

SUBDIVISION REGULATIONS
FOR THE TOWN OF
NORTH CANAAN, CONNECTICUT

Adopted April 5, 1971
Amended and Revised as of April 20, 1989
North Canaan Planning Commission
Amended & Revised as of: March 5, 2005

SUBDIVISION REGULATION FOR
THE TOWN OF NORTH CANAAN, CONNECTICUT

Introduction: Subdivision regulations in this community establish certain minimum standards for the manner in which land is broken up into building lots. Subdivision regulations also set forth standards for the provision and construction of roads, drainage, sewerage facilities, water service and other site improvements necessary to serve building lots.

Standards for the creation of building lots and for establishment of site improvements are necessary as a protection to the public health, safety, convenience and welfare and as a protection to the tax structure of the town.

Subdivision regulations offer protection to the community against haphazard layout of developments and inadequate construction site improvements. Development without adequate standards can mean a substantial tax burden upon the town for later construction that should have been the responsibility of the developer. Enforcement of minimum development standards will assist in assuring growth of sound residential, commercial and industrial neighborhoods of lasting value to the community.

Subdivision regulations also offer protection to the buyer of a lot in a new development by assuring them of precise map layout of their land and proper construction of site improvements necessary for the safe and healthful enjoyment of their property.

Content of Regulations: There are seven sections of the Subdivision Regulations for the Town of North Canaan. These are:

Section I - Purpose: States the objective of and the authority for regulations.

Section II - Definitions: States the definitions of terms to be used in these regulations, along with the policy appropriate to the definitions.

Section III - General Provisions: Sets forth certain customary, general provisions.

Section IV - Procedure: Established the procedure for review of subdivision applications and also lists the maps, plans, sanitary report, and documents which should accompany an application.

Section V - Map Design Standards: Establishes standards for lots, streets and all other property elements that are shown on the proposed subdivision map.

Section VI - Improvements: Establishes standards for design of roads, drainage and all other site improvements to be shown on a construction plan that would accompany a subdivision map. This section provides road and drainage field construction requirements as appropriate.

Section VII - Enforcement, Separability, Amendments & Waivers:
Establishes the basis of enforcement, separability of provisions and methods of amendments and alternate standards and requirements of waivers.

SECTION I - PURPOSE

For the purpose of promoting and protecting the general welfare, health and public safety and providing for the orderly growth of the Town of North Canaan, the integration of each subdivision of land into the land surrounding it, the continuation of streets from one part of the community to another, and the property design and construction of streets, drainage, sewerage and other facilities, the Planning Commission of the Town of North Canaan hereby adopts the following Regulations for the subdivision of land, pursuant to Chapter 126 of the General Statutes of the State of Connecticut, Revision of 1958 as amended.

SECTION II - DEFINITIONS

II. 1: SUBDIVISION means 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, and included re-subdivision.

Policy: The following policies are established with respect to the applicability of the term "subdivision" in the Town of North Canaan under Chapter 126 and the adopted Subdivision Regulations:

- II. 1-A: For the purpose of the definition of "subdivision", any lot, parcel, tract or acreage owned separately from any adjoining lot, parcel, tract or acreage on April 5, 1971, as evidenced by deed or deeds recorded in the Office of the North Canaan Town Clerk, is considered to be a "tract".
- II. 1-B: Any division of such "tracts" by recording of conveyance of a part thereof or filing of map delineating a division of said tract into two or more parts in the Office of the North Canaan Town Clerk is an act of subdivision.
- II. 1-C: When the total of such divisions of a "tract" creates three (3) or more parts in number, from and after April 5, 1971, and occurring over any period of time and in any sequence, a "subdivision" has been made, within the meaning of Chapter 126, and is subject to these Subdivision Regulations.
- II. 1-D: For the purpose of interpretation of this policy, the initial division of a "tract" into two (2) parts (for the purpose, whether immediate or future of sale or "tract"

Subdivision Regulations, but any additional division of either of such of (2) parts results in a "subdivision" that is subject to these Subdivision Regulations.

- II. 1-E: The RECORD SUBDIVISION MAP which is submitted to the Commission for Approval under these Subdivision Regulations need only show the part of the initial tract which is being subdivided under these regulations. It is recommended, however, that all divisions, to the degree practical be shown on the RECORD SUBDIVISION MAP in order to a.) clarify land records and property assessment records and, b.) develop and coordinate the available survey data in the town.
- II. 1-F: When a property line is relocated so it does not establish any new parcels or lots, the commission may at its option upon application to it and payment of an application fee waive any or all parts of the subdivision regulations it deems appropriate. Such waivers must be in compliance with Section VII. 5 of these regulations.
- II. 2: RE-SUBDIVISION means a change in a map of an approved or recorded subdivision or re-subdivision if such change, (a) affects any street layout shown on such a map, (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon or creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

Policy: The following policies are established with respect to the applicability of the term "re-subdivision" in the Town of North Canaan under Chapter 126 and the adopted "Subdivision Regulations"

- II. 2-A: As defined above, certain revisions constitutes "RE-SUBDIVISION" which will be considered by the Commission upon application to it and payment of an application fee. The map of any revision presented to the Commission for approval may be limited to the lots affected by the revision. Reference Section II. 1-E Regarding Record Subdivision Map.
- II. 2-B: When a property line is relocated but does not establish any new parcels or lots, the commission may at its option upon application fee waive any or all parts of the re-subdivision regulations it deems appropriate. Such waiver must be in compliance with Section VII. 5 of these regulations.
- II. 3: TOWN: The Town of North Canaan, Connecticut
- II. 4: COMMISSION: The Planning Commission of the Town of North Canaan, Connecticut.
- II. 5: SUBDIVIDER: The owner of record at the time of filing of an approved subdivision.
- II. 6: STREET: Avenue, boulevard, road, lane, highway, or any other thoroughfare which provides a principal means of access to property, which is improved to allow the safe movement of traffic, and which will handle storm water drainage adequately.

- II. 7: ACCEPTED STREET: A street which has become public by virtue of dedication to and formal acceptance by the Town of North Canaan.
- II. 8: LOCAL STREET: A street or road used primarily for access to abutting property.
- II. 9: COLLECTOR STREET: A street or road which carries traffic from residential streets to primary streets and arterial highways, including the principal entrance to developments and streets for circulation within such developments.
- II. 10: THROUGH STREET: A street or road used primarily for heavy volumes of traffic at highway vehicle speeds.
- II. 11: PUBLIC OPEN SPACE: Any land proposed for public acceptance for open space, park or playground purposes that is approved by the Commission.
- II. 12: WALKWAY: A sidewalk, path, trail or any other easement which provides for movement of pedestrian or other non-motorized traffic.
- II. 13: DEAD END STREET - PERMANENT: A street having only one intersection with another street and having a turn-around entirely surrounded on its frontage with separate lots.
- II. 14: DEAD END STREET - TEMPORARY: A street having one intersection with another street and designed to be extended into adjoining undeveloped land, with a temporary turn-around.
- II. 15: STREET PROFILES: A plan-profile of new streets, showing existing grades and new street profiles, cross-sections, center line data, vertical curves, and drainage and utilities data, coordinated by stations, together with such additional information as may be required.
- II. 16: BUILDING: Any structures having a roof and intended for the shelter, housing or enclosure of persons, animals or materials.
- II. 17: STRUCTURE: A structure is anything constructed or erected which requires location on the ground or attached to something having a location on the ground.
- II. 18: DEVELOPMENT: Includes all physical improvements or changes to the topography of the land made after April 5, 1971, for the purposes of subdivision.

SECTION III - GENERAL PROVISIONS

- III. 1: The following regulations shall apply to the subdivision and re-subdivisions of land within the Town.

- III. 2: No owner or agent of the owner of any land within the Town shall transfer, sell, agree to sell, or negotiate to sell any land from or in a subdivision before any plan for that subdivision has received final approval by the Commission and the endorsed map is recorded in the Office of the Town Clerk.
- III. 3: No subdivision plan shall be filed or recorded by the Town Clerk until its approval by the Commission is endorsed upon the plan map, and any recording of a subdivision plan without such approval shall be void.
- III. 4: Any person, firm or corporation making any subdivision or re-subdivision of land without the approval of the Commission shall be subject to penalties in accordance with the General Statutes.
- III. 5: Any land to be subdivided shall be of such character that it can be used for building purposes without danger to health, safety, and general welfare. No land subject to flooding as defined by Town Flood Plain Ordinance and Conservation and Inland Wetlands Regulations shall be subdivided for residential purposes or for any other use which will aggravate the flood hazard.
- III. 6: Each subdivision plan shall provide for adequate water supply, storm water drainage, surface water drainage, sanitary sewage disposal, fire hydrants, utilities, sidewalks, curbs and any other improvements, in amounts and locations considered necessary by the Commission to protect health, safety and the general welfare. In addition, public open space may be required by the Commission in amounts and locations it considers proper and reasonable for parks and playgrounds, and where required, shall be adequately cleared, graded, drained, and seeded to serve its intended purpose. Utilities and public improvements may be required only when the provision of such utilities and improvements is feasible. A subdivider who does not propose street or other public improvements is not required to be in any way responsible for such improvements in his proposed subdivision.
- III. 7: No privately owned reserved strips which control access to land dedicated for public use or proposed to be dedicated for public use shall be permitted.
- III. 8: Due regard shall be given to the preservation and enhancement of natural features; scenic points, large trees, the natural cover and contours of the land, and other community assets.
- III. 9: No subdivision will be approved that leaves any parcel without Direct access to streets.

- III. 10: The Commission, in reviewing any subdivision or re-subdivision applications and the person, firm or corporation proposing a subdivision or re-subdivision, shall follow the procedures hereinafter specified. The Commission shall not approve any subdivision or re-subdivision plan unless it conforms to the standards hereinafter specified.

SECTION IV - PROCEDURE

- IV. 1: Presentation: All maps, plans, documents and data required by these Regulations shall be presented to the Commission at a regular or special meeting of the Commission held in accordance with the bylaws of the Commission. Such materials may be mailed to the Commission at the North Canaan Town Office Hall or presented to the Chairman or Secretary of the Commission. The receipt of an application, request or appeal shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of the submission to the Commission or its Chairman or Secretary of such application, request or appeal or thirty-five (35) days after submission, whichever is sooner.

A decision on an application for subdivision approval, on which no hearing is held, shall be rendered within sixty-five (65) days after receipt of such application. The applicant may consent to the one or more extensions of such period, provided the total period of any such extension or extensions shall not exceed sixty-five (65) days.

In all matters wherein a formal application request or appeal is submitted to the Commission and a hearing is held on such application, request or appeal, such hearing shall commence within sixty-five (65) days after receipt of such application, request or appeal and shall be completed within thirty (30) days after such hearing commences. All decisions on such matters shall be rendered within sixty-five (65) days after completion of such hearing. The applicant may consent to one or more extensions of any period in this subsection provided the total extension of any such period shall not be for longer than the original period as specified in this subsection, or may withdraw such application, request or appeal.

Failure of the Commission to act within these time constraints shall constitute approval of the application request or appeal.

- IV. 2: Preliminary Consideration: The Commission recommends, but it is not required, that, prior to filing of an official application for approval of a subdivision or re-subdivision, the applicant prepare and present a preliminary layout of the proposed subdivision or re-subdivision for informal discussion with the Commission. The purpose of preparing a preliminary layout is to allow general consideration of factors and problems affecting development of the land to be subdivided before the

applicant proceeds with the formal application and the preparation of required maps, plans and documents. The preliminary layout should be drawn to scale of not less than 100 ft. to the inch and should show existing and proposed property and street lines, drainage, water courses, ponds, wet lands, and flooded plains, existing contours from available U.S.G.S. maps and other sources, the location of any test holes, principal wooded areas and ledge outcrops and any proposed parks, recreation areas, and open spaces. The Commission may hold an informal discussion meeting with the applicant and may recommend any changes in the proposed maps and plans to guide the applicant in making a formal application.

- IV. 3: Application Requirements: In order to apply for approval of subdivision and before the Commission shall consider any proposed subdivision, the following requirements shall be met and information submitted by the person, agent, firm or corporation proposing a subdivision.

IV. 3-A. Application: Application for approval of a subdivision shall be made to the Commission in writing on forms prescribed by the Commission. The application shall be signed by the applicant, and if the subdivision is proposed by a person, firm or corporation other than the owner of the land to be subdivided, the application shall also be signed by the owner. The application shall include an affidavit by the applicant of at the discretion of the Commission, a determination from the Town Conservation and Inland Wetlands Commission as to whether or not inland wetlands as shown on the inland wetlands map or flood hazard areas as shown on the Town's FEMA Flood Hazard Boundary Map in effect at time of application, are included in the land to be subdivided.

IV. 3-B. Application Fee: An application fee shall be as provided by the State statute Chapter 126 unless and until it is superceded by an ordinance establishing a fee schedule for subdivision applications. The application fee shall accompany the application and shall be paid to the Commission.

IV. 3-C. Subdivision Map: A subdivision map shall be submitted, prepared by and bear the seal of a land surveyor licensed to practice in the State of Connecticut, certifying that the accuracy of the information meets standards for a "Class A-2" type survey as specified in the Code of Recommended Practice for Standards of Accuracy of Surveys and Maps approved by the State Board of Registration for Professional Engineers and Land Surveyors. The map shall not exceed 24 x 36 inches, shall be drawn to a scale of not less than 100 feet to the inch and shall be drawn with black waterproof ink on good quality polyester film (mylar). Three (3) blue line or black line paper prints of the map shall also be submitted for records of the Town.

The map shall show the following:

- a. existing and proposed property and street lines.
- b. adjoining property lines for a distance of 200 feet and the names of adjoining owners from current assessor's records.
- c. existing and proposed water courses, ponds, wetlands flood plains, easements and rights-of-way.
- d. existing and proposed parks, recreation areas and open spaces.
- e. proposed lots.
- f. all dimensions and all bearing or angles on all property lines, proposed lots, street lines, easements, rights-of-way, parks, recreation areas and open spaces.
- g. the central angle, tangent distance and radius of all arcs.
- h. the width of all streets, rights-of-way and easements.
- i. the approximate square footage or acreage of all lots, parks, recreation areas, playgrounds and open space.
- j. lot numbers.
- k. monument sites and street names.
- l. the survey relationship of proposed streets to nearby monument located on Town or State highway.
- m. title, date, scale, town and north point.
- n. the words "Approved by the North Canaan Planning Commission" with a designated place for the signature of the Chairman and date of signing.
- o. the error of closure, which shall not exceed 1 in 5,000. -
- p. an index map if the proposed subdivision is directed into sections or is of such size that more than one map is required, and location map (scale 1" = 1,000') showing the location of the subdivision in relation to streets in Town.

The Commission at its discretion may waive certain of the requirements (a through p) for the above mentioned subdivisions if no street construction is involved. Such waiver must be in compliance with Section VII. 5 of these regulations.

- IV. 3-D: Site Development Plan: A site development plan shall be submitted. The site development plan shall be drawn to same scale and the subdivision map and shall show existing and proposed property and street lines, proposed lots, existing and proposed drainage, water courses, ponds, wetlands, floodplains, existing contours from available U.S.G.S. principal wooded areas and ledge outcrops and any proposed parks, recreation areas and open spaces. The site development plan shall be prepared by a land surveyor or engineer, licensed to practice in the State of Connecticut and may be prepared as a map based on, but separate from, the subdivision map. Three (3) blue line or black line paper prints of the site development plan shall be submitted.
- IV. 3-E: Construction Plans: Plan and profile drawings of proposed streets, storm drains, sanitary sewers, catch basins, manholes, ditches, water courses, headwalls, sidewalks, curbs, gutters and other structures shall be submitted. Plan profile drawings shall be submitted on 24" x 36" good quality Polyester Film (mylar) and shall be drawn to a horizontal scale of one inch to 40 feet and a vertical scale of one inch to four (4) feet; three (3) blue line or black line paper prints of the drawings shall also be submitted. Profile drawings and elevations shall be based on Town, State or U.S. bench marks or on a suitable bench mark approved by the Selectmans Office, noted and described on the map. In the case of streets, profiles shall show the existing grades and proposed elevations at the centerline and both street lines. The depth, invert, slope and size of all pipes, ditches and streams shall be shown. Detail drawings of any bridges, box culverts, deep manholes and other special structures shall also be submitted. All construction plans shall bear the seal of an engineer licensed to practice in the State of Connecticut.
- IV. 3-F: Erosion and Sedimentation Control Plan: An erosion and sedimentation control plan shall be submitted for certification by the Commission for any subdivision application which will involve a cumulative disturbed area that is more than one-half acre.
- IV. 3-F.1: Information and Requirements: A soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Mapped information as required below shall be shown separately or as a part of the subdivision plan and construction plan. Said plan shall contain, but not be limited to:
- a. A narrative describing the:
 - development project -- time scheduled for: - all major construction activities indicating the anticipated start

and completion of development - creating and stabilizing disturbed area. - grading operations - applying erosion and sediment control measures and facilities onto the land -- design criteria, construction details, detailed installation/application procedures and maintenance program - soil erosion and sediment control measures.

b. A site plan map to reveal:

--existing and proposed topography -- within the disturbed area topographic contours shall be at no less than two foot intervals based upon field survey -- proposed site alterations and disturbed area, including cleared, excavated, filled or graded areas -- location of and other detailed information concerning erosion and sediment control measures.

IV. 3-F.2: Minimum Acceptable Standards:

a. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapter 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed: and does not cause off-site erosion and/or sedimentation.

b. The minimum standards for individual measures are those in the Connecticut guidelines for Soil Erosion and Sediment Control (1985), as amended. The Commission may grant exceptions when requested by the applicant if technically sound reasons are presented.

c. The appropriate method from Chapter 9 of the Connecticut Guidelines for Soil Erosion and Sediment Control (1985), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

IV. 3-F.3: Issuance or Denial of Certification:

a. The Commission shall either certify that the soil erosion and sediment control plan complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations.

b. Prior to certification, any plan submitted to the Commission may be reviewed by the Litchfield County Soil and Water Conservation District which may make recommendations concerning such plan.

IV. 3-F. 4: Conditions Relating to Soil Erosion and Sediment Control

- a. Planned soil erosion and sediment control measures and facilities shall be installed as schedules may require a performance bond or other acceptable assurance to guarantee completion of the proposed erosion and sedimentation control measures.
- b. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

IV. 3-F. 5: Inspection - Inspections by the Commission or its authorized agent during development shall ensure compliance with the certified plan and that control measures and facilities are properly performed, installed and maintained.

IV. 3-F. 6: Definitions For Erosion Control Plan

- "Certification" means approval by the Commission that soil erosion and sediment plan complies with the applicable requirements of these regulations.
- "Disturbed area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
- "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been removed from its site of origin by erosion.
- "Soil" means any unconsolidated mineral or organic material of any origin.
- "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

IV. 3-G. Engineer's Report: If subdivision is served by a public sewer system, Section IV. 3-G thru IV 3-G.3 do not apply. Otherwise, the applicant shall file with the application a report signed by a professional engineer licensed by the State of Connecticut showing the following:

- a. General nature and development of surrounding area shown on map with explanatory text.
- b. Topography and natural drainage pattern.

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- c. Sub-surface conditions as shown by sub-surface investigation, including soil absorption characteristics, ground water level conditions, ledge rock and general nature of soil.
 - d. General description of type of development contemplated noting type of dwelling units and structures, number of families per structure, and number of bedrooms per dwelling unit.
 - e. Detail of Sewage Disposal Facilities by Individual Lot: Less than 1 1/2 acre lots single family and all proposed multiple family and commercial structures. Detailed description and drawings of proposed sewage disposal facilities, indicated sizes for various ground conditions, test results, materials to be used and general layout pattern and location to be used. Plans must also show the location of any proposed private wells such that wells drilled into bed rock are 75 feet from all existing and proposed septic system, 65 feet from property lines, 200 feet from underground or outdoor gasoline or oil storage and; for gravel packed or dug wells or springs, a minimum of 100 feet from any existing or proposed septic system, 90 feet from property line, 250 feet from existing underground or outdoor gasoline or oil storage and 50 feet from open water course or body of water. Plan is to be prepared by a Professional Engineer licensed to practice in the State of Connecticut and approved by the Town of North Canaan Sanitarian.
1 1/2 acres and more, but less than 3 acre for single family homes Report by Professional Engineer or Registered Sanitarian, licensed to practice in the State of Connecticut, detailing the testing results required in Section IV. 3-G.1, confirming compliance with the private well separating distances required for less than 1 1/2 acre lots with specific notice of Section IV. 3-G.2.
3 acres and larger for single family homes. Report by Professional Engineer or Registered Sanitarian, licensed to practice in the State of Connecticut, with specific notice of Section IV. 3-G.1 which is waived for lots in this category provided the basis of the engineer's report supports the waiver. Specific notice of Section IV. 3-G.2 is required.
 - f. Special precautions that may be necessary to provide proper functioning of the proposed disposal system.
 - g. Flood heights of any nearby streams, brooks, rivers or water bodies.

IV. 3-G.1 The report shall contain test results and engineering evaluation of test results based on an extensive sub-surface investigation.

- a. The first step is to determine whether the soil is suitable for the absorption of septic tank effluent, and if so, how much area is required. The soil must have an acceptable percolation rate, without impervious strata below the level of the absorption system.
- b. The technical standards shall be in accordance with commonly accepted standards and procedures with particular reference to the Sanitary Code of the State of Connecticut and the Town of North Canaan Regulation pertaining to sub-surface sewage disposal systems and private water supply wells and underground petro tanks. Unless these conditions are satisfied, the area is unsuitable for sub-surface sewage disposal systems in a subdivision.
- c. Sub-surface explorations are necessary to determine sub-surface formation in the area. Percolation rates shall be figured on the basis of the test data obtained after the soil has had opportunity to become saturated, and has had opportunity to swell. The minimum number of tests acceptable for sub-surface investigation for a subdivision area will be:

Percolation Test: 1 per acre or 1 per lot, whichever is smaller.

Observation Holes: 1 per lot.

Probes for Rock: 1 per lot, unless rock is encountered, in which case a sufficient number to locate and plot the general ledge profile will be required.

Percolation tests shall be taken at or below the probable level of the proposed disposal system. A minimum depth of 36 inches will be required for the percolation test holes. All other tests shall be made to a depth at least three (3) feet below the probable elevation of the disposal facilities. The same care taken in selecting the location of the percolation test holes shall be employed in the location of the other tests. A minimum depth of six (6) feet will be required for these other tests. Before testing commences, the North Canaan Health Officer shall be notified so that he or his representative may be present to observe the testing if he deems necessary.

IV. 3-G.2: The report shall contain a statement by the engineer that, in his professional opinion, the area is suitable for the installation of individual sewage disposal systems of the general type and size described in his report. Any reservation or special conditions considered necessary by the engineer shall be repeated in this portion of his report.

- IV. 3-G.3: The sanitary report shall be well written, comprehensive and documented study, meeting all of the above requirements. If, in the opinion of the Health Officer the sanitary report is incomplete as to the required information, he may require additional documentation sufficient to correct the report's deficiencies.
- IV. 3-H: Notice to abutting owners: The applicant shall send notice to all abutting owners and owners within 100' of the proposed subdivision, of the time and place of the public meeting at which the subdivision application will be legally received by the Commission. Names and addresses of owners to be Notified are those on file in the tax assessors office. The notice shall be sent by certified mail, return receipt requested, at least ten (10) days before the meeting. Return receipts shall be submitted to the Commission by the public meeting when the application is legally received.
- IV. 4: Consideration of Plans: After the foregoing application requirements have been met, the Commission shall pursue the following procedure:
- IV. 4-A: Sanitation Report: When the subdivision is not to be served by Town sanitary sewers or by public water supply of a public utility company, the Commission shall transmit a copy of the reports, maps, and plans to the North Canaan Sanitary Officer with a request for a report as to whether or not the land to be subdivided and the subdivision plans are satisfactory for private on-site sewage disposal and water supply systems consistent with the requirements of IV.3 G of these Regulations. The Health Officer shall submit his findings to the Commission for their consideration within thirty (30) days of the receipt of this information. Failure to respond within thirty (30) days may be construed as endorsement.
- IV. 4-B: Board of Selectmen: The Commission shall transmit a copy of the maps and plans to the Board of Selectmen with a request for a report concerning the suitability of the construction plans and any relationships between the subdivision layout and existing Town streets and drainage systems. The Board of Selectmen shall submit their findings to the Commission for their consideration within thirty (30) days of the receipt of the information. Failure to respond within thirty (30) days may be construed as endorsement.
- IV. 4-C: Public Hearing: The Commission shall give consideration to the proposed subdivision, and if it shall find that the maps and plans and the accompanying certificates, documents and data conform to the requirements of these

Regulations, the Commission may hold a public hearing on the subdivision application. Any application which is not complete in all respects may be rejected by the Commission. The Commission may also request the submission of such additional evidence that it deems necessary for a reasonable review of the proposed subdivision. Notice of the public hearing shall be given by publication twice in a newspaper of general circulation in the Town at intervals of not less than two (2) days, the first not more than fifteen (15) days nor less than ten (10) days and the last not less than two (2) days prior to the date of such hearing and by sending a copy thereof by certified mail to the applicant. The Commission shall hold a public hearing on any application for a resubdivision.

IV. 4-D:

Final Approval: The Commission, after the public hearing if any, shall give approval to the proposed subdivision if it shall find that the subdivision map and plans and accompanying certificates, documents and data conform to the conditions and requirements of the Regulations. In granting approval the Commission may attach such conditions that it deems necessary to modify the subdivision and ensure satisfactory accomplishment of the following:

- a. completion of any required subdivision improvement including but not limited to streets, storm sewers, sanitary sewers, and water supply or the execution of an agreement and posting of a bond to guarantee such completions;
- b. presentation of conveyances to the Town for easements and open spaces; and
- c. presentation of a copy of a permit from the Connecticut Department of Transportation when any proposed road or drainage system joins with a State Highway.

IV. 4-E:

Map Endorsement and Bond: Subdivision approval shall not be deemed to take effect until all of the conditions of approval, if any, have been met and the subdivision map has been endorsed by the Commission. The Commission shall not endorse the subdivision map to permit filing with the Town Clerk until all conditions of final approval have been met and all required subdivision improvements have been completed in accordance with the plans as approved. In lieu of completion of all or part of required improvements prior to endorsement of the subdivision map, the applicant may file with the Commission or their agent, a surety, cash or savings account bond, in form and with surety acceptable to the Commission and in such amount as the Commission may deem sufficient to insure the completion of subdivision improvements within two (2) years in accordance with the

plans as approved. Upon completion of all improvements required, the Commission may require a maintenance bond for one year equal to 20% of the cost of such improvements to assure the Town against defects in design, workmanship and/or materials.

IV. 4-F:

Easements and Deeds: Easements for sanitary sewers and public rights-of-way and easements for storm drainage and water courses draining existing or proposed public streets that may be constructed in the future shall be confirmed by written easements and deeds describing the land involved and the extent of privileges granted the Town, in a form satisfactory to the Town Counsel.

IV. 4-G:

Filing: The subdivision map, easements and deeds shall be filed or recorded by the applicant at his expense with the Town Clerk within ninety (90) days following its approval by the Commission or within ninety (90) days of the date upon which such plan is taken as approved by reason of the failure of the Commission to act. Any plan or map not so filed or recorded shall become null and void, unless the time is extended by the Commission.

IV. 4-H:

Release of Conditions: At the request of the applicant, the Commission shall execute a statement certifying that the subdivision has received approval, that all of the conditions of approval have been met and that all required subdivision improvements have been completed in accordance with plans as approved.

IV. 4-I:

Certificate of Compliance: Before release of any subdivision bond, or before the Commission endorses any subdivision map to permit filing with the Town Clerk when no subdivision bond has been posted, the Commission may request the applicant to present a statement, signed and sealed by a land surveyor or engineer licensed to practice in the State of Connecticut, certifying that such surveyor or engineer has inspected all of the required construction work and that all of the required improvements have been completed in accordance with plans and specifications as approved.

IV. 4-J:

Date on Map: The Commission shall endorse on the plan to be filed with the Town Clerk, the date on which the approval will lapse in accordance with 8-26c C.G.S.; to wit: 5 years from the date of approval unless all improvements have been completed as provided by law.

- IV. 4-K: Fines: in lieu of the completion of the work, or filing a bond to assure such completion, the Commission may authorize the filing of a plan with "Conditional Approval" endorsed thereon. The conditions shall be completion of all improvements and utilities required by the Commission or filing of a bond as required in IV. 4-E to assure such completion. Such approval shall lapse two (2) years from the date of such approval unless renewed by the Commission. At any hearing for renewal, the amount of bond shall be reviewed to assure the town is in an assured position for the cost of remaining improvements. No lot may be sold or offered for sale until the conditions have been fulfilled and the Commission has endorsed "Final Approval" on the plan. Any person, firm or corporation who sells or offers any such lot for sale shall be fined up to statutory limits of state law.

SECTION V - MAP DESIGN STANDARDS

- V. 1: General: The following regulations and design standards shall apply to the planning and map layout of streets, lots, parks, recreation areas and other improvements and facilities shown on the subdivision map.
- V. 2: Building Lots: The proposed lots shall be of such shape, size, location, topography and character that buildings can be reasonably constructed and that they can be occupied and used for building purposed without danger to the health and safety of the occupants and the public. Any lot which is found to be unsuitable for occupancy and building by reason of water or flooding conditions, unsuitable soil, topography, ledge rock or other conditions shall be combined with another lot that is suitable or shall be marked "This is not an approved lot" on the subdivision map, until necessary improvements to the lot have been made and approved by the Commission and a revised subdivision map has been submitted to and approved by the Commission.

Generally no individual tract or lot in a subdivided parcel shall be smaller than .50 acre when served by a public sewer - or 1.0 acres when serviced by a private disposal system, unless the commission finds a less area to be sufficient for the proposed usage and structures to be placed thereon.

- V. 3: Public Open Spaces:
- V. 3-1. The Commission may require the reservation of up to 15% of the land included within an application, for public open space. The land so reserved shall be chosen on the basis of its value in:

- A. Protecting and conserving endangered natural, cultural land historic resources including flood plain, wetlands, streambelts, ridgetops, rock outcroppings, stone walls, substantial specimen trees, important farmland soils as defined by the Soil Conservation Service and other unique and fragile features;
 - B. Enhancing living conditions;
 - C. Creating active recreational opportunities including hiking;
 - D. Establishing buffer areas between adjoining land uses;
 - E. Establishing linkages connecting open spaces;
- V. 3-2. No privately owned reserved strips which control access to land dedicated to the Town or similarly qualified organization or proposed to be dedicated to the Town shall be permitted.
- V. 3-3. Where required by the Commission, such reserved land shall be accessible from a public road.
- V. 3-4. Such land shall be permanently protected by a conservation easement preventing further development or by the transfer of a fee interest. The beneficiary of the easement, or the recipient of the fee interest, may be, as determined by the Commission in its sole discretion, a suitable nonprofit organization, the Town of North Canaan, an association of all the homeowners of land within the land subject to the application, or another organization approved by the Commission. Proper provision shall be made in the deeds through covenants and the creation of neighborhood associations or by other means acceptable to the Commission to ensure the preservation of, the responsibility for, and the maintenance of the open spaces are offered to and accepted by the Town.
- V. 4: Solar Access: Subdividers shall establish in their applications that, in the preparation of the final subdivision plan, they have considered the use of passive solar energy techniques which would not significantly increase the cost of the housing to the buyer after considering tax credits, subsidies and exemptions. Passive solar techniques mean 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 cooling during the cooling season. These techniques include:
- A. House orientation and siting, so that the building is sited as close to the north lot line as possible to increase yard space for better owner control of shading.
 - B. Lot layout, so that the maximum number of building lots are placed on the south slopes.

- C. Landscaping, by showing the location of any new trees with their mature height including canopy, and the planing of landscaping to facilitate the use of solar collectors and otherwise increase solar heat gain or shade protection as appropriate.

V. 5: Conservation Development: It is the purpose of this section to permit variations in residential subdivision design which would not otherwise be possible; permit flexible site design so that development may be constructed in harmony with and preserve natural site features and farmlands; and permit residential developments which are sensitive to parcel configuration, topography, natural features, and the surrounding neighborhood.

A subdivider may therefore elect to present a Conservation Development form of subdivision, whereby single family detached dwellings are grouped closely together to achieve the purposes stated above. The Commission may approve such a subdivision if it meets the requirements of this Section and all applicable Sections of the Planning Regulations.

SECTION VI - IMPROVEMENTS

VI. 1. STREET SPECIFICATION:

VI. 1-A. Planning and Design: The planning and design of Town Streets shall be in accordance with Table I and the following items:

VI. 1-A.1 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.

VI. 1-A.2. Layout of New Streets: Proposed streets shall be in harmony with existing and proposed thoroughfares shown on the adopted Town Plan of Development, including proposed realignments, and their layout and design shall be determined in each case by the Commission.

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 a 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. However, on existing and/or proposed residential streets, new side street connections shall be kept to a minimum.

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, and accepted by the Town, shall be used as the means of traffic access to a subdivision.

- VI. 1-A 3. Existing Streets: Where an existing street is to provide frontage for new lots or access to a new street, the portion of the street fronting the subdivision, or giving access to a subdivision, shall be brought to sufficient conformity with all standards of these Regulations. The subdivider will 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.

- VI. 1-A 4. Dead-End Street System: A permanent dead-end street system may be permitted where the Commission determines that: future access and circulation needs will not require interconnecting streets, and street continuity is not feasible for reasons of topography, wetlands, and other site conditions. Such a dead-end street system shall be limited to one of the following:

- a. A cul-de-sac street terminating in a circular turnaround, and not exceeding 1,000 feet in length and serving no more than 12 lots.
- b. A loop Street, not exceeding 3,000 feet in length, enclosing an area at least 600 feet in depth everywhere served by a single connecting residential collector street not over 750 feet in length, unless waived by the Commission for reasons of Topography. Such waiver must be in compliance with Section VII. 5 of these regulations.

No dead-end street shall be laid out from another dead-end street system.

- VI. 2 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.

- VI. 2-A Temporary dead-end streets shall:

1. be limited to a constructed total length of 2,000 feet.

2. serve no more than twelve (12) lots.
3. terminate in a temporary circular turnaround.
4. provide a monumented right-of-way and dedication to the Town of the land required for any future street extension as determined by the Commission, and
5. be of an appropriate class for the permanent intended use.

VI. 2-B

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

1. dedication of the required right-of-way for future street extension;
2. a statement that the turnaround will be removed when the street is extended;
3. delineation of the resulting street and right-of-way boundary lines when the street is extended and the turnaround is removed;
4. delineation of the required setback lines for the street when extended, using current setback requirements; and
5. a statement that the excess area beyond that required for the extended paved street will be topsoiled and seeded by the future subdivider at his expense.

No buildings shall be located forward of the setback line delineated for an extended street under subsection IV. 2-A (4) of this section.

VI. 3

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 fifty-seven (57) feet. Within said turnaround there shall be a circular roadway, with a twenty (20) foot paved surface constructed as shown in Appendix A of these regulations. There shall be a natural of low-maintenance planted island at the center of the circle with a diameter of fifty (50) feet. Maximum roadway gradient within the turnaround shall be six percent (6%), with a minimum gradient of two percent (2%).

VI. 4

Intersections: Street intersections shall conform with the following items and tables.

- a. A minimum separation distance of 500 feet from other intersecting streets shall be maintained on the same side of the connecting roadway, unless the same is not feasible because of topography, natural conditions,

visibility factors or available frontage in which case the Commission shall specify conditions or control to ensure traffic safety.

- b. A minimum unobstructed sight-line distance along each intersecting street equal to 250 feet on town roads and preferably equal to 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 sixty (60) degrees.
- d. Maximum travel way gradient at centerline, for all new intersecting streets, of three percent (3%) for a distance of fifty (50) feet 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 fifteen (15) feet.

VI. 5

Curbing: Precast concrete curbing, concrete curbing poured on place, or granite curbing shall be used under the following conditions:

- a. all nonresidential areas except as waived by the Commission.
- b. where required by the Commission.
- c. along pavement radii at intersections to the point of tangency

VI. 6

Sidewalks: Sidewalks shall be provided for under the following conditions:

- a. within one half mile of public schools and non-public school specified by the Commission.
- b. retail areas
- c. public bus stops
- d. where required by the Commission.

VI. 7. Guide Rails: Guide rails shall be used:

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

VI. 8. Driveways: Driveways serving all lots and building sites shall have a maximum travel way gradient of fifteen percent (15%). Where necessary, the Commission may approve a driveway design, as part of a lot development plan, with travel gradient up to fifteen percent (15%) for not more than one hundred (100) feet in length. Driveways in subdivisions with grade over eight percent (8%) shall be paved with bituminous concrete.

Driveway intersections with the frontage road shall be planned for safety, considering adequate sight-line distances and the nature and volume of subdivision and construction plans.

A construction entrance (anti-tracking pad) as shown in Figure I shall be installed by the subdivider prior to the start of construction on any lot that abuts an existing public street.

Driveway entrances shall be paved from the edge of the street travel way to the property line.

VI. 9. 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, granting slope rights to the town in a form approved by Town Counsel. Such slope rights must be obtained by the applicant prior to approval of the subdivision application.

VI. 10. Street Construction: Street construction methods and materials shall conform to the Connecticut Department of Transportation Form 813 (or the latest copy thereof), to Table 1 of these Regulations, and to the following conditions:

- a. The street right-of-way shall be staked out prior to beginning any construction work.

- b. Line and grade stakes shall be placed not more than fifty (50) feet apart. On horizontal curves, the stakes shall be spaced not more than twenty-five (25) feet apart. A construction entrance (anti-tracking pad) as shown in Figure I 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 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.
- c. Top soil shall be stripped and stockpiled for future use on the site, as directed or approved by the Commission or its agent, and shall not be removed from the site without approval of the Commission or its agent.
- d. 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 Selectmen. It shall be deposited in layers not to exceed twelve (12) inches in depth and rolled to a compaction by a roller weighing not less than ten (10) tons until each layer is thoroughly consolidated, to 95% modified proctor density for the entire area of construction. Compaction tests shall be performed on the subgrade. In cases of fill three (3) feet deep or greater, compaction tests may be required throughout. The number of tests and their locations shall be determined by the Board of Selectmen or their agent.
- e. After the subgrade is complete, the Board of Selectmen of their agent shall inspect 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 (1) foot or less below the subgrade, excavation for the subgrade shall be extended an additional eight (8) inches. 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 (12) inches to twenty (20) inches in such areas.

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

- f. On embankments, the subbase shall extend across the full width of the embankment to provide lateral drainage.
- g. The subbase shall be six (6) inches of compacted processed aggregate. The processed aggregate shall be in conformance with section M. 05.01 of the Form 813.
- h. 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.
- i. All new streets shall have a 2 1/2" two course surface course constructed of dense bituminous concrete in accordance with Connecticut State Highway Specifications, Form 813. The thickness of the Class I Binder course shall be 1 1/2" 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 thin coat of hot asphalt cement just before the pavement mixture is placed against them.
- j. All disturbed earth surfaces beyond the edge of paving shall receive 4" 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.
- k. Three (3) as-built prints shall be submitted to the town by completion of the work to document revisions and additions. A final mylar as-built shall be submitted before Final Town acceptance of the road.
- l. Monuments shall be set on all rights-of-way lines of streets, at all intersections, angle points and points of curvature. There shall be a clear foresight and backsight to adjacent monuments on the right-of-way line or lines on which a monument is set. Monuments shall be at least 48" long and shall be at least 4" square.

The monuments shall be of granite or of concrete with a center reinforcing rod of a type approved by the Selectmen. 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 3" above the finished grade and they shall be so set and tamped as to prevent shifting.

The subdivider's engineer and/or surveyor shall certify that the location of all monuments is accurate before acceptance of the street by the Town at a Town Meeting.

- m. Street signs shall identify both intersecting streets and shall conform to the Town's Standard and shall be installed by the subdivider.

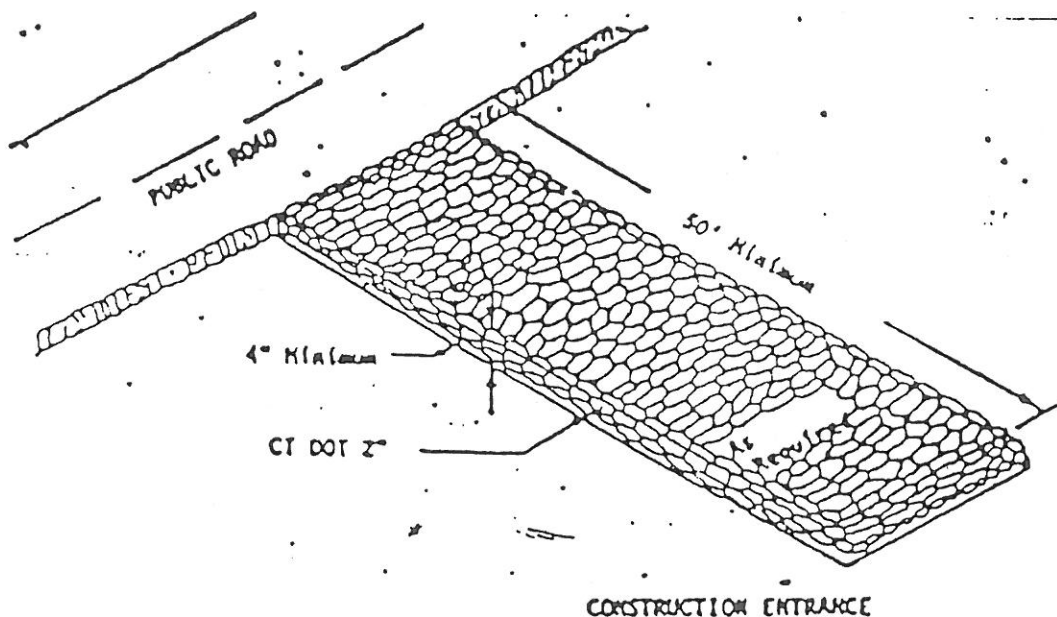
NORTH CANAAN SUBDIVISION REGULATIONS

FIGURE I

CONSTRUCTION ENTRANCE

OR

ANTI-TRACKING PAD



DESIGN CRITERIA

a. Aggregate Size

Use ASTH C-33, size No. 2 or 3, or CT. DOT 2" size crushed gravel.

b. Entrance Dimensions

Thickness - not less than four (4) inches.

Width - not less than full width of points of ingress or egress.

Length - 50 feet minimum where the soils are sands or gravels or 100 feet minimum where soils are clays or silts, except where the traveled length is less than 50 or 100 feet respectively.

At poorly drained locations subsurface drainage should be installed before installing the stabilized construction entrance.

VI. 12 Street Drainage: Storm Drainage systems shall be designed by a qualified Professional Engineer, licensed by the State of Connecticut, and reviewed and approved by the Commission or its agent.

VI. 12-A The following average storm return frequencies shall be used for drainage designs:

10 year - all enclosed drainage within roads, from catch basins to outlets, etc.

25 year - all through culverts under roadways, for streams, and swales, and ditches.

50 year - major streams with watersheds of between 1 and 10 square miles.

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 10 square miles, or which is otherwise designated by the Selectmen.

VI. 12-B 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 to the travel surface of an existing or proposed street, nor 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. The minimum drainage width is twenty (20) feet. Where the Town engineer determines that the existing watercourse of 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.

VI. 12-C Where a new project has frontage on an existing road, sufficient improvements shall be made by the subdivider in the said road to insure proper channeling of gutter flows, and existing drainage deficiencies shall be corrected to control erosion, flooding and other hazards.

- VI. 12-D The Rational Method may be used to design drainage systems serving watersheds of less than 100 acres, except where detention basins are required. The Soil Conservation Service hydrology methods (TR-55, TR20) shall be used for watershed of over 100 acres and all detention basins.

- VI. 12-E The minimum size of storm drains shall be fifteen (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 350 feet. The minimum slope of pipe shall be 0.5 percent. All discharges shall have splash pools or other end treatment sufficient to prevent erosion.

- VI. 12-F The size of culverts shall be determined in accordance with the Federal Highway Administration Hydraulic Engineering Circular No.5 and the Connecticut D.O.T. Drainage Manual. Both inlet and outlet control should be checked.

- VI. 12-G The spacing of catch basins shall be based on "gutter flow analysis" but the maximum distance between catch basins on curbed streets shall be 300 feet. Double catch basins with curbs must be provided at all sag vertical curves. Catch basins with curbs must be provided to serve intersections, turnarounds, and high pedestrian use areas as determined by the Planning Commission. All catch basins shall have sediment sumps.

- VI.12-H 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 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 the topsoiled and seeded or otherwise stabilized as indicated on approved plans.

- VI.12-I All pipes shall have 24" inches of cover, except where waived by the Commission.

- VI.12-J The allowable headwater at culverts shall be eighteen (18) inches below the road crown, except that it shall not inundate upstream private property without proper land rights.

- VI. 12-K All channels, riprap, siltation basins, and related soil erosion control measures shall be designed in accordance with the DEP "Guidelines for Erosion and Sediment Control".

- VI. 12-L Easement having a minimum width of 20 feet or such greater width as may be required by the Town engineer shall be provided for all storm water pipes and open channels which will not be installed in streets to be dedicated to the Town. The easement shall be located so that the pipe is 5 feet or more from the boundary of such easement. Easements shall also be provided, in locations deemed proper by the Commission or the Town engineer, for storm water pipes, water mains, or other utility lines that may need to be installed in the future.

Residential Subdivision Streets
Design Guidelines
Table 1

Design Element Through	Local Street	Collector or Street
Number of Homes	Up to 50	More than 50
Avg. Daily Traffic (vpd)	Up to 500	More than 500
Right-of-way Width (ft)	50	60 Pavement
Width (ft)	26	34
Design Speed (mph)	30	35
Stopping Sight Distance (ft)	200	250
Grade (%)		
Minimum	1%	1%
Maximum	10	10
Min. Curve Radius (ft)		
Normal Crown	300	450
Superelev (.04 ft/ft)	DNA	345
Crown	3/8" per ft.	3/8" per ft
Min. Tangent (ft)	50	100
Min. Pavement Structure (in)		
Bituminous Concrete	2 1/2	2 1/2
Base Course, Processed Agg	6	6
Driveways		
Min. Width (ft)	10	10
Radius (ft)	5	5
Max. Grade (%)	15	15

- VI. 13 Sidewalks: Where sidewalks are to be installed, as determined by the Commission, they shall be constructed of portland cement concrete or bituminous concrete or other surface approved by the Commissioner as follows:

- A. Width and Location: Sidewalks shall be a minimum of 4 feet in width and shall be located within the street lines with one edge abutting the property line. The requirements of Connecticut General Statutes 7-118a shall be complied with wherever applicable

- B. Bituminous Sidewalks: Bituminous concrete sidewalks shall be laid on a six (6) inch gravel base, tamped and rolled, and 2 1/2" inches thick after compaction. The bituminous materials used shall conform to Form 813, Section M.04.10 and the construction shall conform to Section 9.22.
- C. Concrete Sidewalks: Portland cement concrete sidewalks shall be laid on a six (6) inch bank run gravel base, tamped and rolled and shall be constructed of concrete five (5) inches in thickness. Materials shall conform to Form 813, Section M.03.10 for Class "A" concrete and shall be constructed in accordance with Form 813, Section 9.12.

VI. 14 Utilities: All utilities shall be installed underground so far as practical.

VI. 15 Street Trees: When deemed necessary by the Commission, street trees shall be planted along both sides of the street no more than fifty (50) feet apart.

Trees suitable to North Canaan are recommended, such as the following:

Maples	-	Norway Maple, Sugar Maple, Red
Maple Oak	-	Pin Oak, Red Oak, White
Oak Ash	-	White Ash
Beech	-	American Beech
Pine	-	White Pine, Scotch Pine
Hemlock		
Black Locust		
Tamarack		

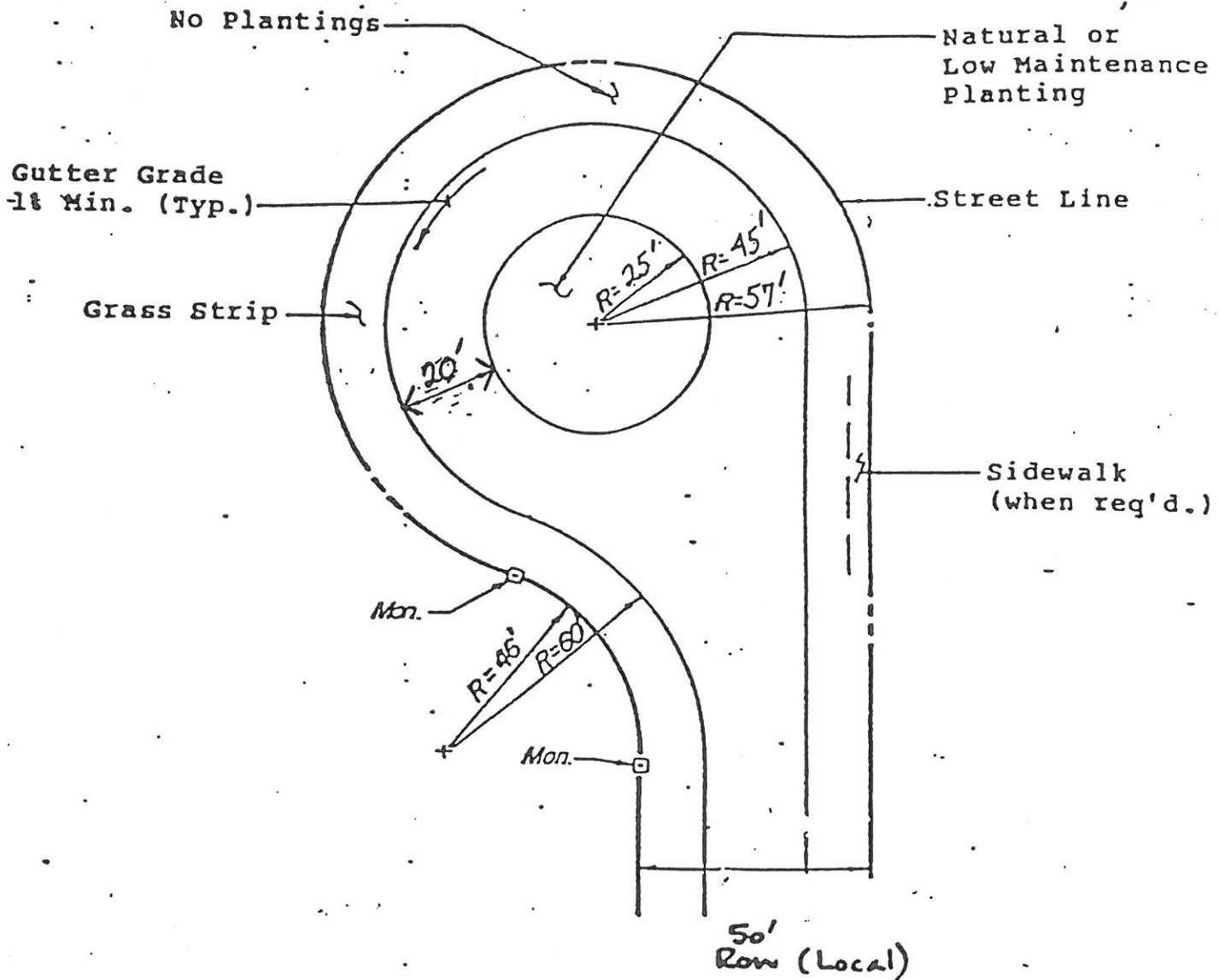
Other species may be planted with the prior approval of the Commission. Street trees shall be at least one and one-half (1 1/2) inches in caliper. Street trees shall be planted in the grass area, three (3) feet in from the edge of the right-of-way if no sidewalks are required and three (3) feet inside the sidewalks when appropriate.

SECTION VII ENFORCEMENT, SEPARABILITY, AMENDMENTS AND WAIVERS

- VII. 1 The Commission or its agent is hereby designated as the enforcing officer of these Regulations.
- VII.2 These Regulations may be amended, changed or repealed in accordance with the General Statutes of the State of Connecticut.
- VII.3 Invalidity of one provision shall not invalidate any other provision.
- VII.4 Any appeal from an action of the Commission shall be taken in accordance with the provisions of Section 8-28 of the Connecticut General Statutes.

VII.5

The Commission may where specifically authorized in these regulations and upon written request from the applicant, waive specific requirements of these regulations by a 3/4 (three quarter) vote of all Commission members. No waiver shall be granted that would conflict with the Planning regulations, the Town road ordinance or any other Town, State or Federal regulation or that would have a significant adverse effect on adjacent property or on public health, safety, convenience or welfare. In granting a waiver of specific requirements of these regulations, the Commission shall state the reasons for its action and may attach such conditions that it deems necessary to preserve the purpose and intent of these regulations.

APPENDIX ATURN-AROUND DETAIL