment control plan requirements of these Regulations.
- 3.10 **Commission:** Refers to the Plainfield Planning and Zoning Commission.
- 3.11 **Contiguous Buildable Area:** A continuous area of land within which can be constructed a residential building, accessory structures and supporting services. Such area shall be exclusive of areas designated as inland wetlands or watercourses as defined in the Town’s Inland Wetlands and Watercourses Regulations.

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- 3.12 Disturbed Area: An area where the ground cover or topsoil is destroyed or removed.
- 3.13 Easement: The right to use or control the property of another for designated purposes.
- 3.14 Engineering Standards and Specifications: Refers to the Engineering Standards and Specifications of the Town of Plainfield promulgated pursuant to Ordinance Number 92.
- 3.15 Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- 3.16 Flood plain: The terms “area of special flood hazard”, “base flood”, “base flood elevation”, and “flood way” as used in these regulations are defined as follows:
- a. Area of special flood hazard is the land in the flood plain within a community subject to one percent or greater chance of flooding in any given year.
 - b. Base flood (100 year flood) means the flood having a one percent chance of being equaled or exceeded in any given year.
 - c. Base flood elevation is the particular elevation of the base flood as specified on the latest Flood insurance Rate Map prepared by the U. S. Department of Housing and Urban Development, Federal Insurance Administration.
 - d. Flood way means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 1.0 foot.
- 3.17 Inspection: The periodic review of construction of a subdivision.
- 3.18 NDDH: The Northeast District Department of Health.
- 3.19 Open Space: Any land designated for land preserve, park or playground purposes. The location and character of such land shall be approved by Planning and Zoning Commission in accordance with Section 9 of these Regulations.
- 3.20 Person: Includes a corporation, partnership, firm, association or any other entity.
- 3.21 Resubdivision: Means 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
 - c. 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.
- 3.22 Sediment: Solid material, either mineral or organic, that is in suspension,

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transported or has been moved from its site of origin by erosion.

- 3.23 Soil: Any unconsolidated mineral or organic material of any origin.
- 3.24 Soil Erosion and Sediment Control Plan: A plan to minimize soil erosion and sedimentation including but not limited to a map and narrative. The map shall show existing and proposed topography, cleared and graded areas, proposed area alterations and the location of erosion and sediment control measures and facilities. The narrative shall describe the project, the schedule of major activities on the land, the application of conservation practices, design criteria, construction details and the maintenance program for any erosion and sediment control facilities that are installed.
- 3.25 Street: Avenue, boulevard, road, lane, highway or any other thoroughfare between taking lines or right-of-way lines which provides a principal means of access to property, which is improved to allow the safe movement of traffic and which will handle storm water drainage adequately. An accepted street is one which has become a public way by virtue of dedication to and formal acceptance by the Town of Plainfield.
- 3.26 Subdivision: The division of a tract or parcel of land into three (3) or more parcels or lots for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agriculture purposes and includes resubdivision.
- 3.27 Work: For purposes of these Regulations, means all physical improvements required by the approved subdivision plan, other than the staking out of lots, and includes but is not limited to sewer lines, installation of telephone and electric services, planting of trees or other landscaping and installation of retaining walls or other structures.

Section 4 General Provisions

- 4.1 These regulations shall apply to the subdivision and resubdivision of land within the Town of Plainfield, Connecticut.
- 4.2 No person or other entity shall make a subdivision of land or sell or offer for sale lots from a subdivision, until a plan for such subdivision has been approved by the Commission, and has been filed or recorded by the Town Clerk, as provided for in Section 5 of these regulations.
- 4.3 No subdivision plan shall be filed or recorded by the Town Clerk until its approval by the Commission is indicated upon the plan as prescribed in Section 5 of these Regulations. Any recording of a subdivision plan without such approval shall be void.
- 4.4 Every subdivider shall be required to follow these Regulations and shall be familiar with them and with other proposed and existing developments in the vicinity of such proposal before preparing a subdivision plan.
- 4.5 Any land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety. Land subject to flooding shall not be put to any use which will aggravate flood hazard conditions and shall comply with the Flood plain Management requirements outlined in the Zoning Regulations.
- 4.6 Each subdivision plan shall provide for storm water drainage, surface water drainage, sanitary sewage disposal, fire hydrants, fire ponds and dry hydrants, underground utilities, curbs, sidewalks and any other improvements, in amounts and locations considered necessary by the Commission to protect public health, safety and general welfare.
- 4.7 Due regard shall be given to the preservation and enhancement of natural features, scenic points, large trees, natural cover, contours of the land and other community assets.
- 4.8 The subdivision plan shall conform to all requirements of these Regulations and the Plan of Conservation and Development adopted by the Planning and Zoning Commission and the Town Engineering Standards and Specifications. The Commission shall approve any subdivision or resubdivision, which conforms to the standards specified in these Regulations.
- 4.9 No subdivision application which involves an activity or affects areas regulated pursuant to the Town's Inland Wetlands and Watercourses Regulations shall be approved by the Commission unless and until it has received approval from the Inland Wetlands and Watercourses Commission.

Section 5 Application Procedures

- 5.1 The Commission and the applicant, in reviewing any proposed subdivision or resubdivision, shall follow the procedures hereinafter specified.
- 5.2 **Advance Discussion:** An advance discussion is encouraged and may be held with the Commission and/or the Town Planner and Engineer prior to the submission of a formal application for subdivision approval. An advance discussion does not constitute a formal application. Neither the applicant nor the Commission are bound by the comments made during the advance discussion. Binding decisions can only be made by the Commission after a formal and complete application is submitted.
- 5.3 **Formal Application:** For a formal consideration, the applicant shall submit to the Commission or its authorized agent an application consisting of the following:
- a. A written application, completed in full on a form provided by the Commission, signed by the applicant or lawful agent. If the applicant is other than the owner of the land, such application shall be signed by the owner of the land. A letter from the owner authorizing such application is also acceptable.
 - b. Four (4) copies of the proposed plan for the development of the property showing all information required in Section 6 of these Regulations. The Commission reserves the right to require additional copies as necessary for review by it or other interested parties.
 - c. A fee in accordance with Section 15 of these Regulations.
 - d. Names and addresses of owners of land abutting the subject property and those across any adjacent streets.
 - e. Where public improvements are proposed, an estimate of the costs of such improvements certified by a professional engineer.
 - f. Calculations prepared by a licensed professional engineer evaluating and comparing site drainage before and after development using a method approved by the Town Engineer.
 - g. Any proposed subdivision which will have an impact on a regulated area as defined in the Inland Wetlands and Watercourses Regulations of the Town must submit an application to the Inland Wetlands and Watercourses Commission no later than the day the subdivision application is filed with the Planning and Zoning Commission. Proof of such application must be provided to the Commission at the time of subdivision application.
 - h. Where a proposed street, driveway or storm drainage system joins with a state highway, the applicant shall present a copy of a letter or other document giving evidence that the construction plans have been submitted to the Connecticut Department of Transportation along with an application for a permit for such connection. The applicant shall be required to submit results of the Department of Transportation's review to the Planning and Zoning Commission prior to a final decision on such application.

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- i. A certificate of public convenience and necessity as required by Section 16-262m of the Connecticut General Statutes, if water is to be supplied by a water company by means of a community water supply system as defined in such Section.
 - j. Copies of all other applications filed with local, state or federal commissions or agencies in connection with the proposed development and the status of those applications. If such an application is made subsequent to the filing of a subdivision or resubdivision application with the Planning and Zoning Commission and prior to its decision on the subdivision or resubdivision application, or if any decision is made on an application submitted to such other commission or agency during that period, the applicant shall forward a copy of such application and decision to the Planning and Zoning Commission immediately.
- 5.4 The application and accompanying materials must be submitted to the Office of the Commission at least ten (10) days prior to the next regular meeting of the Commission. Applications received less than ten (10) days before such meeting will be received as set forth in Section 5.5. The commission will not be required to consider such applications on the agenda of the upcoming meeting.
- 5.5 The official date of receipt of application shall be the day of the next regularly scheduled meeting of the Commission immediately following the day of submission at the Office of the Commission or 35 days after such submission, whichever is sooner.
- 5.6 If the Commission concludes that the application is incomplete, it may vote to reject the application for that reason, specifying the deficiencies in the application.
- 5.7 The Commission may hold a public hearing on a proposed subdivision plan if, in its judgment, the specific circumstances require such action. No plan of a resubdivision shall be acted upon without a public hearing. If a public hearing is held, it shall commence within sixty-five (65) days of the official date of receipt of the application by the Commission and shall be completed within thirty (30) days thereafter.
- 5.8 Notice of the time and place of such hearing shall be published by the Commission in a newspaper having a substantial circulation in the Town, at least twice, at intervals of not less than two (2) days. The first notice shall be given not more than fifteen (15) days nor less than ten (10) days, and the last not less than two (2) days before the hearing. In addition, the applicant shall notify all owners of land within 150 feet of the subject property including those across any adjacent streets of the hearing by certified mail, return receipt requested. Proof of such notice shall be provided to the Commission at or before the hearing.
- 5.9 In accordance with Section 8-26b of the Connecticut General Statutes, as amended, the Planning and Zoning Commission shall, prior to decision on an application, provide notice to the appropriate Regional Planning Agency where the area of the proposed subdivision will include or

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abut land in an adjoining municipality. The Regional Planning Agency shall have thirty (30) days to submit an advisory report on the proposal. If such a report is not submitted in the time period specified, it shall be presumed that the Agency does not disapprove of the subdivision.

- 5.10 In accordance with Section 8-26f of the Connecticut General Statutes, as amended, the Planning and Zoning Commission shall notify the clerk of any adjoining municipality of the pendency of any application which:
- a. any portion of the property is within five hundred (500) feet of the boundary of an adjoining municipality;
 - b. a significant portion of the traffic to the completed project will use streets within an adjoining municipality to enter or exit the site;
 - c. a significant portion of the sewer or water drainage from the project will flow through and significantly impact the drainage or sewage system within an adjoining municipality; or water runoff from the site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by registered mail within seven (7) days of the date of receipt of the application..
- 5.11 A decision on an application for subdivision approval for which no hearing is held shall be rendered within sixty-five (65) days after the official date of receipt of such application. For applications which received a public hearing, such decision shall be rendered within sixty-five (65) days after completion of such hearing.
- 5.12 The applicant may consent to one or more extensions of such periods provided the total period of any such extension or extensions shall not exceed the total time period allowed.
- 5.13 In subdivisions which involve a regulated activity as defined in the Inland Wetlands and Watercourses Regulations, the Planning and Zoning Commission shall not render a decision on an application until the Inland Wetlands and Watercourses Commission has approved of such plan and submitted a report of its findings. If the time for a decision by the Planning and Zoning Commission elapses prior to the thirty-fifth day after a decision by the Inland Wetlands and Watercourses Commission, the time period for a decision shall be extended to thirty-five (35) days after the decision of the Inland Wetlands and Watercourses Commission. This provision shall not be construed to apply to any extension consented to by the applicant.
- 5.14 The Planning and Zoning Commission shall not render a decision on a subdivision application until all appropriate local and regional agencies and officials (i.e. Town Planner, Town Engineer, District Fire Chief, Fire Marshal, Police, Water Pollution Control Authority) have had the opportunity to review and comment on the application. The commission shall not render a decision on an application until the NDDH has reviewed and approved the subdivision.

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- 5.15 The Commission shall approve an application if it finds that the application, maps, plans and the accompanying documents, certificates and data conform to the requirements and standards of these Regulations. In granting approval the Commission may modify the subdivision plan in order to preserve the purpose and intent of these Regulations.
- 5.16 Approval shall include and be conditioned upon the following as may apply to a particular application:
- a. A date when construction of roads, drainage and other improvements is authorized to begin and a date when such construction shall be completed. Such completion date shall
 - b. be no later than five (5) years, after the date when construction is authorized to begin. Completion of any required road, drainage or other subdivision improvements, prior to endorsement of the subdivision plan. In lieu of such completion and prior to endorsement, posting of a performance bond or other security guaranteeing such completion in a form and amount acceptable to the Board of Selectmen.
 - c. Presentation of conveyances for easements, rights-of-way and open spaces to the Town or other Commission designated entity. Any open space, parks or playgrounds to be dedicated to the Town of Plainfield and any easements for storm drainage, sanitary sewers or rights-of-way to be dedicated to the Town shall be confirmed by written conveyance and Certificate of Title describing the land and privileges of the Town in a form satisfactory to Town Counsel. Easements, rights-of-way and open spaces which are not to be dedicated to the Town shall also be confirmed by written conveyance and approved as to form by the Planning and Zoning Commission.
 - d. Presentation of one (1) mylar each of the approved record subdivision plan for required signatures, incorporating all modifications and conditions specified by the Commission and bearing original seals and signatures of the licensed surveyor and/or engineer. Three (3) prints of such plan shall also be submitted.
- 5.17 The Commission shall, by majority vote, authorize the Chairman or Secretary to endorse the subdivision plan when all conditions of approval have been met and verified by Town staff.
- 5.18 The endorsed subdivision plan, showing any modifications upon which final approval of the subdivision was contingent, shall constitute the approved subdivision plan. The date of endorsement of the subdivision by the Chairman or Secretary of the Commission as well as the date, five (5) years from approval hence, when approval may expire as provided in Section 8-26c of the Connecticut General Statutes shall be noted on the plan.
- 5.19 Within ninety (90) days after receipt of the endorsed map, the applicant shall file and record the map in the Office of the Town Clerk. The Commission may, by resolution, extend the time for such filing and recording for two (2) additional periods of ninety (90) days and the map shall remain valid until the expiration of such extended time.

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- 5.20 Before release of any subdivision performance bond, or before the Commission endorses any subdivision plan to permit filing or recording with the Town Clerk when no bond has been posted, the applicant shall present plans meeting the standards of these Regulations, showing streets, drainage and other subdivision improvements as built, including the location of any water mains, sanitary sewers and gas mains and also showing clearly where the as built plans differ from the approved construction plans.
- 5.21 Before release of any subdivision performance bond, or before the Commission endorses any record subdivision map to permit filing or recording with the Town Clerk when no bond has been posted:
- a. the roads, drainage and other required improvements in the subdivision have been inspected and approved by the Town Engineer;
 - b. the as built plans shall have been submitted to the Commission as specified in Section 5.20;
 - c. certification from a licensed surveyor shall have been received by the Commission stating that all required monuments and pins have been set; and
 - d. the applicant shall post a bond to guarantee maintenance of and to cover deficiencies in the required road, drainage and other subdivision improvements, as determined by the Commission. In the case of improvements which are offered for acceptance by the Town, the maintenance bond shall terminate no earlier than two (2) years after the date of
 - e. acceptance of the improvements by the Town. The amount of such bond shall be ten (10) percent of the current cost of the improvements.

SECTION 6 Subdivision Plan Requirements

- 6.1 The maps and plans required by these Regulations shall show the information and shall be prepared in accordance with the standards specified herein.
- 6.2 Maps and plans shall be prepared by a professional engineer and/or licensed land surveyor as per Chapter 391 of the Connecticut General Statutes. Such maps and plans shall be signed and sealed by the professional engineer and/or land surveyor as appropriate.
- 6.3 Where practical, the north arrow shall be consistent on all maps and plans (other than road profiles) and shall be to the top or right side of sheet depending upon the shape of the subdivision.
- 6.4 Each sheet shall include the name of the subdivision, the name of the subdivider and landowner, the date of preparation of the map or plan and the last revision date, and scale. If it is a resubdivision as defined in Section 3.21, the maps and plans shall be so titled.
- 6.5 Plan maps shall meet the accuracy standards for a class A2 Survey as specified in the Code of Recommended Practice for Standards of Accuracy of Surveys and Maps by the State Board of Registration for Professional Engineers and Land Surveyors of Connecticut. The Commission may accept a class D survey, subject to the above-referenced code, for large parcels not proposed for sale or development or to establish the boundary of a large parcel where only a portion of the parcel is proposed for subdivision. That portion which is to be subdivided shall be prepared according to the standards for a class A2 survey as specified above.
- 6.6 Plans shall include a signature block titled "Approved by the Plainfield Planning and Zoning Commission" with a designated place for the signature of the chairman and a date of signing; and "Expiration date as per Section 8.26c, Connecticut General Statutes" with a designated place for such date;
- 6.7 Where required, plans shall also include a signature block titled, endorsed by the Plainfield Inland Wetlands and Watercourses Commission" with a designated place for the signature of the Chairman and the date of signing;
- 6.8 As part of the formal application, the applicant shall submit four blue or black line prints of the subdivision plan which shall consist of an index map; property history map; subdivision map; site development plan; construction plans; and as built drawings prepared in accordance with the requirements below.
- 6.9 Index map: If the proposed subdivision is divided into sections or is of such size that more than

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one sheet is required, an index map shall be provided showing the entire subdivision with lots, lot numbers, streets, street names, delineation of areas covered by each section or sheet and match lines between sections.

- 6.10 Property History Map: drawn at a scale of 1" = 100' or 1" = 200' (corresponding to the scale of the Assessor's maps) indicating all divisions of property since the effective date of Plainfield's Subdivision Regulations (September 30, 1971). A table including dates and the names of grantees and grantors shall accompany the map. If no divisions of property have occurred since September 30, 1971 the land surveyor shall provide a note on the plan indicating such.
- 6.11 Subdivision Map: drawn to a minimum scale of 1" = 100', on 24" x 36" polyester film (mylar) sheets showing the following information in a neat and legible manner:
- a. A location map drawn at a scale of 1" = 1,000' or less showing the location of the subdivision in relation to existing and proposed roads and area zoning districts, with north arrow as the sheet;
 - b. Property lines drawn with dimensions, bearings or deflection angles on all straight lines and the central angle, tangent distance and radius of all areas;
 - c. Width and location of existing and proposed streets, sidewalks and other rights-of-way or easements including those for utility lines, surface drainage, sanitary and storm sewers, water mains, catch basins, culverts or other underground structures;
 - d. Numbers and locations of flags delineating wetlands and watercourses as defined in the Town of Plainfield Inland Wetlands and Watercourses Regulations and other regulated areas;
 - e. Areas within the 100 year flood hazard zone as delineated by the Federal Emergency Management Agency (FEMA) and as shown on the most recently amended maps prepared by FEMA when available. The source of the flood hazard information must be indicated on the plan. A notation shall be provided if a subdivision does not include land within the 100 year flood hazard area;
 - f. Contiguous buildable areas in square feet of each proposed lot;
 - g. Zoning setback lines for each lot;
 - h. Existing property lines and structures within 200 feet of the perimeter boundary of the area to be subdivided;
 - i. Names of owners of land abutting the subject property and those across any adjacent streets and the Assessor's map information for all such properties;
 - j. Proposed lots and lot numbers and the area and dimensions of each lot;
 - k. Locations of existing and proposed pins, monuments or other property markers;
 - l. Existing and proposed open space, conservation and recreation areas on the tract and within 200 feet from the tract;
 - m. Existing contours at 2 foot intervals based upon aerial and or field survey. The land surveyor must certify the accuracy of the topography, with a minimum acceptable class of T-2 as specified in the Code of Recommended Practice for standards of Accuracy of Surveys and Maps by the State Board of Registration for Professional Engineers and Land Surveyors of

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Connecticut. Areas within 200 feet of the boundary must be shown to a minimum accuracy of T-D; and

- n. Proposed street name(s), if any.

6.12 Site Development Plan: drawn to a scale of 1" = 40', on 24" X 36" polyester film (mylar) sheets showing the following information in a neat and legible manner:

- a. All information outlined in Section 6.11 above.
- b. The proposed septic system and primary and reserve areas including separation distances from existing and proposed structures and wetlands and watercourses;
- a. Location of percolation test holes and deep hole tests for each lot and test data;
- b. Location of proposed water sources for each lot;
- c. The location of any points of drainage discharge from or onto the tract from or onto any street or other property;
- d. Wooded areas, swamps, wetlands, watercourses, flood plains, stream belts, rock outcroppings, specimen trees exceeding 30" dbh (diameter breast height, 5' above the ground), stone walls, monuments, any structures having an historical or cultural significance and other unique and fragile natural features;
- e. Archaeological sensitive areas and historic buildings and sites including those listed by the Office of the State Historical Commission, the National Register of Historic Places or the Town's Survey of Historical Resources;
- f. Erosion and sediment control plans prepared in accordance with Section 7 of these Regulations with a notation that more detailed erosion and sediment control plans may be required in the development of each lot; and
- g. Where private water supplies are proposed, a notation that approval of the plan by the Planning and Zoning Commission does not guarantee quantity or quality of water resources and that the Zoning Officer cannot issue a Zoning Permit until the well is drilled and its quantity and quality approved by the NDDH.

6.13 Construction Plans: showing plan and profile drawings of all proposed public improvements drawn at scales of 1" = 40' horizontal and 1" = 4' vertical on 24" x 36" polyester film (mylar) sheets showing the following information in a neat and legible manner:

- a. Profile drawings and elevations shall be based on official Town, State or United States Geological Service topographic bench marks or other permanent bench marks approved by the Town Engineer. The bench marks used shall be noted on the plan.
- b. For streets, the existing grades at the center line and both street lines and the proposed grade at the center line at appropriate intervals; street lines and width of pavement; typical street cross sections; and cross sections at all cross culverts;
- c. Top of frame, invert, slope and size of all pipes, ditches, utility conduits, culverts, manholes, catch basins, headwalls and watercourses, typical ditch and watercourse cross sections;
- d. The location of lot lines intersecting the street line, lot numbers and street names;
- e. Curbs, gutters, water mains, hydrants and special structures;

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- f. Detail drawings of any bridges, box culverts, deep manholes and other special structures;
- g. A block for signature and date of signing by the Town Engineer;
- h. A notation titled: "For location of underground electric, telephone and other public utilities, contact appropriate utility company";
- i. Detail drawings of any bridges, box culverts, deep manholes and other special structures; and
- j. A note certifying that improvements shall be built to the Town's Engineering Standards and Specifications or to Connecticut Department of Transportation Form 814 if the Town Engineering Standards and Specifications do not cover the particular improvements, their materials and workmanship.

- 6.14 As-Built Drawings: Upon completion of the required public improvements, the applicant must submit as builds drawn on polyester film (mylar) on sheets 24" by 36" together with one blue or black line print per sheet certified by a licensed land surveyor. Such drawings shall show the location of all items depicted on the approved construction plans as built. The specifications for the preparation of the as built drawings shall be the same as for the preparation of the construction plans as outlined in Section 6.13 above.
- 6.15 Waivers of all or part of the subdivision plan requirements outlined in this Section may be granted by the Commission upon written request of the applicant and by a vote of three quarters of all members of the commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area. The Commission may grant such a waiver only in cases where a proposed subdivision involves establishment of lots fronting on an existing street or in the case of a resubdivision and further provided that granting such waiver shall not have a significant adverse effect on adjacent properties or on public health and safety.
- 6.16 The commission shall state the reasons for granting such waiver and such reasons shall be clearly stated in the minutes.

Section 7 Erosion & Sediment Control Plans

- 7.1 A subdivision or resubdivision involving construction of streets, drainage and other improvements, substantial or critical areas that may be subject to excavation, grading, deposit or removal of earth or stone materials or otherwise involves a disturbed area of one half (1/2) acre or more is required to have a certified Soil Erosion and Sediment Control Plan in effect prior to, during and upon completion of construction, development and grading.
- 7.2 Such plans shall be developed in accordance with these Regulations using the principals outlined in the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Soil erosion and sedimentation 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.
- 7.3 At a minimum, drawings shall be drafted according to the standards of Section 6 and shall include but not be limited to the following:
- a. A soil erosion and sediment control plan containing proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology;
 - b. A narrative describing the development of the project, time schedule for all major construction activities indicating their anticipated start and completion dates, creating and stabilizing disturbed areas, grading operations, applying erosion and sediment control measures and facilities on the land;
 - c. A detailed narrative describing the construction sequence;
 - d. Design criteria, construction details, detailed installation procedure and maintenance programs for soil erosion and sediment control measures;
 - e. A site plan showing existing and proposed topography at two (2) foot intervals, based upon an aerial and/or field survey, showing disturbed areas including cleared, excavated, filled or graded areas, location of and other detailed information concerning erosion and sediment control measures and facilities; and
 - f. If lots are to be developed by individual property owners a more detailed erosion and sedimentation control plan shall be submitted to the Zoning Officer which shall include but not be limited to: floor elevations for the proposed house; proposed driveway grading; location/elevations for septic system; footing drain outlet location and elevation; and any other proposed drainage measures.
- 7.4 The Commission shall either certify that the soil erosion and sediment control plan complies with the requirements and objectives of these Regulations and Connecticut Guidelines or deny certification when the development proposal does not comply with these Regulations or Guidelines.

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- 7.5 Planned soil erosion and sediment control measures and facilities shall be installed and maintained as scheduled according to the certified plan. The Planning and Zoning Commission may require a performance guarantee as defined in Section 3.7 of these Regulations to ensure completion of erosion and sediment control measures.
- 7.6 The Commission or its agent may require progress reports and verification that control measures and facilities have been performed or installed, operated and maintained in accordance with the certified plan and shall have the right to inspect the project site.
- 7.7 The Commission or its agent may issue a cease and desist order if soil erosion and sediment control measures are not being carried out as required by the Regulations and the certified plan. The Commission or its agent may order in writing the remedying of any condition found to be contrary to these Regulations or the certified plan.

SECTION 8 Special Flood Hazard Areas/Flood Ways

- 8.1 When a subdivision or resubdivision includes land in a special flood hazard area of regulated flood way, the lots, streets, drainage and other improvements shall be reasonably safe from damage and shall conform to the flood plain Management Requirements in the Zoning Regulations.
- 8.2 The lots and improvements shall be located and constructed to minimize flood damage within the special flood hazard area and shall be capable of use without danger from flooding or flood related damages.
- 8.3 All utilities and facilities such as sanitary sewer systems, water supply systems and electric and gas systems, shall be located, designed and constructed to minimize or eliminate flood damage.

SECTION 9 Open Space Requirements

- 9.1 The planning and Zoning Commission may require the preservation of up to 10 percent of the land included within all subdivisions or resubdivisions for open space, parks and playgrounds when and in places it deems proper, unless otherwise exempted according to Section 8-25 (a) of the Connecticut General Statutes.
- 9.2 Such land shall be chosen by the Commission on the basis of its value in:
- a. Protecting and conserving natural, cultural and historic resources including flood plains, wetlands, stream belts, ridgetops, rock outcroppings, stone walls, specimen trees exceeding 30" dph (diameters at breast height), prime and important farmland soils as defined by the Soil conservation Service and other unique and fragile features;
 - b. Enhancing the quality of life;
 - c. Creating passive and active recreational opportunities;
 - d. Establishing buffer areas between adjoining land uses;
 - e. Establishing linkages connecting open spaces;
 - f. Adding to existing open space; and
 - g. Implementing the recommendations in the Plan of Development.

No privately owned reserve strips which control access to land dedicated or proposed to be dedicated to the Town of Plainfield or other entity listed in Section 9.5 shall be permitted. Where required by the Commission, such land shall be accessible from a public road.

- 9.5 Such land shall be permanently protected by a conservation easement preventing further development or by the transfer of fee interest. The beneficiary of the easement or the recipient of the fee interest may be a land trust organization, the Town of Plainfield, The State of Connecticut, a homeowner's association or other organization approved by the Commission.
- 9.6 The Commission may accept a fee or a combination of a fee and land from a subdivider in lieu of the open space required by these Regulations. Such fee or combination of fee and land value of the land to be subdivided shall be equal to not more than ten percent of the fair market value of the land to be subdivided prior to approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Commission and the applicant. The fee is payable in accordance with Section 8-25 (a) of the Connecticut General Statutes.
- 9.7 The Planning Commission shall formally notify the Board of Selectmen of each open space proposal contained in subdivision applications. The Board of Selectmen may, at its discretion, make recommendation, size, fee, maintenance and ownership of the open space proposal.

SECTION 10 Solar Access

- 10.1 The subdivider shall indicate on the final subdivision plan that passive solar energy techniques which would not significantly increase the cost of the housing to the buyer after considering tax credits, subsidies and exemptions were considered.
- 10.2 Passive solar and 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 cooling during the cooling season shall be considered. These techniques include:
- a. House orientation and sitting, so that the building is sited as closed to the north lot line as possible to increase yard space for better control of shading;
 - b. Lot layout, so that the maximum number of building lots are placed on south facing slopes; and
 - c. Landscaping, by showing the location of any new trees with their mature height including canopy, and the planning of landscaping to facilitate the use of solar collectors and otherwise increase solar heat gain or shade protection as appropriate.

SECTION 11 Design & Construction Standards

- 11.1 Subdivisions shall be designed and constructed to conform to the Town of Plan of Development, the Subdivision and Zoning Regulations, and the Town's Engineering Standards and Specifications.
- 11.2 Construction of all required improvements shall be carried out to the specifications and under the supervision of the Town Engineer in accordance with procedures provided in the Town's Engineering Standards and Specifications. The Town Engineer or other appointed agent shall have free access to the construction site at all times and shall be authorized to take material, samples and tests as deemed necessary to determine compliance with these Regulations.
- 11.3 Before construction commences, the applicant and/or a representative shall meet with the Town Engineer for a preconstruction conference. At such time the applicant will be required to pay an inspection fee as per Section 15 of these Regulations and submit a construction schedule.
- 11.4 Proposed building lots shall be of such shape, size, location, topography, and character so that buildings can be constructed and occupied without danger to public health, safety and welfare. Land which is found to be unsuitable for occupancy and building by reason of unsuitable soils, high water table, topography, ledge, shallow depth to bedrock or other conditions shall be combined with another lot or lots that are suitable.
- 11.5 Proposed building lots must contain a minimum contiguous buildable area as defined in Section 3.11 of these Regulations which shall be equal to or greater than the minimum lot size required by the Zoning Regulations for the District in which the subdivision is located.
- 11.6 Proposed building lots and streets shall be designed and arranged to make best use of the natural terrain, avoid unnecessary regrading and to preserve substantial trees, woods and inland wetlands and watercourses.
- 11.7 Each lot shall have frontage on or access to an approved Town road as required by the Plainfield Zoning Regulations.
- 11.8 Whenever practical, the side lot lines of all lots shall be at right angles to the street on which the lot faces or shall be radial to the street line.
- 11.9 Lots shall be graded to prevent ponding of water on the lot after construction of streets, drainage and buildings are completed. Where filling of lots for final grading is required, compactible fill and topsoil as required for lawn or plant growth shall be used.

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- 11.10 Proposed streets and rights-of-way shall be planned in such a manner as to provide safe and convenient access to proposed lots, with due consideration for accomplishing an attractive layout and development of the land in the subdivision and neighborhood in accordance with the Town Plan of Development.
- 11.11 Proposed subdivisions abutting an existing Town street shall provide for proper widening of the right-of-way of such street to the width appropriate for the classification given such street in accordance with the Town Plan of Development or the Board of Selectmen.
- 11.12 In order to determine the effect of the proposed subdivision on public safety and welfare, the commission may require the applicant to demonstrate that:
- a. The road alignment, width and grades will be in harmony with existing and proposed roads and the Town plan of Development, especially in regard to safe intersections with such roads;
 - b. The road construction will be sufficient to carry public service and emergency vehicles and potential future traffic (computed on the basis of projected population of the proposed subdivision) and will not significantly increase the Town's obligation for road upgrading, maintenance and repair which results from the development of the subdivision; and
 - c. Storm drainage systems will be sufficient to carry increased runoff created by the proposed subdivision and will not significantly increase the Town's obligation for storm drainage systems on existing roads or other public or private lands.
- 11.13 Public improvements required for unimproved Town roads shall be in accordance with the Town's Engineering Standards and Specifications.
- 11.14 Where a proposed subdivision contains lots for building development purposes which front on or have access to an accepted Town road, whether improved or unimproved, and said road does not meet the requirements of these Regulations or of the Engineering Standards and Specifications, the road may be improved and drainage facilities provided at the subdivider's expense prior to approval of the subdivision. Conditional approvals may be granted in accordance with Section 5.16 of these Regulations. Waiver can be granted by the Commission providing applicant shows impracticality satisfactory to the Commission.
- 11.15 In lieu of the required street and/or drainage improvements, the subdivider or future property owners in the subdivision containing lots which front on or have the required access to an accepted Town road may be required, at the discretion of the Commission, to pay a benefit assessment to the Town of Plainfield for Town street and drainage improvement purposes in accordance with Section 8-29 of the Connecticut General Statutes.
- 11.16 A benefit assessment schedule shall be maintained by the Commission. Prior to the adoption of such schedule the Commission shall request and receive from the Board of Selectmen a report

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concerning the relative costs to the Town for the future provision of the required improvements, the relative benefits accrued the subdivider in opting for this assessment in lieu of incurring the costs of actual street and/or drainage improvements, and its recommendations for assessments.

- 11.17 The benefit assessment can only be applied upon the express finding of the Commission, based on a report from the Board of Selectmen, that the development, either by itself or in conjunction with other proposed subdivision(s) affecting the road frontage and related drainage facilities of said subdivision(s), will not violate the proposes of these Regulations or of Section 8-25 of the Connecticut General Statutes.
- 11.18 Whenever the Commission applies the benefit assessment, a notation shall be clearly inscribed in the deed and on the subdivision plan that the owners of such lots in the subdivision shall be required to pay a benefit assessment to the Town of Plainfield for Town road and drainage improvement purposes.
- 11.19 Streets shall bear names which do not duplicate or closely approximate in spelling or sound existing street names in the Town of Plainfield. Streets which extend or are in alignment with existing streets in the Town shall bear the same name as the existing street. All street names shall be subject to the approval of the Commission.
- 11.20 Easements for access to and use of land or other necessary rights or restrictions, outside of a street right-of-way, shall be provided as required by the Commission and shall be shown on the subdivision plan with adequate survey information so that the land subject to easement may be accurately located by field survey. All utility easements shall be accessible to maintenance vehicles and shall be graded to a maximum slope of ten (10) percent with traffic bound gravel. Easements may be required in the following types of cases as applicable to the particular subdivision:
- a. For access to bridges and culverts by construction and maintenance equipment which easements shall be no less than twenty (20) feet wide;
 - b. For storm water pipes, water mains, sanitary sewers and appurtenances, if any, which easements shall be no less than twenty (20) feet wide;
 - c. For use and access to storm water detention basins, retention basins and fire ponds shall be no less that twenty (20) feet wide;
 - d. For identification of points or areas of storm drainage spillage rights from streets when storm drainage conduits are not to be installed;
 - e. Temporary construction easements for grading and other construction work in the front twenty-five (25) feet of each lot along a proposed street;
 - f. Sight line easements across corners of lots at all street intersections to assure safe line of sight on the street and to authorize the owner of the abutting property(ies) to remove obstructions and regrading within the easement area;

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- g. Easements at least ten (10) feet in width for pedestrian ways to open spaces, parks, playgrounds schools and other public or semi-public places where the street system does not conform to a convenient pattern of pedestrian circulation;
- h. Easements may also be required for storm water pipes and facilities 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 or where natural prescriptive drainage rights must be altered by land subdivision; and
- i. Easements for pipe systems shall be located so that the pipe is positioned at least five (5) feet from the boundary of such easement, unless otherwise directed by the Commission.

Cul-de-sac roads shall have a length of less than or equal to eight hundred (800) feet from the center point of the intersection of an existing or proposed road to the center point of the end of the cul-de-sac.

A new street in excess of eight hundred (800) feet shall have two connections to a street that is a through road. (Amended 11/13/2001)

- 11.21 Driveways to individual lots or interior lots shall be located, designed and constructed in accordance with the Town's Engineering Standards and Specifications and so as to:
 - a. Prevent erosion and excessive road drainage down driveways or onto the traveled way;
 - b. Enter onto lightly traveled roads, wherever possible;
 - c. Provide adequate sight lines for safe vehicle entry onto a street; and
 - d. Provide adequate year-round access for emergency vehicles.
- 11.22 Where topography and/or driveway length dictates, the Commission may require driveways to have slopes not to exceed ten (10) percent and all-weather passable surfaces no less than ten (10) feet wide.
- 11.23 Construction of driveway and drainage facilities shall be completed prior to issuance of a Certificate of Occupancy or Town acceptance of the roads, whichever comes first.
- 11.24 Monuments shall be provided on both street right-of-way lines at all angle points and points of curvature and tangent. At (800) feet of street or less. Monuments shall be made of concrete and shall be not less that five (5) inches square by thirty (30) inches long with a suitable marked top. After all street construction is completed, each monument shall be set in place with the marked point set on the point of reference. Lot corners shall be marked with iron pins or concrete monuments. Such lot markers shall be installed prior to final approval of the subdivision plan.
- 11.25 Street name signs of approved construction and design shall be installed at all street intersections in locations approved by the Police Commission.

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- 11.26 Traffic signs as required by the Police Commission, of regulation size, shape and material shall be installed prior to Town acceptance of subdivision roads.
- 11.27 Where deemed necessary by the Commission and the Town Fire Marshal, fire ponds of adequate depth and capacity shall be provided in appropriate locations, registered and approved by the District Fire Chief.
- 11.28 Sidewalks shall be provided on all proposed subdivisions, on both sides of the street in all zoning districts. On existing streets on which a new subdivision abuts, such sidewalk shall be provided, except where the Planning and Zoning Commission decides that, based on a written report received from the Town Engineer, the installation of sidewalks is not considered feasible at the time the subdivision is proposed to be developed, due to existing road grades, location of existing abutting sidewalks, topography or poor alignment of existing street lines. In such cases, the subdivider, in addition to dedicating land for street widening purposes, in accordance with Section 11.20 of this section shall also grant slope rights along the frontage of such street.
- a. Sidewalks shall not be less than five (5) feet wide.
Sidewalks shall be laid in the street right-of-way parallel to the existing street pavement where such exists and one (1) foot from the street right-of-way line unless a different location is approved by the Planning and Zoning Commission. Sidewalks shall be extended to the curb at intersection and shall be continuous across driveways. Sidewalks at intersection shall slope to provide handicapped access.
 - b. Sidewalks shall be continued to the curb line at intersections, so as to provide continuous access for pedestrians.
 - c. Sidewalks at intersections shall be so designed to accommodate handicapped individuals.
 - d. Steps shall not be permitted on sidewalks. Sidewalks shall pitch one-fourth (1/4) inch per foot towards the street; ground between the sidewalk and the street shall pitch not less than one-half (1/2) inch nor more than two (2) inches per foot towards the street, and the curb at the street pavement shall not be more than seven (7) inches, or less than six (6) inches, above the wearing surface of the road, unless physical conditions indicate a greater height is desirable and such height is approved by the Commission.
 - e. Sidewalks shall be Class "C" (4,000 lb.) Portland Concrete Cement, five (5) inches in thickness, and laid over eight (8) inches of thoroughly compacted processed gravel approved by the Town Engineer of his designee. There shall be three-quarter (3/4) inch wide bituminous expansion joints across the sidewalk every fifteen (15) feet apart longitudinally. Surfaces shall be "broom-finished".
 - f. Where a sidewalk crosses a private driveway, the concrete shall be reinforced with six (6) inch x six (6) inch mesh #10 over #10 reinforcing eight inches thick and laid over twelve (12) inches of processed gravel, thoroughly compacted. Where it is necessary for water to cross the sidewalk at the driveway, the sidewalk shall pitch to a low point at the center (width) so

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storm water will drain across the driveway to the street and not along the sidewalks parallel to the street.

- g. Cement for the sidewalks shall be poured after inspection by the Town Engineer, or his designee, of the gravel base. No less than a complete section between the expansion joints shall be poured at one time.

11.29 The subdivider shall maintain all improvements until they are accepted by the Town of Plainfield.

11.30 Streetlights shall be installed at all intersections of new roads and where proposed roads intersect with existing roads. On proposed roads, the Commission can require additional streetlights to be installed at an interval that will provide a safe environment.

11.31 Street trees shall be planted forty (40) feet on center on both sides of any street, subject to variations necessitated by driveway or street intersections, and sidewalks. Trees shall be within ten (10) feet of the edge of pavement.

- a. Trees to be planted shall be of three (3) inch caliper dbh or larger, shall be planted, protected and maintained using good horticultural practices and shall be a minimum of ten (10) feet tall.
- b. The species of trees shall be of the type designated by the Commission.
- c. Existing trees, along the proposed street, which meet these requirements, may be substituted for new trees at the discretion of the Commission.

SECTION 12 Sanitary & Water Supply Requirements

- 12.1 It is the responsibility of the applicant to supply sufficient evidence to prove that water supply and individual sewage disposal facilities can be installed to function properly, not cause a pollution problem and be in conformance with the Connecticut Public Health Code.
- 12.2 Sanitary Report. Where on-site sewage disposal systems are proposed, the subdivision plan shall be accompanied by a Sanitary Report prepared by a professional engineer which demonstrates the feasibility for subsurface disposal of septic tank effluent for the subdivision. The Report shall address the entire subdivision and shall include the following:
- a. The general nature and development of the surrounding area shown on a map with explanatory text;
 - b. Topography and natural drainage pattern including references to Soil Conservation Service soils map with specific references to on-site sewage disposal limitations;
 - c. Subsurface conditions as shown by subsurface investigation, including soil absorption characteristics, groundwater level conditions, ledge rock and general nature of the soil;
 - d. General description of type of development contemplated, noting type of dwelling units and structures, number of families per structure and number of bedrooms per dwelling unit;
 - e. Detailed description of proposed sewage disposal facilities, indicating systems sized for various ground conditions, materials and the general layout or pattern to be used;
 - f. Special precautions that may be necessary to provide proper functioning of the proposed disposal system;
 - g. Flood heights of any streams, brooks, rivers, lakes or ponds on or near the subdivision. Flood heights shall be based upon a 100-year frequency storm;
- 12.3 The Sanitary Report shall contain an engineering evaluation of test results based on an extensive subsurface investigation. The tests shall be witnessed by NDDH.
- 12.4 The Commission will only accept soil tests conducted at time periods designated as acceptable by and under the supervision of NDDH. Applicants should be aware that NDDH may suspend all soil testing during certain times or seasons of the year.
- 12.5 The engineering evaluation shall include a determination of whether the soil is suitable for the absorption of septic tank effluent, and if so, how much area is required. The soil must have an acceptable percolation rate, without interference from groundwater or impervious strata below the level of the absorption system, which would prevent the disposal of effluent. The technical standard used in the evaluation shall be in accordance with commonly accepted standards and procedures with particular reference to the Sanitary Code of the State of Connecticut. Waiver requirements in this section may be granted upon written request to the Commission.

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- 12.6 The Sanitary Report shall contain a statement by the engineer that, in his/her professional opinion, each lot for proposed development is suitable for an installation of the size described in the Report. Any reservations or special conditions considered necessary by the engineer shall be set forth in the Report.
- 12.7 The Sanitary Report shall be a well written, comprehensive and documented study, meeting all of the above requirements and submitted to the NDDH and the Planning and Zoning Commission for their review. Additional information may be required if, in the opinion of the NDDH, the Sanitary Report is incomplete. The Commission shall consider the findings of the NDDH as part of the approval process.
- 12.8 Hydrological Report . Every application for approval of a subdivision must include a Hydrological Report prepared by a hydrologist or professional engineer. The Report shall address the entire site and include the following:
- a. A feasibility study comparing the options of providing public water and private water supplies;
 - b. The manner in which the properties are to be provided with a domestic water supply;
 - c. Certification of the availability of potable water in sufficient quantities and pressure as required by the Public Health Code;
 - d. Where public water is to be provided, computations to show adequacy of the pressure, flow and storage of the water system;
 - e. Calculations and the basis used to evaluate potential impact on aquifer recharge and groundwater quality;
 - f. Site location, geological conditions, depth to groundwater and rate of flow; and
 - g. Results of one private well pump test for each 10 lots in all subdivisions of 10 lots or more which shall include: location of screen and test point;
 - h. Type of screen; pump rate; vertical extent of influence; field porosity;
 - i. Recharge rate; and zone of contribution. For subdivisions of less than 10 lots, the applicant may be required to conduct a well pump test at the discretion of the Commission. In all cases, a notation shall appear on the plan stating where the applicant does or does not guarantee the availability and quality of water for each lot.
- 12.9 The Hydrological Report shall contain a statement by the engineer that, in his/her professional opinion, each lot for proposed development is suitable for installation of a private water supply. Any reservations or special conditions considered necessary by the engineer shall be set forth in the Report.
- 12.10 The Hydrological Report shall be a well written, comprehensive and documented study, meeting all of the above requirements and submitted to the NDDH and the Planning and Zoning Commission for their review. Additional information may be required if, in the opinion of the

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NDDH, the Report is incomplete. The Commission shall consider the findings of the NDDH as part of the approval process.

- 12.11 Where connection to public water is not feasible, a potable, adequate and dependable water supply shall be provided for every lot in the subdivision. Test wells may be required in areas identified as having low groundwater yield, contamination or where previous land uses may cause well water problems.
- 12.12 Drilled wells shall comply with the following:
 - a. Topographic and geological conditions shall be satisfactory for the purpose of providing a potable water supply; and
 - b. Each well shall be designed, located and constructed in accordance with the standards and requirements of the Connecticut Department of Health.
- 12.12 Development should not be proposed in a manner or density to cause degradation of the groundwater quality below drinking water standards based upon the normally expected wastewater dilution potential of the proposed individual subdivision lots.
- 12.13 Whenever possible, subdivision development will be planned to enhance or maintain levels of groundwater recharge to the aquifer.

SECTION 13 Enforcement & Appeals

- 13.1 The Chairman of the Planning and Zoning Commission or an appointed agent is hereby authorized to enforce these Regulations in accordance with the Chapter 126 of the Connecticut General Statutes.
- 13.2 Appeals may be made in accordance with Chapter 126 of the Connecticut General Statutes.

SECTION 14 Effective Date, Repeal & Amendments

- 14.1 These Regulations and any amendments hereto shall be in effect from the date established by the Commission in accordance with the Connecticut General Statutes.
- 14.2 The Town of Plainfield Subdivision Regulations made effective by the Planning and Zoning Commission on September 30, 1971 and all amendments thereto, are repealed coincident with the effective date of these Regulations.
- 14.3 Amendments may be made in accordance with Chapter 126 of the Connecticut General Statutes.

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SECTION 15 Fee Schedule (Amended 4/01/11, TA-2011-01)***

- 15.1 All applications shall be accompanied by any fees set forth in this Section. Such fees shall be by certified check or money order made payable to the Town of Plainfield.
- 15.2 No application shall be deemed complete or accepted by the Commission until the appropriate fee is paid in full unless a waiver has been granted by the Commission.
- 15.3 The full application and review fees are not refundable unless an application is withdrawn before commencement of the public hearing. The Commission shall determine the amount of the refund.
- 15.4 Application and review fees are as follows:
- | | |
|---|--|
| a. Amendments to the Subdivision Regulations* | \$400.00 |
| b. Subdivisions and Resubdivision Applications* | \$300.00/lot |
| c. Engineering review for storm drainage, utilities and new road* | \$300.00 +
\$1.00 per
linear foot of
road |
| d. Inspection and supervision of infrastructure construction** | 5% of
estimated cost |
- * Payable at time of application. Must be separate checks.
- ** 25% payable before construction commences. The remainder payable at 1/3, 2/3 completion and upon substantial completion.
- ***Additional \$60.00 fee for all Planning and Zoning and Inland Wetlands applications per Public Act of the CT General Assembly.
- 15.5 Upon petition, the Commission may waive, reduce or allow delayed payment of the application or inspection fees. Such petitions shall be in writing stating fully the facts and circumstances the Commission should consider in its determination.
- 15.6 The Commission shall state upon its record the basis for all actions under this Section.

Section 16 Conservation Subdivisions (Effective 3/20/2007 – TA-2006-12)

16.1 Purpose:

The purpose of this section is to:

- a. Maintain and enhance the conservation of natural or scenic resources,
- b. Protect natural streams and water supplies,
- c. Promote conservation of soils, wetlands, and other significant natural features and landmarks,
- d. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open spaces,
- e. Enhance public recreation opportunities,
- f. Preserve historic sites, and
- g. Promote orderly urban or suburban development. These regulations are intended to provide for increased flexibility, balanced by increased control, in the development of land so as to facilitate the preservation of open space, natural resources, recreational uses, and community character.

16.2 Definitions:

Active Recreation

Recreational activities that require either:

- the use of a playing field or playground;
- the installation of buildings or other structures; or
- the substantial modification or grading of a tract of land.

Passive Recreation

Recreational activities that do not require either:

- the use of a playing field or playground;
- the installation of buildings or other structures; or
- the substantial modification or grading of a tract of land.

The installation of a building or structure in connection with a particular recreational activity shall not, in and of itself, cause the activity to be classified as “active” if the building or structure was not necessary to allow the activity to occur. For example, the installation of posts, signs, or water fountains along a hiking trail will not cause hiking to be deemed an active recreational use.

Conservation Subdivision

A cluster development, as defined by Section 8-18 of the Connecticut General statutes, in which the dimensions that would otherwise be required for lots under the Plainfield Zoning and Subdivision Regulations may be reduced for the purposes of encouraging the dedication and preservation of additional open space.

Conventional Subdivision

A subdivision design that is consistent with the provisions of the Plainfield Zoning Regulations and Subdivision Regulations that would be applicable in the absence of this Subsection 16 and Section 21 of the Plainfield Zoning Regulations.

16.3 Requirements of Submitting a Conservation Subdivision Design:

Except as otherwise provided for in Section 16.12, every applicant proposing to subdivide a parcel of land containing fifteen (15) acres or more, that has been divided, subdivided, or re-subdivided for residential use, that results in the creation of five (5) or more lots, or involves fifteen (15) or more contiguous acres in any RA-60 zoning district, must submit a Conservation Subdivision plan that meets the requirements of this Section and the other relevant provisions of the these Regulations and the Plainfield Zoning Regulations. For purposes of determining the size of the parcel proposed for subdivision, all land within the parcel, including any land not immediately proposed for use as building lots, shall be included.

The Commission recommends that prior to the submission of an official application for Conservation Subdivision approval, the applicant initiate a pre-application conference with the Commission and subsequently prepare and present a preliminary plan for informal consideration by the Commission. The preparation of the preliminary plan is recommended to facilitate the general consideration of factors and problems affecting the development of the land before the applicant proceeds with the official application and the preparation of final maps, plans, and documents required for formal consideration by the Commission. The presentation of a preliminary plan will more readily and economically facilitate alterations and changes recommended by the Commission. Neither the pre-application conference nor the formal consideration of the preliminary plan shall be deemed to constitute any portion of the official and formal procedure of applying for approval of the final Conservation Subdivision plan.

16.4 General Density Limitations:

The maximum number of units for a Conservation Subdivision shall be determined by the Yield Plan Method.

Yield Plan Method

The applicant must provide a preliminary conceptual subdivision plan consisting of lot and street layouts conforming to the Plainfield Zoning and Subdivision Regulations governing Conventional Subdivision lots, and the Plainfield Road Ordinance. Although such yield plans shall be conceptual in nature, and are not intended to involve significant engineering costs, they must be realistic and must not show potential house sites or streets in areas that would not ordinarily be legally permitted in a Conventional Subdivision layout. Consequently, yield plans must identify physical and other features that would limit or restrict the use of the parcel for development, including, but not limited to, topographic contours, at a contour interval of no more than two (2) feet; inland wetlands and watercourses in areas of the property not being proposed for development (on either the Yield Plan or the Conservation Subdivision Plan) maybe depicted as they appear on various sources of other mapping, inland wetlands and watercourses in areas of proposed development must be delineated by a Professional Soil Scientist; 100-year floodplains (Flood Zones A, as shown on FEMA maps); and easements and rights-of-way affecting the parcel. The Commission shall require that the Yield Plan include a "Property Survey" prepared in accordance to the Standards for "Surveys and Maps in the State of Connecticut", as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996.

On lots that would not be served by public sewerage or a centralized private sewage treatment facility, soil suitability for individual septic systems must be demonstrated. The Commission may select a small percentage of lots (10 to 15%) to be tested, in areas considered to be marginal. If all tests on the sample lots meet applicable Public Health Code requirements, the applicant's other lots shall be deemed suitable for septic systems, for the purpose of calculating total lot yield. However, if any of the sample lots fail, several others (of the Commission's choosing) shall be tested, until all the lots in a given sample pass.

- 16.5 Minimum Area of Open Space Required: The minimum percentage of land that shall be designated as permanent open space shall be fifty (50) percent of the total parcel area.
- 16.6 Design Guidelines for Conservation Subdivisions: The dimensional requirements for lots in a Conservation Subdivision shall be as specified in Section 21.6 of the Zoning Regulations. In designing a Conservation Subdivision, the applicant shall consider the purposes set forth in Section 16 and Section 9 of these Regulations; the provisions and standards set forth in Section 21 of the Zoning Regulations, and the following:
- a) Proposed lots and improvements should be designed and situated to minimize alteration of natural site features to be preserved.

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- b) Proposed open space areas should include irreplaceable natural features located in the tract (such as, but not limited to stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings).
- c) Open space intended for recreation or other active public use should be easily accessible to pedestrians, including to the extent feasible, the handicapped and elderly.
- d) Individual lots should be arranged and situated to relate to surrounding properties, to improve the view from, and the view of, prospective home sites, and to minimize the area devoted to motor access and travel.

The Commission may modify any application so as to designate open space in locations other than those proposed, if it determines that such modified location(s) will better serve purposes and satisfy the applicable criteria and standards of these Regulations and the Zoning Regulations.

16.7 Common Driveways:

Common driveways serving more than one dwelling unit are encouraged, especially when interior (rear) lots are proposed and at cul-de-sacs. Minimum separation between physical driveways is 25 feet. The applicant shall demonstrate adequate snow shelf and driveway curb-cut separations at cul-de-sacs (public or private). Common driveways may not serve as a connecting driveway between two public streets or private laneways.

Common driveways may serve up to five (5) dwelling units in a Conservation Subdivision, and shall be paved with bituminous concrete or gravel to a minimum width of eighteen (18) feet. Final design is site specific and subject to the recommendation of the Town Engineer. Bituminous concrete pavement is required where road grade is greater than or equal to 8%. The pavement cross section shall consist of:

- 1. 6" rolled gravel sub-base (or as required by the Town Engineer);
- 2. 4" compacted processed stone base;
- 3. 1 ½" compacted bituminous concrete Class I pavement binder course; and
- 4. 1 ½" compacted bituminous concrete Class II pavement finish course.

The unpaved cross section shall consist of:

- 1. 8" rolled gravel sub-base (or as required by the Town Engineer);
- 2. 4" compacted processed stone finish course.

Where common driveways exceed 1,000 feet in length, a pull-off (8' wide x 20' deep) shall be provided at 300-foot intervals.

All common driveways are to be maintained by either a Homeowner's Association, or through the establishment of private maintenance and liability agreements, and are to remain private in perpetuity in a form acceptable to the Commission, which shall be subject to review by the Town Counsel. Appropriate easements shall be provided for travel, utilities, snow storage and pull-off, hammerhead turnaround, and associated snow shelves.

16.8 Conservation Subdivision Streets:

New public streets serving a Conservation Subdivision shall be paved to a minimum width of twenty (20) feet (bituminous concrete) with a cross slope from center crown to gutter of no less than 3/8"/foot. Final design is site specific and subject to the recommendation of the Town Engineer.

Curbing and formal closed drainage systems (e.g. culverts, catch basins, etc.) are to be held to a minimum, except as provided below. Curbing shall be required: where a road is in a cut situation with surrounding land pitching toward the road; at a low point in the road with catch basins to collect stormwater runoff; and where a closed drainage system is required. Curbing is not required: where land generally has flat slopes; where the road is in a fill situation and sheet flow away from the road is advantageous; and where no closed drainage system is required. A closed drainage system is required where drainage structures (e.g. catch basins) are necessitated by site conditions and subdivision design.

All dead-end streets shall terminate in a cul-de-sac. In general dead-end streets shall not exceed 1,300 feet in length and shall serve no more than twelve (12) dwelling units, except that waivers for cul-de-sac streets serving not more than sixteen (16) dwelling units may be granted by the Commission in instances where the applicant has satisfactorily demonstrated that street length, topography, natural features, site layout and emergency vehicle access are adequate to properly served the proposed dwellings three-quarters (3/4) of the commission quorum present must vote in favor for waiver to be granted.

All new public streets shall be designed to the standards of these regulations, and to the standards of the Plainfield Road Ordinance, except where expressly modified by this chapter.

16.9 Conservation Subdivision Private Lanes:

Private lanes may serve up to ten (10) dwelling units in a Conservation Subdivision. All private lanes shall be paved with 3" bituminous concrete (1 1/2" Class I and 1 1/2" Class II) or gravel to a minimum width of twenty (20) feet. Final design is site specific and subject to the recommendation of the Town Engineer. Private lanes may not serve as a connecting road between two public streets.

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Bituminous concrete pavement is required: where road grade is greater than or equal to 6%, where a closed drainage system is required; and where curbing is required. The Commission may waive the requirement for bituminous concrete pavement (three quarters (3/4) of the Commission quorum present must vote in favor for waiver to be granted), in instances or road grade greater than 6% but not more than 8%, if the applicant satisfactorily demonstrates site design, use and physical features of the site can sustain and support a twenty (20) feet wide gravel street.

Curbing and formal closed drainage systems are to be held a minimum, except as provided below. Curbing shall be required: where a road is in a cut situation with surrounding land pitching toward the road; at a low point in the road with catch basins to collect stormwater runoff; and where a closed drainage system is required. Curbing is not required; where the land generally has flat slopes; where the road is in a fill situation and sheet flow away from the road is advantageous; and where no closed drainage system is required. A closed drainage system is required where drainage structures (e.g. catch basins) are necessitated by site conditions and subdivision design. The cross slope from center crown to gutter shall be no less than 3/8" /foot.

Pavement cross-section shall consist of:

1. 6" rolled gravel sub-base (or as required by the Town Engineer);
2. 4" compacted processed stone base;
3. 1 ½" compacted bituminous concrete Class I pavement binder course; and
4. 1 ½" compacted bituminous concrete Class II pavement finish course.

Unpaved cross sections shall consist of:

1. 8" rolled gravel sub-base (or as required by the Town Engineer);
2. 4" compacted processed stone finish course.

All dead-end private lanes shall terminate in a cul-de-sac with an outside radius of travel way of fifty (50) feet. If a center island is proposed, the width of the travel way around the island shall be at least twenty (20) feet. Where roads exceed 1,000 feet in length, a hammerhead turnaround (12' wide x 20' deep) shall be provided at intervals of three hundred (300) feet (except the last 1,000 feet of roadway may be served by the cul-de-sac). For example, a 3,000 feet long private lane would have hammerheads at 1,000 feet and 2,000 feet, and a cul-de-sac at 3,000 feet.

All private lanes are to be maintained by a Homeowner's association, and are to remain private in perpetuity in a form acceptable to the Commission, which shall, at the Commission's discretion, be subject to review by the Town Counsel. Appropriate easements shall be provided for travel, utilities, snow storage, maintenance, stormwater drainage and to accommodate any

hammerhead turnaround and associated snow shelf. All private lanes shall be identified on the subdivision plans.

16.10 Indemnification:

If a Conservation Subdivision contains a private lane or common driveway, a note shall be placed on the final Conservation Subdivision plan, and in the deed to the property stating: ***“This subdivision is serviced by a private lane (and/or common driveway), The Town of Plainfield will provide no maintenance, repair or school bus service along this private lane (and/or common driveway).”***

16.11 Dedication of Open Space:

The dedication of open space shall be in accordance with the provisions set forth in Section 5C.8 of the Plainfield Zoning Regulations.

16.12 Modification or Exception: (TA-2008-08) (Effective 10/01/08)

An applicant may apply to the Commission for a modification or exception to the Conservation Subdivision plan requirements. The purpose of the modification or exception is to provide flexibility with regard to parcels of land for which a Conservation Subdivision would be impractical due to existing physical conditions or limitations, would create an undue hardship, or would be substantially detrimental to the character of, or property in, surrounding areas. In evaluating, approving or disapproving an application for such modification or exception, the Commission may consider the following criteria:

1. The nature of the proposed development
2. The nature of the resources present on the land
3. The size of the subdivision
4. Road access
5. The shape of the parcel
6. Any undue hardships that the creation of a Conservation Subdivision would cause
7. Any other factor the Commission deems appropriate