

**CITY OF GROTON**

**SUBDIVISION  
REGULATIONS**



**Planning and Zoning Commission**

**Effective – December 1, 2016**

## ***Key Dates***

The Subdivisions Regulations for the City of Groton were originally effective on November 2, 1965.

A comprehensive revision of the Subdivision Regulations was undertaken in 2015-2016 and adopted with an effective date of December 1, 2016.

## ***Key Concepts***

**A "DIVISION"** - A "*division* of land" is when a parcel of land is cut into two lots. This is sometimes referred to as a "free split." Check with City Staff to see if your land qualifies for this option. A "division" of land can be exempt from these Subdivision Regulations provided:

- Each of the resulting lots complies with the zoning requirements; and
- The parcel has not been previously divided since November 2, 1965.

**A "SUBDIVISION" OR "RESUBDIVISION"** -

- A "*subdivision* of land" is when a parcel of land is cut into three or more lots. A subdivision of land is subject to these Subdivision Regulations and requires approval by the Planning and Zoning Commission.
- A "*resubdivision* of land" is when an approved subdivision is modified by changing the street layout, changing any area reserved for public use, or adding an additional building lot (see full definition in Section 2.03 of these Regulations) . A resubdivision of land is subject to these Subdivision Regulations and requires approval by the Planning and Zoning Commission.

## ***Key Resources***

**CITY STAFF** - The City Planner and other City Staff are available to help answer questions about the Subdivision Regulations or other relevant regulations. You may contact them at City Hall.

**CGS SECTION 8-25** - Section 8-25 of the Connecticut General Statutes may also provide useful information.

**SURVEYORS / ENGINEERS** - Any division of property will need an accurate property survey. There are a number of private surveyors and engineers in the area experienced with preparing the necessary documentation and shepherding an application through the process. You may already know of a surveyor or engineer or you can search for one on-line.

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***A graphic illustrating the conceptual subdivision approval process is presented on the inside back cover of these Regulations.***

# **ARTICLE 1.00 INTRODUCTION**

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## **1.01 AUTHORITY**

These Regulations have been adopted by the Planning and Zoning Commission of the City of Groton, Connecticut pursuant to the authority conferred by Chapter 126 of the Connecticut General Statutes (CGS 8-18 et seq.), as amended.

## **1.02 PURPOSES**

These Regulations have been adopted to accomplish the purposes identified in Section 8-25 of the Connecticut General Statutes (CGS) including:

1. Promoting the orderly development of the City;
2. Protecting the public health, welfare and safety;
3. Ensuring that land to be subdivided is of such character that it can be used for building purposes without danger to health or the public safety;
4. Making proper provision for water, sewage and drainage;
5. Making proper provision for protective flood control measures;
6. Ensuring that proposed streets are in harmony with existing streets, or proposed streets shown in the Plan of Conservation and Development, especially in regard to safe streets and intersections;
7. Ensuring that proposed streets are arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs;
8. Ensuring that open spaces, parks and playgrounds are provided when deemed proper by the Commission and in places deemed proper by the Commission;
9. Making proper provision for soil erosion and sediment control;
10. Making proper provision for the extent to and the manner in which streets shall be graded and improved and public utilities and services provided;
11. Encouraging energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, passive solar energy techniques, and energy conservation;
12. Promoting the coordinated development of the community; and
13. Guiding future growth and development in accordance with the Plan of Conservation and Development.

## Section 1.03

Effective December 1, 2016

### INTRODUCTION

### APPLICABILITY

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#### 1.03 APPLICABILITY

1. These Regulations shall apply to any subdivision or resubdivision of land within the City of Groton, Connecticut and set forth the required procedure for subdivision and re-subdivision of land in the City of Groton.
2. No subdivision of land shall be made and no land in any subdivision shall be sold or offered for sale until:
  - a. An application for a plan of subdivision, prepared in accordance with the requirements of these regulations, has been approved by the Commission;
  - b. The subdivision plans have been signed by the Chairman to indicate approval by the Commission; and
  - c. The subdivision plans have been recorded in the office of the Town Clerk of the Town of Groton within the time period specified in Section 6.04 of these Regulations.
3. Any subdivision plan recorded on the land records without the subdivision having been approved by the Commission and the subdivision plans having been signed by the Chairman shall be null and void.

#### 1.04 MODIFICATION OF STANDARDS

1. **Overview** - In accordance with the provisions of CGS Section 8-26(a), the Commission may waive a regulation or standard contained in these regulations by the approval of a three-quarters (3/4) vote of all members of the Commission.
2. **Modification of Design Standard** - Where the Commission finds that extraordinary hardships or practical difficulties may result from compliance with these Regulations, it may approve waivers to the design standards within these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such waiver shall not have the effect of nullifying the intent and purpose of these Regulations; and further provided the Commission shall not approve waivers unless it shall make findings based upon evidence presented to it in each specific case that:
  - a. The granting of the waiver will not be detrimental to the public safety, health, or welfare or have a significant adverse effect on other adjacent property;
  - b. The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;
  - c. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if these Regulations are carried out.
3. **Procedure** - As part of granting any modification or waiver of a design standard, the Commission shall:
  - a. Have received a specific written request from the applicant for the modification or waiver; and
  - b. State upon the record its reasons for which such a modification or waiver was granted.

## **1.05 ADMINISTRATIVE PROVISIONS**

1. **Application of General Statutes** - Definitions and all mandatory provisions governing public hearings and approval of plans set forth in these Regulations shall at all times be automatically superseded or modified by any of the provisions of Chapter 126 of the Connecticut General Statutes, as the same may be from time-to-time amended, which are inconsistent with or expand or restrict the definitions and provisions for public hearings and approval of plans contained herein.
2. **Amendments** - In accordance with CGS Chapter 126, as amended, these regulations may be amended by the Planning and Zoning Commission after a public hearing called for such purpose. Notice of the public hearing shall be given by publication in a newspaper of general circulation in the municipality 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 prior to the date of such hearing and by sending a copy thereof by registered or certified mail to the applicant if a person other than the Commission.
3. **Enforcement**
  - a. These Regulations shall be enforced by the Planning and Zoning Commission and/or its designated representative(s).
  - b. The Commission shall have the authority to determine whether the existing or proposed division of any land constitutes a subdivision or resubdivision under the provisions of these Regulations.
  - c. Any person making any subdivision of land without the approval of the Commission shall be fined as provided by CGS Section 8-25 et seq.
4. **Appeals** - Any person aggrieved by an action or decision of the Commission may appeal as provided by CGS Section 8-8, as amended.
5. **Severability** - Should any section or provision of these Regulations be declared by the courts to be unconstitutional, invalid or unlawful; or become inoperative by virtue of the operability shall not affect the validity of these Regulations as a whole, or any part thereof other than the section or provision so declared to be unconstitutional, invalid or unlawful.
6. **Effective Date** –
  - a. The Subdivisions Regulations for the City of Groton were originally effective on November 2, 1965.
  - b. A comprehensive revision of the Subdivision Regulations was undertaken in 2015 and adopted with an effective date of December 1, 2016.

## ARTICLE 2.00 INTERPRETATION

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### 2.01 INTERPRETATION OF REGULATIONS

1. In their interpretation and application, the provisions of these Regulations shall be the minimum requirements unless the context clearly indicates that such provisions are intended to be a maximum limitation.
2. In the event that any conflict arises between the provisions of these Regulations and any other law, ordinance, easement, covenant, rule, regulation, or permit, the provision that establishes the greatest restriction or imposes the highest standard shall control.
3. In the event that any conflict arises between any graphic or illustration contained in these Regulations and any text provision of these Regulations, the text shall control.

### 2.02 USE OF TERMS

1. **Definitions To Be Applied** - In the interpretation and enforcement of these Regulations, the words and phrases set forth in these Regulations shall be construed as defined in this Article, unless otherwise clearly qualified by their context.
2. **Specific Terms** - In the interpretation and enforcement of these Regulations, certain words contained herein shall be interpreted as follows:
  - a. The word "shall" is mandatory and not discretionary.
  - b. The word "may" is permissive.
  - c. When not inconsistent with the context:
    - i. Words in the present tense include the future and vice-versa.
    - ii. Words in the singular include the plural and vice-versa.
    - iii. Words in the masculine, the feminine, or the neuter include the others.
  - d. The word "person" also includes a partnership, association, trust, corporation, limited liability company, or other legal entity.
3. **Terms Not Defined** - In the interpretation and enforcement of these Regulations, words not defined in this Article shall be interpreted by the Commission after consulting one or more of the following:
  - a. The Zoning Regulations, as may be amended;
  - b. The State Building Code, as may be amended;
  - c. The Connecticut General Statutes, as may be amended;
  - d. The "Illustrated Book of Development Definitions" (Rutgers University, Center for Urban Policy Research), as may be amended;
  - e. Black's Law Dictionary;
  - f. A comprehensive general dictionary.

## 2.03 DEFINED TERMS

**A-2 Survey** – Survey information meeting the standards for an “A-2” survey as specified in the “Code of Recommended Practice for Standards of Accuracy of Surveys and Maps” by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut.

**Accelerated Erosion** - see “*Erosion, Accelerated.*”

**Acre** - A land area equivalent to forty-three thousand five-hundred and sixty (43,560) square feet.

**Applicant** - Any property owner, contract purchaser, person, firm, or other legal entity or their successor who shall create any subdivision or resubdivision, for the purpose of sale or building development or any person, firm, or other legal entity that applies for a subdivision, either for themselves or as an agent for others.

**Application** - The maps, prescribed forms duly and correctly completed, fees, reports, and any additional supporting data required by these Regulations for approval of a subdivision or resubdivision and submitted to the Planning and Zoning Commission.

**City** - The City of Groton, Connecticut.

**CGS** - Connecticut General Statutes.

**Commission** - The Planning and Zoning Commission of the City of Groton, Connecticut.

**Conservation Restriction** - An encumbrance on real property filed on the land records of the City for the protection of natural features, natural habitats, open space, buffer zones, scenic areas, historic sites, riding or walking trails, or similar purposes.

**CTDOT** - Connecticut Department of Transportation.

**Cul-de-sac** - See “*Street, Cul-De-Sac.*”

**Date of Approval** - The date an application is considered approved based upon the latest of the following dates:

- by reason of failure of the Commission to act within the statutory timeframe;
- by affirmative action of the Commission under any provision of these Regulations; or
- if a decision of the Commission is appealed, by conclusion of any appeal which results in a judgment approving or affirming approval of the application.

**Developer** - see “*Applicant.*”

**Development** - Any construction or grading activities to improved or unimproved real estate and includes but is not limited to the installation of required improvements and the disturbance of land related to the construction of a structure; installation of appurtenant utilities and access from the existing or proposed public right-of-way.

**Director of Health** - The person or persons responsible for enforcement of the Public Health Code of the State of Connecticut within the City of Groton (Ledge Light Health District).

## Section 2.03

Effective December 1, 2016

### INTERPRETATION

#### DEFINED TERMS

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**Disturbed Area** - An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.

**Drainage** - The controlled or uncontrolled removal or discharge of surface or ground water from land by drains, grading or other means which may include runoff controls to minimize erosion, reduce suspended solids and maximize groundwater recharge during and after construction or development.

**Driveway** - A paved or unpaved way providing access from a street to a parcel or lot.

**Elevation** - The height of a point above mean sea level based on the U.S. Coastal & Geodetic survey datum.

**Easement** - A right of use for a specific purpose or purposes which one person or agency may have of a designated portion of land of another.

**Engineer** - A professional engineer as defined in CGS 20-299, licensed in the State of Connecticut, qualified to design and construct streets, utilities and structures.

**Erosion** - The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**Erosion, Accelerated** - Any increase over the rate of natural erosion as a result of a change in the natural cover or topography due to any activity or use of the land, including development.

**Erosion and Sediment Control Manual** - The "Connecticut Guidelines For Soil Erosion and Sediment Control" as prepared by the Connecticut Council on Soil and Water Conservation in Cooperation with the Connecticut Department of Energy and Environmental Protection (2002), as amended.

**FEMA** - Federal Emergency Management Agency.

**Final Approval** - The approval of the Final Plan by the Commission under the provisions of CGS Section 8-26, as amended.

**Financial Guarantee** - A financial obligation and commitment acceptable in amount, form and substance to the City for the purpose of ensuring that improvements or obligations required by these Regulations or to be provided by the applicant will be completed.

**Flood Plain** - That area designated as subject to periodic flooding by a flood having a one percent (1%) chance of being equaled or exceeded in any given year (a "one-hundred-year-flood"), consisting of the floodway and the floodway fringe of the one-hundred-year flood as shown on the Flood Boundary and Floodway Maps in the Flood Insurance Study, as amended, prepared by the Federal Emergency Management Agency.

**Frontage** - The boundary of a lot abutting and having permitted vehicular access to an accepted public street or an approved street consistent with these regulations.

**Grading** - Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition which results in a change of contour or elevation, either permanent or temporary.

**Improvement** - Any change or alteration to the existing conditions of the subdivision site for the purpose of complying with these Regulations or rendering the site more suitable for development and/or habitation.

**Lot** - A plot or parcel of land :

- occupied, or capable of being occupied, by one (1) principal building and accessory buildings as allowed under the Zoning Regulations, and/or
- a unit of land created from a larger tract of land for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agriculture purposes.

**Open Space** - Land set aside for conservation, recreation, park or play area.

**Owner** - The person shown by the land records of the City of Groton to be the holder of the fee title.

**Parcel** - The land contained within one continuous property line or a larger tract of land that is to be divided to create smaller lots.

**Pavement** - That portion of the street line especially prepared for vehicular traffic and lying between curbs.

**Plan** - The plan for a subdivision referred to in CGS Section 8-25 and 8-26, as amended, and prepared in accordance with the requirements of these Regulations.

**Plan, Preliminary** A tentative plan for a subdivision, submitted to the Commission for advice and recommendations only, and prepared in accordance with the requirements of these Regulations.

**Plan of Conservation and Development** - A comprehensive plan for the future growth, protection and development of the City of Groton adopted by the Planning and Zoning Commission in accordance with CGS Section 8-23.

**Preliminary Plan** See "Plan, Preliminary".

**Recreation Area** - Land dedicated for recreation, park, or playground purposes.

**Regulations** - The Subdivision Regulations of the City of Groton, unless otherwise specified.

**Reserve Strip** - A privately-owned strip of land within a subdivision which could prevent, limit, or control access from land outside the subdivision to a street within or adjacent to the subdivision.

**Resubdivision** – As per CGS Section 8-18, a change in a map of an approved or recorded subdivision (*See "Subdivision"*) if such change:

- affects any street layout shown on such map; or
- affects any area reserved thereon for public use; or
- diminishes the size of any lot shown thereon, and creates an additional building lot if any of the lots shown thereon have been conveyed after the approval or recording of such map.

**Road** - See "Street".

**Sediment** - Solid material, either mineral or organic, that is in suspension, is or has been transported or has been moved from its site of origin by erosion.

**Slope** - An inclined surface, typically expressed as a percent, representing the number of feet of vertical rise over a horizontal distance.

## Section 2.03

Effective December 1, 2016

### INTERPRETATION

#### DEFINED TERMS

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**Soil** - Any unconsolidated mineral or organic solid material of any origin.

**Soil Erosion and Sediment Control Plan** - A plan that is proposed to be implemented in order to minimize soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

**Soil Scientist** - A person who is qualified as a soil scientist in accordance with the standards set by the United States Civil Service Commission.

**Solar Energy Techniques** - Site design techniques which:

- maximize solar heat gain, minimize heat loss and/or provide thermal storage within a building during the heating season, and/or
- minimize heat gain and provide for natural ventilation during the cooling season.

**State** – The State of Connecticut.

**Statute** - Connecticut General Statutes.

**Steep Slope** – A grade in excess of twenty percent (20%).

**Street** - A way (including highways, throughways, thoroughfares, parkways, avenues, roads, lanes, alleys, or other arteries of vehicular traffic, but not private driveways) which is permanently dedicated to movement of vehicles and pedestrians and providing the principal means of access to abutting property and which is:

- a State highway;
- a City street;
- a private street; or
- a street shown on a subdivision plan approved by the Commission.

**Street, Accepted** - Any street which has become a public highway by virtue of official acceptance by the City of Groton.

**Street, Approved** - Any street whose location has been approved by official action of the Commission.

**Street, Cul-De-Sac** - A street having only one intersection with another street or only one (1) vehicular outlet, whose primary function is to provide access to abutting property.

**Cul-De-Sac Street, Permanent** - A cul-de-sac street not designed to be extended into adjoining undeveloped land.

**Cul-De-Sac Street, Temporary** - A cul-de-sac street designed to be extended into adjoining undeveloped land.

**Street, Private** - A street which is not a State highway or an accepted street.

**Street, City** – See “*Street, Accepted*”.

**Street-Line** - The line separating the street right-of-way and adjoining lots or parcels.

**Street Right-Of-Way** - That area of land between private properties over which a City street and its appurtenances has been built or that area reserved for the construction of a City street and its appurtenances.

**Street Width** - The distance between property lines measured at right angles to the direction of the centerline of the street.

**Subdivider** - see *"Applicant."*

**Subdivision** – As defined in CGS Section 8-18, the division of a tract or parcel of land into three (3) or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission (November 2, 1965), for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes. The word "subdivision" shall include re-subdivision. See *"Resubdivision"*.

**Surveyor** - A land surveyor as defined in CGS 20-299, licensed in the State of Connecticut, qualified to practice the profession of land surveying.

**Travelway** - That portion of the surface of the street intended to be used by vehicular traffic.

**Turnaround** - The area at the end of a cul-de-sac street usually circular in shape, provided for the purpose of enabling vehicular traffic to reverse direction without having to back up.

**Watercourses** - As set forth in the Inland Wetlands and Watercourses Regulations of the City of Groton, Connecticut, any rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, public or private, vernal, intermittent, or perennial, which are contained within, flow through, or border upon the City of Groton or any portion thereof.

**Wetlands** - As set forth in the Inland Wetlands and Watercourses Regulations of the City of Groton, Connecticut, land, including submerged land, not regulated pursuant to CGS Sections 22a-28 to 22a-35 inclusive, as amended, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial or flood plain by the National Cooperative Soil Survey, as may be amended from time-to-time, by the Soil Conservation Service of the U.S. Department of Agriculture. Such areas may include filled, graded or excavated sites, which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

**Zoning Regulations** - The Zoning Regulations of the City of Groton in effect at the time of application for subdivision or resubdivision.

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## **ARTICLE 3.00 PARCEL AND LOT REQUIREMENTS**

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### **3.01 LAND SUITABILITY**

1. Land to be subdivided shall be of such character that it can be used for building purposes without danger to health and public safety.
2. Land which the Commission finds to be unsuitable in its present condition for building purposes because of flooding, inadequate drainage, steep slopes, depth to bedrock, erosive soils, utility easements or similar features which might pose a threat to the public health, safety or welfare shall not be approved as a building lot unless adequate provisions are made by the applicant to mitigate the unsuitable conditions in a manner satisfactory to the Commission.
3. Unless not required by the Commission, any application for a subdivision shall include a site inventory / analysis map prepared, signed and stamped by a landscape architect, civil engineer, or surveyor licensed to practice in Connecticut and such site inventory / analysis map shall identify:

<b>Primary Conservation Areas</b>	<ul style="list-style-type: none"><li>• Watercourses and waterbodies</li><li>• Any area designated as 100-year floodplain</li><li>• Coastal wetlands</li><li>• Inland wetlands and vernal pools</li><li>• Steep slopes (15 percent or more)</li></ul>
<b>Secondary Conservation Areas</b>	<ul style="list-style-type: none"><li>• Areas within 200 feet of a watercourse or waterbody</li><li>• Any area designated as 500-year floodplain</li><li>• Areas within 50 feet of an inland wetland or coastal wetland</li><li>• Areas within 100 feet of a vernal pool</li><li>• Natural diversity database sites or wildlife corridors</li><li>• Resources listed on the National or State Register of Historic Places</li><li>• Archeological sites</li><li>• Scenic views / vistas and stone walls</li><li>• Notable individual trees (&gt;18 inches DBH) and/or mature woodlands</li><li>• Possible open space and trail connections between conservation areas on the site and adjacent protected and unprotected open space.</li></ul>

4. The overall lot / roadway layout plan for the subdivision should reflect the site inventory / analysis map:
  - a. Areas of the site which are considered Primary Conservation Areas shall be considered for permanent protection which may include preservation as open space deeded to the City, a land trust or other conservation organization, or a homeowners association if acceptable to the Commission.
  - b. Areas of the site which are considered Secondary Conservation Areas should be considered for conservation or integration into the design of the subdivision.
  - c. Areas of the site which are not considered Primary Conservation Areas or Secondary Conservation Areas may be considered potential development areas and lots, streets, trails, and other improvements may be sited in these areas.

**3.02 PROTECTION OF IMPORTANT FEATURES**

1. Every effort shall be made to locate streets, building lots, and open space in a manner that is in harmony with the landscape and results in a minimal disturbance to the natural terrain and vegetation.
2. All subdivisions shall be designed and arranged and provision shall be made to:
  - a. Preserve natural features and similar resources;
  - b. Preserve and enhance scenic features, significant trees, and similar community resources;
  - c. Preserve and enhance archeological sites, historic sites, and similar cultural resources; and
  - d. Comply with flood management ordinances and regulations adopted by the City.
3. During the review process, the Commission may require:
  - a. The preservation or enhancement of features identified in Section 3.02.2, and/or
  - b. The submission of additional information that demonstrates the applicant's proposals (such as a conservation restriction and/or the deeding of open space) for protecting the types of resource(s) identified in Section 3.02.2 of these Regulations.

**3.03 FLOOD PROTECTION**

1. All subdivision proposals shall be consistent with the need to minimize flood damage and the Commission shall determine that any proposed subdivision is reasonably safe from flooding.
2. When a subdivision is proposed for land in areas of special flood hazard the Commission shall require written confirmation from the Zoning and Building Official that utilities, water, and sanitary sewer systems are located and constructed to minimize or eliminate flood damage or infiltration.
3. Any proposed subdivision involving any land within a special flood hazard area shall:
  - a. Have adequate drainage provided to reduce exposure to flood hazards;
  - b. Include the base flood elevation data for the property,
  - c. Provide assurances, such as an approval of the application by the Conservation and Inland Wetlands Commission that the flood-carrying capacity is maintained within any altered or relocated portion of any watercourse.
4. In areas of special flood hazard as identified on Flood Insurance Rate Maps and in the Flood Insurance Study, and in other areas contiguous to water bodies or subject to tidal flooding, proper provisions shall be made for protective flood control measures including, but not limited to, the following:
  - a. Water supply and sewage disposal systems shall be designed and located so as to avoid impairment or contamination from flooding, erosion or related circumstances.
  - b. Gas, electrical equipment, and transmission lines shall be located and constructed to minimize or eliminate flood damage.
  - c. Storm drainage systems shall be designed to reduce exposure to flood hazards;
  - d. Streets shall be of such elevation or shall be suitably protected so as to allow emergency access during flood conditions;
  - e. Streets, drainage and other improvements shall be safe from flood damage;
  - f. Public and private improvements shall be designed to minimize flood damage and shall be capable of use without danger from flooding or flood related damages;
  - g. All utilities and similar services shall be located and constructed to minimize or eliminate flood damage.

## Section 3.04

### PARCEL AND LOT REQUIREMENTS

#### LOT LAYOUT

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Effective December 1, 2016

### 3.04 LOT LAYOUT

1. All lots in proposed subdivisions shall conform in all respects to the requirements of the Zoning Regulations for the zoning district in which the lot is located in terms of lot size, frontage, lot access, and other requirements.
2. Lots shall be generally square or rectangular in shape, except where other design criteria make it impractical or undesirable.
3. All corner lots shall have at least a 5 foot radius at street intersections.
4. Double frontage and rear lots shall be avoided except as provided for in the Zoning Regulations.
5. All lots must be capable of receiving emergency and regular City services.
6. Insofar as practical, lot lines shall be laid out:
  - a. Such that side lot lines shall be at right angles to the street and radial to curves, unless a variation from this provision would result in a better street or lot layout; and
  - b. So as not to cross municipal boundary lines.
7. In the case of lots on sloping land, the lot shall be laid out so that:
  - a. A driveway can service the property with the driveway slope not exceeding fifteen percent (15%) slope at any point nor exceeding a total average of twelve percent (12%); and
  - b. The finished floor of the principal structure shall, wherever practical, be higher than the grade of the street on which its fronts.
8. The shape, size, location, topography, character, and arrangement of a lot shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in:
  - a. Securing permits to develop the lot in compliance with applicable regulations, codes, and ordinances;
  - b. Occupying and using such lot for building purposes without danger to the health and safety of the occupants or the public;
  - c. Providing safe and convenient access to principal buildings on such lot; and
  - d. Providing for grading and drainage without adversely affecting abutting or downhill or downstream properties.
9. The Commission may determine that any parcel of land, regardless of size, shall be unsuitable for building if it:
  - a. Does not meet the minimum zoning requirements;
  - b. Is found unsuitable for occupancy or building by reason of lack of provision for sewage disposal, lack of adequate water supply, topography, water, flooding, or other conditions; or
  - c. Does not conform to the requirements of these or other applicable codes and regulations.
10. No parcel of land shall be created with the notation "not an approved building lot."
11. Unless designated and preserved in perpetuity for open space, municipal, conservation, or agricultural purposes, no parcel, reserve strip, or any other remnant of land unsuitable for building shall be left in any subdivision.
12. No land or building lot shall be configured in such a way that, in the opinion of the Commission, it could control access to other property or would landlock an adjacent property unless the control of such land or building lot is placed within the jurisdiction of the abutter, the City, or other entity acceptable to the Commission under conditions approved by the Commission.

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**3.05 OPEN SPACE**

***Since reservation of open space, as provided in CGS Section 8-25, may not be appropriate in all situations or may be modified by the Commission, applicants are encouraged to meet informally with Staff and/or the Commission prior to submitting a formal application.***

1. Unless modified by the Commission in accordance with Section 3.05.7, every subdivision shall provide for open space in order to provide for:
  - a. Active recreation including parks and playgrounds which shall be suitable and conveniently accessible for their intended use;
  - b. Passive recreation in the form of land in its undisturbed or "natural" state;
  - c. Protection of wetlands or watercourses and the buffering of the same;
  - d. The preservation of outstanding natural or historical features and the like; or
  - e. Implement the open space and other recommendations in the Plan of Conservation and Development.
2. This open space requirement may, with approval of the Commission, be met through:
  - a. Deeding of land within the subdivision in accordance with Section 3.05.5;
  - b. Deeding of land elsewhere in the City of Groton in accordance with Section 3.05.5;
  - c. A fee-in-lieu-of-open-space donation in accordance with Section 3.05.6;
  - d. Deeding of land and a fee-in-lieu-of-open-space-donation in accordance with Section 3.05.5 and Section 3.05.6; or
  - e. Some other arrangement that shall be found by the Commission to be acceptable (such as a trail easement, a conservation restriction, or similar proposal).
3. If the applicant proposes a fee-in-lieu-of-open-space donation or other open space arrangement which does not involve land within the subdivision, the applicant shall still submit a map showing where the open space land could be located within the subdivision if the fee-in-lieu-of-open-space donation or other open space arrangement were not to be accepted by the Commission.
4. The Commission may solicit comments from the Conservation and Inland Wetlands Commission, the Beach and Park Commission, the City Council, or any other person or entity regarding the best method of preserving open space as part of the subdivision.

## Section 3.05

### PARCEL AND LOT REQUIREMENTS

#### OPEN SPACE

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Effective December 1, 2016

#### 5. Deeding of Land

- a. Where the open space requirement shall be met through the deeding of land, at least ten (10) percent of the total area of the subdivision shall be set aside for open space.
- b. Such open space shall be shown on the subdivision plan or on another suitable map if located elsewhere in the City of Groton.
- c. In determining the appropriateness of an area proposed for open space or other public purposes, the Commission shall consider:
  - i. Recommendations in the Plan of Conservation and Development;
  - ii. The presence or absence of any existing open spaces in the area;
  - iii. The opportunities to interconnect existing, proposed, and potential future open space reservations into a comprehensive greenway and trail system;
  - iv. The opportunity to preserve or protect significant natural features; and
  - v. Comments from City departments or other agencies or persons regarding need, resources, connection to the open space system of the City, and preferred ownership.
- d. When a subdivision abuts an existing open space, the Commission may require that the lot lines of the land to be dedicated form a continuation of the existing open space to provide a single, unified area.
- e. Open space shall not include power line right-of-ways.
- f. The applicant shall designate which entity is, or entities are, proposed to own the open space to ensure its permanent protection as provided in these Regulations. The following is the order of preference for evaluating the ownership of open space:
  - i. The City of Groton.
  - ii. A non-profit organization, acceptable to the Commission, legally constituted to accept and maintain open space for conservation purposes (such as a Land Trust).
  - iii. A neighborhood association reviewed and approved by the Commission.
- g. Such open spaces shall be deeded in perpetuity except that any open spaces deeded to a private organization or to a private association shall provide in such deed that ownership shall revert to the City or other conservation organization for recreational or conservation purposes if such corporation or association shall cease to exist or shall relinquish ownership.
- h. If an applicant transfers land to the City for municipal purposes, such transfer may be considered by the Commission as a credit toward any open space requirements.
- i. The Commission may require that any open space land have direct access to a City street or a State highway through a right-of-way dedicated to public use and that it be graded and improved to allow for pedestrian access.
- j. Open space areas shall not be used as a depository for brush, stumps, earth, building materials, or debris.

**6. Fees in Lieu of Open Space**

- a. As provided in CGS Section 8-25, the Commission may authorize the applicant to pay a fee to the City, or pay a fee to the City and transfer land to the City or other approved entity in lieu of the requirement to provide land as open space.
- b. The Commission may also request the applicant pay a fee to the City or pay a fee to the City and transfer land to the City or other approved entity in lieu of the requirement to provide open space where deeding of land as open space will not meet the purposes of this Section 3.05.
- c. If payment of such a fee is proposed by the applicant, the Commission may refuse such fee if it determines, in its sole discretion, that there are areas within the parcel which merit preservation by one of the methods set forth in these Regulations.
- d. Payments generated under the provisions of this section shall be placed in a designated fund account to be utilized for the purposes of reserving dedicated open space, acquisition of new public open space, for recreational or agricultural purposes or improvement of existing open space dedicated to the City.
- e. Unless otherwise agreed to by the Commission and the applicant, fee in lieu of open space procedures shall be in accordance with CGS Section 8-25, as amended:
  - i. Payments or combination of both payment and land shall be equal to ten percent (10%) of the fair market value of the total land area prior to subdivision.
  - ii. The fair market value of the land shall be determined by a licensed appraiser jointly approved by the Commission and the applicant and the appraisal made part of the record except that, for subdivisions of 3 lots or fewer, the applicant may utilize the Assessor's estimate of the market value of the property.
  - iii. The cost of any appraisal shall be the responsibility of the applicant.
- f. With regard to payment of the fee in lieu of open space:
  - i. The fee in lieu of open space payment shall be provided to the City by the applicant in the form of a cashier's check prior to the release of the subdivision mylar signed by the Chairman of the Commission.
  - ii. Such cashier's check shall be held in escrow by the City and shall not be cashed or deposited by the City until the subdivision mylars have been filed on the land records.
- g. In cases where there is a combination of both payment and deeding of land, the transfer of land shall occur when the public improvements are accepted by the City of Groton. If there are no other public improvements, the deed for the land shall be transferred at the time the subdivision plans are filed.

**7. Modification of Open Space Reservation** - The open space requirements of this section shall not apply if:

- a. The transfer of all land in the subdivision of less than five (5) parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin of the applicant for no consideration.
- b. The subdivision is to contain affordable housing, as defined in CGS Section 8-39a, equal to twenty percent (20%) or more of the total number of housing units to be constructed in such subdivision.

## Section 3.06

### PARCEL AND LOT REQUIREMENTS

#### SOLAR ACCESS

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Effective December 1, 2016

### 3.06 SOLAR ACCESS

1. These subdivision regulations are intended to encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation.
2. The applicant shall consider using solar energy techniques and site design techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions, and that have the potential to:
  - a. Maximize solar heat gain, minimize heat loss, and provide thermal storage within a building during the heating season; and
  - b. Minimize heat gain and provide for natural cooling during the cooling season.
3. The site design techniques shall include, but not be limited to:
  - a. House orientation;
  - b. Street and lot layout;
  - c. Vegetation;
  - d. Natural and man-made topographic features;
  - e. Protection of solar access within the subdivision.
4. As part of the application, the applicant shall demonstrate that these techniques have been considered.

### 3.07 SOIL EROSION AND SEDIMENT CONTROL

1. An erosion and sedimentation control plan shall be submitted with any subdivision application.
2. Such plan shall demonstrate adherence to the erosion and sedimentation control standards set forth in the:
  - a. City of Groton Zoning Regulations;
  - b. "Connecticut Guidelines for Soil Erosion and Sediment Control (2002)", as amended; and
  - c. "Connecticut Stormwater Quality Manual (2004)", as amended.
3. Such plan shall demonstrate proper provision to:
  - a. Minimize and adequately control accelerated erosion and sedimentation during construction;
  - b. Result in a stabilized development protected from erosion when completed; and
  - c. Utilize the best available technology for erosion and sedimentation control.

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## ARTICLE 4.00 INFRASTRUCTURE REQUIREMENTS

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### 4.01 STREETS

#### 1. Overall Layout

- a. Proposed streets shall be in harmony with existing or proposed thoroughfares as shown on any Plan of Conservation and Development adopted by the Commission, especially with regard to safe intersections within such thoroughfares.
- b. Proposed streets shall be designed and constructed to provide a safe and convenient system for prospective traffic and for continuation onto adjoining properties when subdivided.
- c. Proposed streets shall connect to:
  - i. An existing State highway; or
  - ii. An existing City street; or
  - iii. A proposed City street which has been approved by the Commission and for which a financial guarantee is on file with the City in accordance with these Regulations.
- d. Proposed streets shown on the subdivision plan shall be in harmony with any existing or proposed streets shown in the Plan of Conservation and Development, especially in regard to safe intersections with such streets.
- e. In general, proposed streets shall be designed to follow the contour of the land with consideration given to preserving natural features and other important resources as identified in Section 3.01 and Section 3.02 of these Regulations.
- f. All streets within a subdivision shall be completed at the same time in order to service all improved lots except that a subdivision may be developed in sections or phases with separate financial guarantees and/or approval types provided:
  - i. Such sections or phases shall have been shown on the plan; and
  - ii. The concept of phasing and the arrangement of the phases shall have been approved by the Commission.

2. **Improvement Of Existing Streets** - Where a subdivision is proposed which has frontage on an existing State highway or an existing City street where said existing street does not meet the right-of-way requirements of these Regulations, does not meet the appropriate street requirements or design standards or has a dangerous condition, the Commission:
  - a. Shall require that the applicant dedicate the required right-of-way and any appurtenant slope or other easements to the City along the frontage of the subdivision owned or controlled by the applicant to correct the deficiency; and
  - b. May require that the applicant evaluate and determine the improvements required to meet the appropriate street requirements or design standards or resolve a dangerous condition and propose a resolution wherein the street deficiency will be addressed.

## Section 4.01

### INFRASTRUCTURE REQUIREMENTS

#### STREETS

Effective December 1, 2016

### 3. City Street Standards

- a. The design and surfacing of all streets, roads, facilities and improvements within the public right-of-way shall be undertaken by the applicant in accordance with all City of Groton Public Works Department specifications and said design shall be incorporated into the subdivision plans submitted by the developer for plan approval.

<b>City Street</b>	
<b>Right Of Way Width</b>	50 feet
<b>Pavement Width</b>	
• <b>Where lot sizes or land uses suggest that on-street parking will likely occur</b>	32 feet, except that 26 feet may be permitted on a cul-de-sac street where it is not anticipated such road will be connected to an existing street or extended in the future
• <b>Where lot sizes or land uses suggest that on-street parking will likely not occur</b>	26 feet, except that 22 feet may be permitted on a cul-de-sac street where it is not anticipated such road will be connected to an existing street or extended in the future
<b>Curbing</b>	Concrete curb 6 inches wide and 18 inches deep constructed of 4500 PSI concrete
<b>Street Base</b>	Per City of Groton Street Construction Specifications
<b>Street Surface</b>	Per City of Groton Street Construction Specifications
<b>Minimum Street Grade</b>	1 percent
<b>Maximum Street Grade</b>	10 percent
<b>Cross Slope</b>	except that 10% grades may be used for short distances not greater than 500 feet Crown on the centerline with ¼ inch / foot cross-slope to the gutter

- b. All necessary slope rights and easements shall be acquired by the applicant and dedicated to the City and any exceptions:
- Shall only be under extenuating circumstances; and
  - Shall be specifically approved by the Commission.

**City Street –Section Diagram**



**1. Pavement**

- a. Width as specified by Regulations (26 feet shown)
- b. 2" Class I Pavement for a finish course
- c. 2" Class I pavement for a base course
- d. 4" of processed gravel (compacted)
- e. 18" of bank run gravel (compacted)
- f. Graded and compacted subgrade
- g. Roadway surface to have a parabolic curve camber of ¼ inch per foot from the centerline

**2. Sidewalk**

- a. 5 foot width placed at edge of street right-of-way (street-line)
- b. Graded and compacted subgrade
- c. See specifications for concrete for sidewalk

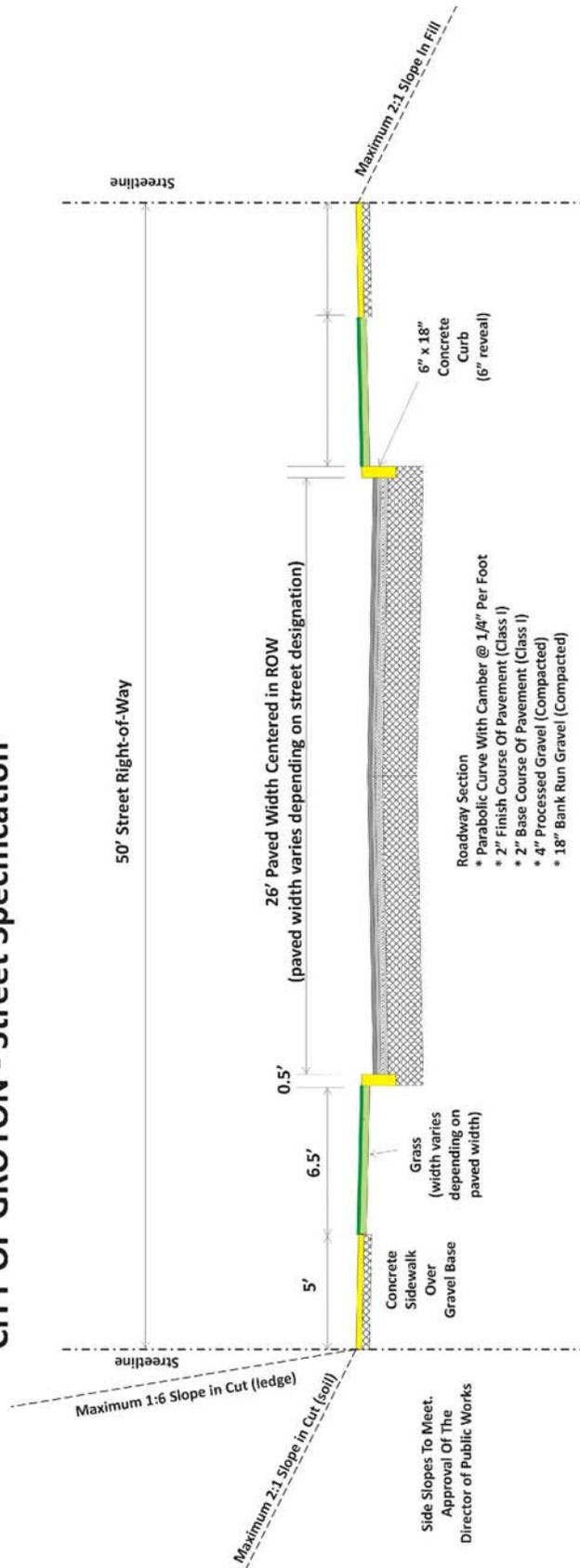
**4. Curbing**

- a. 6" wide by 18" high concrete curb
- b. 6" reveal at gutter line
- c. See specifications for concrete for curb

**3. Side Slopes**

- a. Side slope grade to be applied at edge of right-of-way (street-line)
- b. Maximum slope to be 2 feet horizontal for each 1 foot vertical except that may be changed to 6 feet vertical for each 1 foot horizontal in ledge
- c. Side slope to meet approval of the Director of Public Works

**CITY OF GROTON - Street Specification**



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**4. Intersection Design**

- a. Proposed streets shall intersect other streets so that the centerline of the proposed street shall be a straight line for a distance of at least 100 feet from the intersecting street-lines unless otherwise approved by the Commission on the recommendation of the Director of Public Works.
- b. Intersections between adjoining street lines should be laid out with an angle of approximately 90 degrees, and never less than 60 degrees.
- c. Multiple streets intersecting at one location shall generally be avoided and, except when the Commission finds conditions are present which justify a variation from these requirements, the centerlines of intersecting streets shall be spaced far enough apart to avoid conflicting movements or unsafe situations.
- d. Proposed streets shall intersect other streets such that the slope of the travelway on the proposed street shall not exceed two (2) percent within fifty (50) feet of the intersection unless otherwise approved by the Commission on the recommendation of the Director of Public Works.
- e. Street-lines at intersections shall be connected by a curve having a minimum radius of 25 feet.
- f. Clear visibility at any proposed intersection shall be provided from a driver's eye (located at a height of 3.5 feet above the surface of the proposed street and a location twenty feet (20 feet) back from the edge of the travelway of the intersected street) for at least 300 feet measured along the centerline except the Commission may require that an applicant demonstrate that this will result in unobstructed view along both directions of the intersected street that is in conformance with current CTDOT standards for the 85th percentile speed for:
  - i. The "minimum" sight distance.
  - ii. The "desirable" sight distance.
  - iii. Such sight distance shall not be impaired by curvature or slope, except in extreme conditions, in which case adequate alternative safety measures shall be designated.

## Section 4.01

### INFRASTRUCTURE REQUIREMENTS

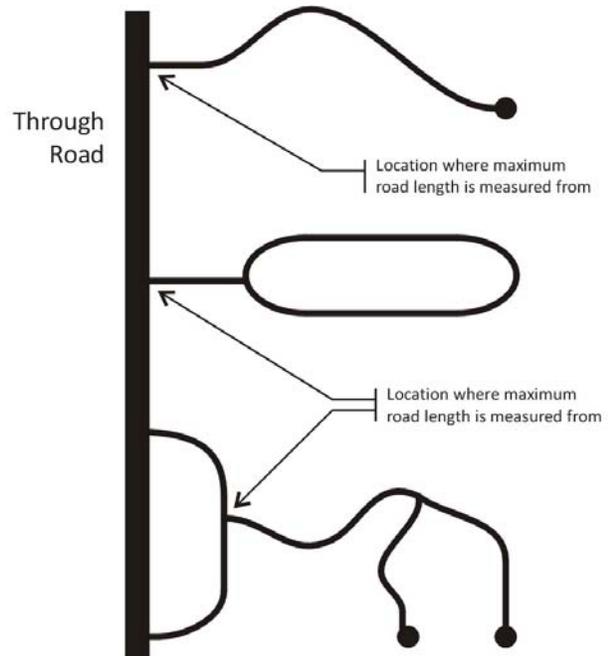
#### STREETS

Effective December 1, 2016

#### 5. Cul-De-Sac Street Length Limitation

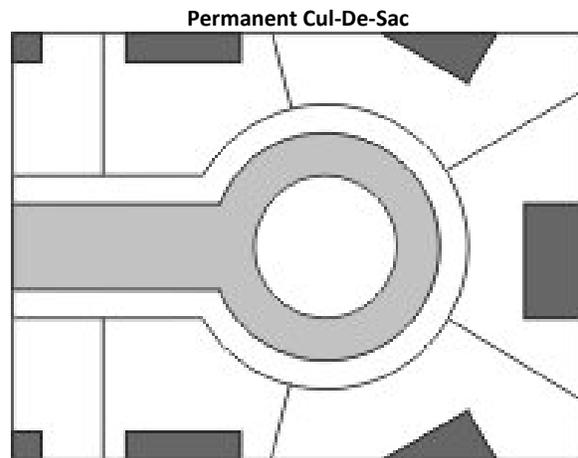
- a. Unless otherwise approved by the Commission, no temporary or permanent cul-de-sac street or streets shall serve more than twenty (20) lots or extend more than 1,200 feet from the nearest intersection, whether inside or outside the subdivision, that has two means of access.
- b. A greater length of a cul-de-sac street may be permitted by the Commission, in its sole discretion, due to adverse topographic or soil conditions, difficult site configuration, future street extension or similar circumstances.
- c. It is recommended that when an applicant wishes to request approval of cul-de-sac streets with a length greater than 1,200 feet or serving more than 20 lots, the Preliminary Plan procedures established in these Regulations be followed.

#### Measuring the Length of Dead End Streets



#### 6. Design of Permanent Turnaround

- a. A permanent cul-de-sac street shall terminate in a turnaround with:
  - i. A right-of-way that is at least 100 feet in diameter (50 feet in radius), and
  - ii. A paved travelway having an outside diameter of 80 feet (40 feet in radius).
- b. The right-of-way of such turnaround shall not be located closer than one-hundred (100) feet from the property line of the parcel being subdivided or the minimum lot depth prescribed by the Zoning Regulations, whichever is greater.
- c. The turnaround shall have a landscaped island at its center unless modified or waived by the Commission and the subdivision plans shall contain a note that the maintenance of such island shall be the responsibility of the abutting landowners and not the City of Groton.
- d. The turnaround shall not exceed a slope of three percent (3%) measured from the start of the turnaround to its end.
- e. The Commission may require that pedestrian, drainage and/or utility easements of appropriate width be provided from the terminus to the abutting property line(s).

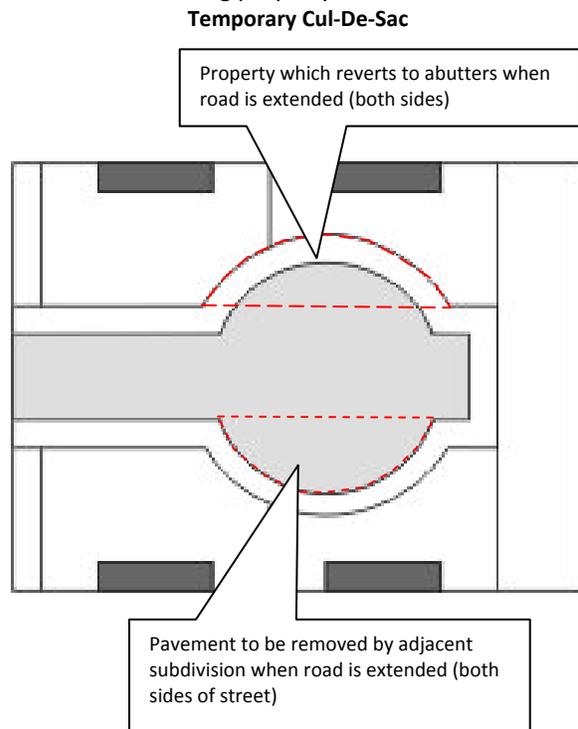


**7. Street Extensions and Temporary Cul-De-Sac Streets**

- a. The Commission may require that the arrangement of streets in a subdivision provide for the extension of existing streets and for the future extension of proposed streets into abutting property not yet subdivided.
- b. The Commission may require the applicant to demonstrate the feasibility and practicality (or the infeasibility or impracticality) of extending the proposed street onto or through adjacent property.
- c. When any such provision for extension is required by the Commission, the applicant shall provide for access to the adjacent undeveloped land via a City street to the abutting property.

d. When any such provision for extension is required and is an extension or continuation of a proposed street, the proposed subdivision street shall:

- i. Have the full width of the right-of-way extended to the property line of the subdivision plus any grading rights required for the future street;
- ii. Have the area of a temporary turnaround brought as close to the boundary as is practical,
- iii. Have a travelway spur extending 10 feet from the turnaround area toward the undeveloped land, and
- iv. Have temporary easements provided to the City, where such easements shall automatically terminate when the street is extended, outside the standard right-of-way for:
  - a. The temporary turnaround area; and
  - b. Grading associated with the future street extension.



- e. If the proposed access to abutting property is not an extension or continuation of a proposed street (such as being perpendicular to a proposed street), the applicant shall have:
  - i. The future street area graded with all slopes made necessary by such street prepared and stabilized; and
  - ii. No reserve strips left at the end or side of any access which adjoins abutting property.
- f. The applicant of the adjoining land shall be responsible for:
  - i. Preparing drawings showing and including all work required to extend, connect and complete the sidewalks, utilities and other improvements between the existing street and the proposed subdivision; and
  - ii. Removing all segments of any temporary turnaround or other temporary improvements outside the normal paved surface and suitably grading and seeding the ground at such time as the street is extended.

## Section 4.01

### INFRASTRUCTURE REQUIREMENTS

#### STREETS

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Effective December 1, 2016

#### 8. Street Names

- a. All streets shall be named and proposed street names shall be indicated on the subdivision plan and shall be approved by the Commission.
- b. Proposed street names shall be selected so as to avoid similarity in spelling or pronunciation with existing public or private street names in the City of Groton or the Town of Groton.

#### 9. Street Signs and Traffic Controls

- a. Prior to the issuance of any certificate of occupancy within the subdivision, City acceptance of a City street, or final release of a financial guarantee related to street construction, the applicant shall provide and install at the applicant's sole cost and expense:
  - i. Suitable traffic control devices and signs in accordance with the standards set forth in the Manual on Uniform Traffic Control Devices; and
  - ii. Suitable permanent street name signs at all street intersections in accordance with City standards.
- b. During street construction and prior to the issuance of any building permit, temporary street name signs and suitable traffic control devices of a durable, weatherproof material shall be installed by the applicant at street intersections if required by the Department of Public Works.

#### 10. Other Requirements

- a. Side slopes shall be designed to assure adequate stabilization and shall not be steeper than one foot (1 foot) vertical to two feet (2 feet) horizontal in earth and in ledge 6 feet vertical and 1 foot horizontal.
- b. The surface of the travelway shall be centered within the right-of-way.
- c. During construction:
  - i. All trees and roots shall be stripped to below the base course of the pavement and for the full width of the pavement.
  - ii. All soft spots, peat, organic material, soft clay, spongy soil, boulders and other unsuitable material shall be removed and replaced by material approved by the Director of Public Works.
  - iii. The subgrade shall be rolled with a ten-ton roller before placing the base course.
- d. Monuments and markers shall be laid out and established in accordance with Section 7.06.

#### 11. Special Considerations For Non-Residential Subdivisions

- a. In a non-residential subdivision, the applicant shall demonstrate the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity.
- b. Street rights-of-way and pavement width and thickness shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- c. The applicant shall demonstrate that the design and construction of streets, curbs and sidewalks and the design and installation of public utilities including water, sewer, electric, gas and storm water drainage complies with the standards in these Regulations and the City of Groton Public Works Department specifications.
- d. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent, existing or potential residential areas.

#### **4.02 SIDEWALKS**

1. Five-foot (5 feet) wide concrete sidewalks are required along both sides of streets except that, on a temporary cul-de-sac street, a sidewalk shall not be required on the area of the temporary turnaround.
2. The outer edge of the sidewalk shall be set at the street line and this will generally result in a grassed strip between the concrete curbing and the sidewalk.
3. All concrete sidewalks shall be constructed of 4500 PSI concrete and comply with all City of Groton Public Works Department specifications.
4. Where a subdivision which has frontage on an existing street is proposed, the applicant shall be required to install sidewalks along said street frontage or bring existing sidewalks up to current City standards.
5. As part of a subdivision, the applicant may offer and the Commission may accept the extension of an existing sidewalk or the installation of a new sidewalk in lieu of or in addition to the above requirements if doing so would enhance pedestrian accessibility in the general area of the subdivision.

#### **4.03 DRIVEWAYS**

1. Driveways shall be 12 feet wide at the street line.
2. Wherever feasible, driveways shall be 1½" higher at the streetline than the centerline of the pavement with a 1½" lip at the edge of the pavement.
3. Each proposed lot shall be served by a driveway with a maximum slope of 15 percent and no Certificate of Occupancy shall be issued unless this requirement is met.
4. Within the City street right-of-way, no driveway shall be graded such that it would receive drainage from the City street.
5. The Commission may require driveway locations be shown on the plan to assure proper sight line, proposed slope, drainage and intersection with the street.
6. The Commission may require a specific driveway location, grade, width, surface or other design requirement in order to provide for reasonable access for emergency and other services.

## Section 4.04

### INFRASTRUCTURE REQUIREMENTS

#### SEWAGE

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Effective December 1, 2016

#### 4.04 SEWAGE

1. It is the responsibility of the applicant to supply satisfactory evidence to the Commission and the Director of Health that adequate sewage disposal will be provided for each lot and the Commission shall not approve any lot where insufficient evidence has been provided with regard to sewage disposal to satisfy the requirements of the Public Health Code of the State of Connecticut.
2. Where the City sewer system is available:
  - a. It shall be utilized; and
  - b. All sewer mains and laterals within the street right-of-way shall be installed prior to the final surfacing of the street unless otherwise approved by the Director of Public Works.
3. Where private sewage disposal (a septic system) is to be used, approval by the Director of Health shall be obtained.

#### 4.05 WATER

1. It is the responsibility of the applicant to supply satisfactory evidence to the Commission and the Director of Health that a potable water supply will be provided for each lot and the Commission shall not approve any lot where insufficient evidence has been provided with regard to water supply to satisfy the requirements of the Public Health Code of the State of Connecticut.
2. Where a public water supply system is available:
  - a. It shall be utilized;
  - b. Provision shall be made for the installation of water mains and fire hydrants within the proposed development; and
  - c. All water lines and supply connections within the street right-of-way shall be installed prior to the final surfacing of the street unless otherwise approved by the Director of Public Works.
3. In accordance with CGS Section 8-25a, any subdivision using water supplied by a water company incorporated on or after October 1, 1984 shall not be approved unless such company has been issued a certificate pursuant to CGS Section 16-262m.

#### 4.06 FIRE PROTECTION

1. Each applicant shall provide fire hydrants to protect public safety where required by the Commission based on the recommendation of the Fire Marshal and/or Fire Chief.

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## 4.07 STORM DRAINAGE

### 1. General

- a. The applicant shall be responsible for constructing adequate facilities for the control, collection, treatment, conveyance and acceptable disposal of storm water, other surface water and subsurface water, whether originating in the subdivision or in a tributary drainage area in order to:
  - i. Minimize degradation of water resources within the City of Groton from pollution from non-point source runoff;
  - ii. Mitigate impacts to the hydrologic system from development, including reduced groundwater recharge and pollutants found in stormwater runoff;
  - iii. Reduce or prevent flooding, stream channel erosion, and/or other negative impacts created by the volume of stormwater runoff resulting from development; and
  - iv. Promote the application of low impact development (LID) strategies for the analysis and design of stormwater treatment systems.
- b. All drainage facilities shall be designed by an engineer and shall be subject to review by the Director of Public Works and the approval of the Commission.
- c. The Commission may, at the applicant's expense, seek independent evaluation of the proposed drainage design.

### 2. Low Impact Development

- a. Curbing, catch basins and pipes shall generally be required to control drainage except that the Commission may accept alternative arrangements (such as vegetated swales and/or other techniques, where appropriate) which demonstrate best management practices for implementation of "green infrastructure" or "low impact development" when appropriate after considering recommendations from the Director of Public Works and other parties designed to implement the following provisions of Chapter 7 of the Connecticut Stormwater Quality (CSQ) Manual (2004), as amended:
  - i. Pollutant Reduction (CSQ Manual Section 7.4).
  - ii. Groundwater Recharge and Runoff Volume Reduction (CSQ Manual Section 7.5).
  - iii. Peak Flow Control (CSQ Manual Section 7.6) for the 10-year, 25-year, and 100-year storm events.
- b. The Commission may, at the applicant's expense, seek independent evaluation of the proposed drainage design.

## Section 4.07

### INFRASTRUCTURE REQUIREMENTS

#### STORM DRAINAGE

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Effective December 1, 2016

### 3. Design of Drainage Facilities

- a. Storm drainage facilities shall be designed and constructed in accordance with CTDOT Construction Standards and Specifications, unless modified by the Commission with the approval of the Director of Public Works.
- b. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm drainage pattern for the area.
- c. Drainage facilities shall be laid out so as to prevent the discharge of water to the City street, including the right-of-way.
- d. Drainage shall be designed to avoid concentration of storm water from each lot to adjacent lots and shall be shown on the subdivision plan.
- e. The design and construction of storm drainage facilities shall:
  - i. Be adequate for present and potential future uses based upon the maximum ultimate development of the upstream watershed as permitted under existing Zoning Regulations;
  - ii. Not cause flooding of abutting property from the headwater and backwater produced by bridges, culverts, and other structures;
  - iii. Make proper provision (including easements or manholes) for drainage from development of adjacent properties; and
- f. All drainage design formulas and analyses shall adhere to acceptable engineering practice and the calculations and their method of derivation shall be indicated as part of the application.
- g. The following information shall be submitted to the Commission:
  - i. Plan showing the catchment areas for each structure;
  - ii. Calculations showing the design criteria used to determine the pipe diameter and other parameters for each pipe length; and
  - iii. Information showing that drainage pipes will provide a self-cleansing velocity of at least 2.5 feet per second when flowing full.
- h. Rainfall intensities used for storm drainage design shall be taken from the U.S. Weather Bureau "Rainfall Intensity - Duration Frequency Curves" for the nearest rain gauge.
- i. Drainage structures shall be designed to accommodate the following storm frequency:
  - i. A 25-year storm frequency for streets within the subdivision and detention/retention on individual lots (including catch basins, inlets, pipes, underdrains and gutters); and
  - ii. A 100-year storm frequency for culverts, bridges through watercourses, and detention/retention basins.
- j. Catch basins shall be provided so that surface water is not carried across or around any intersection, nor for a distance greater than 200 feet in the gutter.
- k. When capacity is exceeded at any point, catch basins shall be provided.
- l. All drainage pipes shall be capable of carrying two inches (2 inches) of rainfall per hour for six (6) hours over the immediate catchment area.
- m. Catch basins shall have footings and the basins shall be concrete.
- n. Type "C" grate-and-frame catch basin covers shall be built to State of Connecticut specifications.
- o. The sump of the catch basin shall have a minimum depth of two feet (2 feet).

**4. Drainage Facilities**

- a. Within the road right-of-way, long diagonal drainage crossings under the pavement that can cause differential street settling shall be avoided. Where a development connects to existing streets, the applicant shall provide appropriate drainage at the intersections.
- b. Drainage facilities outside of the street right-of-way shall be enclosed in suitable underground pipes wherever desirable.
- c. Easements for drainage facilities shall be:
  - i. Perpetual, unobstructed drainage easements;
  - ii. At least 20 feet wide;
  - iii. Centered on the pipe and, where possible, centered on property lines; and
  - iv. Deeded to the City of Groton if the drainage facilities serve a City street and deeded to the association if the drainage facilities serve a private street.
- d. Where it is necessary to discharge storm water across private property not included in the subdivision, the applicant shall obtain, in writing, permanent drainage rights in favor of the City for flows across such properties. If the system is to be accepted by the City, the rights for the City to enter and maintain existing or proposed facilities shall be included. The applicant shall submit copies of all agreements to the Commission prior to final approval of the subdivision. Such drainage easements shall be shown on the subdivision plan and filed on the land records.
- e. The Director of Public Works shall approve the location and spacing of drainage structures, if provided.
- f. Unless modified by the Commission based on a recommendation of the Director of Public Works, the minimum pipe size for all storm drain systems constructed under these Regulations shall be 15-inch inside diameter.
- g. The material for all storm drain systems constructed under these Regulations shall be reinforced concrete, except that the Director of Public Works may allow the use of High Density Polyethylene (HDPE) in appropriate circumstances.
- h. Unless modified by the Director of Public Works, a minimum cover of two (2) feet shall be provided for all storm drains.
- i. Proper bedding, grading, and cover shall be provided around and for all drainage structures.

**5. Drainage Outlets and Channels**

- a. All storm drain system outlets shall be terminated with an approved outlet structure and stabilized as necessary. Easements for outlet pipes shall extend to a suitable existing storm drain or a natural watercourse. No storm drain system shall discharge into a natural watercourse, without the approval of the Conservation and Inland Wetlands Commission. No storm drain system shall outlet into a natural watercourse, whether continually flowing or intermittent, so as to exceed the capacity of the watercourse.
- b. A detention basin may be required by the Commission to prevent silting of streams, wetlands, or other areas contiguous to the drainage outfall and/or to reduce the rate of runoff to pre-construction conditions.
- c. When drainage outlets or channels are required by the Commission for drainage purposes, the applicant shall provide the City with a plan and any required rights-of-way for long-term maintenance.

## Section 4.08

### INFRASTRUCTURE REQUIREMENTS

#### WIRE UTILITIES

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Effective December 1, 2016

#### 4.08 WIRE UTILITIES

1. New electric, telephone, television, cable and other utility wires shall be installed underground unless the Commission determines, based on a written report submitted by the applicant and reviewed by the Director of Public Works, that such underground installation is inappropriate or infeasible for all or a part of the subdivision or resubdivision after considering:
  - a. The type of service existing in the area adjacent to the subdivision;
  - b. Topographic and construction conditions; and
  - c. The size of the subdivision or resubdivision.
2. All pipes and conduits for wire utilities shall be installed:
  - a. In the side strips of the right-of-way and outside the paved area wherever possible, and
  - b. Prior to final surfacing of the street.
3. Any wire utility located outside of the right-of-way shall be located in an easement adequate in width to allow for present or future connections or extensions of such utilities and for the maintenance thereof.
4. All wire utilities associated with the subdivision shall be installed at the applicant's expense prior to issuance of a certificate of occupancy and/or, if a City street, prior to acceptance of the street by the City.
5. Electric, telephone, cable television, and any other wire utilities shall be installed in proposed and existing streets as specified by the appropriate utility company and shall be subject to the inspection and acceptance of such company and the Director of Public Works.
6. For a City street, all wire utilities shall be located and mapped on an as-built drawing prior to acceptance of the street by the City.

#### 4.09 STREET LIGHTS

1. Street lights shall be shown on the subdivision plan in quantity and location sufficient to assure public safety.
2. The street light pole, fixture, and lamp shall be acceptable to the Commission.

#### 4.10 STREET TREES

1. Trees shall be planted, to provide shade and to enhance the environment, at approximately fifty foot (50 feet) intervals along the sides of every street abutting lots of the proposed subdivision except where, in the opinion of the Commission, existing trees are to be retained by the developer in sufficient number and location to meet the intent of this section.
2. New trees shall be nursery grown, free from disease, and treated for bark injuries.
3. Such trees shall be planted on private property within six feet (6 feet) of the street line.
4. Determination of precise locations for trees shall consider future possible locations of driveways and utility connections.
5. The size and species of trees shall be of a type so as to fulfill the purposes of this regulation.

# ARTICLE 5.00 APPLICATION PROCEDURES

## 5.01 GENERAL

1. Applications for approval of a plan of subdivision or resubdivision shall be made by the developer in writing on a form furnished by the Commission and filed in the office of the City Planning and Zoning Department.

*Application forms are available on the City's website at:*

<http://www.cityofgroton.com/zoning.asp>

2. Any subdivision or resubdivision application shall be accompanied by forms, fees, maps, plans, profiles and all additional documentation, information and reports as prescribed in these Regulations.
3. Plans submitted under these Regulations shall be prepared by the following person or persons:

Stage	Type of Design	Type of Person
<b>Preliminary Plan</b>	Schematic / conceptual design.	An engineer, surveyor, architect, land planner, landscape architect, or other qualified individual.
<b>Formal Application</b>	Delineation of the boundary lines of the outside perimeter of a parcel as well as the interior lots and streets.	Sealed by a surveyor
	Design of streets, drainage systems, sanitary sewer systems, sewage disposal systems, and water supply and distribution.	Sealed by an engineer

4. Each application shall be signed by the owner of record or his/her duly authorized agent or representative. If the application is signed by an agent or representative, a written instrument executed by the owner of record evidencing the agent's authority to apply must accompany the application.
5. All applications shall be submitted to the Commission during regular working hours. The application shall be dated as of the actual date submitted.
6. The Commission retains the right to have any information submitted with regard to an application reviewed by City staff or officials, and to consult with any other agency or person as, in the opinion of the Commission, may be advisable for their information, review and recommendations. In accordance with CGS Section 8-1c and any Municipal Land Use Fee Ordinance, the applicant shall be responsible for any review fees and related expenses incurred as a result of such consultations.
7. The applicant shall be present at the meeting of the Commission when the application is presented to the Commission although the Commission may still act on an application if the applicant is not present.

## Section 5.02

Effective December 1, 2016

### APPLICATION PROCEDURES

#### PRELIMINARY STAFF REVIEW (OPTIONAL)

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8. Any proposed subdivision located within a coastal area as defined in the Municipal Coastal Program shall be subject to a Coastal Site Plan Review pursuant to the City of Groton Zoning Regulations.
9. Submission of a subdivision application shall be deemed permission for the Commission and the City or their agents or representatives to enter the property for the purposes of:
  - a. Reviewing the proposed subdivision;
  - b. Inspecting the property and any proposed improvements, and/or
  - c. Installing the proposed and required improvements in the event of failure of the applicant to make such improvements or properly maintain them.

#### 5.02 PRELIMINARY STAFF REVIEW (OPTIONAL)

*Review and discussion of preliminary plans with Staff is strongly encouraged.*

1. In order to prevent undue delay or extensive modification to a formal application, the Commission encourages informal discussion with City Staff of the general design of the subdivision and its improvements to assure coordination with the Plan of Conservation and Development and these Regulations.

#### 5.03 PRELIMINARY COMMISSION REVIEW (OPTIONAL)

1. In the event of a substantive question related to the design of the subdivision, the applicant may submit a non-binding preliminary plan on an informal basis so that information can be exchanged with City Staff and the Commission to aid in the preparation of an application.
2. In accordance with CGS Section 7-159b, the procedure is a preliminary review of a conceptual design by the Commission and:
  - a. Receipt of materials shall not constitute a "formal application," and
  - b. Any discussion or opinions rendered are advisory only, are not binding on the Commission or the potential applicant, and shall not be the basis for a claim of predetermination by the Commission.
3. Three (3) copies of a preliminary plan shall be submitted to the Planning Staff, and the potential applicant shall be advised of the date to appear at a meeting of the Commission for informal review and comment. Every effort will be made to expedite the review.
4. Any advice or recommendation made by the Commission during such exchange of information is informal and is not binding upon the Commission. The applicant must still obtain final approval as defined by the regulations.

## **5.04 FORMAL SUBDIVISION APPLICATION**

1. A formal application for subdivision or resubdivision shall include the following:
  - a. One (1) original of the prescribed application form, fully and properly completed and executed;
  - b. The required application processing fee;
  - c. Plans and other documents as required by these Regulations and/or as required by the Commission; and
  - d. Evidence of the signatory's authority to sign on behalf of the owner of record and/or the applicant.
  
2. The Commission may require the submission of:
  - a. Funds to compensate the Commission for any costs of review or guidance as authorized by CGS Section 8-1c and any Municipal Land Use Fee Ordinance;
  - b. Evidence of application to CTDOT seeking approval of access onto any State highway or discharge of drainage into a State system or onto State property;
  - c. A statement, together with supporting documentation, of the estimated cost of constructing the proposed subdivision streets and other improvements;
  - d. Any proposed grant or easement to the City, in form satisfactory to the City;
  - e. any additional information and data as may be required from the applicant in order to establish that the proposed subdivision complies with these Regulations;
  - f. Additional copies of application materials as necessary for review by the Commission or other City agencies.
  
3. If the property included in the application is subject to a conservation restriction or a preservation restriction as defined in CGS Section 47-42d, the applicant shall provide:
  - a. Proof that the applicant has, at least sixty days prior to the filing of the permit application, provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction; or
  - b. A letter from the holder of such restriction or from the holder's authorized agent, verifying that the application is in compliance with the terms of the restriction.

## **5.05 RECEIPT AND SCHEDULING**

1. If a formal application involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440 of Connecticut General Statutes, the applicant is encouraged to acquire permits and approvals from the agency responsible for administration of the inland wetland and watercourses regulations prior to submission to the Commission. In any event, the applicant shall submit an application to the Conservation and Inland Wetlands Commission no later than the date the application is filed with the Planning and Zoning Commission.
2. For the purpose of calculating statutory timeframes, the date of receipt of an application shall be the date of the next regularly scheduled meeting of the Commission immediately following the day of submission of the application or thirty-five (35) days after submission, whichever is sooner.
3. The Commission shall not be required to consider an application for possible action if:
  - a. The date of receipt was less than 14 days prior to the Commission meeting, or
  - b. the application is not in good form and accompanied by all required fees, plans and supporting materials needed to document conformity to the requirements of these Regulations.
4. The Commission shall not be required to consider an application for approval of a subdivision plan while another application for subdivision of the same or substantially the same parcel is pending before the Commission.
5. Upon receipt of an application for subdivision or a resubdivision, the Commission shall schedule a public hearing.
6. The Commission may require field staking of proposed improvements, such as proposed streets, for visual inspection. Such stakes shall be installed at intervals of fifty (50) feet along the center lines. The Commission or its agent shall retain the right to field-check and inspect the layout prior to acting on the proposed subdivision.
7. At any time following the submission of an application and prior to final action by the Commission, an application may be withdrawn by filing with the Commission a written statement to that effect.

**5.06 NOTICE PROVISIONS**

1. Before a public hearing on any application for subdivision or resubdivision, the applicant shall present proof by Certificate(s) of Mailing from the United States Postal Service that notice of the time and place of the public hearing at which the subdivision was to be considered was sent at least ten (10) days in advance of the date of the scheduled hearing to each of the owners of land within 200 feet of the property with regard to which a Subdivision or Resubdivision is requested, as their names appear upon the last completed assessment roll of the City.
2. In accordance with CGS 8-26b, when any proposed subdivision or resubdivision will abut or include land in a neighboring municipality:
  - a. The Commission shall give written notice of such subdivision plan and send a copy of such subdivision plan to the regional planning agency in which it and the other municipality is located by certified mail, return receipt requested or by electronic mail, read receipt requested, at least thirty days before the date of the first public hearing to be held in relation thereto except that if the Commission does not receive confirmation of receipt of such electronic mail at least twenty-five days before the public hearing then it shall send such notice by certified mail, return receipt requested.
  - b. If the advisory report from the regional planning agency with its findings on the intermunicipal aspects of the proposed subdivision is not received at or before the hearing, it shall be presumed that such agency does not disapprove of the proposed subdivision.
3. In accordance with CGS 8-7d(f), the Commission shall:
  - a. Notify the clerk of any adjoining Connecticut municipality by certified mail, return receipt requested, within seven (7) days of the date of receipt (as specified in Section 5.05.2 of these Regulations) of an application concerning any project on any site in which:
    - i. Any portion of the property affected by the decision of the Commission is within five-hundred (500) feet of the boundary of the adjoining municipality; or
    - ii. A significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or to exit the site; or
    - iii. 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
    - iv. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.
  - b. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application.
4. The Commission shall transmit a copy of the maps and plans to the Director of Public Works with a request for a report concerning the suitability of the construction plans and any relationships between the subdivision layout and existing City streets and drainage systems.

## **5.07 PUBLIC HEARINGS**

1. In accordance with CGS 8-7d, when a hearing is to be held on an application, such hearing shall:
  - a. Commence within sixty-five (65) days after the date of receipt of such application; and
  - b. Be completed within thirty-five (35) days after such hearing commences, unless a shorter or longer period of time is required or allowed pursuant to CGS Section 8-7d, as amended.
2. The applicant may consent to one or more extensions of any period specified in Section 5.07.1 provided the total of all extensions authorized under Section 5.07.2 or Section 5.08.2 of these Regulations shall not exceed sixty-five (65) days.
3. In accordance with CGS 8-7d, notice of the public hearing shall be given by publication in a newspaper of general circulation in the municipality 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 prior to the date of such hearing.
4. Notice of the public hearing shall also be given to the applicant by sending a copy of the notice of the public hearing by registered or certified mail to the applicant.
5. All applications and maps and documents relating thereto shall be open for public inspection.
6. At such hearing any person or persons may appear and be heard and may be represented by an agent or by an attorney.

## **5.08 APPLICATION PROCESSING AND ACTION**

1. The Commission shall act upon an application by approving, modifying and approving, or disapproving the application, including the maps and plans submitted therewith, within sixty-five (65) days after completion of the public hearing unless a shorter or longer period of time is required or allowed pursuant to CGS Section 8-7d, as amended.
2. The applicant may consent to one or more extensions of any period specified in Section 5.08.1 of these Regulations provided the total of all extensions authorized under Section 5.07.2 or Section 5.08.2 of these Regulations shall not exceed sixty-five (65) days.
3. In accordance with CGS Section 8-26(d), failure of the Commission to act upon an application within the statutory timeframe shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand.
4. If a formal application involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440 of Connecticut General Statutes, the Commission shall not render a decision until the Conservation and Inland Wetlands Commission has submitted a report with its final decision to the Commission. In making its decision, the Commission shall give due consideration to the report of the Conservation and Inland Wetlands Commission.
5. In making its decision, the Commission shall give due consideration to the material contained in the record.
6. Any action by the Commission shall:
  - a. Set forth the reasons for approval, approval with modifications, or disapproval;
  - b. Set forth any conditions to which the approval is subject; and
  - c. Be stated on the Commission's records.
7. Commission approval of the plans shall not be deemed an acceptance by the City of any street or other land shown as offered for public use.
8. The Commission shall cause notice of its action to be:
  - a. Delivered to the applicant by certified mail, return receipt requested; and
  - b. Published in a newspaper having substantial circulation in the City of Groton as provided in CGS Section 8-26.
9. If the Commission fails to cause notice of its action to be published as provided in CGS Section 8-26 (within fifteen days after a decision has been rendered), the applicant:
  - a. May publish such notice within ten (10) days following the 15-day period, and
  - b. Such notice shall be a simple statement that such application was approved, modified and approved or disapproved, together with the date of such action.

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## ARTICLE 6.00 POST- APPROVAL PROCEDURES

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### 6.01 FINALIZING APPROVED PLANS

1. Based upon the approval by the Commission, the applicant shall have the subdivision plan and supporting plans revised to conform to any modifications called for in the Commission’s action in light of the fact that such plans need to be filed on the land records within 90 days of approval and that the Commission has up to 30 days to have the plans signed by the Chairman.
2. No other changes, erasures, modifications or revisions shall be made in any subdivision plan or supporting plans without the written consent of the Commission.
3. Such subdivision plan shall contain the following signature block for the Chairman’s signature:

<b>Final Approval</b>	
At a meeting on _____, the Planning and Zoning Commission of the City of Groton approved this subdivision plan in accordance with the City’s Subdivision Regulations.	
_____	_____
Chairman	Date
In accordance with the timeframes established by CGS Section 8-26c, the improvements or other requirements shall be completed by:	
_____.	
Date	

**6.02 PROVISION OF FINANCIAL GUARANTEE**

1. When public improvements remain to be completed as of the date of filing of the subdivision plan, a financial guarantee shall be provided to the City in a form and amount acceptable to the Commission to guarantee the completion of all public improvements remaining to be constructed including but not limited to storm water management systems, streets, utilities, and monumentation of property as set forth in the requirements of these Regulations.
2. Acceptable financial guarantees shall include:
  - a. One or more savings accounts, money market accounts, or certificates of deposit from financial institutions approved by the City of Groton provided:
    - i. Each such account shall be federally insured for the full amount of the deposit; and
    - ii. The account shall be only in the name of the City of Groton.
  - b. A certified or official check from a financial institution approved by the City of Groton made payable only to the City of Groton;
  - c. An unconditional irrevocable letter of credit approved by the City of Groton and issued by a financial institution authorized to do business in Connecticut naming the City as the sole beneficiary.
3. Any financial guarantee which has an expiration date shall include the following provisions:
  - a. The financial guarantee shall not expire unless the Commission or its designated agent has received written notice of such expiration at least thirty (30) days but not more than forty-five (45) days before such expiration is to occur; and
  - b. In the event such notice is received, the City may draw without further condition the balance of the financial guarantee; and
  - c. Unless such notice is received, the financial guarantee shall automatically be extended for a period of not less than one year until all improvements or other requirements of these regulations are completed.
4. Any interest or dividend accruing on any account or instrument shall accrue in the name of the applicant but, if the applicant defaults in completing the work covered by the financial guarantee, such funds may be used by the City in the same manner as the principal.
5. Before release of any financial guarantee, the Commission may request the applicant to present a statement, signed and sealed by a surveyor or an engineer, certifying that such surveyor or engineer has inspected all of the required construction work and that all of the required improvements have been completed in accordance with plans and specifications as approved.
6. If the person posting a financial guarantee under this section requests a release of all or a portion of such financial guarantee, the Commission shall, at least sixty-five days after receiving such request:
  - a. Release or authorize the release of any such financial guarantee or portion thereof, provided the Commission, in its sole discretion, is satisfied that the improvements for which such financial guarantee or portion thereof was posted have been completed; or
  - b. Provide the person posting such financial guarantee with a written explanation as to the improvements that must be completed before such financial guarantee or portion thereof may be released.

## Section 6.03

### POST- APPROVAL PROCEDURES

#### SUBMISSION FOR SIGNATURE

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Effective December 1, 2016

### 6.03 SUBMISSION FOR SIGNATURE

1. The applicant shall submit six (6) paper sets and one (1) mylar set of the approved plans, with the appropriate signature blocks and any required modifications, to the Commission for signature.
2. The applicant shall also submit, in a form satisfactory to the City:
  - a. Any required deeds or grants to the City in a form ready for execution;
  - b. Any required easements for drainage, access, utility, or other purposes in a form ready for execution;
  - c. A certificate of title indicating that any proposed conveyance is free of encumbrances;
  - d. Evidence of the signatory's authority to sign on behalf of the grantor.

Such grants or easements shall not be recorded on the land records until the Subdivision Plan shall have been filed on the land records and until any necessary action shall have been taken by any other appropriate City agency or agencies.

3. In accordance with CGS Section 8-25, the Commission shall have up to thirty days for the Chairman or Secretary of the Commission to sign the approved plans and to deliver the signed plans to the applicant and such time period shall be measured from the later of:
  - a. The date that taking an appeal from the action of the Commission has elapsed;
  - b. The date that plans modified in accordance with the Commission's approval and that comply with CGS Section 7-31 are delivered to the Commission; or
  - c. In the event of an appeal, from the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant or the date that plans modified in accordance with the Commission's approval, and/or the judgment of the Court, are delivered to the Commission.

#### **6.04 FILING OF APPROVED PLANS**

1. Once signed and authorized by the Chairman, the signed mylar set of the approved plans shall be filed with the Town Clerk of the Town of Groton at the applicant's expense.
2. Unless otherwise provided by CGS Section 8-25, as amended, such plans shall be filed in the office of the Town Clerk of the Town of Groton within ninety (90) days of the expiration of the appeal period under CGS Section 8-8, or in the case of an appeal, within ninety (90) days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant.
3. The Commission may extend the time for such filing for two (2) additional periods of ninety (90) days, and the approval shall remain valid until the expiration of such extended time.
4. Any plan not so filed or recorded within the prescribed time shall become null and void.
5. In the event that any Subdivision Plan, when recorded, contains any changes not approved or required by the Commission, the Plan shall be considered null and void and the Commission may then file a notice with the Town Clerk of the Town of Groton voiding the subdivision.

#### **6.05 MODIFICATION OF APPROVAL**

1. Any applicant requesting to modify an approved plan, or any condition of approval, shall file a written request with the Commission, together with the required fee.
2. The applicant shall state the reason why a modification is requested, and shall describe any change in facts or circumstances or any unforeseen natural or technical difficulties forming the basis for the request.
3. The Commission, in its sole discretion, may require a public hearing on any request, or may require the applicant to submit a complete application under Article 5.00 of these Regulations.
4. The Commission shall require a complete application under Article 5.00 of these Regulations for any change meeting the definition of "resubdivision" under CGS Section 8-18, as amended.

## **ARTICLE 7.00 CONSTRUCTION PROCEDURES**

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### **7.01 CONSTRUCTION - EROSION AND SEDIMENT CONTROL**

1. No construction activity of any kind, including the removal of trees, shall commence until appropriate erosion and sediment controls are in place.
2. Prior to the commencement of any construction, the Commission or the Director of Public Works may require that the applicant provide a cash bond or equivalent for erosion and sediment controls.
3. In the event that soil erosion and sediment control measures are not satisfactorily implemented, the Commission or its authorized agent may:
  - a. Issue a cease and desist order, and/or
  - b. Order in writing the remedying of any condition found to be contrary to these Regulations or the approved erosion and sediment control plan, and/or
  - c. Redeem the financial guarantee in order to rectify erosion and sediment control issues at the site.

### **7.02 CONSTRUCTION - CLEARING AND GRADING**

1. Tree stumps, logs, shrubs, other decomposable material or building debris shall not be used as fill material and the burial of such materials shall be prohibited within the limits of the proposed subdivision.

### **7.03 CONSTRUCTION OF IMPROVEMENTS**

1. The applicant shall complete, at their own expense, all of the streets, street and area drainage, sanitary and other improvements in accordance with the approved plans, the Commission's approval, and to the satisfaction of the Director of Public Works.
2. **Fill Materials –**
  - a. All fill shall be firm.
  - b. In fill, no boulders over one (1) cubic foot in volume shall be within eighteen (18 inches) of the top of the subgrade.
  - c. Deep fill shall be in layers not to exceed two feet (2 feet) in depth, properly compacted.
  - d. No frozen material shall be used as fill.
3. **Undermining Prohibited** - After construction is completed the undermining of concrete curbs, sidewalks, streets, etc. for the installation of water services, sewer laterals, electric lines, CATV, etc. is prohibited.
4. **Unanticipated Field Conditions –**
  - a. Where field conditions (such as, but not limited to, springs, ancient drains, side hill drainage from cuts, ledge rock or other conditions not apparent at the time of the approval by the Commission) require additional construction techniques, such as the need for curtain drains to intercept a previously unknown drainage problem which will interfere with a subdivision improvement, this information shall be brought to the attention of the Commission and the Planner.
  - b. The Commission, with the input of the Director of Public Works, may require:
    - i. Additional measures be taken to insure the public health, welfare and safety.
    - ii. The preparation and submission of proposed construction procedures in conformance with accepted engineering practices to address the field conditions.
    - iii. The submission of a supplemental financial guarantee for the additional work.
  - c. Failure to inform the Commission or to take the corrective action may result in:
    - i. Suspending the issuance of any further building permits within the subdivision until the matter is corrected; or
    - ii. Suspending any activities related to acceptance of any City street or other improvement within the subdivision until the matter is corrected.

## Section 7.04

### CONSTRUCTION PROCEDURES INSPECTION OF IMPROVEMENTS

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Effective December 1, 2016

#### 7.04 INSPECTION OF IMPROVEMENTS

1. The improvements to be completed as part of the subdivision approval shall be inspected by the Director of Public Works or his authorized agent with regard to progress, quality, and adherence to these Regulations and the approved plans.
2. In order to conduct inspections, the Director of Public Works or his authorized agent shall have free access to the construction work at all times.
3. Prior to starting a project, the applicant and all contractors and all subcontractors shall meet with the Director of Public Works to:
  - a. Review job conditions;
  - b. Review erosion and sediment control measures;
  - c. Advise the City of the construction schedule; and
  - d. Review the City of Groton Street Construction Specifications.
4. In the case of a new street or a change in an existing street, the work shall generally be inspected at the following stages of construction:
  - a. Rough grading completed.
  - b. Drainage and all other underground facilities installed, and prior to backfilling.
  - c. Graveling and rolling being done.
  - d. A screened gravel topping being applied.
  - e. Binder course pavement being done.
  - f. Finish course pavement being done.
5. Request for inspection shall be delivered to the Director of Public Works by the applicant or the contractor at least 48 hours in advance. The applicant shall not proceed to work on any subsequent stage until such inspection has been made by the Director of Public Works or his authorized agent on the preceding stage.
6. The Commission or its agent may take any material, samples, cores and tests as deemed necessary to determine compliance with these Regulations. The Commission shall require the applicant to pay to have such tests made and certified by an engineer selected by the Director of Public Works.
7. Cessation of work or corrections thereto, to conform with these Regulations may be ordered by the Director of Public Works.
8. If the Director of Public Works or his authorized agent finds, upon inspection, that any of the required improvements have not been constructed or maintained in accordance with the approved plans, he shall notify the applicant and the Commission, in writing, and the applicant shall be responsible for completing or repairing said improvements according to approved plans.
9. The Director of Public Works shall maintain records of inspections in order to document that the work is performed in accordance with the approved plans.

## **7.05 PERIOD FOR COMPLETION OF IMPROVEMENTS**

1. Unless otherwise provided in these Regulations or the Connecticut General Statutes, the subdivision improvements shall be completed in accordance with the statutory timeframe as provided in CGS Section 8-26c. The Commission's endorsement of approval on the plan shall state the date on which completion period expires.
2. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan and maintained in effective condition to ensure compliance with the certified plan.
3. The sub-grade, sub-base, pavement binder course (if a City street), and all drainage required for any proposed street shall be completed prior to issuance of any Certificate of Occupancy for any structure served by such street.
4. Upon application by the applicant, the Commission may make one or more extensions of the time period for completion provided that:
  - a. The time for all extensions shall not exceed ten years from the date the subdivision was approved unless otherwise provided in CGS Section 8-26c(e);
  - b. The Commission may revise the amount of the financial guarantee securing the actual completion of the work.
5. Expiration of the time period for completion:
  - a. Shall result in expiration of the approval of such plan and filing of a notice of expiration on the land records which shall prevent the conveyance of any additional lots in the subdivision by the applicant or his/her successor in interest;
  - b. Shall require a new application for subdivision approval of the subject land including a new filing fee;
  - c. May result in the City redeeming any financial guarantee and completing the improvements.
6. For a proposed City street, the applicant shall maintain all improvements and provide for snow removal until the improvements are accepted by the City of Groton. If the improvements are not maintained or snow removal is not provided and the situation is not corrected within two (2) days following written notice from the City to the applicant, the City may proceed to put the street or other improvement into suitable condition and the cost of any such work shall be a charge against the financial guarantee.

## **7.06 MONUMENTS AND MARKERS**

1. The street lines of all new streets (angle points, points of curvature, and points of tangency) shall be marked at the applicant's expense with merestones set by a surveyor and such merestones shall:
  - a. Be made of granite or concrete;
  - b. Be at least four (4) inches square at the top and at least three (3) feet long.
  - c. Have the center of the top of the merestone marked with a metal plug, pin, rod, cross or drill hole;
  - d. Be securely set in the ground with the top flush with the finished grade and with the marked point set on the point of reference after all street construction is completed and prior to release of the financial guarantee and/or acceptance of a City street by the City.
  - e. Be installed at all points of curvature, all points of tangency, all angle points and no more than 400 feet apart on straight sections of streets.
  - f. Be indicated and located on the subdivision plan and as-built drawing.
2. Corners of all lots, open space, conservation restriction areas, and other parcels or areas shall be marked with a one (1) inch steel pipe or a 3/4-inch reinforcing rod at least eighteen (18) inches long, or with stone or concrete monuments and such markings shall be set by a surveyor.
3. All open space and conservation areas shall be suitably identified with a conservation marker at reasonable intervals.

**7.07 FINAL ACCEPTANCE AND MAINTENANCE**

1. For final acceptance of public improvements, the applicant shall submit the following materials or such alternative documents acceptable to the Commission:
  - a. A letter requesting a recommendation to the City Council that the City accept the public improvements;
  - b. One mylar and one paper copy of plans showing the "as-built" location of all street and associated improvements approved by the Commission with indication of where the as-built plans differ from the approved construction plans due to field conditions or authorized changes;
  - c. A letter from a surveyor certifying that all required monuments and property corner pins are properly installed in the correct location;
  - d. A letter from the engineer who designed the improvements approved by the Commission stating that all improvements, including all street signs, stop signs, and traffic control signs and devices have been installed or satisfactorily completed in accordance with the approved plans or indicating where exceptions were made;
  - e. A letter from any companies providing utility services to the effect that such utilities have been satisfactorily installed;
  - f. If not previously provided, a financial guarantee of up to ten percent (10%) of the cost of the improvements to protect the City against faulty construction and materials that will remain in effect for a one-year period after the City has accepted the public improvements;
  - g. If not previously provided, copies of all proposed deeds and easements to the City to the satisfaction of the City Attorney and other information as required for review and approval by the City;
  - h. If not previously provided, copies of all other proposed deeds and easements to other parties that are integral to public improvements or conditions of approval or the proposed development.
2. In all subdivisions with ten (10) or more lots, no streets shall be accepted until:
  - a. Final grading has been completed in accordance with the approved final subdivision plan for sixty percent (60%) of the lots in a subdivision or section or phase thereof where grading is required; and
  - b. At least four (4) inches of topsoil shall have been placed and graded on each lot or stockpiled on each lot for future use on that lot; and
  - c. All lots not under construction shall have been seeded in accordance with suggested practices as outlined in the Connecticut "Guidelines for Soil Erosion & Sediment Control" except that sod or other suitable stabilization techniques may be substituted for seeding.
3. If the City agrees to accept the street(s), all executed deeds and easements to the City shall be submitted to the City for filing by the City after the street acceptance.
4. If the public improvements are accepted by the City and the maintenance financial guarantee is in place, the City shall release the financial guarantee for initial construction as set forth herein.

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# CONCEPTUAL SUBDIVISION PROCESS

	Applicant	City Staff	Planning and Zoning Commission
<b>Pre-Application</b>	Prepare preliminary subdivision design		
	Refine subdivision design (if necessary)	Review plans with applicant	Review plans with applicant (if necessary)
<b>Formal Application</b>	Prepare and submit formal application (including maps, reports, and fees)		
	Field stake improvements (if requested)	Review for completeness Establish "date of receipt" Notify appropriate agencies Conduct a field visit	
	Notify property owners within 200 feet	Publish a legal notice Prepare staff report(s)	
	Submit additional information as requested or required	Provide supplemental report(s)	<div style="background-color: yellow; padding: 5px; text-align: center;"><b>OPEN PUBLIC HEARING</b></div> <div style="background-color: yellow; padding: 5px; text-align: center;"><b>CLOSE PUBLIC HEARING</b></div> <div style="padding: 5px; text-align: center;">Deliberate / act on application</div>
<b>Filing Plans / Posting Financial Guarantee</b>	Modify plans for conditions of approval (if any) and submit	Review plans for consistency with approval	
	Provide financial guarantee for public improvements (if required)	Exchange signed mylars for financial guarantees	
	File signed plans on land records		Chairman signs record plans (mylars)
<b>Construction / Completion</b>	Commences construction when authorized	Review construction as it occurs	
	Sells lots		
	Completes construction		
	Offers improvements to City	Review proposed improvements (Council accepts, when complete)	

