



TOWN OF WINCHESTER

SUBDIVISION REGULATIONS

ADOPTED BY

WINCHESTER PLANNING & ZONING COMMISSION

AUGUST 28, 2006
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1.0 INTRODUCTION

1.1 Purpose

The purpose of these regulations is:

- A. to provide for the orderly development of Town of Winchester in accordance with the town's Plan of Conservation and Development;
- B. to ensure that the land can be used for buildings without causing a danger to the public health or safety;
- C. to provide for protection from flood and flood damage;
- D. to provide for the conservation of natural and cultural resources and the preservation of land for open space, parks, recreation and the community's rural character (*where applicable*);
- E. to provide for the proper provision of water, sewerage, drainage, fire protection, electricity, telephone, cable and other utilities;
- F. to provide for a safe and convenient system of roads for existing and future traffic;
- G. to provide for the control of soil erosion and sedimentation;
- H. to encourage energy efficient patterns of development and the use of solar and other renewable forms of energy.

1.2 Authority

These regulations are adopted in accordance with the Chapter 126, as amended, of the Connecticut General Statutes.

1.3 Applicability

No subdivision of land shall be made and no lot in a subdivision shall be sold, or offered for sale, until a subdivision plan, prepared in accordance with these regulations, has been approved by the Planning & Zoning Commission and the approved map has been endorsed by the Commission Chairman and filed in the Winchester Land Records.

1.4 Conformity to Zoning Regulations

All subdivision plans shall conform to the Town's Zoning Regulations in effect at the time of the receipt of the subdivision application.

2.0 DEFINITIONS

2.1 General Terms

The following words and phrases shall be construed throughout these regulations to have the meaning indicated in this section.

- 2.1.1 Words used in the present tense include the future.
- 2.1.2 Words used in the singular include the plural; the plural includes the singular.
- 2.1.3 The word "Town" means the Town of Winchester, Connecticut.
- 2.1.4 The word "State" means the State of Connecticut.
- 2.1.5 The word "regulation" means the Town of Winchester Subdivision Regulations.
- 2.1.6 The word "Commission" means the Town of Winchester Planning and Zoning Commission.
- 2.1.7 The word "shall" is mandatory; the word "may" is permissive.
- 2.1.8 The term "Town Planner" means the Town of Winchester Town Planner or his or her designee.
- 2.1.9 The term "Town Engineer" means the Town of Winchester Town Engineer or his or her designee.
- 2.1.10 The term "Inland Wetlands Officer" means the Town of Winchester Inland Wetlands Officer or his or her designee.
- 2.1.11 The term "Standard Details" means the Town of Winchester Standard Specifications & Details for the Design and Construction of Public Improvements.

2.2 Specific Definitions

APPLICANT The owner of the property that is the subject of the subdivision or resubdivision. The owner may be represented before the Commission by an agent duly appointed in writing by the owner of record.

APPLICATION - The completed official form by which a subdivision or resubdivision is proposed to the Commission in accordance with these Regulations, along with all required data, maps, reports, plans, and other information.

AQUIFER - a geologic formation, group of formations or part of a formation that contains sufficient saturated, permeable materials to yield significant quantities of water to wells and springs.

AQUIFER AREA OF CONTRIBUTION - the area where the water table or other potentiometer surface is lowered due to the pumping of a well and groundwater flows directly to the well.

AQUIFER RECHARGE AREA - the surface area from which groundwater flows directly to areas of contribution.

BUILDING LOT- a lot approved for construction of a structure.

CALIPER - diameter of a tree trunk as measured at 4.5 feet above the ground.

CUL-DE-SAC - a road(s) with a single means of entry and exit.

DETENTION BASIN- a facility for the temporary storage of storm water runoff.

DEVELOPER - the owner of an approved subdivision.

DRIP LINE - the ground line around a tree that marks the limits of the tree canopy.

DRY HYDRANT - a hydrant used to draw water from a cistern or a pond.

FINAL APPROVAL - in referring to a subdivision, means that (1) all required municipal improvements have been bonded, (2) all modifications deemed necessary by the Commission to bring the proposed subdivision into compliance with these Regulations have been satisfied or bonded, and (3) the approved subdivision map has been endorsed by the Commission's Chairman or Secretary.

FORESTRY - the selective harvesting of timber from wooded areas.

LOOP ROAD – A road that has its only ingress and egress at two points on the same road.

LOT - a contiguous piece of land described by plat, subdivision, or deed in the Winchester Land Records of the Town Clerk's Office. The lot can be used, developed, sold or rented as a single piece. The term "parcel" is synonymous with lot.

NATURAL - as applied to land, it is land in an undeveloped, un-built condition including agricultural land, forest land, meadows, wetlands and other rural landscapes.

NATURAL FEATURES - rock outcrops, glacial erratics, specimen trees, streams, ponds, watercourses, wetlands, meadows, native shrubs, and other features typical of a natural landscape.

OPEN SPACE - land that is dedicated or reserved in perpetuity for public or private use and enjoyment and on which development is limited or prohibited. The parcel may be used for agricultural purposes or forestry, or non-profit, non-commercial activities such as active or passive recreation, wildlife habitat, natural resource conservation, or scenic preservation.

PARCEL - see "lot".

PROFESSIONAL ENGINEER - a person licensed by the State of Connecticut to practice as a professional engineer in civil engineering.

RECREATION, ACTIVE- leisure-time activities, usually of an organized nature and usually performed with others and requiring equipment and a dedicated playing area. Baseball, soccer, tennis, golf and basketball are examples of active recreation.

RECREATION, PASSIVE - activities that are less energetic than active recreation and require little, if any, equipment or playing fields. Examples include walking, fishing, jogging, unmotorized biking, picnicking, and bird watching.

RESERVE STRIP - a lot, or part of a lot, used to limit access to another lot.

RESUBDIVISION - a change in a map of an approved or recorded subdivision or resubdivision if such change

- (a) affects any street layout shown on such map,
- (b) affects any area reserved thereon for public use, or
- (c) diminishes the size of any lot 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. Resubdivision is included in the term "subdivision".

ROAD - any vehicular thoroughfare which is: a. accepted by the Town or State; or b. shown on a subdivision plan approved by the Planning and Zoning Commission as a private thoroughfare.

SPECIMEN TREE – a tree with a trunk measuring 30 inches or greater in diameter at 4.5 feet above the ground.

SUBDIVISION - the division of a parcel of land into three or more 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. Subdivision includes resubdivision. Winchester first adopted subdivision regulations

on December 23, 1968.

SURVEYOR - a person licensed by the State of Connecticut to practice as a land surveyor.

WALKWAYS - pedestrian paths up to four feet wide. Materials used are site specific and environmentally suitable. Walkways are different from "sidewalks" as defined in the Town Road Specifications Ordinance.

3.0 PROCEDURES

3.1 *Informal Review*

- 3.1.1 To expedite the technical review of proposed subdivision applications; the Commission recommends that, prior to filing a formal subdivision application, a potential applicant review the proposed subdivision with the Town Planner and staff from other relevant governmental agencies.
- 3.1.2 The applicant may request, to the Town Planner, a preliminary review by the Commission. A preliminary subdivision map showing existing conditions including contour lines, soil types, natural features, proposed lot lines and proposed roads and open space must be provided. The preliminary map shall be a tentative proposal to be used for the sole purpose of clarifying and guiding the design of a subdivision map to be submitted at a later date with a formal subdivision application. The preliminary application shall not be construed to constitute an application for approval within the meaning of the Connecticut General Statutes. Any suggestions and/or comments made by the Commission shall be purely advisory in nature and shall not bind either the Commission or the prospective applicant. The Commission's comments and suggestions shall not imply approval or denial.
- 3.1.3 The purpose of the informal review by the staff is to provide a potential applicant with comments and suggestions that may aid in the preparation of a formal application. Neither the staff nor the applicant is bound by comments and suggestions made during an informal review. An informal review does not constitute an application for subdivision.

3.2 Application

- 3.2.1 An applicant for subdivision shall submit to the Community Planning and Development Department the following:
- A. A completed application on a standard form prescribed by the Commission and endorsed by the owner of the property or, in the case of a regulation change, by the applicant;
 - B. Sixteen copies of the subdivision plan with the information specified in Section 4.0; and
 - C. The application fee as set by Town ordinance.
- 3.2.2 A subdivision application which involves a regulated activity as defined in the regulations of the Winchester Inland Wetlands Commission shall be submitted after, or at the same time as, an application to the Inland Wetlands Commission.
- 3.2.3 The application shall be placed on the agenda of the Commission as specified in their annual schedule of meetings on file in the Town Clerk's Office and available in the Community Planning & Development Department.

3.3 Review of Plans

- 3.3.1 The applicant holds the responsibility of obtaining all Local, Regional , State and Federal approvals necessary. The Town Planner shall forward the application to the appropriate Town departments and agencies for their review and comment.
- 3.3.2 The Commission may ask for comments on the plans from other agencies including State and Federal agencies and may require review by outside experts at the applicant's expense.
- 3.3.3 Upon the request of the Commission or the Town Planner, the applicant shall stake out lot boundaries and/or the center line of any proposed street or easement. The staking shall be done in such a manner that the Commission or the Town Planner can readily identify the location of the streets, easements, or lots.
- 3.3.4 The Commission may schedule a site visit to familiarize itself with the lay of the land.

3.4 Public Hearings

- 3.4.1 As required by Connecticut General Statutes, the Commission shall hold a public hearing on all applications for resubdivision. The applicant is responsible

for submitting sufficient evidence for the Commission to determine if the application is a subdivision or resubdivision.

- 3.4.2 The Commission shall hold a public hearing on applications for subdivisions with five or more building lots. The Commission may hold a public hearing on an application for a subdivision with less than five building lots when, in the opinion of the Commission, the application warrants a public hearing.
- 3.4.3 In addition to the notification requirements in the Connecticut General Statutes, the applicant shall send by certified mail, return receipt requested, a notice of the public hearing to all persons whose property is within 100 feet of the property affected by the application, including properties across the road, not less than seven (7) days prior to the first scheduled Public Hearing. The notice shall consist of the Notice of Public Hearing prepared by the Community Planning & Development Department. Evidence of the mailing shall be presented to the Planning and Zoning Department at or before the public hearing.

The applicant shall submit to the Commission a radius map showing all abutting properties with their owners' names and Assessor's map, block and lot number as well as a list of the names and addresses of all neighboring property owners and their addresses, based upon the Town of Winchester's Tax Assessor's most recent information, and all certified mail receipts prior to the commencement of the public hearing. The Commission shall not consider the application complete, nor shall it approve such application, if the list and the receipts have not been submitted.

3.5 Waiver

The Commission may waive the requirements of these regulations by a three fourths vote of the Commission members provided all the following conditions are met.

- 3.5.1 The applicant requests the waiver in writing. The request shall detail the waiver requested and shall provide sufficient information for the Commission to determine if any hardship is involved.
- 3.5.2 The physical characteristics of the property are such that the strict application of these regulations would result in an impractical development or an unusual hardship.
- 3.5.3 The waiver will not result in any significant adverse impact on adjacent property or on public health or safety.
- 3.5.4 The Commission shall state on the record the reasons for granting the waiver.

- 3.5.5 The waiver is not for the purpose of creating additional lots

3.6 Action on Applications

- 3.6.1 The Commission may deny an application when the Commission determines that the application is incomplete.
- 3.6.2 The Commission shall approve, approve with modifications or conditions, or disapprove a subdivision application. If the Commission disapproves an application, the Commission shall state on the record the reasons for such disapproval.
- 3.6.3 The Commission may approve or approve with modifications or conditions a subdivision to be developed in phases. The Commission shall consider whether or not each individual phase can stand alone if the remaining phases are not built.

3.7 Performance Bonds

- 3.7.1 Prior to the endorsement of an approved subdivision plan by the Commission Chairman or Secretary, the applicant shall post a performance bond with the Town. This bond shall be in an amount deemed sufficient to insure the satisfactory completion of all streets, utilities, soil and erosion control and other improvements that are to be provided in connection with the subdivision. The methodology for determining the bond amount is in Section 3.7.3. In lieu of a performance bond the Commission may permit the applicant to follow the procedure described in Section 3.9 below.
- 3.7.2 The performance bond shall be in one or more of the following forms and shall cover a period at least six months greater than the period within which the streets, utilities and other improvements are to be completed:
- :
- A. A certified check payable only to the Town of Winchester.
 - B. A savings account passbook payable to the Town of Winchester.
 - C. An irrevocable letter of credit, a money market account, an interest bearing certificate of deposit or a bond from a company licensed by the State of Connecticut and listed on the State's Treasury List. Said bonding company shall have a minimum Moody's rating of Aa. At least 10% of the bond shall be in the form of a certified check payable only to the Town of Winchester, an interest bearing certificate of deposit, a savings account passbook or a money market account. The account shall be federally insured. The names of the developer

and the Town of Winchester shall be on the account and shall be accompanied by a withdrawal slip signed by the developer and the Town of Winchester Director of Finance.

- 3.7.3 The amount of the performance bond shall be determined by the Town Planner in consultation with the Director of Public Works, the Commission and the applicant's and/or the Commission's engineer. In computing the amount of the performance bond, the Town shall increase the computed amount by 10% to cover contingencies.
- 3.7.4 On an annual basis, the Town may require an increase in the amount of the performance bond to cover increased costs due to inflation.
- 3.7.5 Prior to the acceptance of the improvements covered by the performance bond, the Commission may use all or part of the performance bond to keep the improvements constructed in good repair and/or to eliminate hazardous conditions. Prior to taking any action, the Commission or its designated agent shall notify the developer of its intent to take such action and its reasons for doing so.
- 3.7.6 If the Town uses all or part of the performance bond as described in Section 3.7.5 above, the developer shall be required to restore the performance bond to an amount deemed sufficient by the Town to complete the required improvements.
- 3.7.7 The developer may apply for a partial release of the performance bond. After inspection of the completed improvements, the Commission and the Town Planner may release an amount equal to the costs of the completed improvements
- 3.7.8 If for some reason the performance bond is insufficient to pay for all costs associated with constructing the required improvements, the developer shall remain liable for such costs in excess of the performance bond and such excess costs shall become a lien against the property.
- 3.7.9 The final release of the performance bond shall not be done until after all improvements are accepted by the Town.
- 3.7.10 Prior to final acceptance of all improvements by the Town, a maintenance bond equal to ten percent (10%) of the original bond amount and in the form of a certified bank check made payable to the Town of Winchester, an interest bearing certificate deposit, a money market account or a savings passbook account, as specified in Section 3.7.3 B. of these Regulations, shall be submitted to the Commission.

3.8 Easements and Deeds

Prior to the endorsement of an approved subdivision map by the Commission Chairman or Secretary, the applicant shall provide the Commission with all deeds, easements and restrictions required by the subdivision plan. This includes, but is not limited to, deeds for all new roads, rights of way, drainage areas, and open space. These documents shall be in recordable form acceptable to the Commission and the Town Attorney.

3.9 Procedure in Lieu of Performance Bonds, Easements and Deeds

The Commission may allow applicants to file an approved subdivision plan in the Winchester Land Records without providing a performance bond, easements or deeds provided all the following conditions are met:

- 3.9.1 The applicant places on the subdivision plan that is filed the following: "No grading, clearing, cutting of trees or other work shall be done until the performance bond is accepted by the Town and until the required easements and deeds are accepted by the Town. No individual lots shall be sold or transferred until the required performance bond is accepted by the Town and until the required deeds and easements are accepted by the Town."
- 3.9.2 The applicant shall record a document in the Winchester Land Records, acceptable in format to the Commission, reiterating the note described in Section 3.9.1 above. This document is to be signed by the Commission Chairman or Secretary and the applicant.
- 3.9.3 After all required performance bonds, easements and deeds are filed, the applicant shall file a revised subdivision plan without the note described in Section 3.9.1 above. This revised plan shall be signed by the Commission Chairperson or Secretary.

3.10 Filing of Approved Plans

- 3.10.1 The signed subdivision plan shall be filed in the Winchester Land Records within ninety days of the expiration of the appeal period as specified in the Connecticut General Statutes. The Commission may extend the time for filing for up to an additional 180 days. Failure to file the subdivision plan within the prescribed time period shall cause the plan to become null and void.

- 3.10.2 To provide the Town Staff adequate time to review any modifications or changes to the approved plans, the Commission may require the applicant to deliver the revised plans, performance bonds, and other required documents to the Community Planning and Development Department within forty five days of the date of approval or approval with conditions or modifications. The Commission, at its discretion, may extend this forty-five day period up to the period specified in the Connecticut General Statutes.
- 3.10.3 Within the time period specified by the Connecticut General Statutes, the applicant shall deliver the following to the Community Planning and Development Department for endorsement five (5) complete sets of paper prints, one (1) reproducible Mylar and a digitized copy of the final subdivision map in a format acceptable to the Town (this requirement shall not apply in cases where the subdivision map was not produced using a computerized system), of the final subdivision map, including construction plans, site development , erosion and sedimentation control plans, road profile plans and detail plans.

3.11 Modification of Approved Plans

- 3.11.1 If an applicant determines that changes to an approved subdivision plan are needed because of unanticipated site conditions, the applicant shall request approval of those changes. The Town Planner may approve, in writing, minor changes of a technical nature. The Commission may request periodic reports from the Town Planner on changes that have been requested and the action taken on the requests.
- 3.11.2 If the Town Planner determines a requested change to an approved plan is significant, the Town Planner shall refer the change to the Commission. The Commission shall either:
- A. approve the change, with or without modifications and conditions, if the Commission determines the change is minor; or
 - B. deny the change; or
 - C. require the applicant to resubmit a new subdivision application according to Section 3.2.

4.0 INFORMATION REQUIRED FOR SUBDIVISION APPLICATIONS

4.1 General

This section describes the detailed specifications and other information which must be shown on the various maps and plans required as part of the subdivision application. Each map or plan serves a different purpose. The subdivision map is meant to be suitable for filing in the Winchester Land Records. The site development plan shows existing conditions and proposed changes so that the Commission can evaluate the design of the proposed subdivision.

4.2 Basic Requirements for All Maps and Plans

- 4.2.1 The subdivision map, the site development plan, and the sediment and erosion control plan shall be drawn at a scale of 1 inch equals 40 feet. The Commission, at its discretion, may allow other scales to be used.
- 4.2.2 Maps and plans shall be drawn on sheets 24 inches by 36 inches unless otherwise allowed by the Commission.
- 4.2.3 If more than one sheet is required, an index map showing the entire subdivision shall be provided. The index map shall show the outline of the property to be subdivided, proposed lots, existing and proposed streets, and the identification and limits of each map and plan sheet. Match lines shall be shown on each sheet. The scale of the index sheet shall not exceed 1(one) inch equals 200 feet unless otherwise allowed by the Commission.
- 4.2.4 Town of Winchester standard Planning and Zoning signature block.

4.3 Subdivision Map

The following information, where applicable, shall be shown on the subdivision map.

- 4.3.1 Name of the subdivision (if any). The name should not duplicate, or be similar to, the name of any previous subdivision in the Town.
- 4.3.2 Name of the owner of the land to be subdivided.
- 4.3.3 Name of the applicant if different from the owner.
- 4.3.4 Scale of map.
- 4.3.5 Date of original preparation and dates of all revisions.
- 4.3.6 North arrow.

- 4.3.7 Total area of the parcel in acres to three (3) decimal places.
- 4.3.8 Total area of proposed open space.
- 4.3.9 Area of each proposed lot.
- 4.3.10 Existing and proposed lot lines and boundaries including lot numbers, dimensions and bearings.
- 4.3.11 Existing and proposed streets.
- 4.3.12 Names for proposed streets with appropriate signage.
- 4.3.13 Boundaries of inland wetlands, regulated areas and watercourses as defined by the Winchester Inland Wetlands Commission or a certified soil scientist.
- 4.3.14 Floodplains and base flood elevation data as defined by the federal government or a licensed professional civil engineer.
- 4.3.15 Ponds, lakes and streams and their direction of flow.
- 4.3.16 Dimensions and bearings of all existing and proposed easements including information on the purpose of the easement (e.g. utilities, conservation, open space, right of way, etc.) and the proposed owner of the easement.
- 4.3.17 Existing structures and notes indicating their preservation or removal.
- 4.3.18 Zoning district(s).
- 4.3.19 Town boundaries, if applicable.
- 4.3.20 Existing and proposed monuments and pins.
- 4.3.21 Location map at a scale not to exceed one (1) inch equals 2,000 feet showing the proposed streets and lots in relation to the surrounding streets within 500 feet of the proposed subdivision.
- 4.3.22 Note indicating how the subdivision is to be provided with water and sanitary services.
- 4.3.23 Dimensions on all lines are to be to the hundredth of a foot.
- 4.3.24 All bearings or deflection angles, tangent distances and radius of all arcs.

- 4.3.25 State plane coordinates at not less than four points on the subdivision perimeter.
- 4.3.26 Certification by a surveyor that the map(s) meet the standards of a Class A-2 Survey.

4.4 Site Development Plan

In addition to the information required in Section 4.3, the following information, where applicable, shall be shown on the Site Development Plan:

- 4.4.1 Current A-2 survey reference on which the site development map is based.
- 4.4.2 Existing and proposed contour lines at an interval of not more than 2 feet unless otherwise allowed by the Commission. The source of the topographic information shall be given.
- 4.4.3 Boundaries of all soil types.
- 4.4.4 Location of proposed structures and primary and reserve septic fields for each lot and required grading for each.
- 4.4.5 Location of existing and proposed utility poles.
- 4.4.6 Location of existing and proposed utilities for water, sanitary, and storm water drainage. This is to include manholes, catch basins, headwalls, detention areas, and all related facilities.
- 4.4.7 Walkways (existing and proposed).
- 4.4.8 Proposed driveways for each lot with proposed grades.
- 4.4.9 Boundaries of wooded areas.
- 4.4.10 Location of specimen trees within the area to be disturbed or affected by construction activities.
- 4.4.11 Location of existing and proposed landscaping as required by Section 5.7. The botanical and common name of all species to be planted shall be given as well as the size at time of planting.
- 4.4.12 Sight lines for existing and proposed roads and driveways.
- 4.4.13 Location of historic and archeological sites and stone walls.

- 4.4.14 Location of the habitat of any threatened or endangered species or species of special concern as defined by the Connecticut Department of Environmental Protection.
- 4.4.15 Location of existing and proposed electrical, cable, telephone, water and natural gas lines.
- 4.4.16 Location of existing and proposed fire ponds, stand pipes, and cisterns.
- 4.4.17 Location and type of all traffic control devices, existing and proposed.
- 4.4.18 Location of existing and proposed road lights, height of the poles, and type of lighting.
- 4.4.19 Any proposed disturbance of existing conditions between the subdivision boundaries and the paved or traveled way of any existing road.
- 4.4.20 Limits of clearing and proposed tree lines.
- 4.4.21 Other information as may be required by the Commission.
- 4.4.22 Maps shall be sealed by a professional engineer.

In preparing the site development plan, the applicant may use topographic and utility information provided by the Town. However, if the Commission determines it necessary, the Commission may require the topography and utility location to be verified in the field.

4.5 Construction Plans

This section outlines the minimum construction information that must be submitted. The Commission may require additional information if, in the opinion of the Commission, that information is needed to determine that the improvements will be built in accordance with good engineering practice. The following information, where applicable, shall be shown on the site development plan.

- 4.5.1 Plan and profile drawings shall be submitted for all public improvements and utilities including, but not limited to, proposed streets, storm drains, sanitary sewers, catch basins, manholes, watercourses, headwall, sidewalks, curbs, gutters, culverts, bridges, water lines, and natural gas lines.
- 4.5.2 Plan and profile drawings shall be at a horizontal scale of 1 inch equals 40 feet and at a vertical scale of 1 inch equals four feet.

4.5.3 For streets, the following additional information shall be shown:

- A. sample road cross sections;
- B. existing grades and proposed elevations at the center line and both street lines;
and
- C. beginning, end, low or high point and length of vertical curve;
- D. Points of curvature and points of tangency.

4.5.4 The depth, invert, slope and size of all pipes, ditches, culverts, manholes, catch basins shall be shown.

4.5.5 Detailed drawings of any bridges, culverts, manholes, or other structures shall be submitted.

4.5.6 All construction plans shall be sealed by a professional engineer.

4.6 Sediment and Erosion Plan

A soil erosion and sediment control plan shall be submitted. This plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and to reduce the danger from storm water runoff on the proposed site. Such principles, methods and practices shall follow the Connecticut Guidelines for Soil Erosion and Sediment Control (2002) as amended. Alternative principles, methods and practices may be used with prior approval of the Commission. The soil erosion and sediment control plan shall contain, at a minimum, the following information:

4.6.1 A site specific narrative describing:

- A. the development;
- B. the schedule for grading and construction activities including:
 - 1. the start and completion dates;
 - 2. a site specific sequence of grading and construction activities - e.g. construction of storm drains, drainage structures, streets, etc.;
 - 3. the sequence for installation of soil erosion and sediment control measures; and
 - 4. the sequence for final stabilization of the project site;
- C. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities;

- D. the construction details for proposed soil erosion and sediment control measures and storm water management facilities;
- E. the installation and application procedures for proposed soil erosion and sediment control measures and storm water management facilities; and
- F. the operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.

4.6.2 A plan at a scale of one (1) inch equals forty (40) feet showing the following:

- A. the location of the proposed development and adjacent properties;
- B. the existing and proposed topography including soil types, wetlands, watercourses, and water bodies;
- C. the existing structures on the site;
- D. the proposed area alterations including cleared, excavated, filled or graded areas, proposed structures, utilities, roads, and new property lines where applicable; and
- E. the location of, and design details for, all proposed soil erosion and control measures and storm water management facilities.

5.0 DESIGN STANDARDS

5.1 General

All subdivisions, including roads, drainage, and other improvements required by these Regulations, shall be planned, designed, and constructed in accordance with the standards specified in this Section.

5.2 Character of the Land and Plan of Conservation and Development

Proposed building lots shall be of such size, shape, location, topography and character that buildings can be constructed and used for the intended purposes without danger to the health and safety of the occupants or the public. Subdivisions shall be planned and designed in general conformity with Town's Plan of Conservation and Development.

5.3 Reserve Strips

No privately owned reserve strips of land which allow a potential subdivider to control access to land intended for public or private use shall be allowed.

5.4 Future Subdivisions

Where one or more parcels are created from a parcel with the potential for further subdivision, the initial subdivision shall not prevent or unduly restrict the convenient subdivision of the remaining land. Access to the remaining land shall allow for the extension or creation of streets. In reviewing this potential access, the Commission shall consider the location of wetlands, steep slopes, sight lines, and all other factors associated with potential streets.

5.5 Plats Straddling Municipal Boundaries

Whenever access to the subdivision is required across land in another local government, the Commission may request assurance that the access is legally established, and that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road. In general, lot lines should be laid out so as not to cross municipal boundary lines. A performance bond, in addition to any other bonds required by these Regulations, may be required to assure that access is provided and maintained.

5.6 Open Space and Recreation

5.6.1. Objectives

In reviewing proposed open space and recreation areas the Commission shall consider the following objectives:

- A. preservation of wetlands, watercourses, floodplains, streams, ponds, lakes and adjacent regulated areas as well as ridgelines, slopes, archeological and historic sites, distant open views visible from public roads, and unusual natural areas.
- B. preservation of the habitat and the presence of any species listed by the State or Federal government as threatened or endangered or of special concern.

- C. proposed open space and recreation areas should abut open space and recreation areas on adjoining properties. Scattered small areas of open space should be avoided in favor of larger cohesive areas;
- D. preservation of a rural environment and the Town's character;
- E. protection of aquifers, aquifer recharge areas, and public water supply Watersheds;
- F. protection of, or provision for, buffering and screening of development within the parcel from roads or adjacent properties; and
- G. provide areas for active recreation, especially in subdivisions where high concentrations of children are expected.

5.6.2 Minimum Requirements for Open Space and Recreation

- A. the total area of open space shall be equal to or greater than twenty (20) percent of the combined acreage of the lots proposed within the subdivision.
- B. the total area of required open space may be broken up into separate areas of not less than one (1) acre, provided the total of all areas is equal to or greater than the minimum requirement of Section 5.6.2.A. The Commission may waive the one (1) acre minimum when the future development of adjoining land makes smaller areas feasible or where the area is a continuation of brook and stream protection areas or other natural features.
- C. when a tract is to be developed in stages, the Commission may allow the reservation of open space to be included in any of the phases provided the necessary total amount of open space is preserved as required by the Commission upon the completion of the development of the entire tract and provided the open space meets all requirements of the Commission. The Commission shall require a bond as per Section 3.7 to assure the preservation of the total area of the open space proposed for the subdivision.
- D. all open space shall abut or have direct access to a street through a right-of-way dedicated to public use. The right-of-way shall not be included in the required open space area, shall be at least fifteen (15) feet wide and shall be suitable for foot and equestrian traffic. In acceptable circumstances the Commission may reduce or waive this requirement. Open space land, such as conservation and development easements that will not be open to the public or have limited public use need not abut or have a right-of-way to a public street.

- E. when a property line of a subdivision abuts existing open space, the Commission may require the new open space lines to form a continuation of the existing area to provide a single, large, unified area.
- F. no open space or recreation area required by Section 5.6.2.A. above shall consist of:
 - a. classified as wetland soils; or
 - b. have slopes greater than 25%; or
 - c. be lands subject to flooding; or
 - d. be water bodies or watercourses.
- G. Land covered by existing easements for utilities, conservation, or other purposes shall not be counted towards meeting the open space required.
- H. There shall be no depositing, dumping, or storage of waste or other natural or man-made materials, supplies or equipment on any subdivision land designated as open space.
- I. Land to be used as public or private open space shall be left in a condition for the purpose intended. Where directed by the Commission, undesirable growth and debris shall be removed by the developer; and open space to be used for recreation shall be graded to dispose of surface water and shall be seeded. In general, wooded and brook areas shall be left natural.
- K. Any security as outlined in Section 3.7 for the completion of public utilities and improvements shall also be available for completion of public or private open space requirements in the event of a default of performance by the subdivider or his successor.
- L. In the event that open space dedication and location is deferred, it shall be so stated on the filed Mylar.
- M. The open space area shall be one(1) or more of the following:
 - deeded to the Town;
 - a. in the form of a conservation easement;
 - b. deeded to the Winchester Land Trust, or similar non profit organization;
 - c. deeded to a home owners' association_with a reversionary interest to the Town in the event the association is dissolved;
 - d. deeded to the State D.E.P. (with a conservation easement);
 - e. in the form of a scenic easement;
- N. Easements and restrictive covenants shall be in the form provided by the Town and acceptable to the Town attorney.

5.6.3 Exceptions to Open Space and Recreation Area Requirements

The Commission may reduce the Open Space requirements under the following conditions:

- A. Where solar access and other energy conservation methods are employed.
- B. The transfer of all land in a subdivision of less than five lots is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration;
- C. Where the proposed average lot size is twice the minimum lot size required in the zone (or zones) in which the subdivision is located;
- D. Where Commercial/Industrial Subdivision is proposed.

5.6.4 Fee in Lieu of Open Space or Recreation Area

- A. In lieu of providing all of the open space or recreation areas as required in Section 5.6.2 above, an applicant may, with the Commission's approval, provide 10% open space as required in Section 5.6.2 and pay a fee. This fee, or combination of fee and the fair market value of land reserved for open space or recreation areas, shall not exceed 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision.
- B. The fair market value of the land to be subdivided shall be determined by an appraiser jointly selected by the applicant and the Commission. The cost of the appraisal shall be paid by the applicant. The appraisal shall be completed prior to the filing of the subdivision plan on the Winchester Land Records.
- C. A fraction of the total fee shall be paid to the Town at the time each lot is first sold or transferred. The numerator of this fraction is one; the denominator is the number of approved building lots in the approved subdivision.
- D. At the time of the filing of the approved subdivision plan on the Winchester Land Records, the Commission shall have placed on the Winchester Land Records a notice for each approved building lot. This notice shall indicate that amount of fee that is due prior to the first transfer of an individual lot.
- E. The applicant has the option of paying the entire fee prior to the filing of the subdivision plan on the Winchester Land Records.
- F. All fees collected under this Section shall be deposited in a Town fund which shall be used exclusively for the purpose of preserving open space, or acquiring

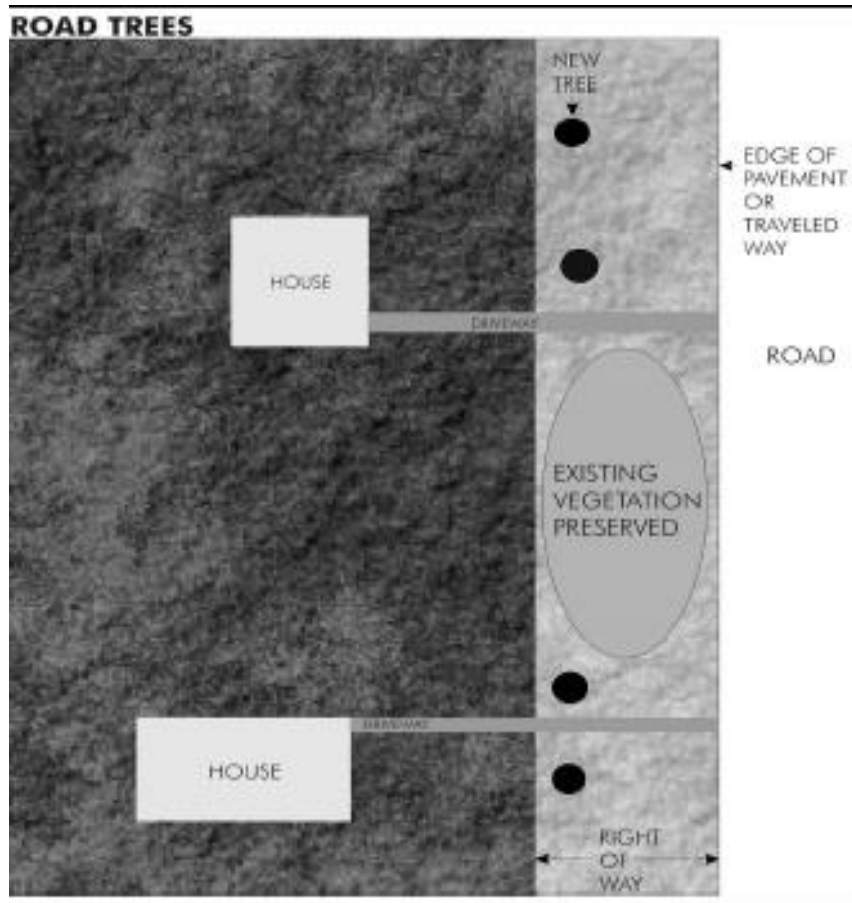
additional land for open space, or for recreational or agricultural purposes.

5.7 Street Trees

Street trees are intended to provide a canopy over existing and proposed streets, reduce noise and glare, and improve the aesthetics of the street. It is the Commission's intent to encourage the retention of the maximum number of existing trees and other vegetation within 30 feet of the proposed edge of pavement.

Where existing trees cannot be preserved within the road right of way or where, in the Commission's opinion, insufficient suitable trees exist or will remain, the applicant shall plant trees along the road frontage of all lots in the subdivision. These trees are to be planted or retained according to the following requirements:

- A. Trees shall be planted an average of 40 feet apart along both sides of all new streets and on lots on existing streets. The Commission may require variations in location, species, and quantity due to topography, driveways, need for screening, intersections, utility lines, and planting conditions.
- B. If new trees are planted, the Commission shall have the right to approve the species of tree to be planted. The Commission prefers deciduous shade trees. New deciduous trees shall have a minimum caliper of 3 inches and a minimum branching height of five feet. They shall have a mature height of 35 feet or greater. The Commission may allow deciduous trees with a mature height of less than 35 feet in areas where overhead utility lines or solar energy is of concern.
- C. Trees that are planted or retained shall be within thirty (30) feet of the edge of the street's pavement or traveled way.
- D. During construction, existing trees to be preserved shall be protected in accordance with Section 5.8.2
- E. In the case of an individual lot along an existing road, the road trees shall be planted prior to the issuance of a certificate of occupancy for a building on that lot. In the case where a new road is constructed, the road trees shall be planted prior to the release of the performance bond.



5.8 *Preservation of Natural Features*

5.8.1 The sites natural features shall be preserved to the fullest extent possible. The felling of trees shall be held to a minimum. The applicant shall demonstrate to the Commission that the removal of specimen trees is necessary for the reasonable development of the site.

5.8.2 Specimen trees that are to be preserved and are within, or on the edge of, the construction area shall be protected during construction by barriers. At a minimum, the barriers shall be placed at the drip line of the tree. The barriers shall be at least three feet high and suitably marked to warn construction workers of the presence of a specimen tree. Snow fencing is an example of an acceptable barrier. Barriers shall be placed prior to the start of construction activities and shall remain in place until all construction activities are completed. The areas within the drip line of the specimen trees to be preserved shall remain free of all building materials, fill, vehicles, and debris.

5.8.3 No land shall be graded except as shown on the approved site development map. No topsoil shall be removed from any portion of the parcel except where required for the construction of structures, roads, driveways, or the installation of utilities and drainage. Where topsoil has been removed, the Commission may require the replacement of said topsoil to a depth of *six (6) inches after compaction* and require these areas to be graded, seeded and mulched to prevent erosion.

5.9 Viewshed Regulated Area

5.9.1 Objectives: The Viewshed Regulated Area is adopted in order to:

- A. Promote the goals and objectives of the Winchester Plan of Conservation and Development.
- B. Encourage the most appropriate use of land.
- C. Preserve the natural environment of distinctive high elevation areas as a visual and historic asset for the benefit of the community.
- D. Prevent the creation of any safety or health hazard including, but not limited to, soil erosion, excessive drainage runoff, and degradation of water quality.
- E. Minimize the adverse effect of development upon both the visual and functional role of the natural landscape to preserve Winchester's quality of life.

5.9.2 Applicability: For any proposed structure, development or subdivision application that includes improvements or proposed house sites at or above elevation 900 feet above sea level, the Commission shall evaluate the development and determine whether the applicant will be required to provide viewshed information contained in this Section. The factors in determining the applicability of this Section shall be the effect that the proposed development has on the preservation of significant scenic features, vistas and ridgelines. The Commission encourages all applicants to attend a preliminary meeting, prior to filing an application, to determine the applicability of this Section.

If the Commission determines that this Section is applicable, then it shall have the authority to modify the plan in accordance with the provisions in this Section. The applicant shall submit the following material or shall perform the following analysis as deemed necessary by the Commission in addition to all other plan requirements specified in these regulations:

- A. A map at a scale of one inch equals 100 feet showing the entire development plan and delineating all slopes in excess of 25% on the parcel.

- B. Site delineation on a USGS Quadrangle Map showing slopes in excess of 25% on the parcel and within 500 feet.
- C. In consultation with the Commission, a list of visual impact observation points for the proposed subdivision from regional highways, arterial, or collector streets, public parks, other areas accessible to the general public. These points shall be located through field delineation and mapping. The applicant shall place aerial markers, balloons, flags or other on-site markers at points corresponding to the highest point of each proposed structure and/or the limits of site clearing for any proposed site improvements as deemed necessary by the Commission to allow evaluation of the visual impacts as seen from various observation points. For any site improvement that requires demarcation, no more than four (4) visual impact observation points shall be required. The applicant shall provide photographs taken from visual impact observation points of the development with aerial markers in place or other on-site markers. In addition to photographs, the Commission may request other graphic illustration or other data sufficient to portray the visual impact of the proposed activity.
- D. A viewshed plan showing location and dimensions of a sight cone(s) for each lot and other development improvements where removal of vegetation is proposed. Site cone areas shall be designed to minimize visibility of the site improvements from the visual impact observation points and reduce the potential for erosion. Removal of tree stock within the view sector cone shall be designed to minimize the visual impact and promote the long-term stabilization of the development.
- E. A cross-section at a scale of one inch equals 100 feet in horizontal and one inch equals 125 feet in the vertical to allow analysis of each lot of site improvement shall be prepared.

5.9.3 Mitigation Plan: A mitigation plan shall be submitted as a part of the application that specifies mechanisms to minimize the visual and environmental impacts that will result through the development, including but not limited to the following:

- A. Restrictions on the building materials incorporated into any structures (including but not limited to roofing material), the portion of the structure facing the observation points, building orientation, and the like;
- B. Restriction on height and mass of structures and/or accessory structures whenever the height is expected to exceed the height of the existing or proposed vegetation screening the structures and improvements from the visual impact observation points at a point in time five years from the time of installation of any new plant material;

- C. Restrictions on the location of any structures and/or accessory structures;
- D. Restrictions on the clearing of vegetation;
- E. Conservation easement areas; and
- F. Limiting disturbance of slopes equal to twenty (25%) percent or greater located on the property.

5.9.4 Criteria for Decision: In addition to the criteria of these Regulations, the Commission shall evaluate every application under this Section in accordance with the following criteria:

Visual Impact: The visual impact of the proposed activities as viewed from regional highways, arterial, or collector streets, public parks, or other areas accessible to the general public. Such impact may include, but not be limited to: unnatural gaps, cuts, projections, or other artificial alterations of existing natural tree lines, ridgelines, prominent topographic features, or rock formations; the use of materials which, by their size and/or orientation disrupt the natural or historic character of the higher elevation area; the size, height, shape, and location of buildings.

5.9.5 Modifications and Safeguards: If the Commission determines after the evaluation of the information requested that the application is in substantial compliance with this Section, the Commission, in its sole discretion in order to preserve the objectives of this Section, may modify the plans or safeguards as follows:

A. Site Development

- i. designate the location of structures and/or accessory structures within the site cone area including the distance between principal dwellings/structures on adjoining lots;
- ii. reduce the vegetative removal by restricting the size of lawn areas or other land clearing in connection with development, require the use of common driveways, require grading to be approximately parallel to existing contours, require the use of retaining walls or other methods to minimize disturbance of the existing topography and vegetation, and reduce cutting and filling of slopes;
- iii. require flagging of all vegetative removal prior to issuance of Zoning Permit.

B. Viewshed Protection

- i. require that vegetative cutting occur in a staggered or other pattern which reduces the visual impacts of the setting, and/or further require that cutting be staged over a period of time to allow for re-growth of remaining vegetation;
- ii. require a specific reforestation and screening plan prepared by a State of Connecticut Registered Professional Landscape Architect for an individual lot, site development and/or subdivision improvement and require a bond prior to issuance of any permits;
- iii. require building orientation appropriate to minimize the visual impact of the proposed development;
- iv. require the use of particular roof lines or other architectural treatments, lighting, pavement materials, or other site or building features in order to ensure the compatibility of the development with existing or planned historic sites, buildings, or landscapes;
- v. require the retention of certain vegetated areas in order to preserve identified historic sites and historic landscapes or vistas; and
- vi. require conservation easement areas and prohibit removal of tree stock greater than twelve inch (12") caliper for areas on proposed lots where it is determined the removal of vegetation would not be appropriate as set forth in these Regulations.

5.9.6 Recording Requirements: Any subdivision or site plan that requires the implementation of this Section shall have a note stating "All clearing and construction activities must comply with Section 5.8 Hill Top/Ridgeline Regulation."

6.0 DESIGN STANDARDS FOR ROADS

6.1 GENERAL

Roads shall provide a safe and convenient circulation pattern for both existing and future traffic within the subdivision and within the surrounding neighborhood. Traffic Calming techniques such as, but not limited to rumble strips, pedestrian bump-outs, pavers, and landscaping, shall be utilized whenever possible and deemed appropriate by the Commission.

6.1.1 The arrangement of roads shall conform to the Town's Plan of Conservation and Development where applicable and shall be designed to meet the needs of the neighborhood and to discourage through traffic.

6.1.2 The arrangement of proposed roads shall be compatible with existing and planned roads. Existing roads shall be continued into the proposed subdivision if deemed appropriate by the Commission.

6.1.3 Provision shall be made for the continuation of proposed roads to adjoining properties where the potential exists for the future subdivision of the adjoining properties.

6.1.4 When a proposed subdivision covers only part of a larger contiguous piece of land, the applicant shall provide the Commission with a preliminary map indicating a reasonable road layout for the remaining unsubdivided portion of the land.

6.1.5 In general, roads should follow the contours of the land.

6.1.6 Where an existing road 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.

6.1.7 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.

6.2 Street Hierarchy

Streets shall be classified by type according to the street hierarchy described below. A street's classification is determined by the Commission. The Commission may require the applicant to provide a traffic study to aid in the classification of proposed streets.

6.2.1 Local Street/Residential Access Road: Lowest order of residential streets; provides frontage for access to lots and carries traffic having destination or origin on the street itself. It is designed to carry the least amount of traffic. On street parking is allowed. The number of average daily trips is 500 or less.

6.2.2. Residential Sub-collector: Middle order of residential street. Provides frontage for access to lots and has slightly higher traffic volumes than a local street. Traffic is limited to motorists having origin or destination in the immediate neighborhood. On street parking is allowed. The number of average daily trips is 1,000 or less.

6.2.3 Residential Collector: Highest order of residential street. It conducts and distributes traffic between neighborhoods. On street parking is not common. The number of average daily trips is 3,000 or less.

6.2.4 Arterial: Interregional road. It conveys traffic between different parts of the Town and between different areas outside the city; provides frontage for industrial and commercial uses. On street parking is frequently restricted. The number of average daily trips is 3,000 or more.

6.2.5 Industrial/Commercial: Streets that provide direct access to industrial and commercial areas.

6.3 Design Standards by Road Type

6.3.1 Each road shall be classified and designed for its entire length to meet the standards for one of the street types as defined above. The design standards for each road type are given in Tables 1 and 2 below.

Table 1

Road Type	Design Speed (MPH)	ROW Width (feet)	Pavement Width (feet)				Maximum Grade	Sight Distance (feet)
					On Street Parking			
Local/residential Access Rural	25	50		22	1 side Add 8'	2 sides add 16'	10%	175
Residential sub-collector	30	50		26	N/A	N/A	10%	200
Residential Collector	35	50		28	N/A	N/A	10%	250
Arterial	40	60		32	1 side Add 8'	2 sides add 16'	10%	300

Table 2

Road Type	Design Speed (MPH)	Minimum Centerline Horizontal Curve (Feet)	Intersection Radii (Feet)	Max. Grade within 50 ft. of intersection
Local/residential Access Rural	25	150	25	5%
Residential sub-collector	30	150	25	10%
Residential Collector	35	300	25 Residential 40 Commercial	10%
Major Collector/ Industrial/ commercial	40	560	40	8%

6.3.2 Local roads and residential sub-collector streets shall be laid out so that their use by

through traffic will be minimized.

6.3.3 The minimum grade on all roads shall be .5%. The minimum paved width of any road shall be 22 feet.

6.3.4 The recommended minimum tangent distance between reverse curves is 100 feet.

6.3.5 Road construction materials shall conform to CTDOT specification, as amended

6.4 Intersections

6.4.1 No more than two roads shall intersect at any one point.

6.4.2 Roads shall intersect at an angle as near to ninety degrees as practical. In no case shall the angle of intersection be less than seventy five degrees.

6.4.3 Intersections along one side of a road shall either:

A. coincide exactly with intersections along the opposite side of the road; or

B. be offset by a distance of at least 150 feet from intersections along the opposite side of the road; the distance is measured between centerlines of the roads.

6.4.4 The use of "T" intersections rather than four way intersections, shall be encouraged.

6.5 Cul-de-sacs/Turnarounds/Dead-ends/Loop Roads

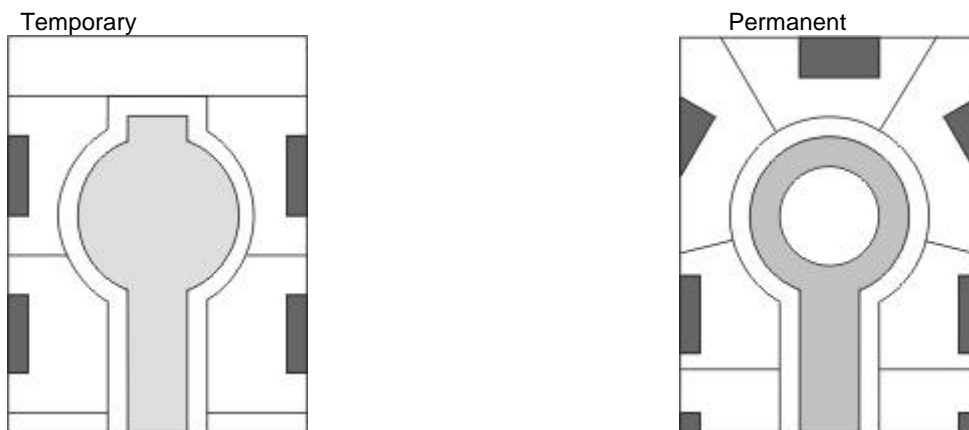
6.5.1 All dead-end roads, permanent and temporary, shall terminate in a circular turnaround or "Reverse P" cul-de-sac.

6.5.2 The turnaround areas of permanent cul-de-sacs may have a landscaped area in the middle. The natural vegetation in the landscaped area is to be preserved to the extent possible. The Commission may require additional landscaping in this area.

6.5.3 All dead-end roads, permanent and temporary, shall have a right-of-way radius of fifty (50) feet. The turnaround area at the end of a cul-de-sac shall have an outside pavement radius of forty (40) feet. The Commission may permit a landscaped center island provided center island is designed in terms of landscaping to accommodate the turning radius of a WB-40 vehicle

6.5.4 The maximum roadway gradient within the turnaround shall be six percent (6%) with a minimum gradient of 0.5 percent.

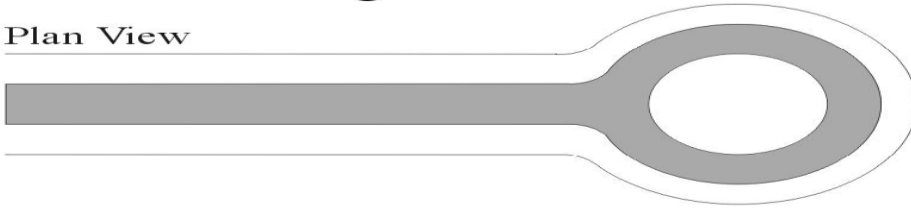
6.5.5 Cul-de-sacs shall be designed to serve no more than 20 dwelling units. The maximum length of a cul-de-sac, regardless of the number of dwelling units served, shall be 1,200 feet.



6.5.6 Loop roads shall not exceed 4000 linear feet nor shall provide access or frontage to more than 25 lots. A loop road shall have a direct physical connection to an existing or proposed Town road and shall not provide access from a cul-de-sac or dead end road.

Turnaround Design

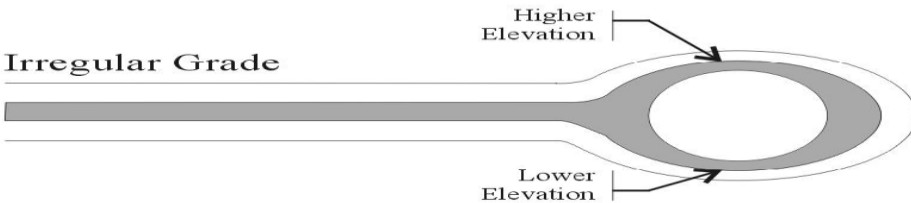
Plan View



Irregular Arrangement



Irregular Grade



6.6 Curbing

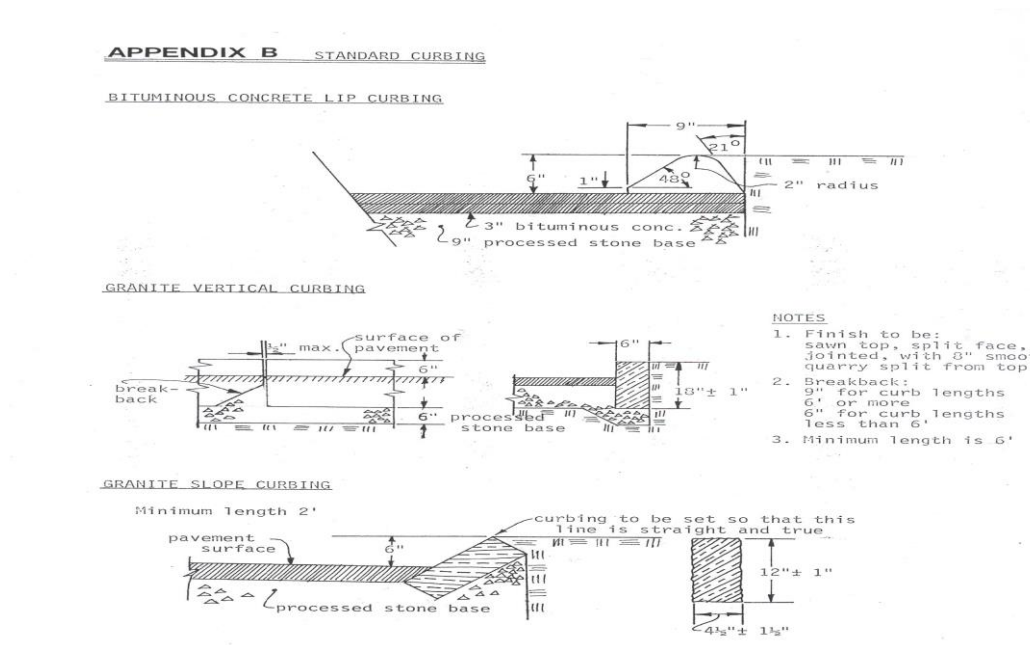
6.6.1 Six (6) inch pre-cast concrete (extruded concrete curbing is not allowed), granite curbing shall be used under the following conditions:

- A. Wherever sidewalks are used;
- B. Road gradient exceeds 7%
- C. Road fills over five (5) feet high
- D. All non-residential areas except as waived by the Commission;
- E. where required by the Commission

6.6.2 Curbing shall be designed to provide ramps for bicycles and/or wheelchairs as required under the American Disabilities Act.

6.6.3 Curbing shall be installed on both edges of pavement, except where surface

drainage is proposed. Curbing shall be granite, or may, with approval of the Commission, be a mountable (“cape cod”) granite curb. Construction and materials shall conform with CONNDOT specifications



6.7 Sidewalks/Walkways

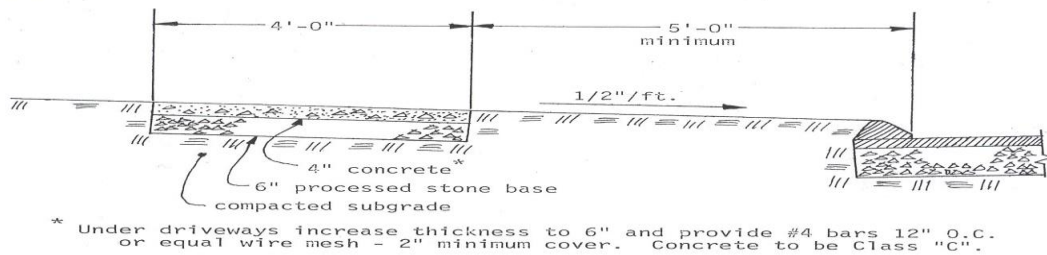
6.7.1 Sidewalks shall be required, unless a waiver is granted from the Commission, under the following conditions:

- A. In any subdivision located in the “Central Winchester Business District “ as shown on the Town of Winchester Zoning Map;
- B. Within 500 feet of active recreational parks/areas;
- C. Within one half mile of public schools and non-public schools
- D. In retail areas;
- E. As required by the Commission

6.7.2 When required, sidewalks will be located within the right-of-way, four (4) feet from the outside edge of the curb and shall be a minimum of four (4) feet wide.

6.7.3 As required by the Commission, Town-owned sidewalks shall be constructed of concrete, four (4) inches thick laid over eight (8) inches of high quality bank run gravel; side forms shall be used. Except at vehicle crossings, sidewalks shall be six (6) inches thick and shall be reinforced with welded wire mesh or an equivalent.

CONCRETE SIDEWALK SECTION



6.7.4 Construction of Town-owned, concrete sidewalks shall comply with CONNDOT specifications.

6.7.5 Walkways in dedicated rights-of-way through the interior of a subdivision shall be constructed as specified by the Commission. The Commission may require the establishment of easements for pedestrians and/or bikeways, which shall be a minimum of ten (10) feet in width

6.8 Guide Rails

6.8.1 In all areas where the side slopes are steeper than four feet horizontal to one foot vertical and slope down from the street, guide rails shall be designed and installed in accordance with CONN DOT standards.

6.8.2 Alternatives to standard galvanized, w-beam guide rail systems shall be proposed and will be given priority by the Commission in an effort to retain or enhance the character of the neighborhood in which the subdivision is proposed. Alternatives may include, but are not limited to those depicted below



6.9 TELEPHONE, CABLE AND ELECTRICAL UTILITIES

6.9.1 All telephone, cable, and electrical lines shall be installed in accordance with the specifications and policies of the respective utilities.

6.9.2 All telephone, cable and electrical lines shall be installed underground unless the Commission determines that such underground installation is in whole, or in part, inappropriate or unfeasible. Except for crossings, such lines shall not be located under the road pavement. The lines and facilities shall be installed after the road right-of-way has been graded but prior to installation of the base course for the road pavement.

6.10 ROAD NAMES

Road names shall be proposed by the applicant. The Commission shall recommend road names to the Selectmen who approve all road names. There should be no duplication of existing road names nor should there be a phonetic resemblance to the names of existing roads. Proposed roads that are continuations of existing roads should be given the same name.

6.11 Side Slopes

6.11.1 Streets in cut or fill shall be provided with side slopes not steeper than two feet horizontal to one foot vertical. Actual slopes will be determined by existing material types.

6.11.2 Where a new street abuts private property outside the proposed subdivision, the necessary grading rights shall be obtained by the applicant. These grading rights shall be shown on the subdivision plans and the site development plans.

6.12 Monuments

6.12.1 Monuments shall be placed at all block corners, at angle points, at the points of curvature and tangency in streets and at such intermediate points as may be necessary upon completion of final grading. The location of all street monuments shall be indicated on the final subdivision plan. The monuments shall be installed and their location certified by a licensed land surveyor. All lot corners shall be marked with pipes or other suitable markers. Easements, opens spaces, and other lands to be accepted by the Town shall be marked with pipes or other suitable markers prior to final acceptance by the Town.

6.12.2 Monuments shall constructed of stone or reinforced concrete, not less than four (4) inches square and four (4) feet long, with a brass or copper plug or drill hole or cross marking the center of the four (4) inch square, and be set flush with finished grades.

6.13 TRAFFIC CONTROL

Road name signs, traffic regulatory signs and warning signs shall be installed as prescribed by the Town at the expense of the applicant. All signs shall be installed prior to the road's provisional acceptance by the Town.

6.14 ROAD LIGHTS

6.14.1 Rural character will best be preserved by the absence of road lights. Road lights, however, may be required by the Commission on all proposed roads. Illumination is to be kept to the minimum consistent with public safety.

6.14.2 Illumination shall be designed so as not to cause either a hazard to drivers or a nuisance to residents.

6.14.3 Road lights may be required at all intersections and at the end of all cul-de sacs.

6.14.4 Road lights may be required at horizontal and vertical curves if, in the opinion of the Commission, the lights are needed to warn drivers of the curves.

6.14.5 The maximum height of light poles shall be twenty feet.

6.14.6 The Commission shall approve the number, location, and design of the light poles.

6.14.7 All proposed lighting shall consist of 90 degree full cut-off fixtures

7.0 Storm Water Drainage

7.1 General

7.1.1 The Developer shall be fully responsible for constructing adequate facilities for the control, collection, conveyance and acceptable disposal of storm water, other surface water and subsurface water, whether originating within the subdivision area or in a tributary drainage area.

7.1.2 The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by methods as approved by the Town.

7.1.3 Drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements, where necessary. Such easements shall be at least 20 ft. in width. Such easements shall be deeded to the Town.

7.1.4 When a Proposed Drainage System will carry water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the subdivision map. Such easements must be acceptably executed before acceptance of drainage plan and approval of the subdivision map.

7.1.5 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.

7.1.6 The applicant may be required to dedicate either by deed or by drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the Commission.

7.1.7 The discharge of all storm water from a subdivision shall be into suitable streams or other acceptable and suitable storm water drainage facilities having adequate capacity to carry the additional water.

7.1.8 Where the discharge will be into private property, proper easements and discharge rights shall be secured for the Town by the applicant from all affected property owners. Such easements must be acceptably executed before acceptance of drainage plan and approval of the subdivision map.

7.1.9 Sufficient and adequate facilities shall be constructed on private lots wherever necessary to prevent the flow of surface drainage from the property on which it originates onto adjacent property in sufficient quantity, concentration or velocity to cause damage or create a nuisance on adjoining property.

7.1.10 Where a new street intercepts an existing street which has no underground drainage system or has a drainage system of insufficient capacity to carry the additional flow, appropriate facilities shall be installed by the Developer to intercept and dispose of any drainage from the new street which would otherwise be discharged onto the surface of the existing street or into its drainage system.

7.2 DRAINAGE DESIGN

7.2.1 All designs shall be based on the maximum ultimate development of the entire watershed as permitted by the Zoning Regulations. All bridges and culverts shall be designed such that the required head and water backwater produced by the structure shall not cause flooding of abutting property.

7.2.2 On watersheds one square mile or over, the design of culverts, bridges and through watercourses shall be based upon not less than a 100-year storm. On watersheds of less than one square mile, the design for the through drainage system shall be for not less than a 50-year storm.

7.2.3 The drainage system for roads, including catch basins, inlets, pipe, underdrains and gutters, within or abutting the subdivision shall be designed for not less than a 10-year storm.

7.2.4 Adequate underdrains shall be constructed whenever, in the opinion of the Town, drainage conditions require it. They may be required even though not shown on the approved construction plans. Design shall be as approved by the Town.

7.2.5 Drainage ditches will, in general, not be permitted where it is feasible to install underground pipe. Lead-off culverts shall be extended to grade.

7.2.6 Culverts under streets shall be extended at least to the edge of the right-of-way of the street. Headwalls, paving, flared-ends, and/or riprap, adequate to prevent erosion, shall be provided at the ends of all culverts.

7.3 Detention Basins

7.3.1 The Commission may require the construction of detention basins to control peak storm water discharges from a developed area, to control sedimentation and erosion and to filter storm water runoff from developed areas. The storm drainage and stream flow computations shall be of sufficient adequacy so that the Commission can make an assessment of the need for detention.

7.3.2 Detention basins shall be designed to achieve a zero percent increase in the peak rate of runoff for the two year to one hundred year storm events.

7.3.3 Basins shall be constructed to blend into the existing contours of the land. The Commission may require that vegetation be added for storm water filtration. The Commission may also require that the basin be of an irregular shape so as to better blend into the parcel's existing contours. The basin's side slopes shall be no steeper than 3 feet horizontal for one foot vertical.

7.3.4 Maintenance accessways and easements shall be provided for all facilities. The accessway shall be 10 feet wide. The accessway surface shall be 12 inches of rolled gravel formed in two equal lifts. The accessway's slope shall not exceed 15%.

7.3.5. Twenty foot wide easements centered on the storm drain pipe shall be provided to the Town for all storm water pipes which are not installed either in a right of way or on other

land to be deeded to the Town. Easements for outlet pipes shall extend to a suitable existing storm drain or an adequate natural watercourse.

7.3.6 A minimum ten (10) foot wide maintenance access path shall be provided around the perimeter of the detention basin. A six (6) foot high black vinyl coated chain link fence and evergreen landscaped plantings approved by the Commission shall also be provided around the perimeter of the detention basin.

8.0 Water Supply

8.1 Public Water Supply

8.1.1 Lots shall be served by a public water supply where the Commission determines such service is both practical and economically feasible. In making its determination, the Commission shall consider:

- A. The location and size of existing water lines;
- B. The adequacy of the water pressure and service;
- C. The need for fire protection;
- D. The number of lots in the proposed subdivision; and
- E. The potential for private wells in the proposed subdivision.

The public water supply system shall have sufficient capacity to handle the necessary flow for domestic demand as well as fire demand.

8.2 Private Water Supply

In subdivisions where the lots are not to be connected to a public water supply, a private well shall be located and constructed on each lot. The well shall be located and constructed in accordance with the requirements of the Connecticut Public Health Code and shall have the approval of the Torrington Area Health District.

9.0 FIRE PROTECTION

9.1 Fire Hydrants

9.1.1 In subdivisions to be served by a public water supply system, fire hydrants shall be installed as required by the Winchester Fire Chief.

9.1.2 In residential subdivisions, fire hydrants shall be spaced so that each potential residential building shall be within 1,000 feet of a hydrant.

9.1.3 In non-residential subdivisions, fire hydrants shall be spaced so that each potential principal building shall be no more than 1,000 feet from a hydrant. The Commission, after consultation with the Fire Chief, may require that hydrants be spaced less than 1,000 feet apart.

9.1.4 The size, type and installation of hydrants shall conform to the specifications of the Winchester Fire Department.

9.2 Fire Ponds

9.2.1 In areas not served by a public water supply system, the Commission may require the construction of a fire pond and/or a dry hydrant. The fire pond and/or dry hydrant shall be accessible to an emergency vehicle.

9.2.2 To provide access to the fire pond or dry hydrant, the Commission may require the construction of an accessway capable of supporting emergency vehicles.

9.2.3 The Commission may require an easement for the use of the pond and the accessway by the Fire Department.

9.2.4 The responsibility for the maintenance of the fire pond, dry hydrant, and accessway shall be determined by the Commission.

9.2.5 The installation of the fire pond, dry hydrant and accessway shall conform to the specifications of the Winchester Fire Department.

10.0 SEWAGE DISPOSAL

Each building lot shall have a means of sanitary sewage disposal that is acceptable to the Commission.

10.1 Public Sewer Systems

10.1.1 The public sewer system shall be designed and installed in accordance with the Town's construction standards as well as all applicable State and Federal regulations subject to the approval by the Water and Sewer Commission.

10.1.2 The public sewer system shall be installed with sufficient capacity to handle anticipated future development in the surrounding area as designated in the Plan of Conservation and Development and as approved by the Winchester Water and Sewer Commission

10.1.3 Lots shall be served by a public sewer system where the Commission determines that such service is both practical and economically feasible and where required by Town Ordinance.

10.2 On Site Sewage Disposal

10.2.1 On site sewage disposal systems may be allowed by the Commission where, the Commission determines that public sewer systems are neither practical nor economically feasible.

10.2.2 Prior to approving any subdivision with on site sewage disposal systems, the Commission shall receive a report from the Torrington Area Health District indicating that all lots in the subdivision are capable of supporting an on site system.

10.2.3 On site sewage disposal systems shall be designed and constructed in accordance with the regulations of both the Torrington Area Health District and the State Health Department.

11.0 SOLAR AND RENEWABLE ENERGY

11.1 SITE DESIGN

The applicant shall consider site designs that promote energy efficient patterns of development, the use of solar or other renewable forms of energy and energy conservation.

11.2 PASSIVE SOLAR ENERGY

The applicant shall demonstrate to the Commission that the use of passive solar energy techniques has been considered in the development of the subdivision plan. Passive solar energy techniques mean site design techniques which:

- A. During the heating season, maximizes solar heat gain, minimizes solar heat loss and provides thermal storage within a building; and
- B. During the cooling season, minimizes heat gain and provides for natural ventilation during the cooling season.

11.3 PASSIVE SOLAR ENERGY TECHNIQUES

Passive solar energy techniques include, but are not limited to, the following:

- A. Having the proposed principal building oriented so that the longest side of the building faces within 30 degrees of true south;
- B. Having roads laid out within 30 degrees of an east-west axis;
- C. Providing vegetative buffers on the northwesterly side of principal building to reduce heat loss due to winter winds;
- D. Providing easements to protect solar access.

12.0 ENFORCEMENT

12.1 Any person, firm or corporation subdividing or resubdividing land without the approval of the Commission shall be subject to penalties as specified in the Connecticut General Statutes. Any person, firm or corporation offering for sale a lot in a subdivision or resubdivision that has not been approved by the Commission shall also be subject to penalties as specified in the Connecticut General Statutes.

12.2 If the owner places restrictions on any of the land contained in the subdivision greater than those required by the Zoning Regulations, or these Regulations, such restrictions or reference thereto shall be indicated on the Subdivision Map.

13.0 AMENDMENTS

The Commission may amend these regulations in accordance with the procedures in the Connecticut General Statutes.

14.0 VALIDITY

If any part of these regulations is declared by a court of competent jurisdiction to be invalid, such declaration shall not affect the validity of the rest of these regulations.