

MORRIS SUBDIVISION REGULATIONS

TOWN OF MORRIS

MORRIS PLANNING AND ZONING COMMISSION

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TOWN OF MORRIS
MORRIS PLANNING AND ZONING COMMISSION
PROPOSED REVISED SUBDIVISION REGULATIONS

SECTION 1. INTRODUCTION, DEFINITIONS AND GENERAL REGULATIONS

1.1 AUTHORITY

These Regulations are adopted by the Town of Morris Planning & Zoning Commission under the authority of Chapter 126 of the Connecticut General Statutes, as amended.

1.2 PURPOSES

As provided in Section 8-25 of the Connecticut General Statutes, these Regulations are adopted for the following purposes:

- 1.2 1. Protecting and providing for the public health, safety and welfare in the community and promoting the general welfare and prosperity of its people;
- 1.2 2. Promoting the orderly coordinated development of the community and guiding future growth and development in Morris in accordance with the Plan of Conservation and Development;
- 1.2 3. Ensuring that land to be subdivided is of such character that it can be used for building purposes without danger to health or public safety and integrating each subdivision of land into the land surrounding it;
- 1.2 4. Guiding public and private policy and action in order to provide safe, adequate, and efficient transportation, drainage, water, sewer, parks, schools and other public facilities;
- 1.2 5. Providing for the proper design and construction of streets, drainage, sewage and other facilities;
- 1.2 6. Providing for the circulation of traffic throughout the community so that proposed roads shall be in harmony with existing and proposed roads, especially as regards safe intersections, and shall be so arranged and of such width as to provide an adequate and convenient system for present and future traffic needs;
- 1.2 7. Establishing reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land;
- 1.2 8. Ensuring that public facilities are available and have adequate capacities to serve the proposed subdivision;
- 1.2 9. Providing for the protection of surface and ground water drinking water supplies and proper provision for erosion and sedimentation control and open space and recreation areas;
- 1.2 10. Preventing the pollution of air, streams, rivers and water bodies; assuring the adequacy of drainage facilities; providing for protective flood control measures; and encouraging the wise use and management of natural features, irreplaceable resources and unique and fragile features in

order to preserve these resources and protect the integrity, stability and beauty of Morris and the value of the land;

1.2 11. Preserving the natural beauty and topography of the community and to ensure appropriate development with regard to these natural features;

1.2 12. Encouraging energy efficient patterns of development and land use, use of solar and other renewable forms of energy, and energy conservation.

1.3 GENERAL INTERPRETATION

1.3.1. In their interpretation and application, the provisions of these Regulations shall be held to be adopted for the purposes stated herein.

1.3.2. In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements unless the context clearly indicates that such provisions are intended to be a maximum limitation.

1.3.3. In the construction of these Regulations, the rules and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.

1.3.4. Where 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 more restrictive standard shall control.

1.3.5. For the purpose of interpretation and enforcement of these Regulations, words not defined in this Section shall be defined by the Commission after consulting and considering:

- a. the Building Code,
- b. the "*Illustrated Book of Development Definitions*,"
- c. the Connecticut General Statutes,
- d. Black's Law Dictionary,
- e. a comprehensive general dictionary (such as Webster's Third New International Dictionary).

1.4 INTERPRETATION OF TERMS

1.4.1. Words used in the singular shall include the plural, and the plural the singular.

1.4.2. Words used in the present tense shall include the future.

1.4.3. The word "shall" is mandatory and not discretionary. The word "may" is permissive.

1.4.4. Words which are specifically masculine or feminine shall be interpreted as interchangeable.

1.4.5. The phrase "these Regulations" shall refer to the entire Subdivision Regulations.

1.4.6 The word "Section" shall refer to a section of these Regulations, unless otherwise specified.

1.4.7. The word “person” shall include any individual, firm, partnership, corporation, association, organization or other legal entity and the word “subdivider” shall include subdivider and developer.

1.5 DEFINITIONS

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

AASHTO - American Association of State Highway and Transportation Officials.

Application - The application form, maps, texts, reports, and supporting data proposing a subdivision or resubdivision and required by these Regulations.

Bond - A bond shall mean a bond secured by a passbook savings account, or a bond secured by an irrevocable letter of credit.

Certification - Approval by the Town of Morris Planning & Zoning Commission that a soil erosion and sediment plan complies with the applicable requirements of these Regulations.

CGS – Connecticut General Statutes.

Commission - The Planning & Zoning Commission of the Town of Morris.

Commission Engineer – Such engineer(s) acting as the consulting engineer for the Town of Morris’s as may be appointed from time to time by the Planning and Zoning Commission.

Community Resources - Scenic views, scenic areas, open space, recreation areas, greenways, trails, archeological sites, stone walls, historic buildings, historic sites, agricultural lands, prominent hillsides, ridgelines, ridgetops, hill crests, significant trees, and similar resources.

CTDOT - Connecticut Department of Transportation.

Cul-de-sac - A dead-end road terminating in a vehicular turnaround area.

Date of Receipt - The application shall be considered received upon the date of the first regularly scheduled Commission meeting after submission of the application or thirty-five (35) days after submission of the application, whichever time period is shorter.

Director of Health– The Torrington Area Health District or such person or persons responsible for enforcement of the Public Health Code for the Town of Morris.

Disturbed Area - An area where the ground cover or topsoil is destroyed or removed.

Driveway – A private roadway meeting the requirements of these Regulations that provides access to a lot.

Driveway, Common – A private driveway meeting the requirements of these Regulations providing access to two interior lots or an interior lot and a lot.

Easement - A right in favor of one other than the owner of land to use the land for a special purpose not inconsistent with the general property interest of the owner.

Engineer - A professional engineer, licensed by the State of Connecticut, who utilizes the knowledge of the physical sciences, the understanding and interpretation of geological and topographical data, the results of soils and flow tests in order to design and construct roadways, utilities and structures upon the land in such a way that the community is best served.

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

Erosion and Sediment Control Manual - The “2002 Connecticut Erosion and Sediment Guidelines” published by the Ct. Department of Environmental Protection”.

FEMA - Federal Emergency Management Agency.

Flood Hazard Area - 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 flood plain, 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.

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.

MIWWC - The Town of Morris Inland Wetland and Watercourse Commission which is responsible for administration of the Morris Inland Wetlands and Water Courses Regulations.

Lot – For the purposes of these Regulations a lot shall be defined as 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.

Interior Lot – A lot as defined and meeting specifications of the Morris Zoning Regulations. The maximum number of interior lots in a subdivision shall be as specified in the Zoning Regulations.

Natural Features – Land, water, and biological resources including, but not limited to, soil types, terrain, slopes, ridgetops, rock outcroppings, watercourses, ponds, rivers, flood plains, wetlands, streambelts, endangered species, wildlife habitat, prime and important farmland soils, pastures, and other unique and fragile features.

Open Space - Land dedicated for preservation of natural features, farmland, forests, wildlife habitat, wetlands, floodplain, community resources, land suitable for passive recreation, and land providing links that connect open spaces.

Parcel - The larger tract of land that is divided to create smaller tracts or lots.

Plan of Conservation and Development - A comprehensive plan for the future growth, protection and development of Morris adopted by the Planning & Zoning Commission.

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

Reserve Strip - A privately-owned strip of land which controls access to land dedicated, or to be dedicated, to use as a public road.

Resubdivision - A change in a map of an approved or recorded subdivision if such change: affects any road layout shown on such map, 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.

Right-Of-Way Width - The distance between property lines reserved for public traffic.

Road – see “Street”

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

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

Soil Erosion and Sediment Control Plan - A scheme that minimizes 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.

Soils Map - Soils classification maps as shown in the Soil Survey, Litchfield County Connecticut prepared by the U.S. Department of Agriculture, Natural Resource and Conservation Service.

Solar Energy Techniques - Site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season.

Statute – Connecticut General Statutes.

Street – Shall be as defined in the Morris Zoning Regulations - Any way which is an existing Town or State highway or any way shown on a recorded subdivision map duly approved by the Planning and Zoning Commission, recorded and approved prior to the adoption of subdivision or certain private streets as identified and delineated on the Town Zoning Map.

Subdivider - The person, persons, corporation, partnership or firm proposing a subdivision, either for themselves or as an agent for others.

Subdivision - The division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of 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. The word “subdivision” shall also include resubdivision.

Town - The Town of Morris, Connecticut.

Town Plan – The Town of Morris “Plan of Conservation and Development.”

Walkway - A sidewalk, path, trail, way, or any easement which provides for the movement of pedestrian or other non-motorized traffic.

Watercourses - The term "watercourses" shall have the meaning set forth in the Inland Wetlands and Watercourses Regulations of the Town of Morris, Connecticut.

Wetlands - The term "wetlands" shall have the meaning set forth in the Inland Wetlands and Watercourses Regulations of the Town of Morris, Connecticut.

SECTION 2 - STANDARDS AND REGULATIONS FOR PLANNING, DESIGN AND CONSTRUCTION

2.1 REGULATIONS APPLY TO ALL SUBDIVISIONS AND RESUBDIVISIONS

These Regulations shall apply to all subdivision or resubdivision of land within Morris, Connecticut.

2.2 COMPLIANCE WITH OTHER REGULATIONS REQUIRED

Unless modified by the Commission, all subdivisions and all improvements shall be planned, designed, and constructed in accordance with the requirements of these Regulations, the Zoning Regulations, and other applicable ordinances, regulations, and standards.

2.3 BUILDABLE AREA REQUIREMENT

Every lot shall have a buildable area consisting of land with soils, slopes and a shape suitable for the location of all of the following: building site, septic system leaching field and reserve field, including required setbacks, well water supply source with required separating distances, storm water retention areas and drainage areas and a driveway corridor. Such buildable areas shall be clearly shown on the Site Development Plan.

2.4 COMMISSION DETERMINES SUBDIVISION OR RESUBDIVISION AND SUBDIVISION APPROVAL REQUIRED BEFORE LOT SALE

The Commission shall determine what constitutes a subdivision or resubdivision. No subdivision or resubdivision of land shall be made nor any subdivision lot sold or offered for sale by any person until an application for subdivision or resubdivision has been submitted to and approved by the Morris Planning and Zoning Commission, and a Record Subdivision Map (as defined herein) has been endorsed by the Commission and recorded by the subdivider in the Office of the Morris Town Clerk.

2.5 PENALTIES FOR VIOLATION

Any person, firm or corporation making a subdivision of land without approval of the Commission shall be subject to monetary fines as provided for in the Connecticut General Statutes.

2.6 SELF-IMPOSED RESTRICTIONS

If a subdivider places a restriction on any of the land being subdivided which is greater than that required by the Zoning Regulations or these Subdivision Regulations, such restriction shall be indicated on the subdivision map and referenced in the deed.

2.7 PROPOSED STREET SHALL CONNECT TO MORRIS STREET OR STATE HIGHWAY

Proposed streets, public or private, shall connect to an accepted and maintained Morris town road or Connecticut state highway located in the Town of Morris.

2.8 LAND CHARACTER - STANDARDS FOR SUBDIVISION PLANNING AND DESIGN

2.8.1 All land to be subdivided for building purposes shall be of such a character that it can be used for building purposes without danger to public health and safety, or to the environment. Land subject to hazardous conditions shall not be developed. Land with inadequate capacity for sub-surface sanitary sewage disposal shall not be subdivided unless connected to public sewers.

Plans for the subdivision of land shall conform to the Morris Plan of Conservation and Development

2.8.2 Development of Land Requiring Special Precautions. Consistent with the purposes of these Subdivision Regulations, especially to insure the proper provision for protection of irreplaceable resources and unique and fragile features of value to the Town of Morris and the State of Connecticut subdividers are urged to design subdivisions that will protect the following resource areas from harmful effects and to avoid development of these areas for house sites, septic fields, driveways, streets or other development improvements;

- a. Inland wetlands and watercourses as defined and regulated by the Morris Inland Wetland and Watercourse Commission.
- b. Land within the flood hazard areas as defined in the Town's Zoning Regulations or other land subject to flooding as defined by the State of Connecticut (flood encroachment areas) or Federal Emergency Management Agency (Flood Insurance Rate Map).
- c. Land with slopes over 20%.
- d. Land within a public water supply watershed regulated by the Connecticut Department of Health Services.

In order to reduce the adverse impact of a development affecting the above defined lands, the Commission may require the redesign of the subdivision including road alignments, lot lines, lot area, location and scale of structures and location of reserved open space.

The Commission may also require correction of any pre-existing unstable conditions on the site where the Commission determines such is needed to protect public health, safety and welfare.

2.9 WAIVER

2.9.1. Requirements for Waiver

As part of granting any waiver authorized below, the Commission shall:

- a. have received a specific written requested from the subdivider for the waiver,
- b. find that the granting of the waiver shall not have a significant adverse effect on adjacent property or on public health, safety, or welfare, and
- c. state upon the record its reasons for which such a waiver was granted.

2.9.2. Waiver of Information Requirement or Design Standard

The Commission may waive any information requirement or design standard of these Regulations by a three-quarter (3/4) vote of all members of the Commission when it finds that all of the following conditions have been satisfied:

- a. conditions exist which adversely affect the subject property and are not generally applicable to other property in the area, such as but not limited to, conservation of active farmland, scenic ridge lines, valuable open space, extensive areas of steep slopes, extensive wetland areas, irregular parcel shape, significant ledge outcroppings or other similar physical features.
- b. the granting of the waiver will not hinder or discourage the appropriate use or development of adjacent property or the neighborhood,
- c. in the absence of a waiver, one or more requirements of these Regulations cannot be satisfied, and

d. the requested waiver is the minimum deviation necessary from these Regulations to permit reasonable development of the subject property.

The grant of such waiver shall not in any manner serve to modify or otherwise relieve the subdivider from meeting all of the requirements of the Morris Zoning Regulations, Morris Inland Wetland Regulations, and all other requirements of any other Town Ordinance or Regulation.

2.10 PROTECTION OF NATURAL FEATURES

1.10.1 The subdivision shall be designed and arranged and provision shall be made to:

- a. preserve natural features as defined in these Regulations,
- b. makes best use of the natural terrain,
- c. prevent the pollution of wetlands, watercourses, and water bodies,
- d. protect the quality and quantity of water supplies,
- e. minimizes flood damage.

1.10.2. During the review process, the Commission may require:

- a. the preservation or enhancement of specific natural features,
- b. the submission of additional information that demonstrates the subdivider's proposals (such as a conservation restriction and/or the dedication of open space) for protecting such resources.

1.10.3. The Plan of Conservation and Development shall serve as a guide to the protection of natural features.

2.11 PROTECTION OF COMMUNITY RESOURCES

2.11.1. The subdivision shall be designed and arranged and provision shall be made for the preservation and enhancement of community resources as defined in these Regulations including:

- a. scenic views, scenic areas, prominent hillsides, ridgelines, ridgetops, hill crests, stone walls, agricultural lands, significant trees, and other scenic resources,
- b. open space, recreation areas, greenways, and trails,
- c. archeological sites, historic buildings, historic sites,
- d. similar resources.

2.11.2. During the review process, the Commission may require:

- a. the preservation or enhancement of specific community resources,
- b. the submission of additional information that demonstrates the subdivider's proposals (such as a conservation restriction and/or the dedication of open space) for protecting such resources.

2.11.3 The Plan of Conservation and Development shall serve as a guide to the protection of community resources.

2.12 LOT LAYOUT

2.12.1 The minimum lot size and frontage on a public road shall be as required by the Town of Morris Zoning Regulations for the zoning district in which the lot is located.

2.12.2. 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 building permits to build on the lot in compliance with the Zoning Regulations and the Public Health Code,
- b. occupying and using such lot for building purposes without danger to the health and safety of the occupants or the public, and
- c. providing driveway access to buildings on such lot.

2.12.3 Every lot shall have a buildable area consisting of land with soils, slopes and a shape suitable for the location of all of the following: building site, septic system leaching field and reserve field, including required setbacks, well water supply source with required separating distances, storm water retention areas and drainage areas and a driveway corridor. Such buildable areas shall be clearly shown on the Site Development Plan.

Where the Commission determines it is necessary to meet the standards and requirements of these Regulations it may require that:

- the buildable area of any or all lot(s) shall be shown on the Record Subdivision Map; and
- a note shall be shown on the Record Subdivision Map specifying the specific development activity or activities (house site, driveway, septic, etc.) that must be limited to the designated "Buildable Area".

2.12.4 No parcel or any other remnant of land unsuitable for building shall be left in any subdivision. The Commission may determine that any parcel of land, regardless of size, shall be unsuitable for building if it:

- a. does not conform to the requirements of these or other applicable codes and regulations or sound engineering practice,
- b. is found unsuitable for occupancy and building by reason of unsuitable soil, topography, water, flooding, or other conditions.

2.12.5 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 unless the control of such land or building lot is placed within the jurisdiction of the Town under conditions approved by the Commission.

2.12.6 Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines, unless a variation from this provision would result in a better road or lot layout. In general, lot lines shall be laid out so as not to cross municipal boundary lines.

2.12.7 Corners of all lots, open space, conservation easements, and other parcels or areas shall be marked with one (1) iron pin. Iron pins, not less than $\frac{3}{4}$ inch in diameter and 36 inches in length consisting of a suitable rod or pipe, shall be placed:

- a. at each point of intersection of a lot line and the right of way line of a street, and
- b. at all other lot corners and shall be installed in a manner conforming to standards of the Connecticut Association of Land Surveyors. Monuments may be substituted for iron pins. Pins,

however, are not required at each change in direction of an irregular lot line, such as along a stream or stone wall.

2.12.8 Lots intended for separate ownership or building shall be numbered consecutively throughout the entire subdivision beginning with the number "1." Resubdivisions of lots may be lettered consecutively beginning with the letter "A." Adjoining sections of the same subdivision having the same title shall not duplicate numbers.

2.13 DRIVEWAYS

2.13.1 General Standards. Driveways into lots shall have proper grade and alignment for safe and convenient access and shall be suitable for access by emergency vehicles and shall meet the following standards and requirements:

2.13.2 The transition grades and sight lines at the intersection of the driveway and street shall be designed to provide safe and convenient access. The maximum grade for the first 30' of the driveway shall not exceed 4%. The intersection shall be designed to conform to the standard cross section for a street as specified in these Regulations or the Town Road Ordinance.

2.13.3 The location of the entire length of the driveway shall be shown on the Subdivision Site Development Plan.

2.13.4 The maximum grade of the driveway shall be 12% outside of the area of intersection with the street. A grade of up to 15% may be permitted for a length of not more than 100'.

2.13.5 For driveways in excess of 200' in length the Commission may require pull-off areas which will permit two vehicles to pass. A pull-off or parking area located at or near the intersection of the driveway with the Town road may be required for steep or long driveways. A turnaround area suitable for emergency vehicles shall be located at or near the end of the driveway.

2.13.6 For driveways with a grade in excess of 10% or a length in excess of 200' the Commission may require a detailed construction and drainage plan prepared by a professional engineer.

2.13.7 The portions of a driveway with a grade of 10% shall be paved.

2.14 FLOOD HAZARD AREA REGULATIONS

2.14.1 The Flood Hazard Area includes all special flood hazard areas designated as Zone A, A1-30 on the Morris Flood Insurance Rate Maps (FIRM) and the Flood Boundary and Floodway Maps on file with the Town Clerk. A development permit shall be obtained for any construction or development within the Zone A, A1-30.

2.15 INTERIOR LOTS

2.15.1 Interior Lots as defined in the Zoning Regulations may be permitted in a subdivision subject to a special exception permit, as provided for in the Zoning Regulations on the following basis:

- a. a maximum of 20% of the lots in a subdivision may be interior lots.

b. the above limit may be waived in accord with the Waiver provision of these to permit a maximum of 50% of the lots in a subdivision to be interior lots.

2.16 OPEN SPACE IN A SUBDIVISION

2.16.1 Every subdivision shall provide for the reservation of open space land in order to:

- a. protect and conserve natural features,
- b. protect and conserve community resources,
- c. establish greenbelts and other linkages that connect open spaces,
- d. provide for parks, playgrounds, and other active and passive recreation areas,
- e. supplement existing open space areas,
- f. provide, protect, or enhance local trails, and
- g. implement the open space and other recommendations in the Plan of Conservation and Development.

2.16.2 This open space requirement may, with approval of the Commission, be met through:

- a. dedication of land within the subdivision,
- b. dedication of land elsewhere in Morris acceptable to the Commission,
- c. a fee-in-lieu-of-open-space donation,
- d. dedication of land and a fee-in-lieu-of-open-space-donation, or
- e. some other arrangement that shall be found by the Commission to be acceptable (such as a streetscape protection easement, a trail easement, a conservation easement, or similar proposal).

2.16.3 The subdivision shall be planned and designed in general conformity with the adopted Plan of Conservation and Development with regard to reservation of open space land.

2.16.4 The Commission may solicit or accept comment regarding the proposed open space from any Town board or commission, Town official, land trust, or a qualified consultant.

2.16.5 Dedication of Land

Where the open space requirement shall be met through the dedication of land, at least fifteen (15) percent of the total area of the subdivision shall be set aside for open space. Such open space shall be shown on the subdivision plan.

- a. In determining the appropriateness of an area proposed for open space or other public purposes, the Commission shall consider:
 - the presence or absence of any existing open spaces in the area, and
 - the size of the subdivision.
- b. When a subdivision abuts an existing open space, the Commission may require the lot lines of such land form a continuation of the existing open space to provide a single, unified area.
- c. The Commission may defer the requirements for the immediate provision of such land in a subdivision which is a part of a larger tract of land, provided that the subdivider dedicates an area of land in the undeveloped portion of the tract equal to the requirements of this section in the developed portion.
- d. The Commission may require that any open space land have direct access to a public road through a right-of-way dedicated to public use and that it be graded and improved to allow for pedestrian access.
- e. Land provided as open space shall be left in a natural state by the subdivider except for improvement or maintenance as may be expressly permitted or required by the Commission.

Open space areas shall not be graded, cleared, or used as a depository for brush, stumps, earth, building materials, or debris except as expressly permitted by the Commission. Open space shall not include, power lines, roads, access easements or land set aside for drainage structures. Open space may include inland wetlands and slopes of 25% or greater but the total area of these features as a percentage of the open space shall be no greater than the percentage of these features in the remaining portion of the subdivision.

2.16.6 Method of Protection

It is intended that open space in a subdivision shall be permanently protected. The Commission may require permanent protection by fee simple deeding the property, granting a conservation easement or any other method of conveyance which accomplishes permanent preservation in accord with the requirements set forth in this Section.

Proposed conservation easements or other legal instruments for land conservation purposes shall be drafted and presented to the Commission as part of the subdivision application.

Regardless of the manner of ownership of the Open Space, the instrument of conveyance must include provisions satisfactory in form and substance to the Commission to ensure:

- The continued use of such land for the intended purposes, and
- The continuity of proper maintenance for those portions of the Open Space requiring maintenance.

2.16.7 Open Space Protection Entities

Land protected in fee simple by deed or by conveyance of a conservation easement shall be held by one or more of the following entities:

The Town of Morris;

The State of Connecticut;

The Morris Land Trust or similar qualified local, area or state non profit land conservation organization;

An approved Home Owners Association.

The subdivider shall provide evidence that the selected entity is willing to accept such property deed or easement for open space protection. Any such dedication, regardless of the method used, shall be completed prior to the endorsement and filing of the final subdivision plan in the office of the Town Clerk.

2.16.8 Homeowners Association

When an association is established to own Open Space or other common interests, the association must be legally established to fulfill the following requirements prior to the endorsement of the final plans. Where the common interests require a common interest community it shall be established according to the procedures and requirements specified in the Connecticut Common Interest Ownership Act (C.G.S. 47-200, as amended.) and shall also include the following provisions.

a. The homeowners association must be established as a legally recognized entity.

The association must be responsible for liability insurance, local taxes, and the maintenance of any recreational and other facilities.

b. There shall be mandatory membership in the association or corporation by all the original lot owners and any subsequent owners.

- c. Each lot owner shall have an equal vote in determining the affairs of the organization, costs shall be assessed equally to each lot; and the organization shall remain under the control of the developer until a majority of the lots are conveyed to permanent owners.
- d. The association or corporation must have the power to assess and collect from each lot owner a specified share of the costs associated with maintenance, repair, upkeep and insurance of the Open Space.
- e. The association must have the authority to adjust the assessment to meet changed needs.
- f. The method or organization, by-laws and rules of procedure of the homeowners' association shall be in a form acceptable to the Commission and are subject to a review by the Commission's Attorney. The Commission may require that a sinking fund be established and used to maintain common areas. The sinking fund shall be transferred to the homeowners' association when the assets are transferred to the association upon completion of a requisite portion of the development.

2.16.9 Fees in Lieu of Open Space

Where dedication of land as open space will not meet the purposes of this section, the Commission may request the subdivider pay a fee to the Town in lieu of the requirement to provide open space. If payment of such a fee is proposed by the subdivider, the Commission may refuse such fee if it determines, in its sole discretion, that there are acceptable areas on the subdivision which merit preservation by one of the methods set forth in these Regulations.

- a. The open space payment shall be placed in a fund established by the Town to be used for the purpose of preserving land for open space, recreational, or agricultural purposes, including easements or purchases of development rights.
- b. The fee in lieu of open space procedures shall be in accordance with Section 8-25 of the Connecticut General Statutes, as amended.
- c. The fee in lieu of open space may be paid in one lump sum by the subdivider or may be made in partial payments at the time of the sale of each approved lot in the subdivision. If partial payments are to be made, each payment shall be prorated in value relative to the number of approved lots in the subdivision.
- d. When fractional payments are provided in lieu of open space land, the developer shall execute a mortgage securing the fee-in-lieu-of-open space and such mortgage shall be recorded on the Town of Morris Land Records with a priority, form, and substance acceptable to the Town Attorney. Partial releases shall be provided upon the tender of each fractional payment.

2.16.10 Waiver of Open Space Reservation

In accordance with CGS Section 8-25, as amended, the open space reservation requirement shall not apply if:

- a. the transfer of all land in a subdivision of less than five (5) parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin for no consideration, or
- b. the subdivision is an affordable housing development in accordance with the requirements of C.G.S. 8-30g.

2.17 WATER SUPPLIES FOR FIRE PROTECTION

2.17.1 The Commission may require the installation facilities providing access to a water supply suitable for fire protection purposes. This shall include fire ponds or water storage tanks with a dry hydrants or dry hydrants with access to a natural water supply (ponds, lakes

or streams). The Commission shall determine the type of facility required based upon recommendations from the Fire Marshall and the Volunteer Fire Department.

2.17.2 Guidelines for provision of a water supply for fire protection purposes in a subdivision shall as follows:

- a. 1 to 3 lots in a subdivision - No water supply required.
- b. 4 to 9 lots in a subdivision - 20,000 gallon minimum water supply required.
- c. 10 or more lots in a subdivision - 30,000 gallon minimum water supply required.

The final decision on requirement for a water supply shall be made by the Commission based on the recommendations of the Fire Marshall and Volunteer Fire Department.

Specifications for the construction and installation of fire protection water supply facilities shall be as set forth in the specification document dated March 1, 2010, as revised for Dry Hydrant Installation Requirements, Artificial or Manmade Water Supplies, and Natural Water Supplies a copy of which is available from the Planning and Zoning Office or from the office of the Fire Marshall.

SECTION 3 - PROCEDURAL REQUIREMENTS

3.1 GENERAL

3.1.1. All applications, maps, plans, documents and data required by these Regulations shall be submitted to the Morris Zoning Enforcement Officer. The date of receipt of such applications shall be determined in accordance with CGS 8-26d.

3.1.2. The Commission retains the right to have any information submitted with regard to an application reviewed by Town staff or officials, and to consult with any other qualified 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 the Town of Morris Ordinance Concerning Land Use Application Fees, the subdivider may be required to compensate the Town for any review fees involved in processing the application, including but not limited to the inspection of subdivision construction.

3.1.3. Submission of a subdivision application shall be deemed permission for the Commission and the Town 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,

3.2 PRELIMINARY PLAN PROCEDURE

3.2.1. The following Preliminary Subdivision Plan procedure, in accord with Section 7-159b of the C.G.S., is strongly suggested to prospective subdividers, their agents or engineers, to permit informal discussion of the general design of the subdivision and its improvements in the formative stages with the Commission. The process is intended assist in preventing undue delay or extensive modification to a Final Subdivision Plan.

3.2.2. Since the procedure involves a conceptual design review and is a pre-application process:

- a. receipt of materials shall not constitute a “formal application,”
- b. delivery of the required material is at the option of the subdivider,
- c. any discussion or opinions rendered are advisory only and are not binding on the Commission or the potential subdivider and shall not be the basis for a claim of predetermination by the subdivider.

3.2.3. Three copies of materials specified for a Preliminary Subdivision Plan shall be submitted to the Zoning Enforcement Officer. The potential subdivider shall be advised of the date to appear at a regular meeting of the Commission for informal review and comment.

3.3 APPLICATIONS INVOLVING INLAND WETLANDS

3.3.1. If a formal application for subdivision approval involves land regulated as an inland wetland or watercourse, the subdivider is encouraged to acquire permits and approvals from the Morris Inland Wetland and Watercourse Commission (IWWC) prior to submission to the

Commission. In any event, the subdivider shall submit an application to the IWWC no later than the date the application is filed with the Commission.

3.3.2. The Commission shall not render a decision on the subdivision until the IWWC has submitted a report with its final decision to the Commission. In making its decision, the Planning & Zoning Commission shall give due consideration to the report of the IWWC.

3.4 FORMAL SUBDIVISION APPLICATION

3.4.1. The final layout and supporting drawings and documents for a proposed subdivision constitute the only formal and complete submission of the subdivision proposal and it is recommended that they include suggestions made in the optional Preliminary Plan stage.

3.4.2. A formal application for subdivision shall include all of the following:

- a. one (1) copy of the prescribed application form,
- b. the required application fee payable to the Town of Morris,
- c. five (5) sets of plans containing the maps or documents by these Regulations or as required by the Commission,
- d. a Statement of Approval from the Torrington Area Health District (in triplicate) and if applicable a report from the Connecticut Department of Health Services.
- e. a report on the plans for sanitary waste disposal prepared by a professional engineer registered and licensed to conduct business in the State,
- f. a water report as required by these Regulations prepared by a professional engineer registered and licensed to conduct business in the State,
- g. a drainage report prepared by a professional engineer, registered and licensed to conduct business in the State, documenting the design of the storm drainage system,
- h. a base map used to determine watershed and drainage patterns, including downstream runoff areas affected by the storm water runoff from the subdivision,
 - the methodology used to compute runoff and pipe sizes, and
 - documentation of the design of special structures (if any),

- i. a certificate of public convenience and necessity as required by CGS Section 16-262m, if water is to be supplied by a water company by means of a community water supply system as defined in that section,
- j. copies of any other application filed with, and decisions rendered by, local, state or federal commissions or agencies in connection with the proposed development, even if such application is made or decision is rendered subsequent to the filing of a subdivision application with the Planning & Zoning Commission and prior to its decision on the application,
- k. a copy of the deed, contract, option to buy, or other acceptable proof of the subdivider's ownership of or interest in the parcel and/or the subdivider's or agent's authority to act on behalf of the owner.

3.4.3. 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 the Town Ordinance Concerning Land Use Application Fees,
- b. evidence of application to CT Department of Transportation seeking approval of access onto any State Highway or discharge of drainage into a State system or onto State property,
- c. copies of letters to the State Archeologist and the Natural Resources Center requesting information on significant resources at the proposed subdivision, written responses from those agencies, and a management plan, approved by the appropriate State agency, that addresses the protection of any identified resources,
- d. any proposed grant or grants to the Town, in form satisfactory to the Town Attorney, including any required easements for drainage access, utility, or other purposes,
- e. any additional information and data as may be required from the subdivider 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 Town agencies.

3.4.4. The Commission may obtain a report from the Northwest Conservation District or successor agency containing its review and recommendations regarding the subdivision plan.

3.5 RECEIPT AND SCHEDULING OF APPLICATION

3.5.1. The application must be submitted not less than five (5) days before a regular monthly meeting of the Commission in order to be considered at such meeting. The Commission shall make a determination as to whether the application is complete. If the application is incomplete, the Commission may deny the application. The date of receipt of a complete application shall be as provided in Chapter 126 of the Connecticut General Statutes.

3.5.2. Upon receipt of a complete application, the Commission shall call a public hearing if, in its judgment, the specific circumstances require such action. The Commission shall hold a public hearing on any application for a resubdivision.

3.5.3. Regional Review. If the proposed subdivision plan involves land which abuts or includes land in an adjoining town the Commission shall comply with all notification and other requirements in CGS 8-26b. Both the Regional Agency serving Morris and the affected adjoining town shall be notified.

3.5.4. Where the application involves a new road, road drainage improvements or other public improvements the Commission shall transmit a copy of the application to the First Selectman for review and comment.

3.5.5. The Commission may require field staking of proposed improvements for visual inspection.

3.5.6. If a public hearing is to be held, the Commission shall:

- a. schedule the public hearing to commence in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes,
- b. submit legal notices for publication as provided in Chapter 126 of the Connecticut General Statutes,
- c. notify the subdivider of the hearing date,
- d. require the subdivider to mail notice to land owners within a 200 feet radius of the proposed subdivision by certified mail within 15 days of the date of the hearing,
- e. require the submission of documentation of required mailing to abutting property owners at the initiation of the public hearing, and

3.5.7. If a public hearing is held, the hearing must be closed in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes.

3.6 APPLICATION PROCESSING

3.6.1. The Commission shall approve, modify and approve, or disapprove the application in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes.

3.6.2. The time period for action by the Commission on applications regulated by the IWWC may be extended in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes.

3.6.3. Any action by the Commission shall set forth, in detail, any modifications to which the approval is subject, or the reasons for disapproval. Commission approval of the plans shall not be deemed an acceptance by the Town of any road or other land shown as offered for dedication to public use.

3.6.4. The Commission shall cause notice of its action to be published in a newspaper having substantial circulation in the community as provided in Chapter 126 of the Connecticut General Statutes. The Commission shall notify the subdivider by certified mail. The subdivider may publish such notice within 25 days after such decision has been rendered if the Commission fails to cause notice to be published.

3.7 REQUIREMENTS PRIOR TO FILING OF APPROVED PLANS

3.7.1. Based upon the resolution of approval or the resolution of modification and approval, the subdivider shall have the Subdivision Plan and supporting plans revised to conform to any modifications called for in the Commission's action.

3.7.2. The subdivider shall then submit to the Commission for signature:

- a. four (4) paper sets and one (1) set of approved plans on mylar, or other permanent material as required by the State Library, with any required modifications.
- b. a copy of a permit from the Connecticut Department of Transportation for any proposed driveway, road, or storm drainage system which joins with a State Highway,

- c. a copy of a Certificate of Compliance from the Morris Building Official authorizing any proposed activity in a Special Flood Hazard Area,
- d. information as to the intended method of guaranteeing the completion of subdivision improvements,

3.7.3. The subdivider shall also submit, in a form satisfactory to the Town Attorney:

- a. any required grant or grants to the Town in executed form,
- b. any required easements for drainage, access, utility, or other purposes in executed form,
- 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.

3.7.4. 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 Town body or bodies.

3.7.5. After approval, no changes, erasures, modifications or revisions shall be made in any Subdivision Plan or supporting plans without the express written consent of the Commission.

3.7.6. Such final plans, including any required performance guarantee, shall be submitted to the Commission for Commission signature. The subdivider shall provide the Commission with a minimum of 10 days prior to the filing deadline to complete review and signing. It is the subdivider's responsibility to file the subdivision map and documents within the filing period.

3.8 GUARANTEE FOR COMPLETION OF IMPROVEMENTS

All public improvements required in connection with the subdivision shall both be completed and accepted by the Commission prior to the endorsement of the subdivision plan by the Commission, or in lieu of completion of such public improvements the Commission may accept a performance guarantee to ensure satisfactory completion of required subdivision improvements. Such performance guarantee shall meet the requirements of this section and shall be received and accepted prior to signing and filing of the subdivision plan on the Land Records. The performance guarantee shall secure to the Town the actual construction and installation of such public improvements.

3.8.1 Performance Bond

- a. Final subdivision approval may be granted by the Commission subject to providing a performance guarantee to ensure the completion of public improvements.
- b. Where the Commission approves a subdivision plan subject to the submission of a performance guarantee it shall be submitted to the Commission in accord with the requirements of these Regulations.
- c. No final subdivision plan shall be signed by the Commission or filed and no zoning permit shall be issued until the Commission's Attorney has reviewed the proposed performance guarantee and approved it as to form and content. The performance guarantee shall be either:
 - a passbook savings account from a financial institution approved by the Board of Selectmen, or
 - an irrevocable letter of credit issued by a financial institution approved by the Board of Selectmen,
 - another form of security satisfactory to the Commission.
- d. The performance guarantee shall be duly executed on forms provided or approved by the Town, with a detailed cost estimate and proper reference to all maps and plans showing the

streets, drainage and other improvements covered by the guarantee. Forms and other data shall be provided as follows:

- bonds secured by a Passbook Savings Account shall be accompanied by the Savings Account Passbook, a withdrawal slip in the amount of the Bond, properly endorsed and made payable to the Town and a letter from the Bank acknowledging that the account has been assigned to the Town of Morris for the period established for the construction or installation of the public improvements.

- bonds secured by an Irrevocable Letter of Credit shall be provided by a bank or other similar reputable institution subject to the approval of the Commission, the First Selectman and the Commission's Attorney. The Letter of Credit shall be in such form and accompanied by such documents as may be prescribed by the Commission.

e. The amount of the performance guarantee shall be equal to 150 percent of the estimated cost of all public improvements. The Commission shall consider any review and recommendations from the Commission's Engineer and the First Selectman. Public improvements include, but are not limited to, the following:

- The building of any roads and required fire protection facilities, in accordance with specifications of the Town,

- The installation of drainage, utilities, and other required or provided items,

- Monumentation of subdivision roads and marking of lot corners with pins,

- All erosion control measures, including those measures specified in the Erosion and Sediment Control Manual.

f. The Commission may require that at least 20 percent of the performance guarantee be in the form of a passbook savings account in favor of the Town of Morris for erosion and sediment control.

g. An estimate of the time requirements and cost of all public improvements shall be prepared by the developer's engineer and approved by the Commission Engineer.

h. Any performance guarantee shall include:

- a provision that the performance 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,

- a provision that the performance guarantee shall automatically be extended until all public improvements are completed and/or the proceeds from the performance guarantee are collected by the Town if the Commission, or its designated agent, did not receive the required notice.

- a reduction in the amount of the performance guarantee may be considered by the Commission for the completed public improvement. The Commission may retain up to 25% of the performance guarantee for a period of one year as a maintenance performance guarantee.

3.9 FILING OF APPROVED PLANS

3.9.1. Once authorized by the Commission and signed by the Chairman or Secretary the signed set of the approved plans on a durable material such as mylar shall be filed by the subdivider with the Town Clerk at the subdivider's expense.

3.9.2. Such plans shall be filed in the Town Clerk's office 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 subdivider.

3.9.3. 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.

3.9.4. Any plan not so filed or recorded within the prescribed time shall become null and void.

3.9.5. In the event that any Subdivision Plan, when recorded, contains any changes not approved or required by the Commission, the Plan shall be considered erroneous, and the Commission may then file a correct Plan as approved, noting the reason for such filing.

3.10 INSPECTION OF IMPROVEMENTS

3.10.1. Prior to starting a project, the developer and all contractors and all subcontractors shall meet with the Commission's authorized representatives to:

- a. review job conditions,
- b. advise the Town of the construction schedule,
- c. review the Morris Roadway Construction Standards and Specifications (if any),
- d. obtain said Specifications for all contractors and subcontractors.

3.10.2. The work will be inspected in stages and the Commission or its appointed representative shall have free access to the construction work at all times. Notice for inspection shall be made at least 48 hours in advance. In no case shall any paving work be done without permission from the Commission Engineer.

3.10.3. The Commission shall be authorized to take any material, samples, cores and tests as deemed necessary to determine compliance with these Regulations. The Commission may require the subdivider to pay to have such tests made and certified by a professional engineer licensed to practice in the State of Connecticut.

3.10.4. Inspection by the Commission or its authorized agent during development shall ensure compliance with the certified erosion and sediment control plan and ensure that control measures and facilities are properly performed, installed and maintained. The Commission or its agent may require progress reports and verification that control measures and facilities have been performed or installed in accordance with the certified Control Plan and are being operated and maintained.

3.10.5. In the event that soil erosion and sediment control measures are not being satisfactorily implemented, the Commission or its agent may:

- a. issue a Stop Work order,
- b. order in writing the remedying of any condition found to be contrary to these Regulations or the certified Control Plan,
- c. redeem the performance bond in order to rectify erosion and sediment control issues at the site.

3.11 TIME PERIOD FOR COMPLETION OF IMPROVEMENTS

3.11.1. The subdivision improvements shall be completed in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes. The Commission's endorsement of approval on the plan shall state the date on which completion period expires.

3.11.2. 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 the compliance of the certified plan.

3.11.3. The sub-grade, sub-base, pavement binder course, and all drainage required for any proposed road shall be completed prior to issuance of any Zoning Permit for any structure served by such road.

3.11.4. Upon application by the subdivider, the Commission may make one or more extensions of the time period for completion of improvements provided that:

- a. the time for all extensions shall not exceed ten years from the date the subdivision was approved,
- b. the Commission may revise the amount of the bond securing the actual completion of the work.

3.11.5. Expiration of the time period for completion shall:

- a. result in automatic expiration of the approval of such plan provided the Commission shall file notice on the Land Records of such expiration,
- b. prevent the conveyance of any additional lots in the subdivision by the subdivider or his/her successor in interest,
- c. require a new application for subdivision approval of the subject land including a new filing fee as well as a review of all previous findings.

3.11.6. Until the improvements are accepted by the Town of Morris, the subdivider shall maintain all improvements and provide for snow removal on roads.

3.12 FINAL ACCEPTANCE OF IMPROVEMENTS

3.12.1. For final acceptance of subdivision improvements, the subdivider shall submit to the Commission:

- a. one mylar, or other permanent form acceptable to the Commission, and four paper copies of plans showing the "as-built" location of all road and associated improvements approved by the Commission or their authorized agent and where the as-built plans differ from the approved construction plans,
- b. a letter from a registered land surveyor certifying that all required monuments and property corner pins are properly installed in the correct location,
- c. a letter from a professional engineer stating that all improvements, including all road 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,
- d. a copy of all proposed deeds and easements to the Town and other information as required for review and approval by the Town Attorney, if not previously provided,
- e. a copy of all other proposed deeds and easements to other parties that are integral to public improvements or conditions of approval or the proposed development for possible review by the Town Attorney.

3.12.2. The Commission or its authorized agent shall conduct a final inspection of all improvements and utilities to evaluate the general condition of the site and determine whether the work is satisfactory and in substantial agreement with the approved final drawings and applicable regulations, ordinances, and standards.

3.12.3. Any improper installations shall be reported to the Commission and remedied by the subdivider to the satisfaction of the Commission.

SECTION 4 STREETS – STANDARDS FOR PLANNING, DESIGN AND CONSTRUCTION

4.1 GENERAL REQUIREMENTS STREET PLANNING AND DESIGN

4.1.1. Proposed streets shall be appropriate to the topography and location. Street patterns shall give consideration to contours and natural features and designed in a manner capable of public use and maintenance by the Town of Morris.

The planning and design of streets shall be in accordance with the following:

a. Safe Access. Safe and convenient motor vehicle access to every building site, with minimal disruption of the natural environment, shall be required in all plans. Streets shall be planned to provide a convenient system for prospective traffic needs, and to safely accommodate fire-fighting, school bus, snow removal and service vehicles.

Proposed residential streets shall be planned to discourage through traffic to provide safe and convenient system for present and prospective traffic in the area surrounding the proposed subdivision. Proposed residential streets shall be planned to provide for continuation of existing streets in adjoining areas with an alignment in accordance with the standards provided herein and for proper projection into adjoining properties yet to be subdivided.

The Commission may require proposed streets to connect with adjacent streets on undeveloped property where it deems such connection desirable for safety or adequate future access.

Only existing State or Town maintained streets, or streets built to Town Standards, shall be used as the means of traffic access to a subdivision.

b. Layout of New Streets. Proposed streets shall be in harmony with existing and proposed thoroughfares shown on the adopted Town Plan of Conservation and Development, including proposed realignments, and their layout and design shall be determined in each case by the Commission.

Streets should in general follow the contour of the land. As far as practical street alignments should be along an east-west axis within 30 degrees of either side of true east to encourage the development of buildings facing true south. Streets should have a location and grade which accomplishes an attractive layout and development of the land, preserves natural terrain, large isolated trees, desirable woods and other vegetation.

c. Town Street and Road Ordinance. The construction plans for streets and street drainage shall comply with the requirements of these Regulations and shall be in accordance with the Morris Street and Road Ordinance and shall be approved in writing by the Board of Selectmen.

4.2 EXISTING STREETS

a. Access. A proposed street shall connect to an existing Town street or State highway or to another street in the proposed subdivision or a street in another approved subdivision where the applicant has access rights.

b. Where an existing street provides frontage for new lots or access to a new street the applicant may be required to bring the portion of the street fronting the subdivision to sufficient conformity

with all standards of these Regulations. The subdivider may also be required to dedicate to the Town land sufficient to satisfy the street right-of-way width requirement.

Where a subdivision fronts on any road which has a right-of-way width, a curve or an intersection that fails to meet the standards specified in these regulations, the subdivider shall deed to the Town additional land for right-of-way sufficient to correct the deficiency in accordance with these standards.

4.3 DEAD-END STREETS

A permanent dead-end street may be permitted where the Commission determines that: future access and circulation needs will not require interconnecting streets or street continuity is not feasible for reasons of topography, wetlands, or other site conditions. Such a dead-end street system shall be a cul-de sac street terminating in a circular turnaround serving no more than 20 lots. No dead-end street shall be laid out from another dead-end street.

4.4 TEMPORARY DEAD-END STREETS

A temporary dead-end street may be permitted where future extension of the street would be feasible and desirable, considering topography, site conditions and potential availability of adjacent land for development, the eventual extension will complete a safe connection at another point in the public road system.

4.4.1 Temporary dead-end streets shall:

- a. be limited to a constructed total length of 2000 feet,
- b. serve no more than 20 lots,
- c. terminate in a temporary circular turnaround,
- d. provide a monumented right-of-way and a dedication to the Town of the land required for any future street extension as determined by the Commission, and

4.4.2 Plans incorporating turnarounds for temporary dead-end streets shall provide, by appropriate notes, for the following:

- a. dedication of the required right-of-way for future street extension;
- b. statement that the turnaround will be removed when the street is extended;
- c. delineation of the resulting street and right-of-way boundary lines when the street is extended and the turnaround is removed;
- d. delineation of the required building setback lines for the street when extended, using current building setback requirements, and
- e. statement that the excess area beyond that required for the extended paved street will be top soiled and seeded by the future subdivider at his expense. No buildings shall be located forward of the setback lines delineated for an extended street.

4.5 CIRCULAR TURNAROUNDS

All dead-end streets, both permanent and temporary, shall terminate in a circular turnaround ("Reverse P" cul-de-sac) with minimum right of way radius of 72 feet and a minimum pavement radius of 50 feet. Maximum roadway gradient within the turnaround shall be six percent (6%), with a minimum gradient of two percent (2%).

Alternative designs, compatible with site conditions, which will minimize environmental impact while providing a functional turnaround for traffic circulation and road maintenance may be proposed subject to the review and approval of the Board of Selectmen and the Commission.

4.6 INTERSECTIONS

4.6.1 General Requirements.

- a. A minimum separation distance of 500 feet from other intersecting streets shall be maintained on the same side of the connecting roadway.
- b. An unobstructed sight-line distance at the intersection of a subdivision street with a town road shall be a minimum of 250 feet on town roads. The measurement method for sight lines shall be in conformance with requirements established by the Connecticut Department of Transportation. Where the Commission determines it is necessary for safety the sight line distance shall be the safe stopping distance of vehicles traveling at the 85 percentile speed.
- c. A centerline angle of horizontal intersection as close to ninety (90) degrees as possible, for at least 50 feet from the intersected travel way; where the perpendicular intersection is not possible because of topography or ownership limitations the angle shall not be less than 60 degrees.
- d. Maximum travel way gradient at centerline, for all new intersecting streets, shall be three percent (3%) for a distance of fifty feet (50) back from the pavement line of the street intersected by the new street.
- e. A rounding of the right-of-way at each corner of the intersection to a minimum radius of twenty-five (25) feet, with sight-line easements as necessary, and a pavement radius of 15 feet.

4.7 ALIGNMENT

Connecting curves between tangents shall be provided for all deflection angles in excess of 5 degrees. Suitable tangents shall be provided between curves and the minimum radius of curvature at the centerline of streets shall be as follows:

- a. vertical gradient less than 5% - 150 feet.
- b. vertical gradient greater than 5% - 200 feet.

Tangents between curves shall be not less than 100 feet in length.

4.8 STREET AND SUBDIVISION NAMES

Streets shall bear names which are appropriate to the character of the Town and which do not duplicate or too closely approximate in spelling or sound existing street names in the Town or major streets in adjoining towns. All street names shall be subject to the approval of the Commission.

4.9 STREET SIGNS

Street name signs shall be installed at all street intersections in locations approved by the Board of Selectmen. Such signs shall be of a design and material approved by the Board of Selectmen and shall be consistent with the latest edition of "The Manual of Uniform Traffic Control Devices".

4.10 CURBING

Generally curbing is not required however under the following conditions bituminous concrete, precast concrete curbing, concrete curbing poured in place, or granite curbing may be required:

- a. where sidewalks are used
- b. where road gradient exceeds a 7% grade
- c. where road fills over 5 feet high
- d. in non-residential areas
- e. in other circumstances where the Commission determines curbing is necessary.

4.11 SIDEWALKS

Generally sidewalks are not required however the Commission may require sidewalks in the Morris center area or other areas where there are existing or planned sidewalks, within walking distance of public and non public schools or near retail area, or in other circumstances where the Commission determines that sidewalks are necessary or appropriate for public and pedestrian safety and convenience.

4.12 GUIDE RAILS

Guide rails shall be used:

- a. where the proposed center line is four feet or higher over the surrounding ground and the side slope is 4:1 (horizontal to vertical or greater)
- b. where water bodies over 3 feet deep are located along the shoulder
- c. at bridge abutments, utility poles, and other fixed obstructions as required by the Commission.

4.13 PAVEMENT LOCATION

The centerline of pavement shall normally be in the center of the right-of-way, except where modified to preserve natural features (trees, stone walls, ledge, streams, etc.) or to minimize conflicts with existing property uses.

4.14 GRADING

Maximum earth slopes shall not exceed 2 to 1 (2 feet horizontal to 1 foot vertical).

Cut or fill slopes which extend into property not owned by the applicant will not be allowed without written permission of the adjacent landowner. A grant slope rights to the Town shall be subject to approval by the Board of Selectmen and in a form approved by the Town Attorney. Such slope rights must be obtained by the applicant prior to approval of the subdivision application.

If the difference in grade at the property line exceeds three (3) feet, then a retaining wall with a guide rail top is required.

4.15 STREET GRADE

The minimum grade for all streets shall be 1.0%, except that a minimum grade of from 0.5% to 1.0% may be established for 100 feet or less and as tangents of vertical curves. The maximum

grade for any street shall not exceed 7%, except that grades between 7 and 10% may be permitted by the Commission, if the length of the grade exceeding 7% is less than 200 feet.

4.16 STREET CONSTRUCTION

Streets shall have a pavement width of 22 feet, a right of way of 66 feet and shall meet the other design and construction requirements as provided herein and as shown on the drawing titled "Town of Morris "Typical Roadway Section" in the Appendix.

Street and street drainage and other street construction related plan shall be subject to the approval of the Board of Selectmen and the Planning and Zoning Commission. The Commission and the Board of Selectmen shall designate a licensed professional engineer (the "designated engineer") to assist the Commission and the Board in the review of proposed streets and street drainage improvements.

Street construction methods and materials shall conform to the Connecticut Department of Transportation Form 816, latest edition, and to the following conditions:

4.16.1. Survey and Field Layout. Instrument surveys shall be made, maintained and recorded as follows:

- a. A centerline survey of the street shall be run in the field a suitable construction ties established to all control points. Stations shall be established to all control points. Stations shall be established at 50 foot intervals and at all points of curvature and points of tangency. The beginning of this line shall be designated a Station 0 + 00 and shall be the intersection point of the proposed centerline with the centerline of the connecting street. Offset hubs shall be revived as part of the centerline survey.
- b. A construction stake shall be placed perpendicular to the tangent, or radial in the case of curves, at each station on both sides of the streets and clear of all construction. The construction stake shall be marked with the station, offset to centerline and cut or fill to profile grade as measured from the top of the stake
- c. A stake sheet showing the stations, profile grade, stake offsets and grades, and cuts or fills shall be prepared and presented to the designated engineer before construction starts.
- d. Permanent bench marks of shall be established throughout the duration of the project and recorded with designated engineer throughout the length of the project at 1,000 feet intervals or as directed by the designated engineer. The datum for bench marks shall be Town, State or US datum and assumed datum may be used only with the permission in writing from the *designated engineer*.
- e. Grade stake shall be protected and preserve until the construction work is approved by the designated engineer.

4.16.2. A construction entrance (anti-tracking pad) meeting the requirements of the State Erosion and Sediment Control Guidelines and shall be installed by the subdivider prior to the start of any construction of a subdivision street at the intersection(s) of that street with an existing paved public road. Erosion and sediment control measures pursuant to an approved Erosion and Sedimentation Control Plan as set forth in these Regulations shall be installed and maintained to function properly throughout the period of construction until all disturbed areas have been stabilized.

4.16.3 Clearing and Grubbing. The entire area of the right-of-way required to be graded in accordance with the standard cross section shall be cleared of trees, stumps, brush, roots, large

rocks, ledge and other unsuitable materials, except that trees suitable for street trees shall be left standing as directed by the designated engineer. Top soil shall be stripped and stockpiled for future use on the site as shown on the construction plan or in other locations approved by the designated engineer. No top soil shall be removed from the site without approval of the Commission subject to the finding by the designated engineer that such material can not be productively used on the site.

4.16.4 The subgrade is that earthwork which is overlaid by the subbase. The fill or borrow material used for the subgrade will be subject to the approval of the designated engineer, no borrow material is to be taken from within the proposed street right of way. It shall be deposited in layers not to exceed twelve (12") inches in depth and rolled to compaction by a roller weighing not less than ten (10) tons until each layer is thoroughly consolidated, for the entire area of construction. Compaction tests shall be performed on the subgrade by an independent testing lab paid for by the applicant. All material shall be compacted to 95% standard proctor density. In cases of fill three feet (3") deep or greater, compaction tests may be required throughout. The number of tests and their locations shall be determined by the designated engineer.

4.16.5 After the subgrade is complete, the *designated engineer* inspects the street and a final determination shall be made for the use and location of underdrains. If groundwater is encountered at an elevation of one foot (1') or less below the subgrade, excavation for the subgrade shall be extended an additional eight inches (8"). The space so provided shall be backfilled and compacted with granular fill materials required for the base course. The intent is to increase the depth of the base course from twelve inches (12") to twenty inches (20") in such areas. At areas of high groundwater or at wetland crossings a layer of woven geotextile shall be installed between the subgrade and the subbase.

All underdrains shall be installed and backfilled sufficiently to drain the street effectively before placement of the base course will be permitted.

4.16.6 On embankments, the subbase shall extend across the full width of the embankment to provide lateral drainage.

4.16.7 The subbase shall be twelve (12") of compacted processed aggregate. The processed aggregate shall be in conformance with Section M.02.02, Grade B Form 816, latest edition (Standards and Specifications for Roads, Bridges and Incidental Construction, 2004). The coarse aggregate must consist of broken stone and not gravel. It shall be rolled up to consolidation by a roller weighing not less than 10 tons (Refer to the above requirements for testing and compaction). Construction methods shall be in accordance with the Connecticut State Highway Specifications, Form 816, latest edition.

4.16.8 The base course shall be eight inch (8") of compacted processed aggregate. The process aggregate shall be in conformance with Section M.05.01, Grade B, Form 816, latest edition. The coarse aggregate must consist of broken stone and not gravel. It shall be rolled up to consolidation by a roller weighing not less than ten (10) tons (Refer to the above requirements for testing and compaction). Construction methods shall be in accordance with Form 816, latest edition.

4.16.9 All underground utilities, including sanitary sewer laterals where applicable, shall be installed prior to the street base, and be located so that future connections will not require excavation of the pavement or digging in the street. Electric, telephone and cable lines and facilities in new streets shall be installed underground unless the Commission has determined that

such underground installation is in whole or in part inappropriate or infeasible. Where possible, such lines and facilities shall not be located under the street pavement.

4.16.10 All new streets shall have a two inch (2") surface course constructed of compacted bituminous concrete in accordance with Form 816, latest edition, Class 2. The thickness of the Class 1 Binder course shall be two (2") inches after compaction by a roller weighing not less than ten (10) tons. Both courses shall be laid by an approved paving machine at a minimum temperature of 250 degrees Fahrenheit. All contact surfaces of catch basins and manholes shall be painted with a tack coat just before the pavement mixture is placed against them. Where proposed pavement meets existing paved road the existing pavement shall be sawcut and a tack coat applied prior to installation of new asphalt.

4.16.11 All disturbed earth surfaces beyond the edge of paving shall receive 3 inches of loam, fertilizer and grass seed. The grass shall be maintained until firmly established. All excess construction materials, stumps, brush, boulders, etc., shall be removed from the site at the completion of work.

4.16.12 Three (3) as-built prints shall be submitted to the Commission and the Board of Selectmen upon completion of the work to document revisions and additions. The as built plan shall meet the following requirements:

Plans and profiles shall be on 24"x36" mylar or other permanent transparent material at a scale of 1"=40' and shall contain the following information:

- street lines and centerline grades at 100 ft. intervals
- lot frontage dimensions
- angles made by the intersection of the street lines with lot lines
- horizontal and vertical location of utilities and drainage facilities
- location of edge of traveled way
- location and type of monuments
- all data necessary to reproduce any and all lines on the ground.

There shall be no more than one street on each sheet.

The as-built street plans shall be prepared upon the completion of the subdivision improvements. The plans shall be prepared by a licensed Professional Engineer and/or Land Surveyor and shall bear his name and seal.

4.16.13 Monuments shall be set on all right-of-way lines of streets, at all intersections, angle points and points of curvature. There shall be a clear foresight and backlight to adjacent monuments on the right-of-way line or lines on which a monument is set. Monuments shall be at least 36" inches long and shall be at least 5" square.

The monuments shall be of granite or of concrete with a center reinforcing rod of a type approved by the designated engineer. The monuments shall not be set before the final wearing course has been completed nor shall they be set while frost is in the ground. They shall be set so that the top is three inches above the finished grade and they shall be so set and tamped as to prevent shifting. The subdivider's surveyor shall certify that the location of all monuments is accurate to A-2 survey standards. Each monument shall be set in place, after all street construction is completed,

with the marked point set on the point of reference and shall be installed in a manner conforming to standards of the Connecticut Association of Land Surveyors.

4.17 STORM WATER RUN-OFF CONTROL PLAN

The developer shall furnish projections of the increase in stormwater run-off created by the entire proposed subdivision development to show that no impact on abutting or downstream properties will occur. The facilities shall be planned and located so as to minimize danger to the life and property of area residents and for ease of maintenance. All storm drainage controls shall be designed by a licensed professional engineer. Measures for the retention and/or detention and controlled release of stormwater run-off from the development shall meet the following standards:

4.17.1 Peak discharges from the 2-year, 10-year, 25-year, 50-year and 100-year frequency, 24-hour duration, type III distribution storms shall be analyzed. No increases in peak flow from these storms shall be allowed. This may be accomplished by detention basins, underground tanks or other effective methods.

4.17.2 The overall drainage system shall be designed such that the run-off rate outside the subdivision, during or after development, does not exceed the rate that existed prior to development. This may be accomplished by retention basins, infiltration basins or other acceptable means as approved by the Commission Engineer.

4.17.3 Maximum infiltration to groundwater is encouraged. Design of the stormwater management system shall consider reducing run-off by use of such techniques as minimizing impervious areas and maximizing travel times by using grass or rock-lined channels in lieu of storm sewers.

4.17.4 For drainage areas of less than ten (10) acres, run-off may be calculated using the Rational Method. Run-off shall be computed in accordance with Technical Release #55, Urban Hydrology, Engineering Division, Soil Conservation Service, USDA, January 1975, as amended, or other recognized methods approved by the Commission Engineer for watersheds exceeding 10 acres and all areas requiring detention. Watershed areas exceeding 100 acres shall be computed in accordance with Technical Release 20 (TR20) or similar method.

4.17.5 Stormwater management system components shall be designed according to sound engineering principles and installed in a sequence that permits each to function as intended without causing a hazard. Single components shall not be installed until plans for the entire run-off management system are completed and approved. Final discharge points shall be approved by the Commission.

4.17.6 All run-off control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where run-off control structures have been accepted by the Town for maintenance, improved access easements shall be provided.

4.17.7 Stormwater management systems shall be visually compatible with the surrounding landscape.

4.17.8 Permits for stormwater management systems may also be required from the Inland Wetlands and Water Courses Agency where such systems may have an impact on inland wetlands, and from the Connecticut Department of Environmental Protection where a dam is to

be constructed or water diverted (see Sections 22a-365 et seq. and 22a-409 of the Connecticut General Statutes).

4.18 STREET DRAINAGE

4.18.1. Storm drainage systems shall be designed by a qualified Professional Civil Engineer, licensed by the State of Connecticut, and reviewed and approved by the Commission or its agent.

4.18.2. The following average storm return frequencies shall be used for drainage designs:

- a. 10 year - all enclosed drainage within roads, from catch basins to outlets, etc.
- b. 25 year - all though culverts under roadways, for streams, and swales and ditches.
- c. 100 year - all bridges, any culvert which carries a major waterway which is subject to seasonal flooding, or which is part of a watershed of more than 1 square mile, or which is otherwise designated by the Selectmen; and all cross culverts on dead-end streets.

4.18.3 The discharge of all storm water shall be into suitable streams or rivers or into Town drains of adequate capacity. Streets and driveways shall be designed so that there will be no discharge of storm drainage onto the travel surface of an existing or proposed street, or into the immediate area of a water supply well or sewage system. Surface drainage shall not be permitted to discharge directly from one lot onto another whether within or without the subdivision except as part of an established watercourse, unless the subdivider has obtained proper drainage easements which must be submitted to the Commission prior to the endorsement of the Final Plan as required by these Regulations. The minimum drainage easement width is 20 feet. Where the Commission Engineer determines that the existing watercourse or Town storm drain system relied upon in the proposed subdivision plan is inadequate, it shall be the responsibility of the subdivider to upgrade the facility at no cost to the Town, and no application may be approved prior to the submission to the Commission of plans that satisfactorily provide for the upgrading.

4.18.4 Where a new project has frontage on an existing road, sufficient improvements shall be made by the subdivider in the said road to ensure proper channeling of gutter flows, and existing drainage deficiencies shall be corrected to control erosion, flooding and other hazards.

4.18.5 The minimum size of storm drains shall be 15 inches in diameter. The minimum size of culverts shall be 18 inches in diameter. All culverts shall have a flared end or headwall at the inlet and outlet. Storm drain pipes shall be designed to flow without surcharge for the specified storm frequency, using the Manning Equation. The maximum distance between manholes or catch basins shall be 200 feet. The minimum slope of pipe shall be 0.3 percent. All discharges shall have splash pools or other end treatment sufficient to prevent erosion. Design of splash pools shall be submitted as part of the overall drainage calculations.

4.18.6 The size of culverts shall be determined in accordance with the Federal Highway Administration Hydraulic Engineering Circular No. 5 and the Connecticut Department of Transportation (D.O.T.) Drainage Manual. Both inlet and outlet control should be checked. Headwater calculations shall be performed to indicate that over-topping of roadway, driveway or embankment shall not occur.

4.18.7 The maximum distance between catch basins on curbed streets shall be 200 feet. Double catch basins with curbs must be provided at all sag vertical curves. Catch basins shall also be provided to serve intersections, turnarounds, and high pedestrian use areas as determined by the Commission. All catch basins shall have two foot sediment sumps.

4.18.8 Open channels may be permitted at the discretion of the Commission. The size of the waterway shall be sufficient in size to convey the peak discharge of a design storm with a twenty-five (25) year return-frequency, except for large watersheds exceeding 50 acres which require greater flows. The channel shall be suitably stabilized against erosion. The side slopes shall be moderately sloped, not steeper than two feet horizontal to one foot vertical (2:1) and be top soiled and seeded or otherwise stabilized as indicated on approved plans.

4.18.9 All drainage and culvert pipes shall have 30 inches of cover, except where waived by the Commission.

4.18.10 The allowable headwater at culverts shall be 18 inches below the road crown, except that it shall not inundate upstream private property without proper land rights.

4.18.11 All channels, riprap, siltation basins, and related soil erosion control measures shall be designed in accordance with the most recent Connecticut Erosion & Sedimentation Guidelines, as amended.

4.18.12 Easements shall also be provided, in locations deemed proper by the Commission or the Commission Engineer, for storm water pipes, water mains, or other utility lines that may need to be installed now or in the future.

SECTION 5 - PLAN REQUIREMENTS

5.1 GENERAL

5.1.1 This section sets forth the specifications and information for the following maps and plans required with a subdivision application:

- a. The Record Subdivision Map which shall be suitable for filing in the Town Land Records.
- b. The Subdivision Site Development Plan which shall show the existing conditions and proposed improvements as required by these Regulations. This is information necessary to permit the Commission to evaluate the proposed plan and determine compliance with these Regulations.
- c. The Construction Plan which shall specify the location, design and construction specifications for the proposed site improvements, such as streets and drainage improvements, etc.
- d. The Erosion and Sediment Control Plan and Narrative which shall specify how erosion and sedimentation will be avoided and contained.

5.2 PROFESSIONAL CERTIFICATION REQUIRED

Plans submitted under these Regulations shall be prepared by the following person or persons:

5.2.1. For a formal application, the design of roads (both horizontal and vertical alignment), drainage systems (including the design and location of structures and pipe), sanitary sewer systems, sewage disposal systems, and water supply and distribution constitute professional engineering and, as such, shall be sealed by a registered professional civil engineer licensed by the State of Connecticut.

5.2.2. For a formal application, the delineation of the boundary lines of the outside perimeter as well as the interior lots and roads constitutes land surveying and, as such, shall be sealed by a land surveyor licensed by the State of Connecticut.

5.2.3. Preliminary plans may be prepared by a registered professional engineer, licensed land surveyor, architect, land planner, landscape architect, or other qualified individual.

5.3 RECORD SUBDIVISION MAP.

5.3.1 The Record Subdivision Map shall meet the following standards and information requirements:

- a. Prepared to Class A-2 type of survey standards as specified the State Board of Registration for Professional Engineers and Land Surveyors.
- b. Scale of 1" = 40'
- c. Title of subdivision.
- d. Owner name and address.
- e. Date, scale, true and magnetic north points, zoning district boundary lines.
- f. Existing and proposed street lines, adjoining property and street lines within 200' of property boundary, names of adjacent property owners.

g. Proposed lots and lot boundaries with monument locations, lot numbers, total acreage, square footage of each lot, building set back lines with dimensions, open spaces with acreage.

h. Where this is required the Record Subdivision Map shall include a notation stating that "The Planning and Zoning Commission as a requirement of approval has specified that on the following lot(s) (enter lot numbers here) development activities, including grading and filling are limited to the "Buildable Area" of the lot as shown on this Map."

The Record Subdivision Map shall also provide notes on the map for each lot subject to a "Buildable Area" limitation stating the development activities which must be contained within the "Buildable Area" (e.g. house site, driveway, septic installation, etc.)

- i. Dimensions of all lines to the hundredth of a foot, all bearings or deflection angles on all straight lines, and central angle, tangent distance and radius of all arcs.
- j. Field located Inland wetlands and watercourses regulated by the Morris Inland Wetland and Watercourse Commission.
- k. Land within the Flood Hazard Area showing base flood elevation data.
- l. Existing and proposed easements, rights of way, encroachment lines and areas reserved for drainage, water courses, wetlands, open space and conservation areas.
- m. Existing buildings and structures.
- n. Existing and approved open space.
- o. Width of streets, rights of way and easements and street names.
- p. Existing and proposed monuments, town boundary line.
- q. Location map showing subdivision in relation to existing streets at scale of not less than 1" = 1,000'.
- r. An index map if more than one plan sheet is required showing entire subdivision with lots, numbers, streets, and identification of areas covered by each plan sheet.
- s. Survey relationship of proposed streets to nearby documented Town streets or State highways.
- t. Approval and endorsement block as required by these regulations.

5.4 SUBDIVISION SITE DEVELOPMENT PLAN

5.4.1. The Subdivision Site Development Plan shall meet the following standards and information requirements:

- a. Plan drawn to scale of 1" = 100' showing existing and proposed conditions and improvements and adjoining property and street lines within 200' of property boundary with names of adjacent property owners.
- b. Title of subdivision.
- c. Owner name and address.
- d. Date, scale, true and magnetic north points, zoning district boundary lines.
- e. Existing and proposed easements, rights of way.
- f. Field locations of wetlands and watercourses.
- g. Flood Hazard Areas with base flood elevations.
- h. Boundaries and classifications of soil types.
- i. Proposed lots and lot numbers, existing and proposed open spaces.
- j. Lot area in square feet and the boundary lines and total acreage of all land in subdivision.
- k. Buildable area for each lot, location of proposed dwelling and proposed driveway corridor.
- l. Location of percolation test pits and deep test holes, location of septic tank and leaching fields showing dimensions for both primary and reserve leaching fields.
- m. In areas proposed for grading or filling and street construction existing topographic contours at two foot contours in all development areas. Contours shall be based on field or aerial survey keyed to town, State or U.S. bench mark where such are within ½ mile of subdivision boundary. In areas not proposed for grading or filling existing topographic contours at ten feet contour intervals may be accepted.
- n. Limits of excavation or filling. Amount of material to be imported to and exported from the site.
- o. Location of historic or archeological sites and principal wooded areas.
- p. Location of ledge outcrops, existing stone walls and fences.
- q. Proposed width of streets, rights of way and easements, width of street pavement, and street names.
- r. Existing and proposed monuments, town boundary line, zoning district boundary lines. Provide a table showing all zoning lot dimensional requirements in accord with the Zoning Regulations including minimum lot area, frontage, setback requirements, lot and building coverage and other lot dimensional requirements for the zoning district.
- s. Existing and proposed storm drains, catch basins, manholes, ditches, watercourses, headwalls, sidewalks, curbs or other structures.
- t. Spot elevations for both existing and proposed streets to show proposed grading of streets.

5.5 CONSTRUCTION PLAN

5.5.1. The Construction Plan shall plans for all proposed streets, drainage and other improvements. Plan and profile drawings shall be provided for all proposed streets, storm drains, gutters, catch basins, watercourses, headwalls, sidewalks, curbs and other structures and underground utilities. Construction plans shall meet the following requirements and show at least the following information:

- a. Plan drawn to scale of 1" = 40' horizontal and at vertical scale of 1" = 4'.
- b. For streets, all information required by these Regulations and the Town Road Ordinance including but not limited to existing and proposed grades at center line, street lines and edge and width of pavement, street cross sections at all cross culverts and a typical street cross section.
- c. Depth, invert, slope and size of all pipes, ditches, culverts, catch basins, headwalls and watercourses, ditch and watercourse cross sections.
- d. Location of lot lines at the intersection with the street line, lot numbers and street names.
- e. Sidewalks, curbs and other structures and underground utilities.

- f. Detail drawings of bridges, box culverts, deep manholes and other special structures.
- g. The words "For location of underground electric, telephone, cable and other facilities of public utilities, inquire of the appropriate utility company."
- h. The words "Approved by the Morris Planning and Zoning Commission" with a designated place for the signature of the Chairman or other authorized representative and the date of signing. Where the construction plan involves the construction of a street, related drainage improvements or other public improvements the words " Approved by the Morris Board of Selectmen" with a designated place for the signature of the First Selectman and the date of signing.

5.6. EROSION AND SEDIMENT CONTROL PLAN AND NARRATIVE

5.6.1 The Erosion and Sediment Control Plan and Narrative shall be submitted where the cumulative disturbed area is more than one-half acre. The narrative report shall describe the manner in which erosion and sediment control will be addressed in accord with the current Connecticut Sediment and Erosion Control Manual. The narrative report may be placed on the site development plan on a separate soil erosion and sediment control plan.

5.6.2 The narrative report shall include:

- a. a description of the development of the project,
- b. overall design criteria relative to erosion and sediment control,
- c. recommended construction details and detailed installation procedures and maintenance programs,
- d. a summary of the sequencing of erosion and sediment control measures with construction phasing, and
- e. a time schedule for:
 - all major construction activities indicating their anticipated start and completion,
 - creating and stabilizing disturbed areas,
 - grading operations,
 - applying erosion and sediment control measures and facilities on the land.

5.6.3 The Erosion and Sediment Control Plan shall contain proper provision for control of erosion and sedimentation and reduce the danger from storm water runoff using the best available technology. The Plan shall be at a scale of 1" = 40' and shall show:

- a. Existing and proposed topography including soil types, wetlands and water bodies.
- b. Proposed site alterations and disturbed areas, including cleared, filled or graded areas.
- c. Two foot contour intervals shall be required in areas of grading or filling. Within other disturbed areas contours shall be at a detail adequate to evaluate the proposal.
- d. Location and design details for all proposed erosion and sediment control measures and facilities.
- e. The sequence of grading, construction activities, installation of erosion and sediment control measures and final stabilization.

5.6.4 Erosion and Sediment Certification and Conditions:

- a. The commission shall either certify the plan complies with these requirements or deny certification where the plan does not comply.
- b. Prior to certification the plan may be submitted to the Soil and Water Conservation District or other qualified individual or group for review and recommendations.

c. Approved erosion and sediment control measures shall be installed as scheduled according to the plan. A performance guarantee shall be required to guarantee completion of the proposed measures.

d. Inspections during development shall ensure compliance with the plan that control measures are properly installed and maintained.

SECTION 6 - ADMINISTRATION

6.1 ENFORCEMENT

These Regulations shall be enforced by the Planning & Zoning Commission and/or its designated representative(s).

6.2 AMENDMENT

The Planning & Zoning Commission may amend, change, or repeal these Regulations after a public hearing in accordance with the statutory requirements of Chapter 126 of the Connecticut General Statutes, as amended.

6.3 CONFLICT

These Regulations are not intended to interfere with or abrogate any other regulation, ordinance, rule, statute or provision of law. Where any provision of these Regulations imposes restrictions different from those imposed by any other provisions of these or other regulations, ordinances, rules, or statutes or other provisions of law, whichever provisions are more restrictive or impose higher standards shall control.

6.4 APPEALS

Any person aggrieved by an official action of the Commission may appeal as provided by CGS Section 8-8, as amended.

6.5 SEPARABILITY

If any section, sub-section, paragraph, sentence, clause, phrase, or portion of these Regulations shall, for any reason, be held to be invalid or unconstitutional by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section or remaining portion of these Regulations.

6.6 PENALTIES

Any person making any subdivision of land without the approval of the Commission shall be fined as provided by CGS Section 8-25 for each lot sold, offered for sale, or so subdivided.

6.7 EFFECTIVE DATE

6.7.1. These Regulations, and any amendments or changes hereto, shall be in full force and effect from the date established by the Commission.

6.7.2. Subdivision Regulations were originally adopted in the Town of Morris with an effective date of June 25, 1957 and all amendments thereto are hereby superceded on the effective date of these Regulations.

6.7.3. The Regulations were comprehensively reorganized and modified with an effective date of June 1, 2010

