



CITY OF HARTFORD
PLANNING AND ZONING COMMISSION

SUBDIVISION REGULATIONS

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SUBDIVISION REGULATIONS

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Charter and statutory references: Mandate to establish planning and zoning commission, Charter chapter VII, section 2(d), and to promulgate subdivision regulations pursuant to section 8-25 of the Connecticut general statutes.

ARTICLE I. IN GENERAL

Sec. 1. Authority.

(a) As of January 1, 2004, as provided in chapter VII, section 2 of its revised charter, the city established the planning and zoning commission by ordinance no. 54-03. Pursuant to the revised charter and said ordinance, the planning and zoning commission has the powers and duties of a combined planning and zoning commission under the Connecticut general statutes.

(b) The planning and zoning commission adopts these regulations pursuant to the authority granted in chapter 126 of the Connecticut general statutes.

Sec. 2. Purpose.

The planning and zoning commission adopts these regulations in order to carry out its powers and duties and to provide for the public health, safety and welfare. Accordingly, these regulations will ensure that land to be subdivided shall be of such character that it can be used for building purposes without danger to health and public safety or negatively affecting the general welfare and prosperity of the people.

Sec. 3. Conflicting regulations.

Consideration for all future land subdivisions shall be made in accordance to these regulations. The use of any other rules or regulations for that purpose shall cease. When any provision of these regulations imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any ordinance, statute, regulations or law, the provisions of these regulations shall apply and govern. When any provision of these regulations conflicts with any other provision of these regulations, the stricter of the provisions shall apply and govern. Where there is a clear conflict between these regulations and the zoning regulations, then the provisions of the zoning regulations shall govern. When there is a clear conflict between these regulations and the provisions of the general statutes, then the provisions of the general statutes shall govern.

Sec. 4. Definitions.

The following words, terms and phrases, when used in these regulations, shall have the meanings ascribed in this section, except where context clearly indicates a different meaning. Any words, terms or phrases not defined in this section shall be interpreted according to applicable definitions, if any, in the zoning regulations:

AASHTO Guidelines means the sixth edition of A Policy on Geometric Design of Highways and Streets, published by the American Association of State Highway and Transportation Officials in 2011, or a later version of such document.

Buffer area means the area between the curb and the sidewalk.

Charter means the current charter of the city of Hartford, as it may be revised and amended from time to time.

City means the city of Hartford.

Commission means the city planning and zoning commission established and operating pursuant to the general statutes and chapter VII of the charter.

DEEP Stormwater Manual means the 2004 Connecticut Stormwater Quality Manual, published by the State of Connecticut Department of Energy and Environmental Protection in 2004, as amended, and including the Low Impact Development Appendices.

Director of the department of public works means the director of the city department of public works, or his or her designee.

Director of development services means the director of the city department of development services, or his or her designee, who will administer these regulations in accordance with their provisions and the general statutes.

Distance is measured horizontally in a straight line.

District (also known as zoning district) means a district established by the zoning regulations, including those listed in Figure 2.2-A of the zoning regulations.

DPW Street Construction Policies means any department of public works policies related to the construction of streets (including but not limited to street widths, pavement widths, slopes, sidewalk configuration, and buffer area configuration), including but not limited to all requirements set forth in the "Typical Roadway Cross Section" drawings for principal arterial, minor arterial, collector, and local streets, as published by the department of public works on August 2006, as amended.

Easement means an instrument recorded in the city clerk's office, of the city of Hartford, to permit the use of land owned by someone other than the owner thereof for the specified uses such as drainage, power lines, driveways, and like uses; or to regulate the use of land such as for conservation or sight line maintenance purposes.

Final plan means the final map on which the subdivider's plan of subdivision is presented to the planning and zoning commission for approval and which, if approved, will be submitted to the city clerk for recording in the Hartford land records.

Lot means land occupied or to be occupied by a principal building or buildings and its or their accessory buildings, together with such open spaces as are required under the provisions of the zoning regulations, and having not less than the minimum area required by the zoning regulations for a lot in the district in which it is located and having its principal frontage upon a street, except as provided for in section 890 (relating to group dwellings) and article VIII (relating to planned developments and special development districts) of the zoning regulations, and except in the case of an individual lot associated with an individual attached or semidetached dwelling, provided the zoning lot of which such individual lot forms a part meets the requirements set forth in the zoning regulations for the zoning district in which such lot is located for permitted lot coverage, required lot area, principal lot frontage, lot width, front setback, side setback, rear setback, required usable open space and parking.

Lot, accessway, means a lot served by an accessway to a street, and having less than the full frontage required for a normal lot.

Lot, corner, means a lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street and any two (2) chords of which form an angle of one hundred twenty degrees (120°) or less. The point of intersection of the street lot lines is the "corner." In the case of a corner lot with curved street lines, the corner is the point on the street lot line nearest to the point of intersection of the tangents described above.

Official map means the map of streets, highways, and other public improvements adopted pursuant to section 8-29 of the general statutes by the commission, unless another body is designated to do so by ordinance.

Passive solar energy technique means subdivision and site design techniques which maximize solar heat gain, minimize heat loss and enable thermal storage within a building during the heating season, and minimize heat gain and provide for natural ventilation during the cooling season.

Performance bond means bonds issued by a certified insurance agent from a company authorized to do business in Connecticut, and in a form and substance approved by corporation counsel.

Plan of conservation and development means the plan required by section 8-23 of the general statutes. Said plan shall include all requirements of the general statutes pertaining to such plans as well as other elements set forth by the planning and zoning commission.

Preliminary plan means the preliminary maps indicating the proposed layout of the subdivision to be submitted to the planning and zoning commission for its consideration.

Private common use improvement means privately owned improvements used by more than one dwelling or lot in a subdivision. Such improvements may include but are not limited to private streets, drainage facilities, recreational facilities, or wastewater disposal systems.

Resubdivision means a change in a map of an approved or recorded subdivision 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 or the lots shown thereon have been conveyed after the approval or recording of such map.

Soil erosion and sediment control plan means a scheme that minimizes soil erosion and sedimentation and includes, but is not limited to, a map and narrative. The map shall show topography, cleared and graded areas, proposed area alterations and the location of and detailed information concerning erosion and sediment 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.

Subdivider means any individual owner, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations having a proprietary interest in the subject land to be subdivided.

Subdivision means the division of a tract or parcel of land into three (3) or more parts or lots made subsequent to the adoption of these regulations by the commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.

Zoning regulations mean the regulations adopted by the planning and zoning commission pursuant to section 8-2 of the Connecticut general statutes.

Sec. 5. Amendments to these regulations.

(a) *Provided for; hearings; notice; form of amendments.*

- (1) *Provided for.* The commission may from time to time amend, supplement, change, modify or repeal these regulations.
- (2) *Hearings.* No change in these regulations shall become effective until after a public hearing in relation thereto, held by a majority of the members of the commission. Such hearing shall commence within sixty-five (65) days after the commission proposes the amendment and shall be completed within thirty-five (35) days after such hearing commences.
- (3) *Notice.* The commission shall publish every proposed change together with notice of such hearing in a newspaper having a general circulation in the city at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days, before the date set for the hearing. No errors made in the giving of such notices shall invalidate the proposed change.
- (4) *Form of proposed amendments.* The form of the proposed amendment shall contain the text of the portion of the regulations which it is proposed to amend and the text of the proposed amendment.

(b) *Time for adoption of amendments; extensions.* The commission may take action on any proposed amendment following the public hearing on such matter, provided that decisions shall be rendered within sixty-five (65) days after completion of the hearing, unless a shorter period is required by the general statutes. Amendments shall become effective at such time as is fixed by the commission, provided a copy of such amendment is filed in the office of the city clerk, and notice of the decision shall have been published in a newspaper having a substantial circulation in the city before such effective date. In any case in which such notice is not published within the fifteen (15) day period after a decision has been rendered, any applicant may provide for the

publication of such notice within ten (10) days thereafter. Whenever the commission makes any change in these regulations, it shall state upon its records the reasons why such change is made. In making its decision on a proposed change, the commission shall take into consideration the plan of conservation and development and state on the record its findings on the consistency of the proposed change with such plan. The applicant may consent to extension(s) of the periods provided for hearing and for adoption or denial, or may withdraw such application, all in accordance with the general statutes.

(c) *Applicability.* To the extent provided in the general statutes, the provisions of this section setting time limits for hearings and decisions shall not apply to any action initiated by the commission to adopt or amend these regulations.

(d) *Reformatting.* The procedures described in this section shall not apply to reformatting of the existing text of these regulations, which includes changing the typeface, font size or other physical attributes, margins, indentations, headers/footers, or similar edits that may be made by the commission or by the staff of development services, from time to time, to facilitate printing, readability, consistency, or related goals.

Sec. 6. Effective date.

The effective date of these regulations and any amendments thereto shall be at such time as is fixed by the commission, provided a copy of such amendment is filed in the office of the city clerk, and notice of the decision shall have been published in a newspaper having a substantial circulation in the city before such effective date.

Secs. 7-9. Reserved.

ARTICLE II. ADMINISTRATIVE PROCEDURE AND CONSIDERATION

Sec. 10. In general.

No subdivision of land shall be made until a plan for such subdivision has been approved by the commission. Whenever any subdivision of land is proposed to be made, the subdivider shall file an application with the commission for approval of such subdivision. The application shall conform to the procedure and specifications of these regulations. All subdivision applications must be submitted in electronic format, with all maps digitized and available in PDF or other suitable format. Application forms may be secured from the commission office.

Sec. 11. Pre-application review.

It is recommended that the subdivider consult with the director of development services, the city engineer, the executive director(s) of all local public transportation authorities, the city traffic engineer, and the director of public works, while the plan is in tentative sketch form and before a subdivision application is filed to ascertain the location and extent of existing or proposed city streets, parks, and other public lands shown on the official map and the plan of conservation and development, other planned or existing projects that might affect the proposed subdivision, and wetlands and watercourses that could affect the proposed property development.

Sec. 12. Filing requirements.

(a) The completed application form shall be accompanied by:

- (1) A filing fee, payable to the city of Hartford, as required in section 13 of these regulations;
- (2) Three (3) copies of the preliminary subdivision plan meeting all requirements of section 110 of these regulations, in addition to digitized copies of such subdivision plan;

- (3) A description of access to public transportation opportunities from the land proposed to be subdivided, including the proximity of existing bus routes, accessibility of existing rail transportation, and possible new public transportation access points adjacent to and within the subdivision;
- (4) A writing from the Metropolitan District Commission (MDC) stating that the preliminary subdivision plan has been reviewed by the MDC and that the proposed development can be connected to and served by the MDC system and does not present any barriers to, or otherwise interfere with, the provision of water and sewer service to such development;
- (5) A writing from any other primary utility company serving the site, including as applicable (but not limited to) Connecticut Natural Gas and Connecticut Lighting & Power, stating that the preliminary subdivision plan has been reviewed by such utility company and that the proposed development can be connected to and served by such utility system and does not present any barriers to, or otherwise interfere with, the provision of utility service to such development;
- (6) A stormwater management plan in accordance with sections 80 and 81 of these regulations; and
- (7) A traffic study describing the proposed impacts of the development and identifying the carrying capacity of proposed streets.

(b) Any subdivision application that does not conform to the above requirements and the zoning regulations shall be deemed incomplete and shall not be accepted by staff or by the commission. The commission or its designee shall certify said application as complete.

Sec. 13. Filing fees.

The commission shall set a fee schedule for subdivisions, which schedule shall be adopted by city Court of Common Council before becoming effective.

Sec. 14. Referral to others.

(a) Applications for subdivision may be referred to departments and agencies as the commission or the director of development services deems appropriate. It is the responsibility of the applicant to cooperate fully with such departments and agencies so that reports may be received in a timely manner.

(b) Where the proposed subdivision involves activities regulated pursuant to sections 22a-36 through 22a-45 of the general statutes (relating inland wetlands), the applicant shall file an inland wetlands application.

(c) The commission shall notify the clerk of any adjoining municipality of the pendency of any application concerning any project that: (1) any portion of the property affected by a decision of the commission is within five hundred (500) feet of the boundary of the adjoining municipality; (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the application. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application.

(d) Where a proposed road joins with a state highway, the applicant shall obtain a permit for such connection from the Connecticut department of transportation prior to final approval by the commission.

(e) For subdivisions over ten (10) acres, the commission shall refer the application to the state historic preservation officer and the state archaeologist with a request for identification of known or possible historic (including prehistoric) and cultural resources on the site of the proposed subdivision. Such official shall have thirty (30) days to respond to the commission's request for such information, after which the commission shall be entitled to assume that no such resources exist on the proposed subdivision site. Such referral shall not be required where the applicant for the subdivision presents to the commission a writing from the state historic preservation officer and the state archaeologist stating that a review for possible historic (including

prehistoric) and cultural resources on the site of the proposed subdivision have been made, and stating the results of that review.

(f) Whenever a subdivision of land is planned, the area of which will abut or include land in two (2) or more municipalities, one (1) or both of which are within a region or regions having a regional planning agency or agencies, the planning commission, where one exists, of each such municipality shall, before approving the plan, give written notice of such subdivision plan to the regional planning agency or agencies of the region in which it or the other municipality is located. Such notice shall be made by certified mail, return receipt requested not later than thirty (30) days before the public hearing to be held in relation thereto. A regional planning agency receiving such notice shall, at or before the hearing report to each such planning commission and to the proponent of such subdivision on its findings on the inter-municipal aspects of the proposed subdivision, including street layout, storm drainage, sewer and water service and such other matters as it considers appropriate. If such report of a regional planning agency is not submitted, at or before the hearing, it shall be presumed that such agency does not disapprove of the proposed subdivision.

Sec. 15. Field inspection.

In order to facilitate field inspections by the commission and staff members prior to the public hearing, the front lot corner shall be flagged, the center line of proposed new street/driveway entrances shall be marked on the existing roadway pavement and the center line of new streets shall be staked at fifty (50) foot intervals.

Sec. 16. Formal consideration.

(a) All subdivision plans which include the division of land into three (3) or more lots, and all resubdivisions, shall require a public hearing. Said public hearing shall be commenced not more than sixty-five (65) days following the acceptance of an application certified as complete, and shall be completed within thirty-five (35) days after such hearing commences. A time extension of up to sixty-five (65) days may be granted to the applicant, upon the discretion of the commission.

(b) The commission shall hold a public hearing thereon after due legal notice which shall be published in a newspaper of general circulation in the city twice, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days, before the date of such hearing, and shall notify the applicant of the hearing date by certified mail fourteen (14) days prior to the date assigned for the hearing.

(c) It shall be the responsibility of the applicant to promptly notify, by mail, all owners of property within one hundred (100) feet of the property to be subdivided in all zoning districts, except when the property to be subdivided is located in the N or NX districts. In such a circumstance, all owners of such property within five hundred (500) feet shall be notified. When such nearby properties are located in the R-7 and R-8 districts, all owners of such property within five hundred (500) feet shall be notified. Such notification shall contain, as a minimum, the location of the property to be subdivided, time, and date and location of the public hearing, and availability of the file for public perusal at the commission office. Such notification shall be mailed, not less than seven (7) days in advance of said hearing and the certificate of mailing shall be presented to the commission as the first order of business at the public hearing. Failure to comply with this requirement shall be cause for the hearing to be postponed.

(d) Owners of record shall be determined from the current records of the office of the assessor.

(e) At the hearing, the subdivider or his agent and all other parties whose interests may be affected by the proposed subdivision shall be heard.

(f) All information necessary to conduct a full discussion on the application, including referral reports from pertinent city departments, shall be a part of the record and be posted at the public hearing. If such required information is not available in time for the public hearing, said hearing may either be postponed or continued to a later date, at the discretion of the commission.

Sec. 17. Review criteria.

In reviewing any application for a subdivision, the commission shall consider, and shall base its approval or disapproval upon, all aspects of the proposal and in particular whether the proposal in the application is consistent with the policies in article III of these regulations and the design standards in articles IV, V, VI, and VII of these regulations and: is in harmony with the plan of conservation and development; complies with all applicable sections of these regulations, the zoning regulations, and inland wetlands regulations; comports with the purposes of the district in which the proposal is located; will not be detrimental to existing development in the district because of its location, bulk, scale, or design; does not create safety hazards in the proposed vehicular and pedestrian circulation patterns; promotes pedestrian and bicycle transportation; will not seriously degrade traffic levels of service without providing adequate mitigation measures; is compatible with adjacent properties; provides for the suitable arrangement of buildings, open space, and provision of light and air; properly provides for adequate provision of essential services; does not place excessive demands on city services and infrastructure; provides landscaping, including vegetation and trees, which are appropriate to the district and enhance the public realm; provides pedestrian amenities; minimizes use of wetlands, steep slopes, floodplains, and hilltops; takes advantage of natural topography, minimizing the use of cut and fill; minimizes obstruction of scenic views from publicly accessible locations; preserves unique natural or historical features; retains sufficient open space; screens objectionable features from neighboring properties and roadways; provides adequate recreation facilities for inhabitants (including recreation centers as well as open space); ensures siting to provide visual interest and avoid monotony; minimizes negative environmental impacts, including pollution of air and water, unnecessary erosion and sedimentation, and threats to ecosystems and wildlife habitat; does not increase, and satisfactorily addresses, flood hazards or water run-off; does not substantially injure or impair known or possible historic (including prehistoric) and cultural resources; satisfies the parking and loading requirements of the zoning regulations; and provides adequate access to public transportation opportunities for future occupants and visitors to the subdivision.

Sec. 18. Commission action.

(a) The commission may approve, approve with conditions (i.e., modify), or disapprove a subdivision application at any time following the public hearing on such matter, provided that decisions shall be rendered within sixty-five (65) days after completion of the hearing, unless a shorter period is required by the general statutes. The sixty-five (65) day period for action may be extended for an additional period of sixty-five (65) days with the written consent of the subdivider. A certificate attesting to the commission's decision shall be filed with the city clerk. Said certificate shall include:

- (1) Specific modifications, if any, which are required in the subdivision plan.
- (2) The nature and extent of required physical improvements, if any.
- (3) Conditions deemed necessary to mitigate development impacts, if any.
- (4) In the case of disapproval, the reasons for said disapproval.

(b) The commission shall not be required to consider any application for the same or substantially same subdivision of property for a period of one (1) year after disapproval by the commission.

(c) Notice of the commission's action shall be sent by certified mail to the applicant of the applicant's agent, and notice of the decision shall be published once in a newspaper having substantial circulation in the city within fifteen (15) days of the decision.

Sec. 19. Approval of preliminary subdivision plan.

(a) Approval of the subdivider's preliminary subdivision plan by the commission shall be considered "final." However, the subdivision map for filing in the Hartford land records shall not be signed by the chairman or secretary of the commission until conditions imposed have been met.

(b) Where the tract is to be developed by sections, an overall street and drainage sign shall be submitted for prerequisite approval by the city engineer after approval by the commission but prior to the filing of the final map. When such overall plan has been approved, the design of each subsequent section shall conform thereto.

(c) "If the preliminary subdivision plan contains plans for new streets, drainage facilities, or other improvements, then the subdivider, after notification by the commission with respect to the approval of the

preliminary subdivision plan and the modifications, if any, to be made therein, shall prepare and file the following:

- (1) Construction plans. The subdivider shall file with the commission, construction plans in accordance with section 111 of these regulations and a bond estimate. Such plans shall be transmitted to the city engineer for the purpose of reviewing and approving the plans and the amount of the performance bond necessary to guarantee all required road, drainage, and related improvements in the proposed development. Where appropriate, the engineering department shall refer the plans and bond estimate to other city departments or agencies for review and approval. Engineering and construction plans not filed within said ninety (90) days shall be subject to any amendments in these regulations or construction specifications adopted after the expiration of said ninety (90) day period, and shall not be transmitted to the city engineer without prior authorization by the commission.
- (2) Performance bond. The subdivider shall file two performance bonds with the commission in accordance with the estimate or certification of the city engineer: the first performance bond shall guarantee erosion and sediment controls and shall be issued prior to the commencement of any improvements; the second performance bond shall cover all other work. Said performance bonds are to be issued by an accredited surety company licensed to do business in Connecticut or in a form prescribed by corporation counsel. Said bonds shall guarantee, as applicable, all highways, storm and sanitary sewer or other improvements required by the city engineer or any other body authorized by law to act, unless specifically waived by the commission pursuant to section 120 of these regulations. The time period for any performance related to the bond shall not exceed one (1) year, except that on showing of good cause by the subdivider and a determination that the public would not be adversely affected, the commission may extend the period during which the performance occur. An applicant may request in writing that the commission authorize a reduction in the amount of the bond. Such requests shall itemize the extent of required improvements already completed, and the amount of bond reduction requested. Upon certification by the city engineer as to the estimated costs of improvements remaining to be completed, the commission may, if it determines that sufficient required improvements have been installed to warrant such action, reduce the amount of the bond by the appropriate amount. In the case of street(s) to be dedicated to the city, the performance bond shall be released upon acceptance of the street(s) by the commission and the filing of a maintenance bond. In the case of private street(s) and/or other improvements, the performance bond shall be released upon certification by the city engineer that the improvements have been constructed satisfactorily to the specifications set forth in the approved plans.
- (3) Maintenance bond. Upon acceptance of the new street(s) as public street(s), or any retention or detention basin or other subdivision-related improvement approved by the commission, the subdivider shall file a maintenance bond (street and subdivision workmanship guarantee bond) with the commission. The maintenance bond shall guarantee the condition of the improvements for a one (1) year period and shall have a value equal to fifteen (15) percent of the original performance bond. Said maintenance bond shall be issued by an accredited surety company or in a form prescribed by corporation counsel. After the one (1) year maintenance period, the maintenance bond shall be released upon certification by the city engineer that the improvements are in good and serviceable condition."

Sec. 20. Submission of final plan.

The subdivider, after notification by the commission with respect to the approval of the subdivision plan and the modifications (including the construction plan), if any, to be made therein, shall within ninety (90) days after the expiration of the appeal period, file the final subdivision plan, conforming with section 112 of these regulations, with the commission.

Sec. 21. Filing of record plan.

Upon compliance with the requirements of sections 19 and 20 above, the chairman or secretary of the commission shall be authorized by the commission to affix his signature to the final record plan and thereafter, the subdivider shall file said final plan with the city clerk in accordance with state statutes; otherwise such approval shall expire. The subdivider shall notify the commission, in writing, as to the map number assigned by the city clerk.

Sec. 22. Reconsideration of approval conditions.

The subdivider may request the commission to reconsider any condition of approval rendered for the request. At the commission's discretion, a public hearing may be conducted, with due notice, prior to consideration of the request. Changes of approved conditions shall be granted upon reconsideration only by a two thirds (2/3) majority of the commission, which shall state upon its record the reason for amending any condition of approval.

Sec. 23. Expiration of approval.

(a) Failure to complete all physical improvements required by the approved subdivision plan with five (5) years after approval by the commission may result in expiration of the approval of the subdivision, except that with good cause shown, the commission may grant one (1) or more extensions of the time to complete all or part of the work in connection with the subdivision plan, provided the total extension or extensions shall not exceed ten (10) years from the date such permit or approval has been issued.

(b) If the commission grants an extension of an approval, the commission may condition the approval on a determination of the adequacy of the amount of the bond or other surety furnished under section 8-25 of the general statutes, securing to the municipality the actual completion of the work.

(c) Failure to complete all work within such five (5)-year period or any extension thereof shall result in automatic expiration of the approval of such plan provided the commission shall file on the land records notice of such expiration and shall state such expiration on the subdivision plan on file in the office of the town clerk, and no additional lots in the subdivision shall be conveyed by the subdivider or his successor in interest as such subdivider except with approval by the commission of a new application for subdivision of the subject land. If lots have been conveyed during such five (5)-year period or any extension thereof, the municipality shall call the bond or other surety on said subdivision to the extent necessary to complete the bonded improvements and utilities required to serve those lots. "Work" for purposes of this section means all physical improvements required by the approved plan, 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 or other landscaping, and installation of retaining walls or other structures.

Sec. 24. Penalties.

Any person, firm or corporation making any subdivision of land without the approval of the commission shall be fined not more than five hundred (500) dollars for each lot sold or offered for sale or so subdivided.

Secs. 25-29. Reserved.

ARTICLE III. POLICIES

Sec. 30. General requirements.

(a) No land shall be subdivided which is held by the commission to be unsuitable for such use by reason of flooding or bad drainage adverse geologic formation, traffic safety or any other feature likely to be harmful to the health, safety, and welfare of the adjacent property owners or occupants of the proposed subdivision.

(b) To the extent feasible, existing natural features which are of ecological value to the city, such as wetlands, water courses, water bodies, rock formations, stands of trees, meadows with mature trees, views and vistas, and similar irreplaceable assets, shall be preserved.

(c) The commission shall not approve any subdivision application that fails to provide adequate opportunities for bicycle and pedestrian transportation, and for appropriate access to public transportation to occupants and visitors, as described in the document provided pursuant to section 12(a)(3). In addition, if there is an inaccessible railway line or busway stop nearby, or running through, a proposed subdivision, the commission may ask the applicant to provide reasonable access to that railway line or busway stop.

Sec. 31. Open space, playgrounds, and parks.

(a) The commission may require any subdivider to contribute to the open space, playground, and park needs of the community and the general objectives of the plan of conservation and development, as described in this section.

(b) Such contribution shall be in the form of either:

(1) Conveyance or dedication of land (or some combination of dedication and conveyance) not to exceed ten (10) percent of the aggregate area of the subdivision tract, which dedicated area shall be in addition to all other land required by the zoning regulations and the these regulations to meet minimum lot, street, accessway, or other development requirements. The conveyance or dedication shall be expressly set aside or established to serve as open space, park (including recreation center), or playground. Provision for future maintenance should be considered by the commission in making its decision.

(2) Fee to the City of Hartford, which shall be equal to not more than ten (10) percent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the commission and the applicant. A fraction of such payment the numerator of which is one 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 general statutes.

(c) Required open space land shall be in a location approved by the commission. Said open space may be required to have frontage or a pedestrian access easement determined adequate by the commission and shall be fully delineated on the subdivision plan. Required open space land may be of a character approved by the commission, and may include an urban farm, a community garden, and/or a preserve consisting of conservation, scenic, buffer or other passive uses.

(d) In the case of a requirement for conveyance to the city of Hartford, a proper deed shall be approved by the corporation counsel prior to the approval of the subdivision. The filing of the deed and the record plan in the Hartford land records shall be simultaneous. A conveyance made in accordance with this section may be made to an entity such as a homeowner's association, nonprofit institution devoted to urban agriculture and/or community gardening, or other such entity as the commission may direct.

(e) To further the above objectives, the commission may also require the filing of a conservation easement on the land records to protect and preserve for perpetuity those areas critical to the ecology of the area. The ownership and maintenance responsibility for the conveyed or dedicated property or portion of property shall be indicated on both the preliminary and final subdivision maps and shall be subject to approval by the commission.

Sec. 32. Energy conservation & renewable energy.

In designing the subdivision the applicant shall demonstrate to the commission that the following passive solar energy techniques have been utilized:

- (a) The street and lot layout shall, as far as practical, provide orientation to facilitate the development of properly oriented passive solar buildings.
- (b) The proposed principal buildings can be located and oriented wherever practical so that the longest axis of the building runs east to west with a maximum possible deviation of thirty (30) degrees north or south of due east.
- (c) Proposed buildings can be located to maximize solar access on the south wall of buildings and avoid obstructions by the other buildings, non-deciduous vegetation and topographic features, wherever practical.
- (d) Landscaping, both existing and proposed, shall wherever possible, employ deciduous trees for summer shading and non-deciduous trees for winter windbreaks.
- (e) In addition, the applicant shall demonstrate to the commission that the applicant has considered active renewable energy techniques, including shared renewable energy facilities, and any applicable incentives for renewable energy, such as the density bonuses in chapter 4 of the zoning regulations and the sustainably designed parking facility credit in section 7.2.4.B.(3) of the zoning regulations.

Sec. 33. Soil & erosion controls.

- (a) Every subdivision and resubdivision application shall include a soil erosion and sediment control plan in accordance with the standards set forth in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended, and the DEEP Stormwater Manual, and the zoning regulations, including section 6.14 thereof. Said plans are subject to review and approval by the city engineer.
- (b) The estimated costs of measures required to control soil erosion and sedimentation as specified in the approved plans, may, at the discretion of the commission, be covered in a performance bond or other assurance acceptable to the corporation counsel.
- (c) Site development shall not begin until the soil erosion and sedimentation control plan is approved by the city engineer and those control elements scheduled for installation prior to site development are in place and functional.
- (d) Inspections shall be made by the city engineer and the division of licenses and inspections during development to ensure compliance with the approved soil and erosion plan and that control measures are properly performed, installed, and maintained. In addition, for the duration of the construction period, the applicant shall employ the services of a licensed public engineer to inspect the erosion and sediment control measures on a monthly basis and after each storm event. The applicant's engineer shall provide inspection reports to the city engineer promptly after each inspection.
- (f) The applicant shall provide additional measures as directed by the professional engineer and/or the city engineer.

Sec. 34. Street names.

Proposed street names shall be subject to commission approval and shall not duplicate or closely approximate, phonetically, the name of any other existing street in the city. Names shall not be obscene or offensive. To the extent possible, names should be selected that give identity to the area, or have historic significance.

Sec. 35. Accessway lots.

Accessway lots shall not be permitted in any new subdivision or in any resubdivision.

Sec. 36. Ownership & maintenance of common use facilities.

No private common use improvement shall be permitted unless the owner or owners of all properties to be served thereby are or will be made parties to, and their properties made subject to, an effective recorded agreement in a form satisfactory to the corporation counsel for the continuous maintenance, operation, management and eventual replacement of such improvements. The agreement shall provide that upon failure to comply with the provisions of the agreement, the city shall take all necessary action to assure compliance and assess against the property owner(s) in default all costs incurred by the city for such purposes.

Sec. 37. Abutting streets, widening or realignment.

(a) Proposed subdivisions abutting an existing street, which is deficient in right-of-way width, shall provide for proper widening of the right-of-way of such street, by dedication or easement to the city, in accordance with the standards of section 53 and in a form satisfactory to corporation counsel. Such areas shall be marked on the final map, "reserved for future road widening purposes."

(b) Provision, including actual construction, shall also be made for improvements in the travelled way of an abutting street as to width, grade, alignment, base, drainage and pavement as, in the opinion of the commission, may be made necessary by the creation of the subdivision.

Sec. 38. In-ground fuel tanks.

Any in-ground fuel tanks shall be prohibited.

Secs. 39-49. Reserved.

ARTICLE IV. DESIGN STANDARDS

Sec. 50. Streets, sidewalks, building lines, and veranda lines.

Unless otherwise provided by ordinance, the commission has been authorized by Section 8-29 of the general statutes to prepare and file surveys, maps or plans of proposed highways, streets, sidewalks or the relocation, grade, widening or improvement of existing highways, streets or sidewalks, or of any building or veranda lines, which powers the commission shall exercise in accordance with section 1.3.11. of the zoning regulations.

Sec. 51. Street layout.

Street rights of way shall be consistent with chapter 9 of the zoning regulations and be suitably designed to accommodate prospective traffic, to accommodate a variety of transportation modes (including pedestrians, bicycles, transit, truck, and automobile traffic), and to afford access of emergency and fire-fighting equipment, and shall be coordinated so as to comprise a convenient and integrated street system. The arrangement of streets in a subdivision should provide in general for the continuation of the principal streets existing in adjoining subdivisions, or of their proper projection to adjoining vacant property except where, in the opinion of the director of public works, topographical or other conditions make such continuance or conformity impossible.

Sec. 52. Classification.

Street classification shall be based on the street's purpose or use as determined by the director of public works in accordance with section 9.1.5 of the zoning regulations.

Sec. 53. Right-of-way.

Streets shall have a right-of-way width as required by chapter 9 of the zoning regulations.

Sec. 54. Pavement width.

Pavement width shall comply with the applicable standards set forth by chapter 9 of the zoning regulations.

Sec. 55. Street grades.

Street grades shall comply with the applicable standards set forth by DPW Street Construction Policies and the AASHTO Guidelines.

Sec. 56. Intersections.

Proposed streets shall intersect as nearly at right angles as topography and other limiting factors permit. At intersections, property line and/or right-of-way corners shall be rounded by an arc, the minimum radius of which shall be preferably twenty (20) feet but in no case less than ten (10) feet, and shall be increased upon the recommendation of the city engineer or director of traffic and parking when the angle of intersection is more than one hundred and twenty (120) degrees or less than sixty (60) degrees. At intersections, the street pavement and curb shall be concentric to the property line or right-of-way line.

Sec. 57. Sight distance.

At intersections, a safe sight triangle shall be provided on each corner to facilitate sight distance, in accordance with the AASHTO Guidelines. Normally this shall consist of the area inscribed by a triangle drawn to connect points on the street right of way twenty-five (25) feet along the street line from their intersection at the corner. Where the right of way provides a corner radius, the triangle distance shall be measured from the point of curvature of the corner radii on each street.

Sec. 58. Block & lot layout.

The layout of blocks and lots shall be such that there will be no foreseeable difficulty, for reasons of topography or other conditions, in securing building permits in compliance with the zoning regulations and applicable state health and environmental codes. In determining the bounds of a block, the right-of-way of a railroad or interstate highway or busway, the Connecticut River, the Park River or its north or south branches, the boundary of a public park and the city boundary line may be treated as intersecting streets.

Sec. 59. Block length.

(a) The length of blocks shall not exceed one thousand (1,000) feet, except in the N districts, where justification for variation from such requirement may exist.

(b) In the CX, DT, ID, and MS districts, the block sizes shall be such that parking areas and business services drives may be provided for public convenience and it shall be indicated how off-street parking is to be situated.

Sec. 60. Block width.

The width of blocks shall be such as to allow two tiers of lots. Lots with double (front and back) street frontage are to be avoided.

Sec. 61. Lot size for septic systems.

Septic systems are not approved for use by these subdivision regulations. However, in the event of future allowance for septic systems, the following two provisions would apply to minimum lot sizes:

(a) Where potable water is to be provided by means of individual wells and separate septic disposal systems are to be provided, the minimum lot area shall not be less than forty thousand (40,000) square feet of land uncovered by water, exclusive of accessway, or larger when, in the opinion of the city director of health, such larger area is necessary to protect public health.

(b) Where potable water is to be provided by a public water supply but separate septic disposal systems are to be provided, the minimum lot area shall not be less than twenty thousand (20,000) square feet of land uncovered by water, exclusive of accessway, or larger when, in the opinion of the city director of health, such larger area is necessary to protect public health.

Sec. 62. Corner lots.

Corner lots shall have such extra width as the commission may require to assure attainment of two adequate front yards.

Sec. 63. Lot lines.

So far as is practicable, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Proposed lots which result in a width that would require a building to be constructed perpendicular to the street where existing homes are predominately situated parallel to the street are to be discouraged.

Sec. 64. Vehicular access to lots.

(a) Each building lot shall be served by a driveway connecting said lot with a street for the purpose of vehicular access to required off-street parking space, or shall be served by nearby parking areas providing parking for multiple property owners.

(b) Where the provision of individual driveways serving abutting accessways and/or adjacent interior lots would result in the appearance of a multiplicity of driveways, compromise traffic safety, or adversely impact the preservation of significant natural features enumerated in section 30 or the attainment of open space preservation goals expressed in section 31 of these regulations, the commission may approve a plan for common driveways or a plan for vehicle access via easement over one or more abutting lots or via common access to a lot owned in common. The applicant's intent to provide vehicular access from a lot to a street via easement or common driveway over one (1) or more abutting lots shall be subject to review and approval by the commission. "Easement for driveway purposes" shall be described and shown with metes and bounds on the final plan.

(c) Common driveways shall not be excessive in length and shall conform to the requirement of public safety and convenience and shall be built to the satisfaction of the building official, fire marshal and zoning enforcement officer as a prerequisite to issuance of certificates of occupancy. One possible configuration of a common driveway is through an alleyway, as shown in the House Type B Court example in Figure 4.15-E of the zoning regulations.

Sec. 65. Permanent turnarounds.

(a) Proposed streets shall be extended to the boundary lines of the tract to be subdivided unless prevented by topography or other physical conditions or where the commission deems such extension would serve no useful purpose.

(b) Dead-end streets not to exceed six hundred (600) feet in length will be approved when necessitated by topography or some extraordinary conditions but shall otherwise be prohibited. All dead end streets shall terminate in a circular turnaround with a right-of-way diameter and pavement diameter approved by the city engineer and the city fire marshal.

(c) Where center islands are proposed, they must comply with the standards set forth in section 67 of these regulations.

Sec. 66. Temporary turnarounds.

(a) Street rights-of-way extended to property boundaries where future extensions are anticipated shall culminate in a temporary turnaround of the same standards as permanent turnarounds outlined in section 65 above, except that center islands shall be prohibited.

(b) Any developer connecting to or extending highways from an existing temporary turnaround shall be responsible for the removal of segmental pavement areas, together with the grading, seeding and planting in the former turnaround area outside the new curb lines, as well as the construction or reconstruction of road pavement and driveways and the installation of new curbing.

(c) The following note will be required on all record maps whereon temporary turnarounds are indicated: "Segmental areas of temporary turnaround shall be subject to easements permitting any developer of abutting lands to enter upon the lots affected for the required removal of pavement in segmental areas, together with the grading, seeding and planting in the turnaround areas outside the new curb lines, and replacement or extension of existing driveways to meet the new curb lines, as well as the construction or reconstruction of road pavement and the installation of new curbing, all subject to approval by the city engineer, and at no cost to the city of Hartford of abutting property owners."

(d) Requests for retention of segmental pavement areas, e.g. for visitor parking, may be submitted to the commission for consideration.

Sec. 67. Center islands.

Center islands may serve as rain gardens or other stormwater management features to the maximum extent feasible. Planting plans for said center islands shall be subject to approval by the commission and normally shall not exceed three (3) feet in height to preserve sight distances.

Sec. 68. Reserved.

Sec. 69. Easements.

(a) The commission, at the request of the city engineer, may require that the subdivider tender easements to the city and/or a public utility company of not less than fifteen (15) feet in width when deemed necessary for utilities including but not limited to storm and sanitary sewers, gas, electric, telephone, and cable television.

(b) Easements over abutting properties may be required for "slope rights" to provide for the safety or support of the road while permitting safe and manageable shoulder areas abutting the travelled way.

(c) Drainage easements may be required along the course of all existing brooks or streams, as well as along new drainage features and facilities.

(d) Any and all documents relating to and effecting any easements required by the commission, including other easements required by sections 37, 64, and 66, shall be submitted to the commission for filing with the city clerk simultaneously with the final plan.

Sec. 70. Steep slopes.

No subdivision may occur on a slope that exceeds twenty-five (25) percent in grade.

Sec. 71. Cluster development.

The commission may allow for or require cluster development if and to the extent allowed by the zoning regulations to the extent consistent with soil types, terrain, infrastructure capacity, and the comprehensive plan.

Secs. 72-79. Reserved.

ARTICLE V. IMPROVEMENT STANDARDS

Sec. 80. Stormwater management.

Adequate drainage shall be provided for all property and for all streets (existing or proposed) by means of culverts or other means which shall be in accordance with a stormwater management plan to be submitted by the applicant. Such plan shall be in accordance with the DEEP Stormwater Manual and the Connecticut Department of Transportation Drainage Manual (2002), and shall, at a minimum, provide for the retention of the first inch of precipitation on site and for no net increase in runoff from the site. Where engineered drainage systems are required by site conditions, such systems shall be approved by the Metropolitan District Commission before being constructed and shall to the extent possible be used in conjunction with measures set forth in the Low Impact Development Appendix to the DEEP Stormwater Manual.

Sec. 81. Discharge.

(a) All subdivided property must satisfy the requirements of section 6.14. of the zoning regulations, including (but not limited to) adopting measures in accordance with the Low Impact Development Appendix to the DEEP Stormwater Manual and using natural landscape solutions, such as minimization of impervious surfaces, undisturbed buffers, and filter strips.

(b) Where a storm drainage system is proposed which empties into an existing facility that is deemed inadequate, the inadequacy of said receiving system shall constitute grounds for rejection of the new system.

(c) Surface runoffs from existing or proposed developments onto city and state roads shall be prohibited.

Sec. 82. Reserved.

Sec. 83. Streets.

Streets approved by the commission shall be constructed in accordance with the standard specifications of the city engineer, the DPW Street Construction Policies and AASHTO Guidelines, and these regulations.

Sec. 84. Buffer areas.

(a) The buffer area of the streets shall be rough graded and finished with either four (4) inches of top soil and seeded, or some solid surface such as brick, cobblestone, or stamped concrete, depending on the abutting uses, pedestrian traffic patterns, and other site-specific conditions. Except where practically infeasible, buffer areas shall be a minimum width of six (6) feet, inclusive of curbs, which dimension shall allow space for street trees, snow and leaf storage, space enough to transition a driveway ramp with an ADA compliant slope, and increased separation of pedestrians from traffic.

(b) At the discretion of the commission taking into consideration the location and character of the subdivision, public safety, and exceptional natural features such as rock formations, trees, ponds, streams or other land formations beneficial to the character of development which might be preserved without adverse effect on the neighborhood, the commission may reduce the width of the required buffer area to be improved.

Sec. 85. Side slopes.

(a) In rock excavation, the side slopes shall be no greater than one-quarter (1/4) foot horizontal for each one (1) foot vertical.

(b) In all other excavations and on all embankments, the side slopes shall be no greater than one (1) foot horizontal for each one-half (1/2) foot vertical.

(c) Later supports shall be provided where necessary to protect adjoining property.

Sec. 86. Curbs.

Granite curbs shall be provided on both sides of all streets regardless of gradient, unless the commission or city engineer deems more appropriate swales and similar infrastructure to provide for stormwater runoff.

Sec. 87. Underground utilities.

All electrical, CATV and telephone wiring from the principal source to principal or accessory structures shall be placed underground except in cases of lots fronting on existing streets with poles and above ground utility lines.

Sec. 88. Sanitary sewage disposal.

The commission shall require the subdivider to provide sanitary sewer facilities and connect them to the existing sewer system. Plans for sanitary sewer disposal must be submitted to and approved by the Metropolitan District Commission.

Sec. 89. Water supply.

A connection shall be provided to the public water supply to service the proposed subdivision and the pipe size shall be adequate to ensure satisfactory firefighting capacity, subject to review and approval by the Metropolitan District Commission.

Sec. 90. Fire hydrants.

(a) Where new water mains are to be installed, fire hydrants shall be installed by the subdivider. Said installation shall include gate valves in the lateral service; be situated a maximum of five hundred (500) feet apart or closer in high density or high risk areas; and be subject to review and approval by the city fire marshal.

(b) "Dry hydrants" may be required in areas where public water supply is not available but where ponds exist of an adequate size to provide sufficient water supply for firefighting under emergency conditions. The location and installation of these hydrants shall be subject to the approval of the city fire marshal.

Sec. 91. Sidewalks.

(a) Sidewalks shall be installed along every street frontage in any subdivision and shall comply with the Americans with Disabilities Act.

(b) Sidewalks shall not be less than five (5) feet in width and shall be constructed of concrete or other material acceptable to the department of public works.

(c) Ramps for the disabled which comply with the Americans with Disabilities Act shall be installed, at a minimum, at every street corner (on both street frontages) and every anticipated pedestrian crossing.

(d) Tactile warning tiles, crosswalk striping requirements, and pedestrian crossing signage shall be provided in accordance with DPW Street Construction Guidelines.

(e) Sidewalks shall be provided in conjunction with new streets in all districts. In general, sidewalks shall be composed of five (5) inches of concrete on twelve (12) inches of processed aggregate base.

(f) Where a new subdivision abuts an existing street, the commission may require that the subdivider construct or upgrade existing sidewalks along the frontage of the property being subdivided.

Sec. 92. Monuments.

Monuments or other permanent markers approved by the city engineer shall be set at points as required by the city engineer, so as to enable all lines in the subdivision to be reproduced.

Sec. 93. Signs and signals.

(a) Street name signs shall be installed by the subdivider, the location, type and size of which shall conform to standard specifications of the department of public works.

(b) Where required, traffic signals and signs shall be designed and constructed in accordance with standards adopted by the city traffic engineer.

Sec. 94. Street trees.

Where new streets are to be constructed, shade and/or flowering trees shall be planted on the street frontage of all lots in accordance with chapters 6 and 9 of the zoning regulations. Trees to be preserved, trees to be removed and proposed tree planting shall be subject to review and approval by the commission and the city forester. In no event shall any new subdivision be approved without adequate provision for trees along streets and sidewalks.

Secs. 95-109. Reserved.

ARTICLE VI. STANDARDS FOR MAPS AND PLANS

Sec. 110. Preliminary subdivision plan.

A preliminary plan prepared and certified substantially correct to a class by a registered land surveyor shall accompany all applications to the commission for its approval. The scale of the subdivision plan shall be not more than one hundred (100) feet to one (1) inch and may be less if necessary so that the following features and information shall be readily distinguishable:

(a) A vicinity sketch, a scale of eight hundred (800) feet to one (1) inch, suitable for the purpose of orientation showing existing streets in the area generally contiguous to the proposed subdivision, and how they may connect or relate to streets proposed in the subdivision in order to produce the most advantageous development for the entire neighboring area.

(b) The proposed name of the subdivision, the name(s) of the owner(s) of record, the subdivider, and the surveyor and/or engineer.

(c) The names of adjacent subdivisions and the names of record owners of adjacent parcels of subdivided and unsubdivided land.

(d) The boundary lines, accurate in scale, of the tract to be subdivided.

(e) The location, widths and names of all constructed or unconstructed public or private streets or other ways of access, with both right-of-way and traveled way shown, within or immediately adjacent to the tract, and other significant features such as, but not limited to, existing permanent buildings, utility poles, hydrants, stonewalls and railroad lines and the location of existing houses on adjacent properties within one hundred (100) feet of the subdivision.

(f) The location of municipal boundaries, zone boundary lines, setback lines, state channel encroachment lines, and flood hazard boundaries.

(g) Where the total area to be subdivided is in excess of one (1) acre and/or contains wetlands, soils information showing soil conservation service soil types and boundaries shall be provided by a certified soil scientist. If required for clarity of presentation, the soils information may be depicted on a separate map identical in scale to the preliminary plan.

(h) The location of significant natural features including wetlands (based on soil conservation service soil types) and watercourses, rock outcroppings and all trees of twelve (12) inch diameter or greater within fifty

(50) feet of the center line of all new streets and twenty-five (25) feet of the center line of all new common driveways.

(i) The approximate location of existing sewers, water mains, culverts and other underground utilities or structures within the tract and immediately adjacent thereto, with pipe sizes indicated where connections are proposed.

(j) The certified location of existing wells and septic systems, and to the extent feasible, the approximate location of those on adjacent properties within seventy-five (75) feet of the subdivision, natural or man-made drainage ways, pools and underground tanks.

(k) Topographical data having contour intervals not greater than two (2) feet shall be supplied.

(l) Areas having slopes in excess of twenty-five (25) percent shall be delineated.

(m) Where new driveways and/or roads are to be constructed, proposed sight lines shall be delineated on a plan at a scale of one (1) inch equals twenty (20) or forty (40) feet. The plans shall indicate modifications required to attain and maintain acceptable sight-lines.

(n) Copies of any private restrictions to be included in the deeds of conveyance should accompany the submission of the preliminary plan.

(o) The approximate area of each proposed lot in terms of square feet or acreage.

(p) Potential house sites and driveways for each lot.

(q) Proposed method of soil erosion control both during and following construction.

(r) In the case of new building lots traversed by or adjoining any permanent watercourses (including but not limited to the Connecticut River, the Park River, and any tributaries thereof), the following data shall be shown:

(1) Related elevation between the water's edge (bank) and at twenty-five (25) foot intervals back from the water's edge, with a minimum of three (3) elevations from and including bank elevations.

(2) Elevations referred to in item (1) above shall be taken every fifty (50) feet along the water's edge, except that there shall not be less than two (2) such lines of elevations in any case.

(3) "Water's edge" and "top of bank" shall be noted.

(4) A cross section of the river shall be shown indicating the elevation of the river bed, water's edge, and top of bank at each point referred to in item (2) above.

(5) Existing encroachment lines of one hundred (100) year storm elevations.

(s) Where the preliminary plan includes only a portion of the applicant's contiguous holding, the applicant shall also indicate on a plan, the probable future street and lot arrangement.

(t) In cases where the subdivider proposes to construct or reconstruct a street or common driveway serving four (4) or more lots, the subdivider shall submit to the commission, certification by a registered engineer, attesting to the adequacy of the existing storm and/or sanitary sewer system into which the proposed system will empty.

(u) Such other information as the commission may require.

Sec. 111. Construction plan.

Three (3) copies of construction plans, in addition to construction plans digitized and available in PDF or other suitable format, and a bond estimate, shall be submitted to the planning department for transmittal to the city engineer and city risk manager for review and comment, which shall be taken into account by the commission. Copies of such plans shall also be submitted to all relevant public utility companies. Said plans shall include the following:

(a) The proposed layout, names and widths of proposed streets, service drives and easements, the layout, number and dimensions of proposed lots.

(b) All trees greater than twelve (12) inches in diameter shall be shown within fifty (50) feet of the centerline of any proposed street and within twenty-five (25) feet of the centerline of any proposed common driveway. Trees to be preserved, trees to be removed and proposed tree planting shall be noted.

(c) The profile of each street with grades indicated.

(d) The cross section of each proposed street or service drive, showing the width of pavements, the location and width of sidewalks, if any, and the location and size of utility lines.

- (e) The plans and profiles of proposed sanitary and storm sewers with grades and sizes indicated and invert elevations of new sewers at points of connection with existing sewers or methods of sewage disposal in lieu of sewer systems.
- (f) The plan of the proposed public water distribution system, showing pipe sizes and the location of valves.
- (g) All parcels of land to be dedicated for public use, or to be preserved in the deeds of conveyance for the common use of property owners in the subdivision, in accordance with section 36 of these regulations with the purpose, conditions or limitations of such reservation indicated, provided that title to such reserved land be clear and unencumbered.
- (h) North-point, scale and date.
- (i) Location of existing and proposed monuments.
- (j) The location of required fire hydrants where new water mains are to be installed, or "dry hydrants."

Sec. 112. Final subdivision plan.

The final plan shall be submitted to the commission in the form satisfactory to the city clerk for filing in the Hartford land records, measuring 12 x 18 inches, 18 x 24 inches, or 24 x 36 inches with minimum margins at the left or top of the map together with four (4) prints therefrom. All final plans shall be drawn to a scale of not more than one hundred (100) feet to one (1) inch. When multiple sheets are required, the sheets shall be numbered. The final plan shall include the following:

- (a) Map title and owner of record.
- (b) North-point, graphic scale, date and orientation sketch.
- (c) The names of adjacent subdivisions and reference to map number as well as owners of adjacent subdivided lots and the names of record owners of adjacent parcels of unplotted land.
- (d) Zoning district lines.
- (e) Block and lot numbers in accordance with prevailing city practice.
- (f) The boundary lines with distances and bearings, and the location and width of all existing or recorded streets intersecting the boundary of the tract.
- (g) The distances and bearings to the nearest established street lines and official monuments, which shall be accurately described on the plan. Horizontal control shall be tied into the Connecticut Geodetic Survey Coordinate System where the proposed subdivision is within two thousand (2,000) feet of two (2) geodetic monuments or where the total number of lots in the subdivision is five (5) or more.
- (h) Street names.
- (i) The length of all arcs, radii, points of curvature, distance and bearing of the chord.
- (j) All easements or rights-of-way provided for public highways or utilities and any limitations of easements.
- (k) All lot lines with dimensions in feet and at least hundredths, and with distances and bearings to street and easement lines.
- (l) The area of each parcel in terms of square feet or acreage.
- (m) The location, material, and approximate size of all monuments.
- (n) Location of wetlands, watercourses and flood encroachment lines.
- (o) The outline of all property which is offered for dedication or conveyance for public use with the purpose indicated thereon, and of all property that may be preserved by deed covenant for the common use of the property owners in the subdivision, provided title to such reserved land is free and unencumbered.
- (p) Certification by a licensed land surveyor that the plan is substantially correct and prepared in accordance with the standards of a class A-2 survey and that all the monuments shown thereon should be labelled "found", "set" or "to be set."
- (q) Reference to private deed restrictions, if any.
- (r) Provision of signature blocks as follows:
 - (1) Where new streets are proposed:

Engineering and construction plans approved

Date _____

City engineer

Approved by the commission

Date _____

Chairman or secretary

(2) Where parcels front on existing streets:

Approved by the commission

Date _____

Chairman or secretary

Secs. 113-119. Reserved.

ARTICLE VII. MODIFICATION STANDARDS

Sec. 120. Subdivider obligations.

In any particular case where the subdivider can show that strict compliance with any specific requirement of these regulations, by reason of exceptional topographic or other physical condition, would cause practical difficulty or undue hardship, the commission may relax such requirement minimally to the extent deemed proper, so as to relieve such difficulty or hardship. Such relief may be granted provided it does not create a detriment to the public good or impair the intent and purpose of these regulations or adversely impact adjacent property.

Sec. 121. Considerations.

In considering requests for modification or waiver of specific requirements, the commission shall consider the principles of design and the requirements for subdivision of land stipulated in these regulations, and determine whether such requirements may be varied, provided that no modification or waiver shall be granted by the commission which would conflict with the intent and purpose of the zoning regulations, have a significant adverse effect on adjacent property, or have a significant adverse effect on public health and safety.

Sec. 122. Granted waiver.

Waiver of any of the provisions of these regulations shall be granted only by three fourth (3/4) majority vote of the commission, which shall state upon its record the reason for granting the waiver. The specific standard waived shall be noted on the final subdivision plan.