

SUBDIVISION REGULATIONS

Chapter 166
From the CODE of the TOWN OF TOLLAND
COUNTY OF TOLLAND
STATE OF CONNECTICUT

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SUBDIVISION TABLE OF CONTENTS

ARTICLE I General Provisions

Section 166-1	Preamble.
Section 166-2	Authority.
Section 166-3	Title.
Section 166-4	Purpose.
Section 166-5	Definitions.

ARTICLE II Procedures

Section 166-6	General.
Section 166-7	Subdivision Application Procedures.
Section 166-8	Subdivision Submission Requirements.
Section 166-9	Subdivision Plan Requirements.
Section 166-10	Waiver of the Design Manual Standards.
Section 166-11	Conditional Approval Requirements.
Section 166-12	Final Approval Requirements.
Section 166-13	Filing a Performance Bond.
Section 166-14	Obtaining Permits and Construction Authorization.
Section 166-15	Open Space Dedication and Criteria.

ARTICLE III Public Improvements

Section 166-16	Road Acceptance Procedures.
Section 166-17	Performance Bond Reductions.
Section 166-18	Road Acceptance.

Appendices 1 through 10

“Tolland is an Equal Opportunity Employer”

ARTICLE I
General Provisions

Section 166-1. Preamble.

According to the General Statutes, the Town of Tolland Planning and Zoning Commission has the right and responsibility to regulate the subdivision of land in the community. For the purpose of securing the orderly and coordinated development of the Town of Tolland and to assure the safety, health, welfare and comfort of its people, the town has promulgated these regulations regarding the subdivision of land.

Section 166-2. Authority.

The Town of Tolland Planning and Zoning Commission is established pursuant to Chapter 126 of the General Statutes of the State of Connecticut and the Tolland Town Charter to adopt, amend and administer subdivision regulations.

Section 166-3. Title.

These regulations shall be known as the "Subdivision Regulations for Tolland, Connecticut."

Section 166-4. Purpose.

- A. The purpose of these regulations is to provide for a flexible approach for the design and division of land while assuring that significant natural and man-made resource areas within the Town will be conserved and protected without increasing overall density. Specifically, these regulations are designed to further the following objectives:
1. Encourage flexibility of site design and housing construction which will provide for a variety of housing opportunities and amenities to meet community needs, including single-family, two-family, multi-family, village type cluster and affordable housing.
 2. Promote the most appropriate use of the land, considering its particular topography, size, shape, soils, natural features, historic assets and other similar features.
 3. Preserve wetlands and otherwise control new developments so as to minimize hazards resulting from stormwater runoff, stream flooding and erosion.
 4. Protect the natural scenic, semi-rural character and ecologically important features of the Town's remaining undeveloped land.
 5. Provide the maximum land area for open space, park and recreation purposes, including trails.
 6. Provide greater protection in the Natural Resource & Wildlife Protection Areas (as designated on the Zoning Map). Development plans should be designed to provide as much protection as possible by:
 - Protecting large blocks of diverse contiguous land;
 - Protecting critical stream corridors to protect and enhance surface water and groundwater quality and to provide important connections in the life cycles of wildlife;
 - Keeping watersheds intact to provide the greatest diversity of wildlife resources.

- B. These regulations are designed to promote proper street widths, grades and construction; lot layout; provision of safe water supplies and sanitary sewage facilities; stormwater drainage systems; adequate utilities; suitable open spaces; and related public improvements.

Section 166-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APPROVAL, CONDITIONAL - An action by the Planning and Zoning Commission, as cited in Section 8-25 of the General Statutes, which accepts the proposed subdivision, accepts the subdivision with modifications or an inaction by the Commission which results in an acceptance by default. Such "approval(s)" does not constitute final approval. Lots with Conditional Approval may not be offered for sale.

APPROVAL, FINAL - An administrative action by the Commission's designated agent whereby a subdivision meets the conditions applied by the Commission when Conditional Approval was secured. Such conditions must be in accord with Section 166-12. Lots with Final Approval can be offered for sale.

BUILDABLE AREA - The contiguous area of a lot, exclusive of wetlands, watercourses, water bodies, wetland buffers, detention areas, utility or drainage easements, steep slopes of over 20%, as measured over a distance of 50 or more lineal feet, ledge outcroppings over 200 sq. ft. and principal structure setback areas. A minimum 100 foot square shall be able to fit within the buildable area. All principal structures shall be located entirely within the buildable area.

CERTIFICATE OF OCCUPANCY- The description of "certificate of occupancy" in Section 29-265 of the General Statutes is hereby made the definition of "certificate of occupancy" in these regulations.

COMMISSION - The Planning and Zoning Commission of the Town of Tolland.

CUL-DE-SAC (dead end) ROAD - A road beginning at an existing public road with no other outlet onto an existing public road.

DEVELOPABLE AREA - The area of a parcel, exclusive of wetlands, watercourses, water bodies, steep slopes over 20%, as measured over a distance of 50 or more lineal feet and ledge outcroppings over 200 sq. ft. in area.

GENERAL STATUTES - The General Statutes of the State of Connecticut, 1958 Revision, or as from time to time revised or amended.

LEDGE OUTCROPPING - A portion of bedrock protruding through the soil.

NATURAL RESOURCE & WILDLIFE PROTECTION AREA - Watershed area designated on the Natural Resource & Wildlife Protection Area Map dated September 2005 identified as needing greater protection.

OPEN SPACE - Land to be set aside, as provided for in Section 8-25 of the General Statutes, for open space, parks and playgrounds.

PUBLIC IMPROVEMENT WORK - Any improvements required by the Commission, as a condition of subdivision approval, pursuant to Section 8-25 of the General Statutes, for the public health, safety or welfare, including but not limited to the grading and improvement of streets and the provision of public utilities and services.

RECONFIGURATION - Any adjustment, change or modification in the location of any portion of the boundary of a lot or other tract or parcel of land, regardless of whether such reconfiguration would create a subdivision or resubdivision under these regulations.

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.
- 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.

TOWN - The Town of Tolland, Connecticut.

TOWN PLAN OF DEVELOPMENT - The Town of Tolland Plan of Conservation and Development, adopted in August 1999, including any amendments thereto.

WATERSHED - A region or area determined by the Town Engineer forming a drainage basin with rainwater ultimately draining to a particular watercourse.

WORK - All physical improvements required by the approved plan (Conditional Approval), other than the staking out of lots, and includes but is not limited to the construction of roads, 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 and other landscaping, and installation of retaining walls or other structures.

ARTICLE II Procedures

Section 166-6. General.

- A. Wherever in these regulations the term "subdivision" is used, it shall refer to both subdivision and resubdivision unless otherwise specifically stated.
- B. Construction standards for public improvement work shall be in accordance with the Design Manual.
- C. Subdivision plans must be in accordance with the Town Zoning and Wetlands Regulations.
- D. In cases where reasonable and necessary need for an off-site improvement or improvements is necessitated or required by the proposed development application and where no other property owners receive a special benefit thereby, the Commission may require the applicant, as a condition of subdivision approval and at the applicant's sole expense, to provide for and

construct such improvements as if such were on-site improvements, including development of public roads contiguous to the subdivision.

- E. Cul-de-sac. The Commission shall limit the length of new cul-de-sac or dead end roads due to the higher cost of maintenance of these roads and the inefficiencies inherent to their design for the provision and delivery of other municipal services. Cul-de-sac or dead end roads shall not exceed 1300' as measured from the centerline of the nearest intersecting through road to the centerline of the cul-de-sac. The length of any existing dead end road or cul-de-sac may not be increased beyond a total length of 1300'. A planted vegetative buffer shall be provided along the existing public street for the first 100' of new cul-de-sac road. The Commission may waive this if sufficient vegetation exists. A Vegetation Preservation Easement shall be acquired, when possible, to permanently protect this vegetative buffer.
- F. The maximum permitted length of a cul-de-sac road may be extended by four concurring votes of the Commission provided that a through road which reconnects to an existing public road has been approved by the Commission and the road construction will be phased resulting in a cul-de-sac.
- G. Professional designer requirement.

Conceptual and Subdivision submission proposals with road extensions, or new roads with five or more lots, must be designed by a Professional Engineer specializing in Civil Engineering and a Landscape Architect (LA). The Landscape Architect will be involved with the Site Analysis evaluation and the overall design of the subdivision road and lot layout. A report must be submitted from the LA noting potential impacts on natural and man-made features, and scenic views and vistas, as well as factors and criteria used in the subdivision design and final plans. Final plans shall include the name, signature and seal of a landscape architect licensed by the State of Connecticut.

- H. Sites of Archaeological Significance

For all proposed subdivisions located within a high sensitivity area, as shown on the Town's official archaeological base map, the applicants shall make a written inquiry by Certified Mail, Return Receipt Requested, of the State Archaeologist to determine if there is evidence of sites of archaeological significance within the subdivision. Any significant sites shall, where possible, be left undisturbed and may be considered in meeting the minimum Open Space requirements of Section 166-15 of these regulations. A copy of the transmittal letter shall be submitted to the Commission to verify this requirement. If no memorandum from the State Archaeologist is received within 30 days from receipt of notice, it shall be presumed that the State Archaeologist has determined that the area is not located within an area of archaeological significance.

- I. No lot line shall be reconfigured or relocated other than a subdivision as defined in Section 166-5 or any activity performed that affects soil characteristics or hydraulic conditions that reduce the potential repair area, unless the Town Planner or Zoning Enforcement Officer have affirmed compliance with the Zoning Regulations and the Director of Health or Sanitarian has determined that a code complying area exists on the lot for the installation of a sub-surface sewage disposal system.

J. No parcels, reserve strips or other remnants of land of a size unsuitable for a building lot shall be left in any subdivision. Any land area, regardless of size, which does not conform to the requirements of these or other applicable codes and regulations or is rendered useless for building according to sound engineering practice shall be:

- i. Included in an adjoining conforming lot, or
- ii. Designated and deeded as "Open Space"

K. Waiver of Regulations

As provided in Connecticut General Statutes Section 8-26, upon written request of an applicant, the Commission may waive any requirement under these Subdivision Regulations by a three-quarters (3/4) majority vote of all members of the Commission. In approving such waiver or waivers, the Commission shall state upon the record the reasons for which a waiver is granted in each case. The Commission shall not grant a waiver or waivers unless it determines that such waiver or waivers comply with one or more of the following:

- are based on conditions that affect the subject land and are not generally applicable to other land in the area;
- will not have significant adverse effect on adjacent property or public health and safety;
- will not have significant adverse effect on the appropriate and orderly development of the area or hinder appropriate development or use of land on adjoining properties;
- are not for the purpose of creating an additional building lot or lots; and are necessary to further the intent of these regulations and the Town Plan of Conservation and Development.

L. All applications involving the construction of more than twenty-five (25) dwelling units which, in the Commission's judgment, would generate high levels of traffic shall be accompanied by a traffic study prepared by a licensed Traffic Engineer. The Commission may waive this requirement if it finds that the proposal is of such a nature that a significant traffic impact is not anticipated.

M. Scenic Hillside Protection. The visual integrity of hilltops and ridge lines shall be maintained by designing the development so that building silhouettes will be below the ridgeline or hilltop or, if the area is heavily wooded, so that the building silhouette will be at least ten (10) feet lower than the average canopy height of trees on the ridge line or hilltop.

N. Subdivision application fees may include additional costs incurred by the Town of Tolland including but not limited to, the expense of retaining experts to analyze, review and report on areas requiring a detailed technical review in order to assist the Planning and Zoning Commission in its deliberations. Said costs will be estimated by the Commission, based on preliminary estimates from such experts, and said estimate of costs times 150% will be paid over to the Commission prior to proceeding on the application. Upon completion of the technical review and a determination of the costs incurred, any excess will be refunded to the applicant. The applicant shall not be responsible for costs incurred in excess of 150% of the Commission's estimate.

- O. The Commission may require a buffer of up to two hundred (200) feet from any structure constructed in a subdivision to the property line of:
- Land administered by the DEP;
 - Town owned Open Space or Park;
 - Land owned by any entity that is permanently dedicated as open space;
 - Land that has been identified as an aesthetic, visual or historic resource;
 - Land that has an existing farm use.

Section 166-7. Subdivision Application Procedures.

A. Early planning.

Regulations. The subdivider should become familiar with State Statutes and Town regulations and other pertinent data as they relate to land use so that the subdivider is entirely aware of the requirements for subdivision and the subdivision process.

Consultations. The subdivider should consult with the appropriate State agencies and Municipal officials for technical assistance in the formation of plans and critical time frames, etc.

B. Pre-application procedures/Site Analysis Plan (Required).

Any proposed subdivision of 5 or more lots and/or any proposed subdivision including a new road or road extension must include the submission of a Site Analysis Plan. The plan shall be drawn at 200 scale unless waived by the Planning Staff due to the size and shape of the parcel or other relevant factors.

The purpose of this plan is to allow the Commission, Wetlands Commission, Conservation Commission and Staff, to review the overall site for general planning purposes taking into the consideration, recreation and Open Space issues, wetland impact, environmental concerns including the preservation of vegetation, and traffic circulation patterns.

The Site Analysis Plan shall show at least the following information:

1. A 1000 Scale key map showing the parcel and adjacent roads, any town line within 500 feet of the site and other notable features such as parks and municipal buildings, etc.
2. A legend
3. Existing contours at two-foot intervals.
4. Soil classifications as derived from the Tolland County Soil Survey.
5. Designated wetlands and watercourses including the identification of vernal pools, brooks or streams and showing flow directions, water courses, ponds, swamps and marshes within 500 feet of the subject parcel as derived from existing resources such as USGS Quadrangle maps and/or aerial photographs.
6. Flood Hazard Areas and the 100-year flood elevation as derived from Flood Insurance Rate Maps (FIRM).
7. Aquifer Protection Areas as taken from the Town Aquifer Protection Map.
8. Significant stone walls, hedgerows, significant rock outcroppings and unique landforms.
9. Significant vegetation, including trees and other plant-life that are significant because of their size, species, appearance, location or wildlife habitat value.
10. On-site and adjacent active agricultural land with uses identified.

11. Adjacent Open Space and recreational land that has been formally set aside for that purpose, whether privately or publicly held.
12. Existing pathways and/or proposed pathways as specified in Section 170-2 D, and existing or proposed sidewalks within 500 feet of the site.
13. Identify on or off-site sources of significant noise and/or visual impact.
14. Identify historically or architecturally significant structures and/or areas on or adjacent to the site.
15. The proximity of sites designated as areas of special concern (shown shaded on a CT DEP map entitled "Town of Tolland State and Federal listed Species and Significant Natural Communities". The sites must be indicated if they are within ½ mile upstream or downstream from the subject parcel.
16. Those parts of the site that are better suited for development and those parts of the site where development should be discouraged.

After the Site Analysis Plan has been reviewed, the Commission may schedule a mutually convenient date to walk the property with the applicant and his/her site designer. The purpose of this visit is to familiarize local officials with the property's special features and to provide them an informal opportunity to offer guidance to the applicant regarding the development.

Within thirty days after submission of the plans, Staff will consolidate all comments and recommendations and prepare a report for the subdivider.

C. Conceptual submission

Submission of Conceptual Plans shall be encouraged for all subdivision requests and required for all parcels of land containing 15 or more acres unless waived by the Town Planner. Commission may require an overall concept plan due to the number of lots previously subdivided over time from a large parcel. Several concepts may be submitted concurrently. The Conceptual Plan submission may not be combined with the Site Analysis Plan submission and review

The subdivider shall prepare plans for submission to the Planning Staff for distribution to the Planning and Zoning, Wetlands and Conservation Commissions and staff. The application will be placed on the Planning and Zoning Commission agenda for an informal discussion and recommendations by the Commission. This conceptual submission shall not be deemed to constitute any portion of the official and formal procedure of subdivision application and approval.

Each concept plan shall contain all information required on the Site Analysis Plan (See Section 166.7 B) and the following:

1. A 200 scale plan showing in greater detail the proposed lots, open space, road design and adjacent properties (recommended option – see item 2 below).
2. Overall Plan (See Section 166-9 B).
3. Layout of the roads.
4. Layout of proposed lots.

The submission of the conceptual proposal(s) does not alter the requirements or procedures for the submission of an application for subdivision. Any review, comments or recommendations made by the Commission or Staff are limited to the information presented in the conceptual plans and are not to be considered as a commitment to approve a definitive subdivision for which more detailed information is required. In the event that the subdivider chooses to submit only final subdivision

plans, all of the items listed in Section 166-9 shall be provided and shall be in accordance with Section 166-6 H 1.

Section 166-8. Subdivision Submission Requirements.

- A. Notice and supporting datum. Prior to the Commission considering any proposed subdivision, the following requirements shall be met. All required information shall be submitted to the Planning Office by the person or corporation proposing a subdivision at least ten (10) days in advance of the Commission's next regular meeting. The meeting dates are posted in the Town Clerk's office. Six (6) copies of the subdivision plans and all the supporting data shall be submitted at the time of application.
- B. Application for subdivision. Application for approval of a subdivision or resubdivision shall be made to the Commission, in writing, on forms prescribed by the Commission; the application shall include the following:
1. Applicant's name, mailing address and phone number.
 2. Owner of record: name, mailing address and phone number.
 3. Location of property and Assessor's map number.
 4. Property volume and page number.
 5. Type of application, i.e., subdivision or resubdivision.
 6. Density calculations as prescribed in Section 170-37 L of the zoning Regulations.
 7. Lot numbers.
 8. Zoning classification of parcel.
 9. History of Planning and Zoning Commission action.
 10. Applicant's signature.
 11. Record owner's signature.
 12. A list containing the names and mailing addresses, including Zip Codes, of all owners of record whose land, or any part thereof, falls within 500 feet of any portion of the subject property. The date of the research must be noted. The list must be submitted no more than 20 days nor less than 15 before the Public Hearing. The list is not necessary if it is determined that a Public Hearing is not required.
 13. Notice of the Public Hearing shall be mailed to the owner(s) of record by United States Post Office Certificate of Mailing by the applicant no less than 10 days prior to the date of the hearing. The Planning office shall provide said notice. The applicant shall at the time of the hearing present proof of the measures taken to comply with this section. If the applicant has, in good faith, taken reasonable measures to comply with this section, the failure of any person entitled to receive such notice of a public hearing shall be the equivalent of the receipt of notice.
 14. The required application fee as per Ordinance #50.
 15. Solar access requirements: as per Connecticut General Statutes Section 8-25(b), as amended, and Section 166-9 I herein.
- C. Road centerline staking. The road centerline of any proposed subdivision must be staked and/or flagged with surveyor's tape and road stations shall be marked thereon. Intersections must be indicated. The centerline must be so marked no later than 10 days after the plans are submitted.

Section 166-9. Subdivision Plan Requirements.

A. General.

1. All plans shall be prepared by and bear the seal and signature of a land surveyor licensed to practice in the State of Connecticut. The accuracy of the information on the plans shall conform to the Class A-2 requirements of the Regulations of Connecticut State Agencies, Section 20-300 b-1 to 20-300 b-20 "Minimum Standards for Surveys and Maps in the State of Connecticut". Where subdivisions are proposed in non-residential zones, some plan requirements may be waived or modified by the Commission, taking into consideration that fact that in such zones all development proposals require either Site Plan of Special Permit/Site Plan submissions on a lot by lot basis
2. The plans must be on 24X36 inch sheets and be drawn to a scale of 1 inch equals 40 feet or 1 inch equals 50 feet. One inch equals 40 feet is the preferable scale. One inch equals 100 feet may be used if the Town Planner finds that lot sizes dictate that those scales are more appropriate; areas where details are required for review purposes shall be shown at a scale of 1 inch equals 40 feet.
3. The plans shall be blue line or black line on white paper and shall be good quality prints with dense and clear line work and notations.
4. All engineering plans shall bear the seal and signature of a professional engineer licensed to practice in the State of Connecticut.
5. Except as noted elsewhere in this Article, all plans shall show the following basic information if applicable to the application.

B. Overall plan. An overall plan, based on the Site Analysis Plan (See 166-7 B) shall be submitted, preferably on one sheet, at a scale of 100 or 200 feet per inch showing the following:

1. Key map, north arrow, scale, contour interval and match lines if necessary.
2. Topography.
3. Wetlands and wetlands boundary field numbers.
4. Water courses, ponds, swamps and marshes within 500 feet of the subject parcel as derived from existing resources such as USGS Quadrangle maps and/or aerial photographs.
5. Tree lines, stone walls and existing structures.
6. Areas of special concern (see 166-7 B. 16).
7. Roads with station numbers including major cut and fill areas.
8. Lot layout, proposed open space, proposed house and septic system location.
9. Lot lines and other boundaries.
10. Drainage features including flow directions.
11. Nearby utility structures.

C. Cover sheet. The cover sheet shall contain:

1. A one-thousand-scale key map showing the site, scale, proposed roads, lot layout, road names, existing roads, municipal boundaries and public water, sewer and gas utilities.
2. A two-hundred-scale plan of the subdivision, showing the proposed road layout, lots and lot numbers, total project acreage, adjacent roads, existing and proposed open space, parks, public property, scale and names of property owners within five hundred (500) feet of the subdivision.
3. North arrow with its declination from Magnetic North noted (Typical throughout on all scale plans and on all sheets).

4. All plans must include an index to locate proposed lots, technical data and other relevant details.
5. The name of the subdivision, the name(s) and addresses of the property owner(s), the names and addresses of the subdividers and the name(s) and address of the firm which prepared the plans.
6. A sheet number.
7. Conditional and Final Approval signature blocks (See Appendix 1).
8. A note regarding the requirement of the installation of property pins and road monuments.
9. A note regarding the nature of the water supply and the wastewater treatment and a statement about the requirement that the sewage disposal system must be designed by a Registered Professional Engineer, if appropriate.
10. A note that each driveway must meet Town standards and that each driveway apron must be paved before issuance of a Certificate of Occupancy, if appropriate.
11. A note specifying the submission of a lot-specific erosion and sedimentation control during the septic disposal system permit process.
12. All other standard informational notes. Depending on the cover sheet contents, notes may be placed on another sheet and identified accordingly.
13. Town line within five hundred (500) feet of the project.
14. A note specifying whether or not any part of the development is located within the Shenipsit Lake watershed.

D. Subdivision plan contents.

1. The subdivision plan shall contain the following information as a minimum:
 - a. The subject property, including all proposed lots and street boundary lines.
 - b. Names of all abutting property owners, including those separated from the project by a road, but excluding those separated by a limited access interstate highway.
 - c. All easements and rights-of-way and their intended purpose. All dimensions, bearings, areas and grantor/grantee information shall be indicated.
 - d. Abutting land uses and zone boundaries.
 - e. Proposed and existing recreation sites, conservation easements, stream belt, all open space and other public areas, as well as proposed improvements to the same.
 - f. Existing pathways and/or proposed pathways as specified in Section 170-2 D, and existing or proposed sidewalks within 500 feet of the site.
 - g. All parcels to be deeded to the Town are to be assigned a parcel identification.
 - h. Proposed building lots and other parcels, with lot numbers, dimensions, bearings, building lines and areas. All areas are to be in square feet and acres.
 - i. Lot frontages may be measured at floating building lines in lieu of street lines.
 - j. All dimensions, bearings and widths of all road rights-of-way, including interior angles, tangents, radii, chords and arc lengths.
 - k. Labeled existing and proposed highway monuments.
 - l. Labeled existing and proposed property pins.
 - m. Adjacent utility poles and structures, including utility company name and pole number.
 - n. Existing and proposed road names.
 - o. Road classifications.
 - p. Written and graphic scale on each sheet.
 - q. North arrow on each sheet
 - r. Legend, if applicable.
 - s. Sheet numbers.

- t. Solar access requirements as per Connecticut General Statutes Section 8-25(b), as amended, and Section 166-9 I of these regulations.
 - u. A title block (See Appendix 2).
 2. Each sheet shall boldly reference the sheet number containing the legend, approval signature block and notes. All sheets shall boldly reference the other parts of the total subdivision plan, e.g., topographic plan, plan and profiles and the erosion and sedimentation control plan, etc. When appropriate, on small subdivision plans this information may be consolidated. Depending on the cover sheet contents, notes may be placed on another sheet and identified accordingly.
 3. Each building lot and Open Space parcel must be shown in their entirety on a single sheet at 1 inch equals 40 feet or 1 inch equals 50 feet unless waived by the Commission
- E. Contour and vicinity plan contents.
 1. The contour and vicinity plans shall contain the following information as a minimum:
 - a. All items listed in Subsection D above, except Subsection D 1 b.
 - b. All existing wetlands and watercourses as determined by a certified soil scientist. The names of all water bodies, streams, etc., shall be identified. The name and signature of the soil scientist must appear on the first sheet of the contour and vicinity plans.
 - c. Floodplain limit lines, stream encroachment lines, flood hazard areas and aquifer zones.
 - d. Shenipsit Lake watershed boundary.
 - e. Proposed wetlands and/or watercourses.
 - f. Water courses, ponds, swamps and marshes within 500 feet of the subject parcel as derived from existing resources such as USGS Quadrangle maps and/or aerial photographs
 - g. Approximate locations of proposed primary and reserve septic areas.
 - h. Proposed location and size of sewer laterals and street sewers and related structures.
 - i. Buildable area of each lot. The specific buildable area of each proposed lot and the location of the buildable square. If the buildable area is not sufficient to accommodate a 20-foot by 24-foot accessory structure, in addition to a dwelling, a bold note must be applied to the lot advising that it has a restricted buildable area and may not have adequate area to support accessory structures.
 - j. The proposed area of site disturbance during subdivision and building development
 - k. Proposed well location.
 - l. Proposed location and size of water mains, house connections, hydrants and related structures. Indicate flow directions.
 - m. Proposed location of telephone, cable and electrical lines and related structures.
 - n. Proposed location of gas mains, services and related structures.
 - o. Separate plans and profiles at a scale 1 inch equals 40 feet horizontal and 1 inch equals 4 feet vertical shall be furnished for each public water and/or sewer system.
 - p. A Storm Water Management Report conforming to the Town of Tolland Design Manual specifying the necessary information to permit the Planning Commission to evaluate the design of the storm water system and any effects on the site or downstream properties. The report shall include all calculations and design parameters for the storm water management system. The Storm Water Management

Report shall also include all required calculations to demonstrate compliance with Low Impact Development requirements for the Town of Tolland.

- q. Traffic calming methods.
 - r. Present foliage line.
 - s. Unique or specimen trees or tree stands (as determined with the assistance of Town Staff).
 - t. Existing man-made and natural structures, including substantial stone walls, notable rock outcrops and massive boulders.
 - u. Deep hole and percolation test location and number. Test data shall be furnished in a separate document.
 - v. Approximate location of proposed dwelling and driveway, including functional footing drain outlets based upon the proposed grading (see subsection u below) and emergency vehicle turnarounds and pull-offs (if required).
 - w. Existing and proposed contours at two-foot intervals based on United States Geological Survey NAVD '88 datum including areas having slopes in excess of 20%.
 - x. The datum and the location and the identification of the source benchmark are to be indicated.
 - y. Proposed surface grading of lots, where appropriate. Elevations at points of change in gradient and proposed and existing direction of surface water flow must be identified.
 - z. Show proposed grading and slope treatment of driveways.
 - aa. Curblines, pavement widths and sidewalks.
 - bb. Rights to drain.
 - cc. Street station numbers.
 - dd. Storm drainage, sewer, water and other utility structures within three hundred (300) feet of the subdivision.
2. The first sheet of the contour and vicinity plans shall contain the legend and all notes that deal with the contour and vicinity plans; each additional sheet shall boldly reference the sheet number containing the legend and notes. All sheets shall boldly reference the other parts of the total subdivision plan, e.g., the subdivision plan, the erosion and sedimentation control plan, etc.

F. Plan and profiles.

1. The plan and profile sheets shall be prepared by an engineer licensed to practice in the State of Connecticut. They shall be drawn to a scale of 1 inch equals 40 feet horizontal and 1 inch equals 4 feet vertical. The following information shall be shown on the plan and profile sheets:
 - a. All lot lines, rights-of-way, lot numbers and easement lines that intersect street lines.
 - b. The location and widths of all roads, rights-of-way and easements.
 - c. The location, size and elevations of all proposed and existing drainage, water supply and sewage disposal structures. Flow lines, top of frame elevations and flow directions (indicated by arrow) are to be labeled.
 - d. A typical road cross-section will include a right-of-way, pavement width, curbs, sidewalks, slopes, utility locations and construction material details.
 - e. Typicals for drainage structures, driveways, curbs, sidewalks, public utilities and related structures not specified herein.
 - f. Typicals for traffic calming devices and techniques.
 - g. Existing utility poles and structures, including utility company name and pole number.

- h. Stations indicating proposed elevations along the centerline of the road at fifty-foot intervals tied in with stations on the profile map.
 - i. Profiles of the existing and finished grades along the centerline of the proposed and existing intersecting roads.
 - j. Profiles of the existing grades at the proposed street lines.
 - k. Pertinent data on vertical curves showing the length, station and elevations at the point of curvature, point of intersection and the point of tangency.
 - l. The location and elevation of bench marks within the subdivision. Upon completion of the roads, at least one (1) benchmark must be established for every one thousand (1,000) feet of road.
 - m. Permanent benchmarks must be established on any site where extensive excavation or fill will occur. The Commission may determine that additional benchmarks are required during construction. Such installation shall be the responsibility of the subdivider.
 - n. Legend.
 - o. Sheet numbers.
 - p. A title block. See Appendix 2 for an example.
 2. The first sheet of the plan and profiles shall contain the legend and all notes that deal with the plan and profiles section; each additional sheet shall boldly reference the sheet number containing the legend and notes. All sheets shall boldly reference the other parts of the total subdivision plan, e.g., subdivision plan, topographic plan and erosion and sedimentation control plan, etc.
- G. Erosion and sedimentation control plan contents.
 1. An erosion and sedimentation control plan must be submitted with the subdivision application. It must be prepared in accordance with the Tolland Zoning Regulations and the 2002 Guidelines for Soil Erosion and Sediment Control as prepared by the State of Connecticut as may be amended in the future.
 2. In addition to the requirements of the Tolland Zoning Regulations, the erosion and sedimentation control plan shall contain the following:
 - a. Legend.
 - b. Sheet numbers.
 - c. Title block (See Appendix 2).
 - d. Certification block (See Appendix 7).
- H. Subsurface sewage disposal/water supply report.
 1. The applicant shall obtain a statement from the Director of Health or authorized agent that the proposed subdivision layout satisfactorily provides for on-site sewage disposal in accordance with the "Public Health Code" of the State of Connecticut when proposed lots are not to be served by public sewers.
 2. Where public sewers are available, the subdivider shall extend the same into the proposed project. The proposed extension shall be designed to meet the needs of the current proposal and in certain cases may be oversized to provide for future expansions. Plans and specifications must be approved by the Town Engineer and meet the standards set forth in the Town's Sewer Regulations.

- I. Solar access requirements. The developer shall employ 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. The site design techniques shall include but not be limited to:
 1. House orientation.
 2. Street and lot layout.
 3. Vegetation.
 4. Natural and man-made topographical features.
 5. Protection of solar access within the development.

- J. Sidewalks & Pathways
 1. The Commission may require the subdivider to install sidewalks and pathways for pedestrians and bicycles on existing or proposed streets or elsewhere in a subdivision after considering:
 - The proximity of the subdivision to schools, parks, playgrounds or other community facilities,
 - The proximity of the subdivision to shopping facilities,
 - The presence of other sidewalks or pedestrian trails in the area,
 - The Tolland Plan of Conservation & Development,
 - The need for sidewalks or pedestrian trails in the area, and
 - The topography of the area.

 2. When required by the Commission, sidewalks and pathways provided by the subdivider shall:
 - Be constructed in accordance with Town specification, and
 - Be graded and surfaced as directed by the Commission.

- K. Stone walls. In recognizing the historic and natural value of field constructed stonewalls, common in and around the Town of Tolland, all stonewalls on a subdivision site shall be mapped per the requirements of Section 166-7 of Subdivision Regulations. Wherever feasible, stonewalls shall be preserved as found on site or shall be relocated on site. Wherever practical, existing or new lot lines shall be made to follow stonewalls.

Proposed streets, utilities and future buildings shall be designed to preserve stonewalls to the maximum extent possible. The Commission may require conservation easements along stonewalls to ensure their future protection. The Commission may require the reconstruction of significant stonewalls by the subdivider where their preservation is not possible.”

- L. Development review. The Town Planner is responsible for receiving subdivision plans and for submitting the same to appropriate town officials and various agencies for their review. The Planner shall compile all staff comments prior to the Planning and Zoning Commission meeting on the subdivision proposal. The subdivider may avail himself of the staff comments formulated at either the early planning stage (Section 166-7 A) or the submission of final plan stage (Sections 166-8 and 166-9).

- M. Supplemental supporting data. The Commission may require the submission of technical data from the subdivider to demonstrate that the site will support the proposed subdivision without adverse impact on adjacent properties and public systems. All requested supplemental supporting data shall be submitted a minimum of 10 days prior to a public hearing so that the Commission, Staff, Public and any consultants contracted by the Commission have adequate time to review the information before the expiration of the time limits set forth in the Connecticut General Statutes. The Commission may choose not to accept any modifications to an application after it has been received, except those modifications specifically requested by the Commission.
- N. Applications that do not contain the minimum information listed in Section 166-7, 8 & 9 at the time of filing will be considered incomplete, unless the requirement for such information has been waived by the Commission as specified in the regulations or Town Planner for non-essential or non-applicable map contents. Incomplete applications may be denied.

Section 166-10. Waiver of the Design Manual Standards.

- A. Where the Commission finds that extraordinary hardship may result from strict compliance with the Design Manual Standards, it may waive the standard so that substantial justice will be done and the public interest secured, provided that such waiver will not have the effect of nullifying the interest and purpose of these regulations nor will such waiver have a significant adverse effect on adjacent property or on public health or safety. Such a waiver requires four favorable votes. Extraordinary hardship will exist when the integrity of a subdivision, or a section of the subdivision, will be severely compromised due to the proximity of unique topographic features including ledge outcrops, sensitive water resources and wetlands, adjacent land uses including historical, archeological, open space and conservation sites.

Section 166-11. Conditional Approval Requirements.

- A. Public hearing. The Commission may hold a public hearing regarding any subdivision proposal if, in its judgment, the specific circumstances require such action. No plan of resubdivision shall be approved by the Commission without a public hearing. Notice of public hearings and procedures shall be as prescribed by statute.
- B. Conditional Approval. The Commission shall give Conditional Approval to the subdivision if it finds that the subdivision map, plans, accompanying certificates, documents and data conform to the requirements of these regulations. In order for the subdivision to be approved, the land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety, that proper provision shall be made for water, drainage and sewerage and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, including tidal flooding, that proper provision shall be made for protective flood-control measures and that proposed streets are in harmony with existing or proposed principal thoroughfares shown in the Plan of Development as described in Connecticut General Statutes (Section 8-23), especially in regard to safe intersections with such thoroughfares, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs. In addition, the Commission may require the provision of open spaces, parks and playgrounds when and in places deemed proper by the Commission, which open spaces, parks and playgrounds shall be shown on the subdivision plan. Further, proper provision shall be made for soil erosion and sediment control pursuant to Connecticut General Statutes (Section 22a-329). Such approval shall not constitute final approval. All work in the subdivision shall be completed within five years after the approval of the plan.

- C. Conditional Approval with modifications. In granting such approval, the Commission may require such modifications as it deems necessary to accomplish the purpose and intent of these regulations.
- D. Approval by default. Failure of the Commission to act within the time frame as set forth in Subsection E below shall constitute approval by default.
- E. Time frame for approval or disapproval. The Commission shall approve, approve with modifications or disapprove the subdivision within the time frame as prescribed by statute.
- F. Notification of decision. The Commission shall notify the subdivider of its decision, in writing, within the time frame, and in a form, as prescribed by statute.
- G. Erosion and sedimentation control Performance Bonding.
 - 1. Where required, the subdivider shall post a performance bond to insure the proper implementation of erosion and sedimentation control measures associated with the proposed public improvement work. The bond amount shall be determined by the subdivider and engineer and approved by the town. No public improvement work may commence unless the bond has been posted.
 - 2. The surety may be released by the Commission or its designated agent upon request of the applicant. Within sixty-five days after the request the site shall be inspected and, if certified by the Town Engineer or the Town Planner that the erosion and sedimentation controls have been implemented and the site has been stabilized, the surety shall be released or the applicant shall be notified in writing of the additional modifications that must be completed before such surety, or portion thereof, may be released.
 - 3. Notwithstanding the provisions above, the bonding and bond reduction procedures shall be in accordance with Sections 166-13 and 166-17.

166-12. Final Approval Requirements.

- A. Significance of final approval. After a proposed subdivision receives Conditional Approval or receives such approval with modifications, the subdivider must comply with the following requirements prior to final approval of the subdivision, as the term "final approval" is used in Section 8-25 of the Connecticut General Statutes. No subdivision of land shall be made and no land in any subdivision shall be sold or offered for sale until final plans subdivision prepared in accordance with the requirements of these regulations have been finally approved by the Commission and have been filed in the office of the Town Clerk.
- B. Requirements of final approval. Final approval of the subdivision shall occur when the plans are in conformance with the requirements of the Planning and Zoning Commission and the following requirements have been met:
 - 1. Public improvement cost certification. If public improvements are required by the Commission, either the subdivider shall complete all such improvements or, where not yet completed, the subdivider shall provide the Commission with a detailed estimate, certified by the engineer for the subdivider, of the costs of the public improvements at the time of such certification and an estimate of what such costs will be as of two (2) years after the date of such certification (See Appendix 3). If construction has not commenced within two

- (2) years after approval, the Commission may require an up-dated cost certification for two years after the date of the update.
2. Surety. If public improvements are required by the Commission but not yet completed, the subdivider shall provide to the Commission or its designated agent surety in an amount satisfactory to the Commission to assure completion of the public improvements before the end of the five-year approval period (See 166-11 B). Section 166-13 sets forth the surety procedure and Appendices 4 and 5 list general forms of acceptable surety documents and Agreements.
 3. Insurance. The subdivider shall secure a policy for liability insurance that names the Town of Tolland as an additional insured. The policy must be maintained until all public improvements have been completed and accepted by the Town of Tolland pursuant to Article III of these regulations. The limits of said policy shall be \$1,000,000. The policy must include the name and phase of the subdivision to be covered.
 4. Map endorsement. The Commission Chairman or Secretary shall endorse the signature block on the original plan of any plan of subdivision that gains Conditional or Final Approved by the Commission. See Appendix 1 for an example. Conservation, drainage and other easements must be filed on the land record after review and approval by the Town Attorney and Town Staff.
 5. Conservation Easement markers shall be installed at all points of angles along the perimeter of the Conservation Easement, and area along straight lines of such perimeters the markers shall be no more than 200' apart. Markers shall be installed on existing trees where possible. All markers shall be installed prior to the conveyance of any lots. Such markers shall be available for purchase in the Development Office or may be purchased from a private vendor in the same size color and design designated for this use.
 6. Time limit for Final Approval. Unless the applicant shall comply with all of the requirements of this Subsection B, including its subsections, within five (5) years from the date of Conditional Approval, Conditional Approval with modifications or approval by default (see Section 166-11 B, C or D), exclusive of any time during which the Commission's decision is being appealed, such subdivision Conditional Approval, Conditional Approval with modification or approval by default shall lapse, and no final approval shall be granted.
- C. Delivery of plans to subdivider. No final plans shall be delivered to the applicant for filing with the Town Clerk until the following has occurred:
1. Appeal period. The appeal period must have elapsed, or, in the event of an appeal, a determination has been made by dismissal, withdrawal or judgment, and the appeal period to that has elapsed.
 2. Surety. If required, a surety acceptable to the Commission shall have been delivered to Commission or its designated agent.
 3. Subdivision modifications. The Commission's modifications to the subdivision must have been met
 4. Fees/assessments/deeds. All fees, assessments, deeds, etc., must have been filed with or paid to the Town of Tolland as may have been required by the provisions of these Subdivision Regulations.

- D. Filing of plans shall be as stipulated in this section (or as otherwise permitted by the General Statutes).
1. Time frame for filing plans. Having completed the requirements of this section, the final approved plans shall be delivered to the applicant or his assignee as prescribed by the General Statutes. The applicant has 90 days, after the expiration of the appeal period, to record it with the Town Clerk; otherwise, said approval becomes null and void.
 2. Extension for filing plans. The Commission may extend the filing for 2 additional periods of 90 days each, during which time the final approval shall remain valid.
 3. Filing of approved subdivision plan. The applicant shall file with the Town Clerk, at his expense, the final subdivision plan approved by the Commission. Said plan shall be filed on materials acceptable to the Town Clerk.
 4. If, between subdivision approval and the delivery of the plans to the owner of the subdivision, the applicant or his assignee conveys the property, such person shall notify the Commission, in writing, of such conveyance.
- E. All subdivision plans shall be submitted to the Town in digital format in accordance with the Tolland's Current Digital Submission Standard. Applicants who submit a hardcopy map without digital data will be subject to additional fees.

Section 166-13. Form of Surety.

1. Form of surety.
 - a. Be in a form and with surety satisfactory to the Commission; and
 - b. The Commission shall accept surety bonds, cash bonds, passbook or statement savings accounts and other surety including, but not limited to, letters of credit, provided such bond or surety is in a form acceptable to the Commission and the financial institution or other entity issuing any letter of credit is acceptable to the commission. In the case where a bank or insurance company is involved with the surety, the bank and/or insurance company shall be authorized to conduct business in the State of Connecticut.

Section 166-14. Obtaining Permits and Construction Authorization.

- A. Road construction and other public improvements may not commence until revised plans have been submitted to show any conditions of approval.
- B. Building construction authorization. No building construction shall commence in any portion of an approved subdivision that has not received final approval (See Section 166-12 B).
- C. The zoning permit will be issued once the pavement binder (along the entire required minimum lot frontage, including the driveway access point), has been placed and approved by the Town and a Performance Bond posted for the remainder of the public improvement work per Section 166-13.
- D. Issuance of permits. The review process involves a zoning permit, septic or sewer permit, a wetlands review and two building permits. One building permit is issued for the foundation and the other for a framing permit. Once the foundation has been completed, a foundation "as built" plan must be submitted and an erosion and sedimentation control inspection conducted. The framing permit will be issued after the "as built" and the erosion and sedimentation controls have been approved.

Section 166-15. Open Space Dedication and Criteria.

- A. Criteria for the Dedication of Open Space – Land dedicated as Open Space shall meet one or more of the following provisions:
1. Its location shall reflect consideration of open space systems, which are designated in the Town Plan of Conservation of Development, Zoning Regulations and Conservation Commission maps.
 2. It shall be located to protect desirable wetlands and watercourses, forests, wildlife, agriculture and other natural resources and features, unique geologic and topographic formations, environmentally sensitive areas, scenic areas and vistas, recreation areas, historic and prehistoric sites and structures, land that contains rare or unusual flora and fauna, significant tree stands and man-made features such as stone walls.
 3. It shall be located in areas which connect existing open space or areas with the greatest potential for future open space, green space and wildlife corridors and/or pathways.
 4. It shall be suitable for public recreational use.
 5. It shall be left in a natural, undisturbed condition.

The open space shall be noted on the plan as “Reserved For Open Space Purposes”.

- B. Open Space Requirements – Except as approved in accordance with Section 170-38 of the Zoning Regulations.
1. The Planning & Zoning Commission, at its discretion, may require the preservation of open space in any subdivision as a condition of approval. The open space land shall be set aside for use as open space; parks and playgrounds as provided for in the Connecticut General Statutes, Section 8-25, and shall be shown on the subdivision plan. The open space land, up to 20% of the total parcel, shall not have a greater percentage of wetlands, watercourses and steep slopes over 20% as measured over a distance of 50 or more lineal feet, than the percentage of said wetlands, watercourses and steep slopes, within the parcel to be subdivided.”
 2. In lieu of or in conjunction with the dedication of open space land, the Commission may secure conservation easements or may establish covenants to protect and preserve land, wetlands and/or water bodies that have unique geographic, archaeological or ecological features.
 3. The applicant, with the approval of the Commission, may pay a fee to the municipality and/or pay a fee to the municipality and transfer land to the municipality in lieu of any requirement to provide open spaces.
 4. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Commission and the applicant and said appraisal must be approved by the Assessor. A fraction of such payment, the numerator of which is 1 and the denominator of which is the number of approved parcels in the subdivision, shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund in accordance with the provisions of Section 8-25b of the Connecticut General Statutes.

5. The open space requirements shall not apply if:
 - a. The transfer of all land in a subdivision of less than five parcels is to a parent, spouse, child, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew or first cousin for no consideration, or
 - b. The subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes as amended, equal to twenty-five percent or more of the total housing to be constructed in such subdivision.

When a subdivision is to be exempted from any Open Space requirements because the land is to be transferred to a family member as per Section 8-25 of the Connecticut General Statutes, then the notice in Appendix 9 shall be attached to Final Subdivision Plans.

6. Banking Open Space.
 - a. At the Commission's discretion, excess Open Space land within a subdivision under consideration, which is deemed suitable for Open Space purposes, may be banked to satisfy all or part of the Open Space consideration in any other subdivision. The land can only be used as Open Space or to supplement Open Space, for another subdivision if, in the Commission's opinion, there is not sufficient suitable land within the proposed subdivision for that purpose. Suitability shall be as determined according to the criteria as listed in 166-15 A. The Commission may elect to receive a fee in lieu of Open Space, open space land within the proposed subdivision, banked Open Space from another subdivision, or any combination thereof, to satisfy the Open Space obligation for that subdivision.
 - b. If the subdivision site does not provide desirable open space opportunities as determined by the Conservation Commission, Staff and Planning and Zoning Commission, the applicant may offer alternate open space on other land under his/her ownership in the Town. The Commission will determine the terms and conditions of such an arrangement and all appropriate land records will be modified and documents will be executed to ensure compliance with the provision.
 - c. Banked Open Space will be indicated on the original subdivision plan as to its area and dimensions and will be labeled as such. The amount of banked Open Space shall be included in the approval motion, shall be included in the minutes and shall be noted in the approval letter to the applicant.

7. Control of Open Space
 - a. Open Space shall be either:
 - i. Deeded to the Town of Tolland
 - ii. Reserved as a conservation, buffer or vegetation easement
 - iii. Deeded to a non-profit conservation organization
 - iv. Deeded to a homeowner's organization
 - v. Reserved as an agricultural easement for the exclusive use of crop production.
 - b. Land marked "Reserved for open space purposes" on the plan shall be maintained as open space in perpetuity. The donation of open space land shall not require the consent of adjacent property owners.
 - c. As a condition of approval, Open Space deeded to a homeowner's association shall be filed in the office of the Town Clerk, on a document acceptable to the Town Attorney, which document:
 - i. Shall establish an association of property owners to maintain the land reserved for open space purposes, with the power to assess the members for all necessary costs;

- ii. Shall be binding to all future owners;
- iii. Shall be perpetual;
- iv. Shall not be affected by any change in zoning or land use;
- v. Shall assure appropriate maintenance of the reserved land;
- vi. May be enforced by adjoining property owners or the Town by appropriate court action; and,

Shall provide that if maintenance, preservation or use of the open space no longer complies with the provisions of the document, the Town may take all necessary action to assure compliance and assess against the

ARTICLE III PUBLIC IMPROVEMENTS

Section 166-16. Road Acceptance Procedures.

The developer shall request, by letter, a final inspection of public improvement work from the town when all work has been completed. In the event of partial completion of public improvement work, Section 166-17 should be followed. The subdivider shall furnish the following in anticipation of final acceptance:

A. The subdivider shall furnish the following in anticipation of final acceptance:

1. As-built plan. An "as-built plan" is a plan drawn on an acceptable reproducible material which shows the as-built status of the development. The plan must show those features required in the Design Manual and those items noted in Appendix 8.
2. Certificate of merestone and pins. A certificate by a registered land surveyor shall be furnished the town acknowledging that all merestones and pins have been installed pursuant to the final plan.

B. Upon receipt of the above, the Engineering Department and the Public Works Department will inspect the road and determine whether it has been built to specification. If the road is determined to meet the Town's requirements the condition of the road shall be observed through two (2) winters. After this time the road may be accepted by the Town.

1. The developer shall be required to repair any deficiencies, if they exist.
2. Warranty deed. A warranty deed conveying all public improvements, open space, easements and other rights shall be furnished the town. A certificate of title and conveyance tax forms must accompany the Warranty Deed.

Section 166-17. Performance Bond Reductions.

The subdivider shall provide the Commission's agent with a detailed estimate, certified by the subdivider's engineer, of the costs of the remaining public improvement work which is required as part of the subdivision. The cost for the remaining work shall be estimated for the maximum remaining time allowed after the date of certification (See Section 166-12 B 1). The Commission/agent may, at its discretion, grant a bond reduction, provided that:

A. No reduction shall reduce the bond amount below the estimated cost of completing the unfinished portions of the covered improvements, including inflation and contingency considerations.

- B. No reduction shall be granted until the Commission or its agent has received verification from the appropriate Town Staff that 50% or more of the required improvements have been satisfactorily completed.
- C. No public improvements bond may be reduced below \$5,000, nor less than the required Maintenance Bond, whichever is greater, nor shall it be reduced more than twice.

Section 166- 18. Road Acceptance.

Upon receipt of documents required in Section 166-16, the Planning and Zoning Commission shall consider acceptance of the public improvements.

- A. Acceptance of public improvement work shall be considered by the Planning and Zoning Commission when the appropriate Town Staff submits a satisfactory report on the results of the final inspection. In addition, a letter from the Town Attorney must be received by the Planning and Zoning Commission stating that the following are in order: warranty deed, maintenance bond and certificate of title or Title Insurance in a form acceptable to the Town Attorney.
- B. Upon receipt of the documents set forth in Subsection A above, the Planning and Zoning Commission shall then recommend acceptance of the public improvement work and related land parcels and easements, etc. by the Town Council.
- C. Within sixty-five days after acceptance of the road by the Town Council the Commission shall release the surety.

APPENDICIES 1 – 8

APPENDIX 1

SUBDIVISION PLAN FINAL APPROVAL BLOCK

CONDITIONAL APPROVAL

This subdivision received Conditional Approval by the Planning and Zoning Commission.

Signature _____

Date of Conditional Approval _____

Pursuant to Title 8 of The Connecticut General Statutes and Section 166-11 B, C & D of these regulations, all work in connection with this subdivision must be completed by _____, otherwise the approval will lapse.

Lots within a subdivision with Conditional Approval can not be sold or offered for sale.

FINAL APPROVAL

This subdivision received Final Approval as authorized by the Planning and Zoning Commission.

Signature _____

Date of Final Approval _____

Pursuant to Title 8 of the Connecticut General Statutes and Section 166-12 B of these regulations, all work in connection with this subdivision must be completed by _____, otherwise the approval will lapse.

This approval, unless otherwise indicated by special notation, does not include specific approval of driveway construction, building size or location, or septic design. Subdivision may also be subject to conditions, the satisfaction of which may be a prerequisite to the issuance of a Zoning or Building Permit. Buyers are advised to inquire at the Tolland Development Office.

APPENDIX 3

PUBLIC IMPROVEMENT COST CERTIFICATION

DATE: _____

PROJECT: _____

SECTION: _____

# ITEM	UNIT MEAS.	UNITS	UNIT COST	TOTAL COST
1 Clearing and grubbing	LS	_____	_____	_____
2 Grading	LS	_____	_____	_____
3 Subbase	CY	_____	_____	_____
4 Processed aggregate	TON	_____	_____	_____
5 Bituminous concrete	TON	_____	_____	_____
6 Bituminous curb	LF	_____	_____	_____
7 RCP 15"	LF	_____	_____	_____
8 RCP 18"	LF	_____	_____	_____
9 RCP 24"	LF	_____	_____	_____
10 RCP 30"	LF	_____	_____	_____
11 RCP 36"	LF	_____	_____	_____
12 RCP 48"	LF	_____	_____	_____
13 Type "C" C Basin	EA	_____	_____	_____
14 Type "C" C Basin Dble.	EA	_____	_____	_____
15 Manholes	EA	_____	_____	_____
16 RCCE 18"	LF	_____	_____	_____
17 RCCE 24"	LF	_____	_____	_____
18 RCCE 30"	LF	_____	_____	_____
19 RCCE 36"	LF	_____	_____	_____
20 Riprap	CY	_____	_____	_____
21 Pins and monuments	LS	_____	_____	_____
23 Silt Fence	LF	_____	_____	_____
24 Hay bale erosion check	LF	_____	_____	_____
25 Loam and seed	SY	_____	_____	_____
26 CLDIP 8"	LF	_____	_____	_____
27 CLDIP 10"	LF	_____	_____	_____
28 Endwalls	EA	_____	_____	_____
29 Saddles	EA	_____	_____	_____
30 Tees	EA	_____	_____	_____
31 Bends	EA	_____	_____	_____
32 Gate valves	EA	_____	_____	_____
33 Thrust blocks	EA	_____	_____	_____
34 Reducing valves	EA	_____	_____	_____
35 Services	EA	_____	_____	_____
36 Blowoffs	EA	_____	_____	_____
37 Hydrants	EA	_____	_____	_____
38. Bioretention Facilities	EA	_____	_____	_____
39. Grass/Vegetated Swales	EA	_____	_____	_____
40. Rain Gardens	EA	_____	_____	_____
41. Permeable Pavement (Surface)	SQ.YD.	_____	_____	_____
42. Permeable Pavement (Subbase)	SQ.YD.	_____	_____	_____
43. Concrete/PVC Pavers	SQ.YD.	_____	_____	_____
44. Infiltration Trenches	EA	_____	_____	_____
45. Infiltration Galleries	EA	_____	_____	_____
46. Surface Sand Filters	EA	_____	_____	_____
47. Rain Cisterns	EA	_____	_____	_____
48 Other	—	_____	_____	_____
49 Other	—	_____	_____	_____
50 Other	—	_____	_____	_____
51 Other	—	_____	_____	_____
52. Legal, contingency and engineering			_____ % _____	

Total _____

I certify that the above unit costs fairly represent the construction requirements for the section identified.

Signed _____ P.E.

APPENDIX 4

LETTER OF CREDIT, SAMPLE FORM

PERFORMANCE OR MAINTENANCE BOND (Include only the one that applies).

Town of Tolland
Attn: Planning and Zoning Commission
21 Tolland Green
Tolland, Connecticut 06084

Gentlemen:

On the instructions and for account of _____ of _____ Connecticut, we hereby establish our Irrevocable Letter of Credit No. _____ in your favor, available by your draft drawn on us at sight, for any sum not exceeding the total amount of _____ (\$ _____).

Drafts drawn under this credit must be accompanied by this Letter of Credit, and:

1. A statement purportedly signed by the beneficiary stating that "The amount of this drawing represents funds due and owing to the Town of Tolland as a result of the nonperformance or unsatisfactory performance of improvements authorized by the Town of Tolland under Planning and Zoning Commission, approval dated _____ for _____ SUBDIVISION." PZC Application # _____.

Partial drawings are permitted.

All drafts drawn under this Letter of Credit must bear on their face the clause "Drawn under _____ Bank F.S.B. Credit No. _____, dated _____, 20____.

We engage with you that draft(s) drawn under and in compliance with the terms and conditions of this credit will be duly honored upon presentation and delivery of documents, as specified, to the above address, Attn: Loan Department, on or before _____, 20____.

Except so far as otherwise expressly stated, this documentary credit is subject to the "Uniform Customs and Practice for Documentary Credits, ICC Publication No. 500."

Bank Signature Block

APPENDIX 5

PERFORMANCE AGREEMENT - SAMPLE FORM

Between _____ (hereinafter, "Developers") and THE PLANNING AND ZONING COMMISSION OF THE TOWN OF TOLLAND (hereinafter, "Commission").

Developers are delivering herewith a Cashier's Check in the amount of \$_____. This is being delivered as surety for the performance bond and is hereby accepted by the Commission.

The parties agree that said funds shall remain in the name of the Town of Tolland in escrow as surety for public improvement work that must be completed on the Subdivision. Said public improvement work shall be conveyed to the Town of Tolland after it has been accepted by the Town. The bond will also cover erosion-related problems.

The Performance Bond covers _____ Subdivision, Planning and Zoning Commission App. _____. It shall be in force until released by the Tolland Planning and Zoning Commission. The applicant may petition the town for a reduction in the bond amount based on performance of the covered improvements submitted by _____, Consulting Engineers, pursuant to the Town of Tolland Subdivision Regulations.

If, at any time, any of the items covered by this bond fail or suffer damage or loss, the Town shall withdraw funds from the escrow account sufficient to cover the failure, damage or loss. However, if there are no problems, then all the funds deposited in said escrow account, together with any interest earned thereon, shall be delivered forthwith to the developers.

DATED AT TOLLAND, this _____ day of _____, 20__.

DEVELOPERS

PLANNING AND ZONING COMMISSION,
TOWN OF TOLLAND, OR ITS AGENT

APPENDIX 6

MAINTENANCE AGREEMENT, SAMPLE FORM

Between _____ (hereinafter, "Developers") and THE PLANNING AND ZONING COMMISSION OF THE TOWN OF TOLLAND (hereinafter, "Commission").

Developers are delivering herewith a Cashier's Check in the amount of \$_____. This is being delivered as surety for the maintenance bond and is hereby accepted by the Commission.

The parties agree that said money shall remain in the name of the Town of Tolland in escrow in lieu of a maintenance bond for all public improvement work, erosion control measures and conditions of subdivision which may be required as a result of material, workmanship or other failures of work which have been deeded to the Town of Tolland.

The surety covers _____ Subdivision, Planning and Zoning Commission App._____. It shall be in force for a period as provided for in the Town of Tolland Subdivision Regulations. The developers may petition for a reduction in the surety in accordance with the Town of Tolland Subdivision Regulations.

If, at any time, any of the items covered by this bond fail or suffer damage or loss, the Town shall withdraw funds from the escrow account sufficient to cover the failure, damage or loss. However, if there are no problems, then all the funds deposited in said escrow account, together with any interest earned thereon, shall be delivered forthwith to the developers.

DATED AT TOLLAND, this _____ day of _____, 20____.

DEVELOPERS

PLANNING AND ZONING COMMISSION,
TOWN OF TOLLAND, OR ITS AGENT

Appendix 7
CERTIFICATION BLOCK

This plan complies with the requirements and objectives of the Planning and Zoning Commission Soil Erosion and Sediment Control Regulations, dated 8 July 1985		
Effective Date: 15 July 1985		Revised Date _____
_____	_____	_____
Agent for the Planning and Zoning Commission		Date
_____	_____	_____
Certifying Agent	Date	Reg. No.

Appendix 8

AS-BUILT PLAN REQUIREMENTS

A. Plan and Profile Format.

1. The "as-built" plan shall be in a plan and profile format with plan being at a scale of 1" = 40' and the profile being at a scale of 1" = 40' horizontal and 1" = 4' vertical. The "as-built" plan must be signed and sealed by a licensed surveyor or engineer as required.

B. "As-Built" Plan Contents.

1. Utility systems. The "as-built" plan shall show all above and below ground utility structures and service devices, including but not limited to the following: sewer, water, gas, electric, telephone, cable television lines and lighting fixtures.
2. Storm drainage systems. The top of frame and flow lines of all drainage structures shall be shown. Catch basins shall be numbered, underdrains and outlets shall be shown and all structures identified as to type material used and size of same. Low Impact Development storm water treatment systems shall be shown. Symbols with a supporting legend are recommended.

C. Labels and Identifiers.

1. All utility poles, structures and cabinets shall be indicated, with number identifications, and owners listed.
2. All dimensions and locations of streets, easements, rights-of-way, property lines, boundary lines, sidewalks and pavement shall be labeled.
3. Lot numbers and catch basin numbers are to be marked.
4. Existing benchmarks with elevations and identification shall be shown.
5. Road centerlines at fifty-foot intervals shall be shown.
6. Profiles showing the finished grade of the pavement course at the road centerlines is to be shown.
7. All points identifying the intersection of easement and property lines with street lines are to be shown.
8. Highway monuments shall be indicated.

Appendix 9

FAMILY TRANSFER OPEN SPACE EXEMPTION NOTICE

Notice: This subdivision has been exempted from the Open Space requirements and the requirements for fees in lieu of Open Space upon the express condition that all lots in the subdivision will be transferred by the subdivider to persons who are the subdivider's parent, spouse, child, brother, sister, grandparent, grandchild, aunt, uncle, niece, nephew or first cousin for no consideration. No portion of this subdivision shall be deemed a zoning lot until all of such transfers have been executed. The Planning and Zoning Commission and the Zoning Enforcement Officer may require reasonable evidence of the relationship of the transferee to the transferor and the fact that the transfer was made for no consideration before any portion of this subdivision will be treated as a zoning lot.

Appendix 10

DIGITAL MAPPING DATA SUBMISSION REQUIREMENTS

- 1) Submissions in a hardcopy map format, without digital data, will be subject to additional fees.
- 2) All digital mapping data must be delivered in one of the following formats:
 - a) AutoCAD dwg
 - b) AutoCAD dxf
 - c) Arc/Info shape file
 - d) Arc/Info export file (e00)
 - e) ArcGIS personal geodatabase
- 3) If delivered as a series of tiled CADD files, the features that cross sheet boundaries must precisely match at the join line.
- 4) Line features in CADD files will employ line styles for graphically differentiating features, such as dashed lines for unpaved roads. Continuous lines that have been broken to appear like a dashed line are not acceptable.
- 5) All text in CADD files will be in separate layers. Map features under text should not be erased in order to make the text clearer, such as contour lines and their associated elevation value text.
- 6) Features must be thematically organized in the CADD or GIS data structure. For example there must be separate CADD layers for buildings, roads, road centerlines, surface water, wetlands, etc. Having all these features in a single CADD layer or GIS file will not be accepted.
- 7) The submission of the data must also include documentation on the method used to gather the data along with an estimation of the horizontal and vertical accuracy and date of data capture.