

TOWN OF MANCHESTER
SUBDIVISION REGULATIONS

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June 21, 2013

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1.00 AUTHORITY

The Planning and Zoning Commission of the Town of Manchester, CT, in exercise of its powers as authorized by the Connecticut General Statutes governing planning, hereby adopts these regulations, which may be amended from time to time under procedure outlined in said Statutes.

2.00 PURPOSE¹

These regulations are adopted in order to regulate within the Town of Manchester the subdivision of land, and to provide that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety, that proper provision shall be made for water, drainage and sewerage, and in areas contiguous to brooks, rivers, wetlands or other bodies of water subject to flooding, that proper provision shall be made for protective flood control measures, and that the proposed streets shall be in harmony with existing or proposed principal thoroughfares, especially in regard to safe intersections, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs and pedestrian travel.

3.00 DEFINITIONS²

B Building Drain³ means that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building, and conveys it to the building sewer. This drain ends three feet outside the building wall.

Building Sewer⁴ means that part of the piping of a drainage system beginning at the end of the building drain, and which receives the discharge of the building drain and conveys it to public sewer, private sewer, or individual sewage disposal system.

Building Storm Drain⁵ means a building drain used for conveying surface water, sub-surface water, etc. to a building storm sewer. This drain extends to a point not less than three feet outside the building wall.

¹ Revised 10/04/04, effective 10/25/04

² Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

³ Revised 10/04/04, effective 10/25/04

⁴ Revised 10/04/04, effective 10/25/04

⁵ Revised 10/04/04, effective 10/25/04

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- C Capped Sewer means a sanitary sewer system that is constructed in a subdivision for public utility purposes prior to availability of public sanitary sewer trunk lines. Such sewer is sealed or capped to prevent usage until connected to a public sanitary sewer trunk line.

Commission means the Planning and Zoning Commission of the Town of Manchester.

County Soil and Water Conservation District⁶ means the North Central Conservation District established under subsection (a) of Section 22A-315 of the General Statutes.

- D Developer means the legal or beneficial owner or owners of land included in a development, including the holder of an option or contract to purchase, or other enforceable proprietary interests in such land. Developer shall include agents, successors and assigns.

Development⁷ means any construction, reconstruction, alteration or grading activities or removal of vegetation to improved or unimproved real estate.

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

- G Grading means 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.

- H Hydraulic Study⁸ means a computation of the total watershed area that will eventually pass through the storm sewer system in a subdivision. This study is for the purpose of determining flood water capacity of storm sewer pipes, culverts, and drainage ditches, etc. For further information refer to the Town of Manchester Public Improvement Standards.

- I Inspection⁹ means the periodic review of sediment and erosion control measures shown on a certified erosion control plan and the field review of installation of public improvements and other requirements shown on the approved subdivision plans.

- M Merestone¹⁰ means a granite post installed to town specifications to designate legal limits of highways or other boundaries.

⁶ Revised 10/04/04, effective 10/25/04

⁷ Revised 10/04/04, effective 10/25/04

⁸ Revised 10/04/04, effective 10/25/04

⁹ Revised 10/04/04, effective 10/25/04

¹⁰ Revised 10/04/04, effective 10/25/04

- P Pre-Application means a review of subdivision plan proposals by the Commission to assist a developer to prepare satisfactory subdivision plans.
- R Restrictive Conservation Easement (RCE)¹¹ means a limitation in the form of an easement agreement executed by or on behalf of the owner of the land, water, or wetland (the Land) described in the RCE in favor of the Town of Manchester or its agent. The fee simple interest in the Land contained in the RCE area shall remain with the owner of Land, subject to the RCE in favor of the Town. The purpose of the RCE is to retain such land, water or wetland areas predominately in their natural, scenic, or open condition or in their agricultural, farming, forest, or open space use, and to ensure the long term protection and preservation of these areas.

Resubdivision means a change in a map of an approved or recorded subdivision or resubdivision, if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

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

Soil Scientist means an individual duly qualified in accordance with standards set by the Federal Office of Personnel Management.

Stack means the pipe extended to the roof for the purpose of ventilating house sewer systems.

Street Plan means a plan of recommended future street layout approved by the Town Planning and Zoning Commission.

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

Sump Pump means a pump installed in a basement well that lifts water to the height of the building storm sewer.

Surety means a corporate surety company licensed to do business in the State of Connecticut.

¹¹ Revised 04/01/02, effective 04/23/02

4.00 REQUIREMENTS FOR THE SUBDIVISION OF LAND

All subdivision of land in the Town of Manchester shall be made in accordance with the procedure described in these regulations.

4.01 Filing of Plans and Penalties¹²

No subdivision of land shall be made until a plan for such subdivision has been approved by the Commission. Any person, firm, or corporation making any subdivision of land without the approval of the Commission shall be fined not more than five hundred dollars for each lot sold or offered for sale or so subdivided or, in accordance with Section 8-25 of the Connecticut General Statutes, as amended. Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the Commission to act, be filed or recorded by the applicant in the office of the Town Clerk within ninety days of the expiration of the appeal period under Section 8-8 of the Connecticut General Statutes or, in the case of an appeal, within ninety days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant. Any plan not so filed within the prescribed time shall become null and void except that the Commission may extend the time period for such filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extended time.

When a subdivision is approved, or approved with modifications, the applicant shall submit a final subdivision plan or a revised subdivision plan incorporating the required modifications to the planning department within thirty (30) days of the decision approving the subdivision, or in the case of an appeal, within ten (10) days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant. The Commission may grant, upon request, an extension of this submission period.

All such plans shall be delivered to the applicant for filing or recording not more than thirty days after the time for taking an appeal from the action of the Commission has elapsed or not more than thirty days after the date that plans modified in accordance with the Commission's approval are delivered to the Commission, whichever is later, and in the event of an appeal, not more than thirty days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant or not more than thirty days after the date that plans modified in accordance with the Commission's approval are delivered to the Commission, whichever is later.

No such plan shall be recorded or filed by the Town Clerk until the Commission's approval has been endorsed thereon, and the filing or recording of a subdivision plan without such approval shall be void.

¹² Revised 10/04/04, effective 10/25/04

Any person, firm or corporation making any subdivision of land shall complete all work in connection with such subdivision within any period of time provided by Section 8-26c of the Connecticut General Statutes. Extensions of time may be granted by the Commission as authorized by the Connecticut General Statutes.

Failure to complete all work on a subdivision plan within this time period shall result in the expiration of the approval of such plans and no further lot shall be conveyed in such expired subdivision. The Commission shall take the steps required by the Connecticut General Statutes to effectuate such expiration. If lots have been conveyed prior to the expiration of this time period, the Director of Public Works shall call the bond to the extent necessary to complete the work required to serve those lots.

Work for the purpose of this section means all physical improvements required by the approval of the plan, other than the staking out of lots, and includes but is not limited to the construction of roads, sidewalks, curbs, storm drainage facilities, water and sewer lines, the setting aside of open space and recreation areas, installation of street lights, street name signs, traffic signs, pavement markings, telephone and electric service, planting of trees and other landscaping, and installation of retaining walls or other structures.

4.02 Proof of Land Ownership

- (a) The applicant or applicants for approval of a plan of subdivision shall submit evidence of this interest in all lands included in the plan of subdivision, and shall provide all pertinent information concerning such lands.
- (b) Applicant shall supply the Commission with information on all easements, restrictions and the like covering the subdivision lands, and shall obtain for and supply to the Commission evidence of easements and the like required by the Commission in connection with an application for subdivision approval.

4.03 Public Hearings

- (a) The Commission may hold a public hearing regarding any subdivision proposal if, in its judgment, the specific circumstances require such action.
- (b) The Commission shall hold a public hearing for all resubdivision proposals.

4.04 Resubdivision - Necessity to Provide Information

All plans of resubdivision shall include sufficient information to enable the recorded original subdivision plan to be identified in the Town records.

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4.05 Lot Sizes and Geography

- (a) The size of lots shall be as required by the Zoning Regulations of the Town of Manchester, and the dimensions, shape, orientation and ground conditions of each lot or parcel shall be conducive to its maximum usefulness.
- (b) Land which the Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety or health of the present or future inhabitants of the subdivision and or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Commission to solve the problem created by the unsuitable land conditions. When appropriate, such land shall be set aside for uses as shall not involve such hazard.¹³
- (c) The Commission may impose reasonable and necessary conditions in connection with the approval of subdivision plans.
- (d) Where it is necessary to discharge water from a public right-of-way across private lands not included in the subdivision, the developer shall obtain from the owners of said private lands an agreement which grants to the Town of Manchester a right to permanently discharge water across said lands, and shall submit copies of said agreements to the Commission at the time of application for subdivision plan approval.
- (e) Where it is necessary to drain a public highway across lands included in the subdivision, the plans shall provide an easement and or right to drain, **as** appropriate for the discharge of water in favor of the Town of Manchester. The location of such easements shall be satisfactory to the Commission.¹⁴
- (f) Where it is necessary to place public utility lines across the lands comprising the subdivision, or on lands not contained in the subdivision, the developer shall provide easements in favor of the Town of Manchester on said lands.
- (g) Each point where the property line changes direction shall be marked with an iron rod driven flush with the finish grade, such rod shall have a minimum outside diameter of five-eighths inch and a minimum length of 36 inches. Such lot marking shall be a prerequisite for issue of Certificate of Occupancy.¹⁵
- (h) All easements shall be not less than 20 feet wide and shall be marked with an iron rod in the same manner as property lines.

¹³ Revised 09/09/09, effective 09/18/09

¹⁴ Revised 09/09/09, effective 09/18/09

¹⁵ Revised 10/04/04, effective 10/25/04

4.06 Access to Lots and Adjoining Lands

Land shall not be subdivided in such a manner as to prejudice the possibility of further subdivision of land or of the convenient subdivision of adjoining lands.

- (a) All streets which may be extended shall be designed and constructed to the subdivision boundary.
- (b) The subdivision shall include reserve parcels at the minimum street right-of-way widths for street connection with adjoining lands. The location of street connection reserve parcels shall be determined by the Commission, and all such parcels shall be designated as a future street on the plan of subdivision.¹⁶
- (c) When necessary to provide safe and convenient movement of vehicles, a temporary cul-de-sac shall be designed and constructed on streets to be connected to adjoining lands. The temporary cul-de-sac shall conform to the Town Public Improvement Standards.¹⁷
- (d) All street reserve parcels shall be deeded to the Town.
- (e) All street reserve parcels shall be graded to ultimate use levels and shall be seeded.
- (f) All lots shall have access directly from a public street.

4.07¹⁸ Open Space

4.07.01 The Commission shall require that no less than ten (10) percent of the total area of a subdivision of a tract of land larger than five (5) acres be dedicated to the Town of Manchester as public Open Space, parks, and or playgrounds in places deemed proper by the Commission. Open space area may be deeded to the Town at any time agreed to by the Director of Public Works but in any event no later than the time of final acceptance of the public improvements.

The Open Space requirements of this section shall apply to all residential subdivision applications received after February 11, 2009 and all residential re-subdivisions of subdivisions approved prior to February 11, 2009. The Open Space requirements of this section shall not apply to Cluster Subdivisions approved under Article III Section 4 of the Manchester Zoning Regulations.

(a) Definition

For the purpose of this section, "Open Space" shall be defined to include, but not be limited to: areas left in their natural, undisturbed state; designated and proposed greenways; areas and facilities for non-commercial, non-profit

¹⁶ Revised 09/09/09, effective 09/18/09

¹⁷ Revised 09/09/09, effective 09/18/09

¹⁸ Revised 1/21/09, effective 2/11/09

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recreation; and similar areas for wildlife habitat, passive and active recreation, groundwater recharge or protection, and scenic preservation.

Any land reserved for surface water runoff, such as detention basins, regulated wetlands, waterbodies, brooks and streams, shall not be considered as meeting the requirements of Open Space, except when in the judgment of the Commission such land is deemed to be of benefit to the recreation areas in town and or upstream or downstream watersheds. In no case shall more than one-half of said land be considered for Open Space requirements.

- (b) The Commission shall examine each proposal and may accept, reject, or modify each proposal based on, but not limited to, the following criteria:
1. the land's size, shape, location, and public access;
 2. the conservation and protection of wildlife and natural or scenic resources such as:
 - lakes and ponds;
 - rivers and streams including and not limited to: Hockanum River, Bigelow Brook, Lydall Brook, Hop Brook and Birch Mountain Brook, Porter Brook, Pewterpot Brook, Folly Brook;
 - riparian areas, inland wetlands, aquifers, and woodlands;
 3. the protection of historic and archeological sites;
 4. the presence, absence, or expansion of any existing Open Spaces, parks, or playgrounds in the neighborhood; and
 5. plan of conservation and development objectives.
- (c) The voluntary donation or preservation of additional land in excess of the requirements of this section may be approved by the Commission if it is found to be in the Town's best interest. This additional land may be proposed for dedication to the Town of Manchester or to any private non-profit conservation organization, including homeowners associations.
- (d) The Open Space requirements of this section shall not apply to the following:
1. Subdivisions of less than five (5) parcels, where all land therein is transferred to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin without compensation.
 2. Subdivisions which contain affordable housing, as defined in Section 8-39(a) of the Connecticut General Statutes, equal to twenty (20) percent or more of the total housing units to be constructed therein.

4.07.02 General Requirements

- (a) The Open Space shall be located in accordance with one or more of the following factors as appropriate to the site:
 - 1. to preserve such natural features such as scenic vistas, ridge tops, significant tree groves, waterfalls and environmentally scenic areas;
 - 2. to preserve significant man made features such as stone walls or historic structures;
 - 3. to connect with existing Open Space or to areas with the greatest potential for future Open Space; and or
 - 4. to facilitate recreational and green space corridors and or trails.

- (b) All Open Space shall abut or have direct access to a street either through the parcel's location on the applicable street or through a right-of-way dedicated to public use. The right-of-way shall not be included in the required Open Space area, shall be at least twenty (20) feet wide and shall be suitable for either vehicular or foot traffic. The Commission may reduce or waive this requirement under acceptable circumstances.

- (c) The percentage of wetlands, steeply sloped areas in excess of twenty-five (25) percent, and areas within FEMA Flood Zone A included in the required Open Space area shall not exceed the percentage of wetlands, steeply sloped areas in excess of twenty-five (25) percent, and areas within FEMA Flood Zone A in the subdivision, unless this requirement is waived by the Commission to preserve natural features.

- (d) The Commission may require that the location be preserved for the parking of vehicles within areas that can provide public access to existing and proposed Open Space, particularly those areas which provide access to new and existing trails and recreational areas. These areas will be required as part of the ten percent (10%) Open Space requirement.

- (e) Monuments are required at all corners and angles of Town Open Space, except where land characteristics cannot accept the monuments.

- (f) Exceptions to the General Requirements
The Commission may permit minor deviations from Open Space requirements when it can be determined that:
 - 1. the objectives underlying these requirements can be met without strict adherence to them; and or
 - 2. because of peculiarities in the tract of land or the facilities proposed, it would be unreasonable to require strict adherence to these requirements.

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4.07.03 All areas of Open Space shall be shown on the subdivision plan along with the construction of any facilities/improvements by the applicant as required by the Commission.

4.07.04 Improvement of Open Space Parcels

The Commission may request that certain improvements be made to developed and undeveloped Open Space parcels.

(a) Developed Open Space

The Commission may require the installation of landscaping and or recreational facilities or related improvements, taking into consideration:

1. the character of the Open Space land;
2. the estimated age and the recreational needs of persons likely to reside in the development;
3. proximity, nature, and excess capacity of existing municipal recreational facilities;
4. the cost of the recreational facilities;
5. separation/delineation of Open Space from surrounding land uses; and
6. reports from the Parks and Recreation Department regarding the proposed improvements.

a. Parks and Playgrounds

If the Commission finds that a need for park or playground is created by the subdivision the subdivider shall improve land for such use.

The provision of land for park or playground purposes shall be in accordance with the following:

- i. The location and geography of the dedicated land shall be suitable for park and playground purposes and shall be acceptable to the Commission.
- ii. The land shall be graded and seeded or otherwise treated for ultimate use as required by the Commission.
- iii. The area shall be treated with landscaping and or fencing along all residential lot lines, as approved by the Commission, to screen abutting lots from trespass or audible or visual intrusion from the recreation area. Landscaped berms shall be at least 4 feet high. Berms shall have a maximum slope of 3:1.
- iv. The land shall not be used by the developer during the construction of the subdivision unless approved in writing by the Director of Public Works.

b. Pedestrian Walkways

The Commission may require pedestrian walkways to provide public access to municipal open space or recreational facilities which walkways shall be shown on the subdivision plan as public thoroughfares.

- i. All walkway parcels shall be a minimum of 20 feet in width, and if required by the Commission shall be fenced along all residential lot lines either with a wooden, vinyl coated, plastic, or chain link fence not less than five feet high.
- ii. The walkway shall be a minimum of six (6) feet wide.
- iii. The surfacing of the walkway shall consider long-term durability, safety, and maintenance. The Commission may require that walkway be bituminous concrete.

4.07.04 (b) Undeveloped Open Space

As a general principle, undeveloped Open Space should be left in its natural state. The Commission may require naturalized planting of Open Space that has been used for agriculture or disturbed in other ways and is not in a suitable natural condition. The Commission may require certain improvements such as the cutting of trails for walking or jogging, or the provision of picnic areas, etc. In addition, the Commission may require a developer to make other improvements, such as removing debris and dead or diseased trees, thinning trees or other vegetation to encourage more desirable growth, repairing or replacing deteriorating/dysfunctional drainage features/structures, etc. Any such improvements shall be included in an Open Space improvement site plan and approved by the Commission.

a. Restrictive Conservation Easements (RCE)

If the Commission finds that open space is required to ensure the preservation or creation of features the Commission deems necessary the applicant may propose, or the Commission may require as a condition to approval, a Restrictive Conservation Easement (RCE) as a way to ensure adequate land is preserved for the open space requirement. The RCE may be established to:

- i. promote orderly community development and to benefit the present and future residents of the Town;
- ii. preserve and or provide tree cover, greenbelts, wildlife habitat and corridors, unusual terrain, land forms or other natural features, and scenic and historic resources;
- iii. supplement existing open space and or recreational areas, as well as any other existing condition in (b) above;

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- iv. promote the development of land in a way that is sensitive to the environment;
- v. promote development that is compatible with surrounding areas;
- vi. preserve and protect inland wetlands, watercourses, and aquifers and to avoid the potential for flooding, erosion, and water pollution;
- vii. control the extent to which steep slopes and problem soils are utilized for roadways, sewage disposal systems and other aspects of development;
- viii. meet the goals and objectives of the Town Plan of Conservation and Development.

4.07.05 Fees in Lieu of Open Space

Recognizing that the dedication of Open Space land may not be desirable or appropriate in all situations and in fairness to all subdividers, the Commission may instead accept a fee or any combination of land and fee by applying the following conditions and procedures:

- 1. The fee, or combination land and fee, shall not exceed ten (10) percent of the fair market value of the land prior to subdivision.
- 2. The fee shall be placed in a fund to be used for preserving Open Space or acquiring additional land for Open Space or for recreational purposes.
- 3. The subdivider shall indicate on the application and subdivision plans whether land, a fee in lieu thereof, or a combination of land and fee is being proposed.
- 4. When applicable, the exemptions in accordance with Section 4.07.01 (d) shall be indicated on the application and subdivision plans.

4.07.06 (a) Land Appraisal

The fair market value of the land shall be determined by an appraiser jointly selected by the applicant and the Commission (or its designee) at the applicant's expense. If agreed to by the applicant and the Commission, the applicant can pay the fee of \$2,000 per lot to satisfy the open space requirement.

(b) Payment

The Commission may authorize the applicant to pay a fee to the Town or pay a fee to the Town and transfer land to the Town in lieu of any requirement to provide open spaces. The fraction of the payment, the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of the sale of each approved parcel of land in the subdivision or it may be paid in full. The collected fee will be placed in a fund in accordance with the provision 8-25(b) of Connecticut General Statutes

The prorated fees due to the Town shall constitute a first lien on each individual lot and shall be reflected on the land records of the Town. Such liens shall be released upon receipt of payment by the Town. The attorney for the applicant shall provide the Town Planning and Zoning Commission with a certificate of title ensuring the Town Attorney and the Commission that the Town has a first lien on the property. The applicant shall be responsible for any filing fees due to the Office of the Town Clerk.

4.08¹⁹ Roads

The various highways, roads and streets in the Town of Manchester are classified as expressways, arterials, collectors and local roads. The classifications are generally defined as follows:

Expressway: A highway of interstate and intertown importance usually designed and controlled by State or Federal Authority.

Arterial: A highway of arterial importance to the Town of Manchester. All new arterial highways shall be constructed with a minimum right-of-way of 70 feet and a minimum road width of 36 feet.

Collector Road: A highway which serves as a collector of traffic from residential, business and industrial streets, and provides the main connection with arterial highways. All new collector roads shall be constructed with a minimum right-of-way width of 60 feet and a minimum road width of 32 feet.

Local Road: A street which has the primary function of providing access to abutting land, and not to serve through traffic. All local roads shall be constructed with a minimum right-of-way width of 50 feet and a minimum road width of 28 feet.

Applicability

The above standards shall apply to all subdivisions approved after the effective date of the revisions and to subdivisions submitted but not approved by the Planning and Zoning Commission as of the effective date.

4.08.01 Classification of New Roads²⁰

The Commission shall determine the classification of all roads which are proposed to be constructed in the development of a subdivision.

4.08.02 Notice of Intent to Construct a Road²¹

The construction of a new road or any part of a new road shall not be commenced until the person or persons responsible for said road construction has notified the Director of Public Works in writing of the date of commencement of the new road.

¹⁹ Revised 10/04/04, effective 10/25/04

²⁰ Revised 10/04/04, effective 10/25/04

²¹ Revised 10/04/04, effective 10/25/04

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4.08.03 Design Criteria for New Roads²²

The design of new roads shall be based on the following:

- (a) The construction of all public roads shall be in accordance with the requirements of these regulations and the latest revision of the Public Improvement Standards.

The arrangement of streets in all subdivisions shall be such that the continuity of streets is maintained to provide adequate traffic circulation. If the Commission has adopted a street plan for any area within which the subdivision is proposed, the arrangement of the streets shall be in conformity to the adopted plan.

The streets of a proposed subdivision shall follow the existing contours of the land to the extent that is prudent and feasible.²³

- (b) All new streets shall have concrete sidewalks as required by the Sidewalk Plan of the Town of Manchester, adopted January 20, 2004, as amended.

Both sides of all new streets shall be graded for future installation of sidewalks.

All street curbing for new streets shall be of granite construction. Temporary cul-de-sac turnabout circle curbing may be of bituminous concrete construction.

Where a subdivision abuts an existing street the developer shall construct granite curbs and sidewalks on the existing street along the street frontage of all lots in the subdivision, if such installation is in conformance with the Sidewalk Plan. Payment in lieu of installation may be approved by the Commission in accordance with the Sidewalk Plan and Section 14-57 (Sidewalk and Curb Installation) of the Code of Ordinances, as from time to time may be amended.

- (c)²⁴ Where a subdivision contains lots which front on an existing road or street, the existing road or street shall have adequate right-of-way width, suitable road surface, and suitable drainage in accordance with the Public Improvement Standards.

Where a subdivision contains lots which front on an existing road or street the lots shall be designed to allow street widening to a minimum width as described in subsection 4.08. A developer shall make improvements to the road concerning traffic surface widening, curbs, drainage, grading, tree removal, etc., as required by the Director of Public Works.

²² Revised 10/04/04, effective 10/25/04

²³ Revised 09/09/09, effective 09/18/09

²⁴ Revised 09/09/09, effective 09/18/09

- (d) Crossroads formed by minor streets shall be avoided if possible, and all subdivisions shall be designed with a minimum of such crossroads. Multiple street intersections where more than one street converges with another street to intersect at the same intersection or in close proximity of another intersection are prohibited.
- (e) Permanent cul-de-sacs or dead-end streets shall not exceed 850 feet in length unless a greater length is authorized by the Commission because of adverse topographical conditions, difficult site configuration, future road extension, or any good cause. All dead-end streets shall contain a turnabout circle at the dead-end street. If the dead-end street is intended to be extended at a future date, the turnabout circle shall be constructed with a street right-of-way width stub extension.
- (f) Permanent cul-de-sacs or dead-end streets shall in general be avoided. The Commission may require any proposed cul-de-sac or dead-end street to be designed and constructed to allow for future street extension.
- (g) A street designed as a loop shall not be considered a cul-de-sac or dead-end street, but such streets shall provide for access to adjoining lands in accordance with Section 4.06(b) herein, if necessary. The access portion of said street which forms the stem of a loop design shall not exceed 850 feet unless a greater length is authorized by the Commission.
- (h) All street merestones required shall be correctly and permanently established before the construction of any building is begun. If the subdivision is scheduled to be developed in stages, the street in each stage shall be correctly and permanently monumented before the construction of any building is begun. The merestones shall have coordinates and elevations based on the Town of Manchester Control Network as established in 1998 and as amended.
- (i) In the event that a building is constructed prior to the completion of the adjoining street, such building shall not be used or occupied unless the Director of Public Works or his authorized representative has approved a partially constructed street finished to a bituminous concrete binder course, and has approved the drainage therein and traffic control signs and pavement markings as required by the town's traffic authority have been installed. At the time the binder course of pavement is installed, all structures, including sanitary and storm sewer manholes and catch basins, must be set to the elevation of the binder course of pavement. Prior to installation of the wearing course of pavement, all structures shall be adjusted to the elevation of the final course of pavement.²⁵

²⁵ Revised 07/06/05, effective 07/29/05

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- (j) Street name signs shall be erected at the developer's expense in accordance with Public Improvement Standards prior to the issuance of any Certificate of Occupancy.

Street names shall not duplicate or too closely resemble any existing street name within the Town. When streets are extended, the existing street name shall be used.

- (k) Traffic signs shall be erected at the developer's expense as required by the Town of Manchester's Traffic Authority.
- (l) Street lighting shall be installed at the developer's expense in accordance with the Public Improvement Standards.
- (m) Approval of a plan of subdivision does not constitute an acceptance of any street, park or other proposed public space by the Town of Manchester.
- (n) The Board of Directors of the Town of Manchester will act on the acceptance of all land included in streets, parks, or other proposed public space, after all requirements of the Commission have been met. The owner of a completed subdivision or appropriate section thereof shall be required to deed to the Town of Manchester all streets, parks and other proposed public lands in the subdivision.

4.09²⁶ Engineering and Construction

- (a) All engineering and construction of roadways and stormwater management facilities shall be in accordance with the requirements of the Town of Manchester Public Improvement Standards²⁷ current at the time of application for subdivision plan approval, unless specifically waived by the Commission for any good reason.^{28 29}
- (b) In the event that it is difficult to meet the required standards, the applicant shall obtain approval for any variation from the Director of Public Works or his authorized representative, and shall describe the variation in this application.
- (c) The engineering and construction in the field shall be in accordance with the plans which have been approved by the Commission, except that minor field changes may be authorized by the Director of Public Works or his authorized representative.

²⁶ Revised 09/09/09, effective 09/18/09

²⁷ Revised 10/04/04, effective 10/25/04

²⁸ Revised 03/17/97, effective 04/01/97; revised 10/4/04, effective 10/25/04

²⁹ Revised 09/09/09, effective 09/18/09

- (d) The site shall be graded in accordance with plans which have been approved by the Commission, except that minor field changes may be authorized by the Director of Public Works or his authorized representative, provided that the drainage characteristics of the site are maintained. The grading of the land on each lot shall be such that each lot is adequately drained.
- (e) The construction in the field shall be carried on with a minimum of nuisance to the general public, and effective measures shall be taken to reduce the hazards of dust and flooding.
- (f) Safety precautions and measures shall be implemented during the construction to protect the public against hazards which may be caused by construction machinery and heavy equipment, earth moving, erosion slopes, excavated holes and similar construction works.
- (g) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.³⁰

4.10³¹ Preservation of Natural Features³²

Existing natural, man-made, or scenic resources shall be preserved and protected to the extent that is feasible and prudent. Such resources include, but are not limited to: stone walls, steep slopes with a gradient greater than 25%, ledge outcroppings, specimen trees defined as trees with 30" or larger measured at 4'6" from the ground, stands of trees defined as areas with primarily homogenous tree species, areas identified on the State and Federal Listed Species and Significant Natural Communities Map for Manchester, CT as amended (Natural Diversity Database Map), watercourses, ponds, wetlands, ridge lines, and any other significant geological features.

The felling of trees shall be held to a minimum. Plans must show all trees 2" caliper or greater, measured at 4'6" from the ground within any existing Town right-of-way abutting the subdivision. Any tree removed in this area must be approved by the Town tree warden.³³

³⁰ Revised 05/17/82, effective 08/16/82

³¹ Revised 09/09/09, effective 09/18/09

³² Revised 10/04/04, effective 10/25/04

³³ Revised 10/02/89, effective 10/25/89

SUGGESTED STREET TREE LIST

<u>Botanical Name</u>	<u>Common Name</u>
Acer Saccharum	Sugar Maple
Acer Pseudoplatanus	Sycamore Maple
Cercidiphyllum Japonicum	Katsura Tree
Fraxinum Pen. Lanceolata	Seedless Green Ash
Ginkgo Bilboa Male	Male Ginkgo
Gleditsia Tri. Inermis	Thornless Honeylocust
Liquidambar Styraciflua	Sweetgum
* Liriodendron Tulipifera	Tuliptree
Plantanus Acerifolia	London Plane
* Prunus Sargentii	Sargent Cherry
* Pyrus C. Bradford	Bradford Pear
Quercus Borealis	Red Oak
Quercus Palustris	Pin Oak
Tilia Cordata	Little-Leaf Linden
Tilia Tomentosa	Silver Linden
Zelkova Serrata	Japanese Elm

* Conspicuous flowering

Street trees shall be provided at a rate of one for every 50 feet of street frontage. The developer shall leave not less than two naturally growing trees having 3 inch caliper in the front yard of each lot or shall plant one tree for every 50 feet of lot frontage or fraction thereof, but no less than two trees from the Suggested Street Tree List with 3 inch caliper in the front yard of each lot. These shall be located a minimum of 10 feet from the street line to a maximum of 30 feet from the street line. Straight rows and the use of only one variety are to be avoided, the intent being to create a natural mixture of appropriate species.³⁴

4.11 Storm Water Drainage

- (a) Each subdivision shall have a storm water system capable of accommodating a maximum storm water flow from higher regions of the drainage area or watershed in which the subdivision is located. The design of the system shall be based on a hydraulic study.
- (b) If improvements to the Town system are necessary to accommodate increased drainage discharge from the subdivision, the developer shall make such improvements as may be required by the Commission based on a report from

³⁴ Revised 10/02/89, effective 10/25/89

the Director of Public Works and such improvements shall be shown on the plan of subdivision.

- (c) All subdivision proposals shall be consistent with the need to minimize flood damage.³⁵
- (d) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.³⁶
- (e) The developer shall submit a Stormwater Management Report as required in the Town of Manchester Public Improvement Standards.³⁷

4.12 Sanitary Service³⁸

- (a) Public Sanitary Sewer
 - 1.³⁹ Sanitary sewers shall be installed in all subdivisions which are developed on lands served or proposed to be served with public sanitary sewer systems. All design and construction shall be in accordance with the rules and requirements of the applicable sewer authority, being either the Town of Manchester Water and Sewer Department or the Eighth Utilities District.
 - 2. Sanitary sewer systems shall be sized to accommodate the flow at full development of upstream land.
 - 3.⁴⁰ Each lot in a subdivision shall be served with a building sewer lateral line which shall be installed during the construction of the road. The building sewer lateral shall be installed to a point a maximum of 2 feet from the lot line.
 - 4.⁴¹ If a developer intends to construct a subdivision with public sanitary sewers, and to construct dwellings for occupancy prior to the availability of public sanitary sewer service, the developer shall obtain approval from the applicable sanitary sewer authority to seal the system and to render the system unusable until connected with the public sewer system. A system so sealed shall be termed a "capped sewer".

³⁵ Revised 05/17/82, effective 08/16/82

³⁶ Revised 05/17/82, effective 08/16/82

³⁷ Revised 03/17/97, effective 04/01/97; Revised 09/09/09, effective 09/18/09

³⁸ Revised 10/04/04, effective 10/25/04

³⁹ Revised 09/09/09, effective 09/18/09

⁴⁰ Revised 09/09/09, effective 09/18/09

⁴¹ Revised 09/09/09, effective 09/18/09

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5. The use of all private sanitary sewer systems shall be discontinued by the owner when the capped sewer is unsealed and becomes active by reason of connection to the public sewer system. The owner shall be responsible for all costs and fees associated with the abandonment of the private system and connection to the public system.⁴²
6. When a house is built in a subdivision containing capped sewers, the house connection (building sewer) shall be extended to the house, a plumbing connection shall be made to the building drain, and the building drain shall be installed to a point where the stack and the building drain can readily be connected and there capped to prevent the building drain being used to convey sewage. The building drain shall not be an obstruction in the basement, and shall be arranged so that the basement floor will not be disturbed when connection of the building drain and stack is made in the future. Pending the uncapping and active use of the building drain a relief vent shall be connected from the building drain to the stack vent in accordance with the Town of Manchester Building Code.

(b) On-site Disposal

1. A subdivision which is developed on lands which are not intended to be served by a public sanitary sewer system shall have soil with absorptive values suitable for the disposal of septic tank effluent from private sanitary sewer systems, and no subsurface sewage disposal system shall be laid out in areas where high ground water, surface flooding or ledge rock will interfere with its effective operation.

The bottom of any leaching system shall be at least 18 inches above the maximum ground water level and at least 4 feet above ledge rock.

2. For the purpose of approval of a plan of a subdivision which is to contain private sanitary leaching systems the soil of each residential lot shall have a minimum uniform seepage rate of 20 minutes to drop one inch.
3. The applicant shall submit the following information for each proposed lot in the subdivision, sealed and certified by a civil engineer licensed in the State of Connecticut:
 - a. Soil percolation tests in accordance with the State of Connecticut Public Health Code Sec. 19-13-B103a-f (as amended)⁴³
 - b. Soil depth over maximum water table
 - c. Soil depth over ledge rock

⁴² Revised 03/20/95, effective 04/08/95

⁴³ Revised 5/15/09

4. The area of any lot in a subdivision which is not to be serviced with public sanitary sewer shall be not less than 30,000 square feet unless approved by the Planning and Zoning Commission at the time of subdivision in accordance with the provisions of the Zoning Regulations.

4.13 Public Water Provision⁴⁴

- (a) Water mains shall be sized to serve the needs of the development and any future needs of the distribution system. All design and construction shall be in accordance with the requirements of the Town of Manchester Water Department's Rules and Regulations.
- (b) When public water supply lines are installed in a subdivision, the water service lines to each lot shall be installed during the construction of the road and if installed prior to house construction shall be installed to a point terminated at the lot line.⁴⁵
- (c) There shall be no privately owned community water system in any subdivision.

4.14 Electric Power Supply⁴⁶

- (a) All new streets within a subdivision shall be supplied with an electric power supply which is installed underground.
- (b) The method of installation shall be approved by the applicable electric power company and the Director of Public Works.⁴⁷
- (c) In the event a power line crosses a street, the power line shall be installed during the construction of the roadway.

4.15 Fire Hydrants⁴⁸

- (a) Fire hydrants shall be installed at the developer's expense.
- (b) In residential subdivisions hydrants shall be located wherever possible at street intersections but in no event shall the distance between a lot and a hydrant exceed 500 feet unless a greater spacing is approved in writing by the applicable Fire Chief and the Water Department.⁴⁹

⁴⁴ Revised 10/04/04, effective 10/25/04

⁴⁵ Revised 09/09/09, effective 09/18/09

⁴⁶ Revised 10/04/04, effective 10/25/04

⁴⁷ Revised 09/09/09, effective 09/18/09

⁴⁸ Revised 10/04/04, effective 10/25/04

⁴⁹ Revised 09/09/09, effective 09/18/09

- (c) In commercial subdivisions the hydrants shall be placed at intervals not exceeding 250 feet, unless a greater space between hydrants is approved in writing by the applicable Fire Department Chief and the Water Department.⁵⁰
- (d) In industrial subdivisions the hydrants shall be placed in the most appropriate locations to ensure adequate fire protection for all properties. The hydrant spacing shall be approved in writing by the applicable Fire Department Chief and the Water Department. In no event shall the distance between a hydrant and an industrial building exceed 250 feet.⁵¹

4.16 Telephone and Communication Systems

- (a) All telephone and Cable lines shall be installed underground.
- (b) Emergency call boxes shall be installed at the developer's expense when required by the Chief of Police or applicable Fire Department Chief.

4.17 Activities Requiring a Certified Erosion and Sediment Control Plan⁵²

An application for approval of a soil erosion and sediment control plan in accordance with these regulations shall be submitted with any subdivision application when the disturbed area of such subdivision development is cumulatively more than one-half acre.

4.17.01 Exemptions⁵³

Construction and related activity for single family homes which are not a part of a subdivision of land shall be exempt from the provisions of these regulations.

4.17.02 Erosion and Sediment Control Plan⁵⁴

To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for certification are found in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. All plans shall be developed in accordance with of said Guidelines and these regulations. Alternative principles, methods and practices may be used with approval of the Commission. Plans must be certified and sealed by a licensed professional engineer in the State of Connecticut, landscape architect or certified soil scientist, as appropriate.⁵⁵

⁵⁰ Revised 09/09/09, effective 09/18/09

⁵¹ Revised 09/09/09, effective 09/18/09

⁵² Revised 10/04/04, effective 10/25/04

⁵³ Revised 09/04/85, effective 10/01/85

⁵⁴ Revised 09/04/85, effective 10/01/85; Revised 10/04/04, effective 10/25/04

⁵⁵ Revised 09/09/09, effective 09/18/09

Said plan shall contain, but not be limited to:

- (a) A completed application form prescribed by the Planning and Zoning Commission.
- (b) A narrative describing:
 1. the development;
 2. the schedule for grading and construction activities including:
 - a. start and completion dates;
 - b. sequence of grading and construction activities;
 - c. sequence for installation and or application of soil erosion and sediment control measures;
 - d. sequence for final stabilization of the project site;
 3. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities;
 4. the construction details for proposed soil erosion and sediment control measures and storm water management facilities;
 5. the installation and or application procedures for proposed soil erosion and sediment control measures and storm water management facilities;
 6. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities;
- (c)⁵⁶ A site plan map at 1" = 40' scale and a sheet size of 24" X 36" to show:
 1. the location of the proposed development and adjacent properties;
 2. the existing and proposed topography including soil types, wetlands, watercourses, waterbodies and flood plain limits;
 3. All existing structures on the project site;
 4. the proposed area alterations including cleared, excavated, filled or graded areas and locations of proposed structures, utilities, roads, and if applicable, new property lines and proposed easements;
 5. the location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 6. calculations and supporting documents for sizing of all erosion control structures and or systems that are certified by a licensed professional engineer in the State of Connecticut;
 7. calculations for sizing of stormwater treatment systems designed in accordance with Section 3.03.10 of the Public Improvement Standards that

⁵⁶ Revised 09/09/09, effective 09/18/09

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are certified by a licensed professional engineer in the State of Connecticut;

8. loam and seed specifications
9. the sequence of grading and construction activities;
10. the sequence for installation and or application of soil erosion and sediment control measures;
11. the sequence for final stabilization of the development site;
12. narrative as described above.

Any other information deemed necessary and appropriate by the applicant or requested by the Commission or its designated agent.

The number of copies of the narrative and site plan required from the applicant for submittal shall be prescribed by the Planning and Zoning Commission.

Soil erosion and sedimentation control plans shall bear the stamp and or signature of a licensed engineer, landscape architect, or certified soil scientist and shall contain the following certification signature blocks:⁵⁷

<p>"I hereby certify that this plan is in compliance with the Town of Manchester Soil Erosion and Sedimentation control Regulations and the Connecticut Guidelines for Soil Erosion and Sedimentation control dated 2002, as amended."</p> <p>(Signature) _____</p> <p>(Name) _____ Certification No. _____</p> <p>"The Planning and Zoning Commission certifies that the Soil Erosion and Sedimentation Control Plan comply with the requirements of the Town of Manchester Regulations and the Connecticut Guidelines for Soil Erosion and Sedimentation Control dated 2002, as amended."</p> <p>Signature _____</p> <p>Date of approval _____</p>
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⁵⁷ Revised 09/04/85, effective 10/01/85; Revised 10/04/04, effective 10/25/04

4.17.03 Issuance or Denial of Certification⁵⁸

- (a) The Planning and Zoning Commission shall either certify that the soil erosion and sediment control plan, as submitted for filing, complies with the requirements of this regulation or deny certification when the development proposal does not comply with these regulations. Nothing in this certification action shall imply that the Commission is acting in a design or engineering capacity or guaranteeing the measures approved shall eliminate erosion or sedimentation: it only certifies that the plan submitted meets the minimum requirements of these regulations for a soil erosion and sediment control plan.
- (b) Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the General Statutes.
- (c) Prior to certification, any plan submitted to the municipality may be reviewed by the County Soil and Water Conservation District or by a consultant engaged by the Town at the expense of the Developer, either of whom may make recommendations concerning such plan, provided such review shall be completed within thirty days of the receipt of such plan.
- (d) The Commission may also forward a copy of the development proposal to the Conservation Commission or other review agency or consultant for review and comment.

4.17.04 Conditions Relating to Soil Erosion and Sediment Control⁵⁹

The estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan, shall be covered in a financial guarantee acceptable to the Commission and in accordance with the following provisions:⁶⁰

- (a) Site development shall not begin unless the soil erosion and sediment control plan is certified, control measures and facilities required in the plan which are scheduled for installation prior to site development are installed and functional and the required financial guarantee is posted with the Department of Public Works.⁶¹
- (b) A financial guarantee shall be required to secure to the Town the cost for actual installation and maintenance of erosion and sediment control measures in accordance with Section 8.00 of these regulations.⁶²

⁵⁸ Revised 10/04/04, effective 10/25/04

⁵⁹ Revised 09/04/85, effective 10/01/85; revised 10/04/04, effective 10/25/04

⁶⁰ Revised 06/03/13, effective 06/21/13

⁶¹ Revised 06/03/13, effective 06/21/13

⁶² Revised 06/03/13, effective 06/21/13

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- (c) Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan, and one copy of the certified plan shall be on the project site during construction.
- (d) All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.
- (e) It is the developer's responsibility to correct erosion or sedimentation problems in the field and take appropriate measures to avoid such problems. In the event that the erosion and sediment control measures certified by the Planning and Zoning Commission are not functioning to prevent erosion and sedimentation, either through inadequate design, emergency conditions, or unforeseen field conditions, said Commission shall direct the developer to revise the plan to correct and or eliminate any deficiencies in the erosion and sedimentation control measures, and to install and maintain new measures. The Commission, or its designated agent, may require the applicant's engineer to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained. The developer shall promptly comply with said directions of the Commission.⁶³
- (f) In the event that the developer wishes to make any changes in the certified plan, the developer shall submit a revised plan to the Commission. The Commission shall after a review of said revised plan, either certify or deny certification of the revised plan in accordance with the provisions of Section 5 herein.
- (g) The Commission shall designate agents who shall have the authority to order and or approve changes to certified plans in the event of unforeseen field conditions which require immediate remedial measures to improve the effectiveness of certified plans.
- (h) In the event that a developer fails to perform the work within any time limits specified in a certified plan or fails to perform any work in accordance with a certified plan, the Commission or any agent designated by it to act shall advise the developer and the provider of the financial guarantee in writing of this fact and direct that any necessary work be completed within a specified time. If the developer and/or the provider of the financial guarantee do not comply with the directions of said Commission or its designated agent, the Commission may arrange for said necessary work to be done by Town forces and recover the cost thereof from the developer and or the provider of the financial guarantee.⁶⁴

⁶³ Revised 09/09/09, effective 09/18/09

⁶⁴ Revised 06/03/13, effective 06/21/13

4. 17.05 Inspection⁶⁵

Inspections shall be made by the Commission or its designated agents during development to ensure compliance with the certified plan and that control measures and facilities are properly performed in installed and maintained. The contractor shall verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the certified plan and are being operated and maintained. Progress reports shall correspond to the construction/installation sequence of the certified plan.

4.18 Energy Efficiency and Solar Access⁶⁶

The street design and lot layout should be configured in an energy efficient pattern, particularly in the areas of transportation to encourage pedestrian and transit modes, solar utilization and access, and general energy conservation. Site design techniques should include but not be limited to the following:

- (a) Where feasible, an east-west street layout is preferred to provide the optimum building orientation for solar access. East-west street layouts that produce undesirable gradients or excessive disruption of the natural topography are not preferred development practices. For the purpose of this section an east-west layout refers to a street with an axis within 30 degrees of true east.
- (b) Orient house so they are located for maximum use of passive solar energy. Measures may include sighting the longest side of the building within 30 degrees of true south and maximizing south facing yard areas.
- (c) Locate buildings so that shadows cast by other buildings, vegetation or natural or man-made topographic features are avoided to the greatest extent possible.

To verify that the site design techniques as outlined in Section 4.18 were considered in the subdivision design layout and implemented where feasible, the subdivision plans shall be accompanied by a site plan showing preferred locations of buildings and landscaping and a narrative report explaining how solar access was considered, and if applicable applied to the subdivision. This plan and narrative shall be prepared by a licensed engineer, architect or landscape architect.

4.19 Temporary Right of Access⁶⁷

A temporary right of access and construction, granting to the agencies of the Town of Manchester in their sole discretion the right to enter the premises for purposes of inspections and effectuating emergency repairs and maintenance of facilities, including but not limited to, proposed public streets, water, sewer and storm drainage

⁶⁵ Revised 09/04/85, effective 10/01/85; revised 10/04/04, effective 10/25/04

⁶⁶ Revised 10/02/89, effective 10/25/89

⁶⁷ Revised 03/16/2007, effective 4/4/2009

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utilities and other facilities under construction but not yet dedicated to the Town shall be filed, in a form acceptable to the Director of Public Works, to the premises constituting the subdivision, including the area of all required off-site improvements.⁶⁸

5.00 APPLICATION AND PLANS FOR SUBDIVISION APPROVAL

5.01 Application Requirements

- 5.01.01⁶⁹ (a) All applications for subdivision approval shall be made on standard forms of the Commission, which form shall be completed to the satisfaction of the Commission.⁷⁰ The number of copies of plans and other supporting application documents shall be as prescribed by the Commission on its General Requirements for All Applications to the Planning and Zoning Commission and Inland Wetlands Agency.
- (b) Signed application checklist entitled “Town of Manchester Planning and Zoning Commission Subdivision Application Minimum Submission Requirements”
- (c) Electronic copies of site development plans shall be submitted in accordance with the “Town of Manchester, CT Geographic Information System, Policies and Rate Schedules” as adopted by the Board of Directors, January 21, 2003, and as amended.
- (d) Stormwater Management Report. A Stormwater Management Report shall be prepared in accordance with the Town of Manchester Public Improvement Standards.
- (e) A set of bound plans in accordance with Section 5.02.

5.02 Plan Requirements⁷¹

Plans and applicable portions of plans submitted under this section shall be prepared, certified and sealed by a Licensed Land Surveyor in the State of Connecticut. All plans are to be prepared in accordance with the "Minimum Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996, as amended.

⁶⁸ Revised 03/20/95, effective 04/08/95; revised 10/04/04, effective 10/25/04

⁶⁹ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

⁷⁰ Revised 04/02/79, effective 04/16/79

⁷¹ Revised 10/04/04, effective 10/25/04

5.02.01 Property Survey⁷²

A Property Survey shall be prepared in accordance with the referenced standards herein, of the tract to be subdivided. This plan is to be provided on a single 24" x 36" Mylar sheet, at a scale which depicts adequate detail of the subject parcel. Monumentation, both existing and proposed is to be shown. If monumentation was recovered beyond the project perimeter and used to determine the parcel's perimeter, it too shall be shown or referenced. Coordinate values shall be displayed for at least three existing or set boundary markers on the parcel perimeter. The intent of this plan is to depict all applicable conditions of the subject parcel prior to subdivision.

5.02.02 Plot Plan⁷³

A layout of the proposed subdivision, prepared in accordance with the referenced standards herein, drawn to a scale not to exceed one inch equals forty feet on sheets not exceeding 24" x 36", including ruled margins, prepared, certified and sealed by a Licensed Land Surveyor in the State of Connecticut, which plan shall depict the following:

- (a) The zoning district in which the parcel lies, zoning boundaries (as applicable) and table of zoning requirements
- (b) All proposed street line geometry and right-of-way widths
- (c) Building lines in accordance with the Zoning Regulations
- (d) Right-of-way and curb radii at all street intersections in accordance with the Public Improvement Standards
- (e) Lot boundary lines with dimensions and directions in accordance with the "Minimum Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996, as amended.
- (f) Individual lot areas in acres and square feet
- (g) All existing and proposed easements for utilities, drainage, sidewalks and other rights-of-way with dimensions and bearings and notation for all volumes and pages in the in the Manchester Land Records (as applicable)
- (h) Names of existing and proposed streets
- (i) Title under which subdivision plan is to be recorded
- (j) Name of owner or owners of land and property address at time of application
- (k) All monuments and markers in accordance with the Subdivision Regulations and Public Improvement Standards
- (l) Names and addresses of all abutters as they appear in the most recent tax list

⁷² Revised 10/04/04, effective 10/25/04

⁷³ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

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- (m) North arrow, plan scale and date
- (n) Key Map - first sheet of the Plot Plans that includes the entire subdivision drawn to a scale not to exceed 1" = 400' showing intersections with existing streets and additional information that correctly identifies and locates the site
- (o) Scale Layout Plan - separate plan of the entire subdivision drawn to a scale of 1" = 100'
- (p) Commission Signature Blocks as specified in Section 5.02.02 of the Subdivision Regulations

<p>This subdivision is approved by the Planning and Zoning Commission of the Town of Manchester, Connecticut.</p> <p>Signature _____</p> <p>Date of Approval _____</p> <p>Pursuant to Title 8 of the Connecticut General Statutes all work in connection with this subdivision shall be completed within five (5) years from the date of this approval.</p> <p>Pursuant to Section 8-25 of the Connecticut General Statutes this plan was delivered to the applicant on _____ and shall be filed in the office of the Town Clerk of the Town of Manchester, Connecticut within ninety (90) days of _____.</p>

5.02.03 Grading Plan⁷⁴

A layout of the proposed subdivision, prepared in accordance with the referenced standards herein, drawn to a scale not to exceed one inch equals forty feet on sheets not exceeding 24" by 36", including ruled margins, prepared, certified and sealed by a Licensed Land Surveyor and Professional Engineer in the State of Connecticut, as applicable, which plan shall depict the following:

- (a) All existing structures with indication as to the proposed utilization or removal of such structures
- (b) All wetlands and watercourses with the associated 100' upland review areas and 100-year flood limits derived from Flood Profile data provided in the latest version of the FEMA Flood Insurance Study (as applicable)

⁷⁴ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

- (c) Existing ground formation contours at intervals of two feet based on Town of Manchester Control with prominent isolations and depressions indicated by spot highlights and a minimum of two (2) benchmarks per sheet
- (d) Proposed ground formation contours at intervals of two feet based on Town of Manchester Control, except that the intervals shall be one foot in and within 50 feet of areas of special flood hazard as defined by the Zoning Regulations (show proposed grading for the entire site that includes all public improvements within the proposed right-of-way and development of individual lots)
- (e) All existing and proposed rights-of-way
- (f) Existing and proposed storm sewer facilities, including structure types, pipe size, slopes, materials, invert elevations, and connections to existing drainage systems, wetlands or watercourses
- (g) Existing and proposed water and sanitary sewer facilities, including all bends, valves, manholes, hydrants, and appurtenances with pipe sizes, slopes, materials and invert elevations within structures
- (h) Proposed location of all other utilities (if known) including, but not limited to, natural gas, telephone and electrical (include equipment installation)
- (i) Percolation tests and location of test pits for each lot proposed to have a private sewage disposal system
- (j) Locations of existing and proposed sewage disposal systems and wells within the proposed development and on abutting properties
- (k) Proposed foundation drains showing invert elevations of the drain at the house connection and the outlet
- (l) Proposed basements requiring sump pumps
- (m) All areas designated as areas of special flood hazard as defined by the Zoning Regulations
- (n) Description of the extent to which any watercourse will be altered or relocated and volume of fill required for filling of wetland areas
- (o) Certification from the soil scientist responsible for delineating wetlands and watercourses at the site
- (p) Proposed retaining walls with top and bottom of wall elevations noted
- (q) Lot numbers and house elevations for top of foundation wall, garage, first floor and basement
- (r) Proposed limits of clearing for the entire development. Such limits may be subject to adjustment for individual lot development and other site conditions
- (s) Note indicating Contractor requirement to “Call-Before-You-Dig” prior to any construction
- (t) Complete legend identifying existing and proposed features

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- (u) Existing natural, man-made or scenic resources, as defined in Section 4.10 of these regulations

5.02.04 Engineering Plan/Profile⁷⁵

The Engineering Plan/Profile shall be a plan and profile of the proposed streets drawn on plan profile paper to be a horizontal scale of one inch equals forty feet, and a vertical scale of one inch equals four feet, on sheets not exceeding twenty-four inches by thirty-six inches, including ruled margins. Engineering plan/profiles shall be prepared, certified and sealed by a licensed professional engineer licensed in the State of Connecticut, which plan shall show the following:

- (a) Plans with horizontal scale not to exceed 1" = 40' and vertical scale not to exceed 1" = 4'
- (b) Layout of the streets coordinated by stations in the plan and profile
- (c) Tangent directions and horizontal curve data with distances to the nearest hundredth of a foot
- (d) Stopping sight and intersection sight distances shown visually on the plan and profile
- (e) Typical cross-section of the street and any other cross-section of the street, which may be required by the Director of Public Works or his authorized representative
- (f) Existing and proposed road centerline elevations at maximum 50-foot intervals and low/high points
- (g) Vertical curve stations and elevations at the following points:
- Beginning of the curve (P.V.C. Point)
 - End of the curve (P.V.T. Point)
 - Intersection of the tangent lines (P.V.I. Point)
 - Intermediate points at intervals of twenty-five feet
- (h) Length of vertical curves
- (i) K-values for vertical curves
- (j) Existing and proposed storm sewer facilities, including structure types, pipe size, slopes, materials, invert elevations, and connections to existing drainage systems, wetlands or watercourses
- (k) Existing and proposed water and sanitary sewer facilities, including all bends, valves, manholes, hydrants, and appurtenances with pipe sizes, slopes, materials and invert elevations within structures
- (l) Proposed location of all other utilities (if known) including, but not limited to, natural gas, telephone and electrical (include equipment installation)

⁷⁵ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

- (m) Cross-sections and profile of all drainage ditches and channels
- (n) Location of proposed sidewalks, curb and sidewalk ramps
- (o) Limits of proposed underdrains, guide rail and protective fencing
- (p) Traffic control devices, pavement markings and signs
- (q) Limits of sawcut and pavement removal for connection to existing roads
- (r) Station equation and centerline elevations at proposed intersections
- (s) Intersection grading plan at a scale not to exceed 1" = 20' with 0.1' contour increments for proposed intersections (when requested by Town staff)
- (t) Soil boring data that adequately depicts existing subsurface conditions when such data is required to support the design of proposed features such as stormwater infiltration systems, septic systems, retaining walls, etc.
- (u) Location and number of proposed streetlights (this information will be provided by the Town after the initial application submission)

5.02.05 Cross Sections⁷⁶

Cross sections prepared by a professional engineer in the State of Connecticut, extending at least 75' on both sides of the center line of all proposed roads at 50-foot intervals and at all street intersections shall be provided. Cross sections shall show proposed roadway in section view and shall identify any dimensions or slopes which vary from the typical roadway cross section. Existing and proposed street line, sanitary sewer facilities and water mains shall also be shown.

5.02.06 Details⁷⁷

Detail sheets shall include:

- (a) The appropriate standard details for construction of utilities and public improvements as outlined in the Public Improvement Standards
- (b) The appropriate standard details for construction of water and sewer utilities in accordance with the Town of Manchester Water and Sewer Department and the Eighth Utilities District requirements
- (c) Section view of proposed detention basin(s) showing existing grade, proposed dimensions, slopes, outlets controls and all critical elevations. Subsurface conditions related to groundwater/ledge elevations and soil permeability shall also be shown if the detention basin is designed for stormwater infiltration
- (d) Additional project specific details in accordance with the Public Improvement Standards

⁷⁶ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

⁷⁷ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

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5.02.07 Soil Erosion and Sediment Control Plans⁷⁸

Soil Erosion and Sediment Control Plans as required in Section 4.17.

5.02.08 Phasing Plan⁷⁹

The applicant may develop a subdivision in phases subject to the approval of the Commission. The Commission shall not approve a phasing plan unless it finds the phasing plan will not negatively impact reasonable traffic circulation, the layout and function of public utilities and emergency vehicle access at the site. A phasing plan shall not affect the time within which work in a subdivision must be completed.

The proposed plan must be prepared, certified and sealed by a Licensed Professional Engineer in the State of Connecticut and show:

- (a) Limits of project phases for the entire site
- (b) Anticipated start and completion dates of each phase
- (c) Additional construction and sedimentation and erosion control information required to transition between phases
- (d) Required construction and grading for future extension of roadways through temporary cul-de-sacs (as applicable)

6.00 SUBDIVISION APPLICATION⁸⁰

6.01 The Commission will receive applications for subdivision plan approval at the next regularly scheduled meeting following the filing of plans in the Planning Department, or within 35 days of such filing whichever is sooner, and shall hold any public hearing required within 65 days of such time of official receipt. Such public hearings shall be completed within 35 days after such hearing commences. The time to commence and or complete the public hearing may be extended with the consent of the applicant for a period not to exceed that outlined in the Connecticut General Statutes.

6.02 The Commission shall approve, modify and approve, or disapprove any subdivision application or maps and plans submitted therewith within 65 days after the public hearing is closed or, if no public hearing is held, within 65 days after official receipt of application, except that the time to render such decisions may be extended with the consent of the applicant for a period not to exceed that provided in the Connecticut General Statutes.

⁷⁸ Revised 09/04/85, effective 10/01/85

⁷⁹ Revised 03/20/95, effective 04/08/95; Revised 09/09/09, effective 09/18/09

⁸⁰ Revised 10/04/04, effective 10/25/04

6.03 The failure of an applicant to comply with the requirements of Section 5 APPLICATION AND PLANS FOR SUBDIVISION APPROVAL shall be sufficient reason for denial.

7.00 PRE-APPLICATION REVIEW

A pre-application review of a proposed subdivision plan by the Commission may be requested by an applicant in order to ascertain if the street layout, or any other proposal, meets with the requirements of these regulations, or to ask for consideration of any variation of a requirement.

An applicant may confer with any member of the staff of the Town of Manchester with regard to any requirement of these regulations before the preparation of subdivision plans.

The submission of pre-application plans to the Commission shall not constitute an application of subdivision approval, and review of pre-application plans by the Commission shall not constitute action on any subdivision application.

8.00⁸¹ FINANCIAL GUARANTEE REQUIREMENT

The Town shall require a financial guarantee in accordance with section 8-25 of the Connecticut General Statutes as amended to ensure installation of required soil erosion and sedimentation control measures and timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality.

8.01⁸² Financial Guarantee for Public Improvements

- (a) No lot within the subdivision shall be transferred to a buyer before any required financial guarantee in accordance with all of the requirements of Section 8.01 is posted or before the approved public improvements and utilities are accepted by the Town.

The Director of Public Works, on behalf of the Planning Commission, may accept surety bonds and shall accept cash bonds, passbook or statement savings accounts and other financial guarantees other than surety bonds including, but not limited to, letters of credit, provided such financial guarantee is in a form acceptable to the Commission and the financial institution or other entity issuing any letter of credit that is acceptable to the Commission.

Such financial guarantee shall be required in the amount as specified in section 8-25 of the Connecticut General Statutes to secure to the Town the cost for actual installation of public improvements. Where a subdivision is approved to be developed in phases, the developer may post the financial

⁸¹ Revised 06/03/13, effective 06/21/13

⁸² Revised 06/03/13, effective 06/21/13

guarantee covering costs of public improvements of one phase rather than for the entire development.

- (b) An estimate shall be prepared by the developer and approved by the Director of Public Works. Said estimate shall be made and delivered to the Director of Public Works. In accordance with section 8-25 of the Connecticut General Statutes, the financial guarantee in the amount approved by the Director of Public Works shall be posted at any time before all approved public improvements and utilities are accepted by the Town. Twenty-five percent (25%) up to a maximum of 100,000 dollars of the estimated financial guarantee must be provided in cash, passbook, or letter of credit.⁸³ The estimate shall be based on the actual cost of construction and installation of all streets, sidewalks, curbs, storm drainage, public utilities, fire hydrants, parks, walkways and fencing, street lights, street name signs, traffic signs, pavement markings, telephone and electric service, planting of street trees and other required landscaping, retaining walls or other structures, improvements to the open space as specified in 4.07.04⁸⁴, easements, as built drawings and monumentation, which are proposed in the plan of subdivision or any phase of a plan of subdivision. Unit prices shall be as specified by the Director of Public Works. The financial guarantee estimate shall also include an additional contingency amount equal to ten percent.
- (c) If the person posting a financial guarantee requests a release of all or a portion of such financial guarantee, the Director of Public Works shall, no later than sixty-five days after receiving such request:
 - 1. Release or authorize the release of any such financial guarantee or portion thereof, provided he or she is reasonably satisfied that the improvements for which such financial guarantee or portion thereof was posted have been completed; or
 - 2. 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.

8.02⁸⁵ Financial Guarantee for Soil Erosion and Sediment Control Measures

- (a) Site development shall not begin unless the soil erosion and sediment control plan is certified, control measures and facilities required in the plan which are scheduled for installation prior to site development are installed and functional and the required financial guarantee posted with the Department of Public Works.

⁸³ Revised 03/16/2007, effective 4/4/2009

⁸⁴ Revised 03/16/2007, effective 4/4/2009

⁸⁵ Revised 06/03/13, effective 06/21/13

- (b) The amount of financial guarantee shall be the estimated costs of measures required to control soil erosion and sedimentation, as specified in the certified plan approved by the Commission plus contingency amount not to exceed ten percent of such cost.
- (c) In the event that a developer fails to perform the work within any time limits specified in a certified plan or fails to perform any work in accordance with a certified plan, the Commission or its agent, the Director of Public Works, shall advise the developer and the provider of the financial guarantee in writing of this fact and direct that any necessary work be completed within a specified time. If the developer and/or the provider of the financial guarantee do not comply with the directions of said Commission or its designated agent, the Commission or its agent may arrange for said necessary work to be done by the Town or a person or entity employed for such work by the Town and recover the cost thereof from the developer and/or the provider of the financial guarantee.

9.0 CERTIFICATE OF OCCUPANCY REQUIREMENTS⁸⁶

No Certificate of Occupancy for any construction in the subdivision shall be issued until the following requirements have been met:

9.01⁸⁷ The Director of Public Works shall have received a cash payment for purposes of:

- (a) The first twenty-four (24) months street lighting costs.
- (b) Provisions of street name signs, traffic signs, emergency telephones and fire call boxes.

9.02⁸⁸ The requirements of Section 4.08.03(i) and (j) have been met.

9.03⁸⁹ Confirmation by the Town that all property line changes have been marked with an iron rod as required by Section 4.05(g).

10.00 FINAL ACCEPTANCE PROCEDURE FOR PUBLIC IMPROVEMENTS⁹⁰

10.01⁹¹ The developer shall request in writing that the Director of Public Works accept the streets and other public improvements constructed in the subdivision. The Director of Public Works shall recommend acceptance to the Board of Directors only after confirmation of the submission of all of the following:

⁸⁶ Revised 10/04/04, effective 10/25/04

⁸⁷ Revised 10/04/04, effective 10/25/04

⁸⁸ Revised 10/04/04, effective 10/25/04

⁸⁹ Revised 10/04/04, effective 10/25/04; Revised 09/09/09, effective 09/18/09

⁹⁰ Revised 10/04/04, effective 10/25/04

⁹¹ Revised 10/04/04, effective 10/25/04

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- (a) A field inspection to verify that all public improvements have been completed in accordance with the Public Improvement Standards and the approved subdivision plans.
- (b) Warranty deeds for land constituting public rights-of-way and all other required conveyances to the Town.
- (c) Utility easements in favor of the Town of Manchester.
- (d) Drainage rights in favor of the Town of Manchester.
- (e) A title policy or attorney's certificate evidencing clear title in the grantor(s) of all deeds and easements. All outstanding interests in third parties must be released or subordinated to the interest or estate which is to be conveyed to the Town. Releases or subordinations shall also be submitted.⁹²
- (f)⁹³ A set of "as built" plans on original or fixed line Mylar that are prepared in accordance with Manchester Public Improvement Standards and certified as to accuracy by a licensed land surveyor. An electronic copy of the as built plans shall also be submitted in conformance with the Public Improvement Standards.

These plans shall include a plot plan, a grading plan and an engineering profile plan, as described in Section 5.02. The grading plan shall show locations of all water main valves, corporations, curb stops, sewer lateral "Y"s and sewer laterals at property lines. The locations shall be fixed with a minimum of three dimensions to the nearest 0.1 feet.

For sewer laterals one dimension shall be from the nearest sanitary sewer manhole and for water corporations one measurement shall be from the water-main valve. Whenever possible range and offset distances from house foundations shall be shown.

- (g) Certification from the Town Water and Sewer Department or Eighth Utilities District that all water and sewer facilities have been constructed in accordance with the applicable authority's standards.

10.02⁹⁴ Upon acceptance of the streets and public improvements by the Board of Directors, the financial guarantee and/or letter of credit set forth in section 8.00 shall be reduced to an amount necessary to secure to the Town protection against faulty construction for a period not to exceed one year after the improvements have been accepted by the Board of Directors. The warranty shall be in the amount no less than 10% of the original financial guarantee amount.⁹⁵

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⁹² Revised 10/04/04, effective 10/25/04

⁹³ Revised 09/09/09, effective 09/18/09

⁹⁴ Revised 10/04/04, effective 10/25/04

⁹⁵ Revised 06/03/13, effective 06/21/13