



CITY OF WATERBURY, CONNECTICUT

**LAND SUBDIVISION REGULATIONS
OF THE
CITY PLAN COMMISSION**

MONTH DAY, 2009

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SECTION 1. INTRODUCTORY PROVISIONS

1.1 SHORT TITLE

These Regulations shall be known as the City of Waterbury Land Subdivision Regulations.

1.2 AUTHORITY

These regulations are adopted by the City of Waterbury, City Plan Commission, in accordance with the applicable provisions of the CGS Chapter 126, and the City of Waterbury Ordinance 158.02.

1.3 PURPOSE

It is the policy of the City Plan Commission to consider the subdivision of land in its relation to the best interest of the City of Waterbury. Land subdivisions must be properly supervised in order that sites for buildings will be created in a manner that will achieve the best possible urban environment, that will meet all the practical requirements of modern urban living, and that will promote the health, safety, or general welfare of the community.

These regulations have been adopted to accomplish these objectives. They are to regulate the layout of lots and streets, provisions for water, sewerage, and storm drainage, the design and installation of infrastructure improvements open spaces, retention of natural features in harmony with the City's Comprehensive Plan of Conservation and Development.

1.4 APPLICABILITY

In accordance with CGS Section 8-25, no subdivision of land into three or more lots shall be made until a plan for such a subdivision has been approved by the City Plan Commission.

In accordance with City of Waterbury Ordinance 158.02, the City Plan Commission must approve a subdivision prior to the sale of a lot or parcel in said subdivision.

1.5 SEVERABILITY

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

1.6 EFFECTIVE DATE OF REGULATIONS

These Regulations including application forms, fee schedule, and amendments thereto, shall become effective upon filing in the Office of the Town Clerk and publication of a notice of such action in a newspaper having general circulation in the City.

1.7 REPEALED

Previous enacted, amended, and adopted versions of the City of Waterbury Land Subdivision Regulations are repealed as of the effective date of these Regulations.

1.8 APPLICATION FOR RESIDENTIAL SUBDIVISION FILED PRIOR TO CHANGE IN LAND SUBDIVISION REGULATIONS

Pursuant to CGS Section 8-28b, an application filed with the City Plan Commission that is in conformance with these Regulations at the time of the filing shall not be required to comply with, nor shall it be disapproved for the reason that it does not comply with, any change in these Regulations.

1.9 REFERENCES TO OTHER REGULATIONS

All references in these Regulations to other local, state, or federal regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility on the part of the City of Waterbury for enforcement of those local, state, or federal regulations.

All references to local, state, or federal regulations in these Regulations refer to the most current version of those regulations. When the referenced regulations have been repealed and not replaced by other regulations, the referenced requirement in these Regulations for compliance is no longer in effect.

1.10 CONFLICTING REGULATIONS

When any provision of these Regulations imposes more stringent requirements, regulations, restrictions, or limitations than are imposed or required by the provisions of any other ordinance, statute, or law, the most restrictive provisions shall apply and govern. When any provision of these Regulations conflicts with another provision of these Regulations, the most restrictive revision shall apply and govern.

1.11 DELEGATION OF AUTHORITY

Reference made in these Regulations to another entity to review, approve, or issue a plan or document, shall not construe authorization or delegated responsibility to others who are not subject to these Regulations, but is to indicate compliance and cooperation between the City Plan Commission and other entities to effectuate the City's Plan of Conservation and Development, and these Regulations.

1.12 INTERPRETATIONS

1.12.1 MINIMUM REQUIREMENTS

When a regulation is expressed in terms of a minimum requirement, any fractional result of 0.5 or more must be rounded up to the next consecutive whole number.

1.12.2 MAXIMUM LIMITS

When a regulation is expressed in terms of maximum limits, any fractional result will be rounded down to the next lower whole number.

1.12.3 HEADINGS

Headings are provided for convenience and reference only and do not define or limit the scope of any provision of the text associated with the heading.

SECTION 2. DEFINITIONS

2.1 GENERAL RULES

For the purposes of these Regulations the following definitions shall apply, unless the context clearly indicates or requires another meaning. Words that are not defined below have the meaning given in the latest edition of Merriam Webster's Collegiate Dictionary. All words used in the present tense include the future tense; and the reverse is true. All words used in the plural number include the singular number; and the reverse is true. The words "must," "will," "shall," and "may not" are mandatory. The word "may" is permissive, and the word "should" is advisory, not mandatory or required. Unless otherwise specified, all distances shall be measured horizontally.

2.2 DEFINITIONS

ADA

Americans with Disabilities Act

Agent

A duly authorized individual or individuals whom the City Plan Commission has delegated with specific authorities.

Alley

Slow speed service routes that run behind and between rows of lots. Alleys typically provide public service workers with easy access to utilities and garbage collection, and residents easy access to garages, backyards, and accessory units. Alleys also offer second or third approaches for emergency response.

Applicant

A person submitting a Subdivision Application. The Applicant shall be either the owner or the owner's authorized agent. Also see Subdivider and Developer.

Application

An application for the approval of a proposed subdivision of land, as provided in these Regulations, which shall include the maps, prescribed forms, and fees duly and correctly completed and submitted to the City Plan Commission.

Approval of New Streets

All new streets including unimproved or "paper" streets shall conform to the requirements of these Regulations, and shall include all lateral streets.

Block

An area bounded by streets, or by a combination of streets, public parks, railroad rights-of-way, rivers, creeks, ponds, and other bodies of water.

Buffer

A strip of land along a property boundary free of any building, structure, or use other than natural woody growth, landscaping, fencing, or screening designed to create open space separating uses to provide stormwater management, or to shield or block noise, light, or other nuisances.

Building

A structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, animal, process, equipment, goods or materials of any kind or nature. When any portion of a building is completely separated from every other portion of a building by a division wall without openings, such separated portions shall be deemed a separate building, however, in the case of a series of two or more attached and/or semidetached dwellings, the building that such dwellings comprise shall be considered to occupy a single lot, regardless of ownership, for purposes of determining lot area, lot width, lot area per dwelling unit, number of parking spaces, and other pertinent requirements.

Building Orientation

The relationship of a building's longest axis to the true south compass point. Optimal building orientation occurs when the building's longest axis is east to west (90 degrees from true south) with acceptable variations of 30 degrees north of due east (or 30 degrees south of due west) to 30 degrees south of due east (or 30 degrees north of due west).

Clean Fill

Natural soil, rock, brick, ceramics, concrete, and asphalt paving fragments that are virtually inert and pose neither a pollution threat to ground or surface waters, nor a fire hazard.

CGS

Connecticut General Statutes.

City

The City of Waterbury.

City Datum

The official elevation datum established by the City of Waterbury, being 136.755 above mean sea level.

City Planner

The City of Waterbury Planner.

Collector Street

A street that collects traffic from local access roads and channels traffic to principal arterials. A collector road customarily receives traffic from more than two local access roads or provides circulation within commercial and industrial areas.

Commission

The City of Waterbury City Plan Commission.

ConnDOT

The Connecticut Department of Transportation.

Conventional Subdivision

A subdivision of land in which all lots meet the minimum area and dimensional requirements of the Zoning Regulations for the district in which the subdivided parcel is located, without a proposed or assumed modification of the standards of those regulations.

Cul-de-Sac

A street with only one means of ingress and egress and ending in a turnaround.

Curb Extension

An extension of the sidewalk into the traveled way.

Date of Receipt

The date of which a petition or application is received shall be the day of the next regularly scheduled meeting of the City Plan Commission immediately following the day of submission to the Planning Office of such petition or application, or thirty-five days after such submission, whichever is sooner.

Datum Plane

The base elevation of the topographic map and shall be defined in terms of City Datum.

Developer

The person responsible for the development of the approved subdivision.

Development

Construction or grading activities including, but not limited to, disturbance of land for, or construction of, a structure or site improvements, and the installation of utilities.

Disturbed Area

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

Drainage

The controlled removal of surface water or groundwater from land by drains, grading or other means to include runoff controls to minimize erosion and sedimentation during and after construction or development, to maximize groundwater recharge, and to prevent or alleviate flooding.

Drawing

Plan sheet prepared by a land surveyor or engineer. For the purposes of these Regulations drawings shall be not more than thirty-six (36) inches long nor more than twenty-four (24) inches high, and shall have a one-half (1/2) inch border on three sides, and a two (2) inch border on the fourth side, which shall be used for binding multiple drawings into one plan set.

Dustless Surface

A surface adequately covered with stone, gravel, asphalt, or bituminous products, or adequately treated with calcium chloride, or similar dust-inhibiting substances.

Earth/Earth Material

Natural soil, loam, sand, gravel, rock, clay, silt, or any other excavated natural material.

Easement

Recorded right of use for a specific purpose or purpose by a person in a designated portion of land that is owned by another person.

Engineer, City

The City Engineer of the City of Waterbury, acting directly or through assistants, agents or inspectors within the scope of the particular duties entrusted to them.

Engineer, Professional

A person licensed in the State of Connecticut to practice engineering pursuant to CGS Chapter 391.

Erosion

The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice or gravity.

Excavation

The digging out, extraction and removal of earth, whether exposed or covered by water, so as to alter its contour.

Fill

To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock gravel, sand, silt, clay, peat, or debris; material, or other structures, placed in or adjacent to a water body or wetland.

Filling

To change the existing contours and elevations of land by the placement of earth material. "Filling" shall also mean the addition of earth materials to swamps, wetlands, watercourses or other bodies of water.

Floodway

The channel of a river, stream, or other water body as defined by FEMA.

Frontage

The length measured along that side of a lot abutting on a public street. Said length shall be measured along the street line except said length shall be measured along the front yard setback line in those situations where the street line is an arc or a lot's side lines converge toward the street in [sic] provided said convergence is perpendicular or radial to the street lot lines.

Full Cut-Off Type Fixture

A luminaire or light fixture that does not allow any light dispersion or direct glare to shine above a 90-degree, horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.

Grade, Finished

The completed surfaces of lawns, walks and roads brought to grades as shown on approved plans or designs relating to the subject property.

Grades

The slope of roads and ground surfaces, usually expressed as a percentage or ratio of horizontal distance to vertical distance.

Grading

Any excavation, grubbing, filling (including hydraulic fill) or stockpiling of earth, or any combination thereof, that results in a change of contour or elevation of the land.

Infrastructure Improvements

Improvements that must be provided by the Applicant as a condition of approval of the Subdivision Plan. Such improvements include, but are not limited to underground utilities, pedestrian amenities, landscaping, and streets. At the discretion of the City Plan Commission, infrastructure improvements may be privately owned by the individual lot owners, Homeowners' Association, or other entity acceptable to the City Plan Commission.

Land Surveyor, Professional

Land surveyor registered and licensed to conduct business in the State of Connecticut.

Lane

A narrow road that is the primary means of access to single family residences and mixed use neighborhoods. Lanes allow parking on one side only. One-way lanes can operate around parks or other public community areas. Lanes are short, usually running only two to six blocks before coming to an end.

LID Design

Low Impact Development design that takes into account the topography and existing natural features of a site to be developed, and makes use of innovative site planning and stormwater management to mimic, to the greatest degree practicable, the natural hydrologic conditions of the site. LIS development techniques manage precipitation at the source using decentralized micro-scale controls where possible.

Local Street

A cul-de-sac, loop street, or short street that primarily provides access to abutting lots, but may also serve as a connector to other local streets.

Lot

A parcel of land having the minimum width and area on a city maintained street, occupied, or capable of being occupied, by a principle building and the accessory buildings or uses customarily incidental to it, except as provided for in other Sections of these Regulations, including such open spaces as are required by this regulation, and such open spaces as are arranged and designed to be used in connection with such buildings.

Lot, Corner

A parcel of land at the junction of and fronting on two (2) intersecting streets.

Lot, Interior

A lot other than a corner lot.

Lot, Rear

A lot located to the rear of another lot and served by an access way owned in fee by the owner of the rear lot.

Lot, Through

An interior lot having frontages on two (2) more or less parallel streets as distinguished from a corner lot.

Lot Depth

The mean distance from the street line of the lot to the rear lot line measured in the general direction of the side lines of the lot.

Lot Line

The property line bounding the lot.

Lot Line(s), Front

The boundary line(s) dividing the lot from the right-of-way of a street or streets.

Lot Line(s), Side

The boundary line(s) extending from the street that divide contiguous lots that abut the street.

Lot Lines, Rear

The boundary line(s) between the side lot lines and generally opposite to the front lot line.

Lot of Record

A contiguous area of land that is either part of an approved subdivision recorded in the office of the Town Clerk or described by metes and bounds and recorded in the land records of the City.

Lot Width

See frontage.

Net Buildable Area

Shall exclude:

- a. water bodies, wetlands, and special flood hazard areas;
- b. all planned and existing paved and graveled areas;
- c. ledge outcrops;
- d. land having topography exceeding twenty percent (20%) a 30% slope in grade as measured in 40-foot increments;
- e. landfill areas and former dumps (including stump dumps unless the stumps and other material so disposed of have been thoroughly removed); and
- f. any land which if included would result in a Net Buildable Area larger than 75% of the total PRCD tract.

Open Space

A space not occupied by a building or structure on the same lot as the principal building or use or within the same project.

Open Space, Usable

That space on the same lot and contiguous to the principal building or buildings that is either landscaped with shrubs, planted with grass, or developed and maintained for recreation purpose, and excludes those portions of the lot that are utilized for off-street parking, driveway, or building purposes and areas that have a slope in excess of twenty (20) percent.

Owner

The owner of record in the land records of the City of Waterbury.

Passive Solar Energy Techniques

Site design techniques that maximize solar heat gain, minimize heat loss, and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include but not be limited to the following:

- a. House orientation,
- b. Street and lot layout,
- c. Vegetation,
- d. Natural and man-made topographic features, and
- e. Protection of solar access within the development.

Person

Any individual, group or individuals, association, partnership, corporation, company, business organization, trust, estate, public or quasi-public corporation or body, and any other legal entity, its legal representatives, agents, or assigns.

Plan of Conservation and Development

The master plan of development for the City prepared and updated by the City Plan Commission in accordance with CGS Section 8-23.

Reserved Areas

Sections of land reserved for future streets, public facilities, paths, and open space.

Resubdivision

Change in a map of an approved or recorded subdivision or subdivision if such change:

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

as defined in the CGS Section 8-18, as may be amended.

Reserve Strip

A privately owned strip of land which controls access to land dedicated, or to be dedicated, to public use or to a parcel of land otherwise landlocked.

Sediment

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

Soil

Unconsolidated mineral and organic material of any origin.

Solar Access

The ability to allow sunlight to strike a solar collector. The best period for evaluating solar access is between the hours of 10:00 A.M. to 2:00 P.M. on December 21st.

Stockpiling of Earth Material

Temporary storage of earth material.

Storm Sewers

A system of pipes, manholes, catch basins, culverts, or inlets installed for the purpose of draining off surface water that may collect on streets or roadways, but does not include subdrains or drains on private property not specifically owned by the City.

State

The State of Connecticut.

Street

A public way permanently dedicated to movement of vehicles and pedestrians, which is shown on a Subdivision Plan approved by the City Plan Commission, or on a map filed in the Office of the Town Clerk, or is a State or City highway or road.

Street, Paper

Any street or highway shown on a map but not actually laid out on the ground, or does not conform with the street requirements of the Land Subdivision Regulations of the City Plan Commission, or is not maintained or accepted by the municipality.

Street, Private

Anything other than a paper street or public street. Private Streets are only allowed under planned residential conservation developments or group dwellings as described in Waterbury's Zoning Regulations.

Street, Public

A municipally accepted public way permanently dedicated to movement of vehicles and pedestrians, and maintained under public authority, or shown on a Subdivision Plan approved by the City Plan Commission, filed in the office of the town clerk, and constructed in conformance with the Land Subdivision Regulations of the City Plan Commission.

Street Line

The common line between a lot and a street right-of-way.

Street Right-of-Way

The portion of land between property lines in which a public road is built and the adjacent area reserved for pedestrian and drainage improvements, and future travel lanes.

Street Width

The width of the right-of-way from property line to property line.

Stormwater Runoff

The rainfall or snowmelt flowing over the ground surface.

Structure

Anything constructed or erected, including a building, the use of which requires location on or under the ground, or attachment to something having location on the ground.

Subdivider

The person responsible for the development of the approved subdivision.

Subdivision

The division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, of sale or building development expressly excluding development of municipal, conservation, or agricultural purposes, and includes resubdivision, as defined in CGS Section 8-18. Subdivision used in these Regulations shall also mean resubdivision.

Subdivision Plan

The plan which is presented to the City Plan Commission for approval, and when all requirements have been met, the plan is then submitted to the Town Clerk's Office for recording.

Surety

An acceptable form of security with the City, such as a bond in the form of a certified check or letter of credit payable to the City of Waterbury, as obligee. The penal sum to be fixed as deemed sufficient to cover the cost of the performance of all labor and materials to carry out the proposal.

Trails

Neighborhood connectors for non-motorized traffic. Trails usually follow independent rights-of-way or utility corridors. Trails are an alternative transportation system to connect homes, parks, schools, transit hubs, and employment centers.

Wetland and Watercourses

As defined in CGS Sections 22a-28 through 22a-45 and subject to the Waterbury Inland Wetland and Watercourses Regulations.

SECTION 3. APPROVAL PROCEDURES

3.1 GENERAL

Any person proposing a subdivision of land shall submit an "Application for Approval of Record Subdivision Plat and/or Street(s) Development," which shall be made out in by the owner or the owner's authorized agent on a form supplied by the City Plan Commission, accompanied by attachments specified herein, to the office of the City Plan Commission during regular business hours.

3.2 PRE-APPLICATION DISCUSSION

Applications are encouraged to initiate a pre-application conference with the City Plan Commission, and/or its delegated Agent, to discuss the conceptual aspects of a proposed development, and to prepare and present a Preliminary Subdivision Plan for informal consideration of such by the City Plan Commission and/or , and/or its delegated Agent. The purpose of a pre-application review discussion is to afford the prospective Applicant the opportunity to receive comments on the proposal prior to preparing and submitting a complete Application. Neither the pre-application conference, the informal review of a conceptual plan, nor comments or suggestions by the City Plan Commission, its delegated Agent, or City departments that the City Plan Commission may consultant relative to a Preliminary Subdivision Plan, shall be deemed to constitute approval or denial of any portion or provision of a proposed development, or Application for approval of such plan that may be subsequently submitted as provided by these Regulations. Any pre-application discussion shall be for informational purposes only, and shall not be binding upon the Applicant, the City Plan Commission, its delegated Agent, or the City departments. As provided by CGS Section 7-159b, any pre-application review, and any results or information obtained from such review, may not be appealed.

3.2.1 PRELIMINARY SUBDIVISION PLANS FOR PRE-APPLICATION DISCUSSION

Five copies of a preliminary Subdivision Plan may be submitted to allow review by appropriate City Departments. The City Plan Commission, and/or its delegated Agent, may be consulted to determine if more or fewer plans are required for an adequate review. Suggested contents for preliminary Subdivision Plans for pre-application review include the following:

- a. The preliminary Subdivision Plan shall be drawn to scale and, at a minimum, shall show the following:
 1. A north arrow and graphical scale.
 2. The property boundary and adjacent property owners, as transcribed from the Assessor's map.
 3. Contour lines at intervals of at least 5 feet. Two foot contours are preferred if available.
 4. Locations of existing roads, structures, wetlands and watercourses, rock outcrops, and utility rights-of-way and easements. Wetland and watercourse boundaries must be established by a certified soil scientist located by survey and plotted to A-2 standards.
 5. Existing use and zone district of adjacent properties.
 6. Location of proposed roads, building lots, and open space. Location of minimum buildable areas based on standards of Section 5.3.
 7. For subdivisions proposed to be served by private septic systems, location of test pits on the basis of at least one every five (5) acres, distributed over the entire tract in accordance with soil types and other field conditions that might affect onsite sewage disposal. Test pits may also be required to determine suitability and location of

minimum buildable areas. Test holes must be in accordance with requirements of the Health Department. The plan shall also indicate the location and condition of existing septic systems that are proposed to be used in the subdivision including but not limited to septic system failures, repairs, and type and age of system.

- b. Recommended additional supporting information includes the following:
1. A vicinity map at a scale of 1" equals 1,000' showing the location of the proposed subdivision, all streets, and all wetlands and watercourses within 2,000 feet of the proposed subdivision. Offsite wetlands and watercourses can be interpreted from the New Haven County Soil Survey unless otherwise directed.
 2. The total acreage of the tract of land to be subdivided and the area of each lot in square feet.
 3. Identification of soils types on site as mapped by the Soil Conservation Service or a qualified Soil Scientist. Analysis of test pits, showing types of soil to a depth of eight feet and the depths to groundwater table and bedrock. The classification of soils shall be in accordance with the National Cooperative Soils Survey of the Soil Conservation Service.
 4. A written statement indicating the proposed method of providing for water supply and sewage disposal.
 5. In the case of a Planned Residential Conservation Development subdivision, the calculation of the proposed number of lots.

3.3 APPLICATION FOR FORMAL REVIEW FOR APPROVAL BY CITY PLAN COMMISSION

Eleven (11) copies of the Application for Subdivision Approval must be made using the form "Application for Approval of Record Subdivision Plat and/or Street(s) Development," which is available from the City Plan Commission Office.

The maps and plans required by these Regulations to be submitted with an Application shall show the information and be prepared in accordance with the standards hereinafter specified. Pertinent survey date and computations shall be presented to the City Engineer for review if requested by him. All plans shall bear the signature and seal of a Professional Land Surveyor shall be certified as being substantially correct to the degree of accuracy shown.

3.3.1 SUBMITTAL REQUIREMENTS

The Application shall be accompanied by the items listed herein.

3.3.1.1 Subdivision Plans

The Subdivision Plans shall be in sheets no larger than 24 inches wide and 36 inches long, to a scale of 40 feet to the inch. An index plat, drawn at a scale of 200 feet to the inch shall be included, showing the entire subdivision with streets, lots, and section numbers. Also, when there is more than one sheet, appropriate "match" lines must be drawn and an index provided. Plan submissions including more than one sheet shall be bound. The Applicant shall consult with the City Plan Commission, and/or its delegated Agent, as to whether paper prints in addition to those to be submitted with the Application are required for review of the Subdivision Plan by the Regional Planning Agency, or utility companies.

Subdivision Plans shall conform to the following:

- a. Drawings in the Plan Set shall have the following title information:
1. The words "Subdivision Plan," the name of the subdivision, and "City of Waterbury, State of Connecticut."

2. The name(s) of the owner(s) of the property.
3. The name of the Applicant, if not the owner.
4. The names, registration numbers and seals of the Professional Land Surveyor and Professional Engineer who prepared the drawing.
5. The date, scale (numerical and graphical), and a north arrow.
6. An insert location map which shall show the outline of the property and the streets proposed, and all existing and approved roads and streets, and their names.
7. As appropriate for the Drawing, the words “The accuracy of the information on this map meets the standards for a Class A-2 Transit Survey,” (as described in the Code of Recommended Practice for Standards of Accuracy of Maps approved by the State Board of Registration for Professional Engineers and Land Surveyors, and the seal and signature of a Professional Land Surveyor.
8. The total area of the subdivision property in acres.
9. A statement on the map that “Consideration has been given to this development utilizing Passive Solar Energy Techniques” as required by Section 5.3.5 of these Regulations.

3.3.1.2 Adjoining Municipality Certification

A statement shall be submitted certifying whether:

1. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary line of an adjoining municipality;
2. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
3. Sewer or water drainage from the project site will flow through and impact the sanitary or storm sewer system(s) within the adjoining municipality; or
4. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

3.3.1.3 Boundary Survey Map

The boundary survey map shall be drawn at a scale of 1” equals 100’ feet and shall show the following information:

- a. The boundaries of the subdivision with courses and distances marked thereon as determined by an accurate land survey from control points approved by the City Engineer and noted on the drawing. The traverse sheets, or a copy thereof, showing the error of closure of the field survey and the calculations for the final adjustments must be submitted to the City Engineer for approval and records, if required.
- b. Property lines and the names of abutting property owners as determined from the assessor’s records current at the time of the application.
- c. The location and width of all existing and proposed roads (rights-of-way), including street names, all easements, and railroads.
- d. The proposed lot layout and dimensions and area of each lot (numbered) and proposed easements.
- e. Proposed public lands designated as to use, and the area in acres. Any such public parcels, lots, rights-of-way, or easements within the subdivision shall be shown on the Subdivision Plan as dedicated to the City of Waterbury.
- f. The location of existing and proposed survey monuments.

- g. The location, extent, and alignment of existing and proposed wetlands, watercourses, ponds, and drainage ways.
- h. The boundary line of the entire tract proposed for subdivision shall be a heavy weight line easily distinguishable from other property lines.
- i. Location and identification of Zoning Districts within boundaries of the Subdivision
- j. True north arrow
- k. Dimensions and all lines to the hundredth of a foot, all bearings or deflection angles on all straight lines, and the central angle, tangent distance, and radius of arc for all curves.
- l. Boundaries within one hundred (100) feet of the proposed subdivision.
- m. Name of owners of all land within one hundred (100) feet of the proposed subdivision.
- n. Boundaries, bearings, area, building lines, and lot numbers of all proposed lots. (Lot areas may be shown in tabular form on the same sheet.)
- o. All existing fences, stone walls, monuments, iron pipes, or other physical evidence concerning the boundary of the property. Where new markers are established, they shall be referenced to established points of the Connecticut Coordinate System. A pair of coordinates shall be put on the plan for four separate boundary markers located along the exterior boundary of the subdivision.
- p. Location of all street bearings, curve data, including arc length, radii, and central angles.
- q. Location of all drainage easements and open spaces.
- r. Locations and descriptions of benchmarks and the datum used to prepare the drawings.

3.3.1.4 Profiles and Cross-Sections

Profiles and cross-sections shall conform to the following:

- a. The vertical scale shall be 1" equals 4' and the horizontal scale shall be 1" equals 20'.
- b. Profiles at the center line and the right-of-way lines of all proposed streets shall be shown. The grades shown shall be the existing and proposed finished grade for all streets to be constructed, and the existing and approximate finished grade for all streets to be constructed in the future. Intersections shall be identified.
- c. Cross-sections of drainage ditches as designated by the City Engineer shall appear on the same sheet. Cross-sections indicating the size and location of the aforementioned sub-surface installations within street rights-of-way shall be shown as designated by the City Engineer.
- d. Requested detail drawings of any special structures, and street cross-sections, as appropriate, shall appear as insets.
- e. Location, depth, invert, slope and size of all existing and proposed pipes, ditches, culverts, manholes, catch basins, headwalls, bridges, outfalls, watercourses, and any other existing topographic features within the proposed subdivision area.
- f. Existing ground surface along centerline.
- g. Proposed grades, vertical curves with centerline elevations every fifty (50) feet except that at intersections such information shall be provided at ten (10) foot intervals within eighty (80) feet of the centerline cross point of the intersection.
- h. Centerlines of all existing and proposed streets.
- i. Location, size, and invert elevations of existing and proposed sanitary sewers, if any.
- j. Location and size of all water mains, distribution lines, and hydrants.
- k. Cross-sections at one hundred (100) foot intervals where existing terrain slopes in excess of ten (10) percent from the centerline of the street..

- l. Location and type of proposed tree and shrub plantings and any other landscaping to be undertaken.
- m. Locations and invert elevations of all gas, electric, telephone, and cable television transmission lines and appurtenances.
- n. Where drainage systems are to be constructed, one copy of the construction plan shall be suitable marked to show watershed data used in the design of such systems and shall be accompanied by all calculations used in the drainage.
- o. Wherever any grading is proposed, the existing and finished grade shall be shown.
- p. In the case of retaining walls or other special features, a drawing to a scale of one-half (1/2) inch equals one (1) foot of all such details shall be furnished.
- q. Before voting approval of any subdivision, the City Plan Commission may require, where applicable, written statements attesting to the suitability of plans for (1) water and sewer systems from the Water and Sewer Commission and/or the Director of Health, or the Southeastern Connecticut Water Authority under provisions of Section 13 of the Special Act 381 (1967) as amended, and (2) all other improvements, such as roads, drainage, and monuments, from the Director of Public Works. The City Plan Commission may require written statements from other sources as it deems appropriate.

3.3.1.4 Soil Erosion and Sediment Control Plan

A Soil Erosion and Sediment Control Plan prepared in accordance with the provisions of the Zoning Regulations Section 18 entitled "Stormwater Management Standards."

3.3.1.5 Soil Percolation Tests and Water Table Tests

Soil percolation tests and water table test borings shall be obtained in the approximate location of the proposed on-site sanitary waste disposal systems and shall be taken prior to the deposition of "fill" in those areas where it is proposed to install leach fields.

3.3.1.6 Contour Map

A contour map with intervals of five feet provided the horizontal distances between contours does not exceed 100 feet in which case contours within intervals of two feet will be provided if requested by the City Engineer. Elevations of such contours will be based on the City datum. The contour lines will indicate both existing and proposed finished topography. The approximate perimeter of cut and fill areas will be designated, and the estimated volume of each shall be stated on the plan.

3.3.1.7 Department of Public Health Approval

A letter from the Director of Health or the Director's authorized agent stating City sanitary sewer and water lines are available to the proposed subdivision and that each structure erected will be connected to the City sanitary sewer and water lines before occupancy.

No subdivision will be given approval by the City Plan Commission if both City sanitary sewers and City water lines are not available to the proposed subdivision.

The Director of Health or the Director's authorized agent may approve individual lots not serviced by City sanitary sewer system providing a letter from the Director of Health or the Director's authorized agent to the Building official stating that on-site sewage disposal and/or potable water supply on the individual lot meets with the Department of Health.

In order for the Director of Health or the Director's authorized agent to make a determination that on-site sewage disposal is adequate, the Applicant shall provide to the Director of Health or the Director's authorized agent, a report including soil percolation test data and test borings for the determination of ground water elevations. Such ground water

data obtained between May 1st and the following November 30th may be deemed unacceptable by the Director of Health.

Percolation test and “depth to bedrock” and water table test holes shall be made under the supervision of the Director of Health or the Director’s authorized agent in a matter and location that satisfies the requirements of the Director of Health and the Health Code of the State of Connecticut.

3.3.1.8 Evidence of Ownership and Incorporation

The Applicant shall submit evidence of interest in all lands included in the Subdivision Plan. When the Applicant is a firm or corporation, evidence that the firm or corporation has been legally incorporated in accordance with State requirements prior to the date of application shall be submitted with the application.

3.3.1.9 Inland Wetlands and Watercourses

No Application for subdivision that involves a regulated activity as defined in the City of Waterbury Inland Wetlands and Watercourses Regulations shall be submitted prior to its submission to the City of Waterbury Inland Wetlands and Watercourses Commission.

3.3.1.10 Phasing

An Applicant may seek approval from the City Plan Commission to phase installation and construction of public improvements and/or public service facilities in sections of the subdivision. Any such request shall be made to the City Plan Commission no later than the day the application is filed with the City Plan Department for a subdivision with a copy of the overall subdivision map showing a detailed breakdown by section of the parts of the subdivision, labeled Section 1, Section 2, Section 3, etc. Each phase shall be a minimum of 25 percent of total number of proposed lots.

3.3.1.11 Security Agreement

The Applicant shall file a security agreement with the City Plan Commission in a form approved by the Corporation Counsel. Said agreement shall include that the Applicant can not sell, assign, nor dispose of any lots until the public improvements are fully completed to the satisfaction of the City Engineer or until a proper surety has been filed and accepted by the City Plan Commission in lieu thereof.

3.3.1.12 Permission to Enter Premises

The Applicant shall file a written agreement executed by the owner of the premises and the Applicant in a form approved by the Corporation Counsel; permitting the City or its officials and employees or independent contractors, to enter upon the premises and to perform all work necessary to correct and abate any violations of these Regulations, and of stipulations which the Applicant has made and failed to execute within the required time, such right of entry to arise upon the certification of such violation(s) by the City Plan Commission or the City Engineer and shall continue for such time thereafter as is required for the City to remedy such default.

- a. The following sources shall be availed of by the City Plan Commission in applying the provisions of this paragraph:
 1. Soil Survey of New Haven County, Connecticut, U.S. Soils Conservation Service, U.S. Department of Agriculture; as amended;
 2. Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency;
 3. Waterbury Inland Wetlands and Watercourses Map; and

4. Other sources that reveal the environmental characteristics of the proposed site.

3.3.2 NOTIFICATION TO ADJOINING MUNICIPALITY

The City Plan Commission shall, in accordance with CGS Section 8-7d(f), as may be amended, notify the clerk of any Adjoining Municipality of the pendency of an Application which:

- a. any portion of the property affected by a decision of the City Plan Commission is within five hundred (500) feet of the boundary of an Adjoining Municipality;
- b. a significant portion of the traffic to the completed project on the site will use streets within the Adjoining Municipality to enter or exit the site;
- c. a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the Adjoining Municipality; or
- d. water run-off from the improved site will impact streets or other municipal or private property within the Adjoining Municipality.

Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven (7) days of the date of receipt of the Application. Such Adjoining Municipality may, through a representative, appear and be heard at a hearing on such Application.

3.3.3 NOTICE TO REGIONAL PLANNING AGENCY

Whenever a subdivision of land is planned in Waterbury for which a public hearing is to be held, and a portion of the subdivision will abut or include land in an adjoining municipality, the City Plan Commission shall, before approving the Subdivision Plan, give written notice of the Subdivision Plan to the Regional Planning Agency in which the other municipality is located. Such notice shall be made by certified mail, return receipt requested not later than thirty days before the public hearing to be held in relation thereto. A Regional Planning Agency receiving such notice shall, at or before the hearing report to the City Plan Commission and the Applicant for the Subdivision on its findings on the intermunicipal aspects of the proposed subdivision, including street layout, storm drainage, sewer and water service and such other matters as it considers appropriate. If the Regional Planning Agency does not submit a report at or before the hearing, it shall be presumed that such agency does not disapprove of the proposed subdivision. A Regional Planning Agency may designate its executive committee to act for it under this Section or it may establish a subcommittee for the purpose. The report of such Regional Planning Agency shall be purely advisory.

3.3.4 STANDARD CONDITIONS

The City Plan Commission may, from time to time, establish a list of standard conditions that generally apply to all projects. The list will be in written form and will accompany the Approval to inform permittees of the minimum standards upon which approval of the activity was granted.

The conditions below shall be considered a list of typical standard conditions from which conditions may be removed, and to which additional conditions may be imposed, if deemed necessary by the City Plan Commission. Failure of the Applicant to comply with any of the requirements listed herein shall be sufficient reason for the City to take action under Section 7.3.

- a. If it appears, during the course of construction of infrastructure improvements that additional work is required due to unforeseen conditions that were not apparent at the time of approval by the City Plan Commission, the City Plan Commission, based upon a written report from the City Engineer, and may require additional work to be done and may require additional surety be posted.

- b. It shall be a condition of the surety that the Applicant shall be required, at least every 90 days, to clean up construction debris and to remove from the subdivision site, or adjoining areas, all construction materials or equipment no longer needed for the work. Tree stumps, other vegetation debris and any other material that are unstable or which may deteriorate or disintegrate may not be buried under any conditions.
 - c. Any and all material falling on public highways from vehicles or construction equipment and in connection with the Applicant's operations shall be cleaned up at the end of each working day, or more frequently, depending upon the nature of the work and the nuisance created.
 - d. The Applicant shall be required to maintain all improvements and shall provide for snow removal, trash collection, and other maintenance typically considered to be provided by the City until acceptance of said improvements by the City. If the City is forced to provide such services in order to protect the health, safety and welfare of any persons residing on an unaccepted street, the costs thereof shall be charged to the Applicant. If not paid within 30 days, the incurred costs shall be paid to the City from the required surety.
 - e. The Applicant shall post a sign at the entrance to the Subdivision indicating snow removal, trash collection, and other maintenance typically considered to be provided by the City are not provided by the City. The sign shall be displayed until the improvements have been accepted by the City. The location, size, and lettering on the sign shall allow it to be read from a distance of 100 feet.
 - f. Street and other improvements shall be completed by the Applicant within five years. When the work is completed in accordance with the Plans and Specifications as certified by the City Engineer, the City Engineer shall send a letter to the City Plan Commission stating the improvements are complete and accepted.
 - g. The City Engineer, or other persons designated by the City Engineer, shall inspect the required improvements during the construction in accordance with the inspection schedule set forth in Section 3.3.4h of these Regulations, to assure the satisfactory completion and maintenance. The City Plan Commission shall require a letter from such official stating that all required Improvements have been constructed and maintained in accordance with the approved plans.
 - h. No finished grading or surfacing shall be done until all utilities are installed, inspected, and approved for acceptance by the City.
 - i. The Applicant and the City Plan Commission may develop a schedule for partial return of surety upon completion of stages of construction as described below. In case of a new street(s) or a change in existing street(s), the work shall be inspected at the following stages of construction:
 - 1. Rough Grading completed.
 - 2. Drainage and all underground facilities installed prior to backfilling.
 - 3. Upon completion of the base course compaction.
 - 4. Installation of Binder Course.
 - 5. Installation of curbs and sidewalks.
 - 6. Installation of landscaping, street signs, and lighting.
 - 7. Installation of Finish Surface Course.
- The Applicant shall not proceed to do work on any stage subsequent to the first stage until said work on the previous stage has been inspected and approved by the City Engineer. If a subdivision is built in phases, final approval shall not be granted for subsequent phase if

the Applicant has not obtained approval for the previous phase unless otherwise waived by the City Plan Commission, in accordance with Section 7.1 of these Regulations.

To ensure that the inspections are made in accordance with the foregoing schedule, the Applicant or other authorized representative of the Applicant shall notify the City Engineer at least 48 hours prior to the start and completion of any construction phase.

3.3.5 INSPECTION

The submission of the application shall constitute authorization for the City Plan Commission and its staff to enter upon the property for the purpose of obtaining such additional information as the City Plan Commission may deem appropriate, and for the purpose of inspecting and executing such improvements as are subsequently included in a Irrevocable Letter of Credit, or Certified Check, to insure completeness of the street improvements.

3.3.6 SURETY

3.3.5.1 General

This Section presents the methods that will be employed to secure the completion of all work, including but not limited to, the setting of monuments, construction of roads, installation of stormwater management, sanitary sewers and water supplies, construction of sidewalks and curbs, compliance with stormwater management and erosion and sediment control plans, installation of landscaping, street signs, and lighting, and winter construction and maintenance, as required by these Regulations and as otherwise required by the City Plan Commission's approval of the Subdivision.

3.3.5.2 Requirements

- j. The Applicant shall submit an estimate of the cost of installation and construction of all public improvements to the City Engineer for approval. In reviewing the estimated cost of the work the City Engineer will add a percentage not exceeding 25%, to cover inflationary costs, contingencies, and administrative costs to the City in case of default.
- k. Prior to endorsement of the plan, the City Plan Commission shall require the Applicant to post a surety in an amount and form with conditions satisfactory to it securing to the City of Waterbury the actual construction and installation of all improvements and measures. The amount of the surety shall be determined by the City Plan Commission after consultation with the Director of Public Works and the Water and Water Pollution Control Departments, as appropriate.
- l. The Applicant shall have two (2) years from the date of City Plan Commission approval to submit any required surety. If the time period expires, the City Plan Commission may require an addition to the original cost of the work. The City Engineer shall recalculate the projected costs of the subdivision improvements and submit a report, if required, to the City Plan Commission. The surety shall be posted for a period of time determined by the City Plan Commission unless a written request for an extension of time is submitted by the Applicant and granted by the City Plan Commission.

3.3.5.3 Procedures

Accountability for the surety will be as follows:

- a. Certified Check deposits will be transferred to the Comptroller's Office for deposit.
- b. Irrevocable Letters of Credit:
 1. The Irrevocable Letters of Credit (original document) will be held by the City Plan Department.

2. The City Plan Department shall require the Applicant to obtain Irrevocable Letters of Credit from a bank licensed within the State of Connecticut.
3. For all Irrevocable Letters of Credit, the City shall require that its original form or the exact contents of its original form will be used. All Irrevocable Letters of Credit will have an automatic renewal clause in its contents with no final expiration date.
4. All Irrevocable Letters of Credit shall be reviewed for form and content by the City's Corporation Counsel prior to acceptance. The City Plan Department shall retain documentation of the review.

3.3.5.4 Release

Upon completion of at least twenty-five percent (25%), fifty percent (50%), and/or seventy-five percent (75%) of the cost of improvements, a request in writing may be submitted for a partial release of the surety. The City Plan Commission may authorize the reduction of such surety provided a City official(s) has inspected the site to determine if the portion of the improvements for which the reduction is being requested has been satisfactorily completed in accordance with the approved Subdivision Plan.

The surety shall not be fully released by the City Plan Commission until the following conditions have been met:

- c. A City official(s) has inspected the site to determine if the site improvements have been satisfactorily completed in accordance with the approved site plan;
- d. All public improvements, public service facilities and conditions of approval of the have been accepted by the City Engineer.
- e. The Applicant's engineer has certified to the City through the City Engineer and through submission of detailed "as built" plans that the layout of the line and grade of all improvements is in accordance with the construction plans of the subdivision. "As built" plans shall include the site development plan, a grading plan, and a construction plan as described elsewhere in these Regulations. Such plans shall show any modifications or changes made, including those made during construction. In addition, the grading plans shall show all water gates, curb stops, water laterals and sewer laterals at property lines.
- f. All road deeds, open space deeds and easements for drainage, both within the subdivision and across other property must have been executed and delivered to the Town Clerk, with a copy for the City Engineer's and City Plan Department's files.
- g. All required monuments must have been set and a sworn affidavit filed by the Land Surveyor employed by the Applicant stating required monuments have been accurately set as required by these Regulations.
- h. A Maintenance Bond as described in Section 3.3.7 of these Regulations shall be on file with the City Plan Department.
- i. All other documents, transfers, or conditions required by the approval of the subdivision shall have been provided (conditions performed) to the appropriate City Official with copies of said documents to the City Plan Commission.
- j. The City Engineer has submitted a written notice to the City Plan Commission stating that all required improvements have been certified to the City as satisfactorily completed.
- k. All disturbed areas have been stabilized.
- l. A letter from the City boards and commissions involved in the approval of the Subdivision stating that all required improvements have been satisfactorily completed and that all conditions and requirements have been satisfactorily met.

Upon receipt of the Letter from the City Engineer as aforementioned the City Plan Commission may then vote its approval to authorize the Mayor to execute a release of the surety. When the release is signed by the Mayor, the release will be sent to the Applicant and/or issuing Bank. Upon release, together with all interest accrued thereon, shall be returned to the Applicant, as the case may be.

The release surety shall constitute official City of Waterbury Approval and acceptance of streets and improvements thereon which have been dedicated to the City of Waterbury in the Approved Subdivision Plans.

3.3.5.5 Forfeiture of Surety

If, upon expiration of the time period within which the required improvements were to have been constructed, where construction was secured by a surety, the City Engineer shall notify the Corporation Counsel of the work that has been satisfactorily completed, the work that remains to be completed, and submit an estimate of the cost to finish the remaining work. The City Plan Commission shall then declare the surety for performance forfeited, and notify, in writing, the Mayor, Corporation Counsel, and Comptroller, and recommend that the improvements be completed by either the City or the issuing bank as soon as is practicable. A copy of this letter shall be sent to the Applicant and/or issuing bank.

3.3.7 MAINTENANCE BOND

A maintenance bond shall be posted with the City Plan Commission before the City Engineer accepts the work as completed. The Maintenance Bond will remain in effect for one year from the date of submission to the City Plan Department.

Fifteen percent of the surety specified in Section 3.3.6 shall be designated as the maintenance bond. In the case where no such surety is posted, the Applicant, prior to final approval shall file a maintenance bond equal to 15% of the actual construction and installation costs of such improvements. This bond shall also include a cash portion equal to the cost of the first year's electric bill for street lighting as determined by the City Engineer. In order to assure the satisfactory condition of the bonded improvements the City may draw on such bond for a period of one year after the date of its acceptance by the City with the following exception. In the case where an accepted road contains completed buildings on less than 50% of the total lots along such road or within the total subdivision that the particular road serves, the City may continue to hold a portion or all of such maintenance bond past the one-year period until such threshold is exceeded.

3.4 ALTERATIONS AND REVISIONS TO APPROVED SUBDIVISION PLANS

From time to time requests are received for revisions of or alterations to approved subdivision plans. Such revisions or alterations may have minor or major consequences. Such requests will be first screened by the City Plan Commission's delegated Agent and if the Agent determines such request to be of minor consequences, the Agent will conditionally approve the request and advise the City Plan Commission of this action. Unless the City Plan Commission acts to modify the Agent's conditional approval, the conditional approval shall become final approval. If the Agent determines such request to have a significant consequence, the request shall be submitted to the City Plan Commission for its consideration and action following a public hearing in accordance with Section 7.2.

3.5 APPROVAL AND RECORDING OF APPROVED SUBDIVISION PLANS

Subdivision approvals shall be in accordance with the provisions of CGS Section 8-26 and the provisions of these Regulations.

One original mylar and three (3) black on white prints of the plan. The mylar versions will not be required until the subdivision has been completely reviewed and is ready for recording in the Town Clerk's Office. The filing and recording of the Record Subdivision or Plats with the Town Clerk shall be done in accordance with the provisions of CGS Section 8-25(a), as may be amended.

In accordance with CGS Section 8-25(a) an approved Subdivision not recorded in the time prescribed by that statute shall be null and void, unless the City Plan Commission extends the time for such recording. The City Plan Commission may extend the time for such recording for two additional time periods of 90 days, as provided by CGS Section 8-25(a). The Applicant shall request such an extension in writing.

3.6 COMPLETION OF SUBDIVISION

The time frames for the completion of all subdivisions shall be in accordance with the provisions of CGS Section 8-26c.

3.7 CERTIFICATION OF INSPECTION

The City Engineer shall certify that the infrastructure improvements are complete in accordance with the approved plans and specifications. The certification shall be made to the City Plan Commission upon completion of the work and the final stage of inspections as required pursuant to Section 3.3.4h of these Regulations.

3.8 ISSUANCE OF CERTIFICATES OF OCCUPANCY

No Certificate of Occupancy for a dwelling on any street shall be issued nor shall any dwelling be occupied on such street until all underground public service facilities have been installed and are in operation, the street bituminous concrete binder course is installed and completed, and all lots corners are pinned to the satisfaction of the City Engineer and approved by the City Plan Commission.

The owner of record of any vacant lot within an approved subdivision or any lot on an accepted City street may be required to post a surety in the amount satisfactory to the City Engineer, prior to the issuance of a certificate of occupancy, if during the course of construction damage occurred to previously accepted public improvements. These improvements shall include pavement, curbing, sidewalk, storm drainage, utilities and survey monumentation. Said surety shall not be released until all repairs have been completed.

3.9 LOTS NOT TO BE SOLD UNTIL SUBDIVISION IS APPROVED

No plan of a subdivision shall be filed or recorded and no lot or parcel of land in such subdivision shall be sold until it approved and recorded in accordance with these Regulations. With the provision that this approval is for the purpose of permitting the recording of the same in the office of the Town Clerk and for the opening and developing of the land as shown; but does not include the establishment of the layout and grade of any of the streets nor shall it be deemed to constitute or effect an acceptance by the City of Waterbury of any street or other ground as shown on the Plat. The reasons for disapproval of any subdivision by the Board of Aldermen must be clearly stated in accordance with these Regulations.

3.10 VOIDING OF APPROVED SUBDIVISION PLAN

The City Plan Commission may void its approval of a Subdivision Plan upon receipt of a written request from the owner of the land, provided no lot has been sold or built on, or no grading has been undertaken by the Applicant that will be detrimental to public or private property or no City expenditures in the form of materials or expenses of any kind have been placed in this subdivision.

Upon such action the City Plan Commission shall inscribed the word “VOID”, together with other appropriate notations, signatures, and dates on the original drawings (and such prints as exist in the municipal files) of the Subdivision Plan. If the plans have been recorded no lots may be sold or offered for sale in such a subdivision after the date upon which the City Plan Commission voids its approval.

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SECTION 4. PLANNED RESIDENTIAL CONSERVATION DEVELOPMENT

4.1 OBJECTIVES

The purpose of this Section is to set forth the purpose, standards, and requirements for creation of Planned Residential Conservation Developments (PRCD) in the City of Waterbury. A PRCD is a flexible means to create well designed residential communities that are sensitive to the need to retain existing natural open space and protect and enhance environmentally sensitive land and landscapes, while preserving property values and retaining the ability to provide lots for the same number of detached, semi-detached or attached dwelling structures (or a combination thereof) that would be allowed in the zoning district using conventional subdivision standards. The property proposed for development of a PRCD shall have a minimum of five acres and shall have the capability to support the proposed dwellings and achieve the following objectives:

- a. Preserve natural areas as common open space for conservation, recreation, and aesthetic and environmental benefits;
- b. Locate dwelling units in a manner that is in harmony with natural site features, so as to promote the preservation of agricultural, forest, conservation and water resources, and avoid an adverse impact on water resources and other features of the natural environment;
- c. Employ a site layout that contributes to the convenience of residential living, and relates to adjoining properties and neighborhoods in a manner harmonious with their character and shall protect property values;

A PRCD Subdivision shall foster land development that uses a variation in lot lines, reduces lot areas, lot widths, setbacks (front, side, and rear) and building coverage standards without increasing the number of units that could be legally constructed on a particular tract of land under the Zoning Regulations and considering:

- a. The district or districts wherein the property lies
- b. These Regulations; and
- c. Any and all other regulations affecting the PRCD parcel or parcels.

4.2 SUBDIVISION APPROVAL

No PRCD shall be built or its Dwelling Units occupied unless its construction has been approved by the City Plan Commission as evidenced by the granting of a Subdivision Approval. To be eligible for such approval, a proposed PRCD shall:

- a. Meet the objectives specified above; and
- b. Comply with all of the requirements, standards, criteria and conditions set forth in this Section.

4.3 PERMITTED LOCATION

PRCD Subdivisions may be created within the boundaries of the RS-12, R.S., and R.L. districts.

4.4 NET BUILDABLE AREA

A PRCD tract shall contain a Net Buildable Area determined by the City Plan Commission as being not less than 25% and not more than 75% of the total area of the PRCD property.

4.5 DENSITY

Eligible density of Dwelling Units shall be based on the number of Dwelling Units that could feasibly be constructed in a conventional subdivision under the applicable provisions of these Regulations for the district in which it is located.

Regardless of the number of dwellings or Dwelling Units allowed in any PRCD, each lot containing a PRCD structure providing residential living space shall conform to the requirements set forth in these Regulations, including, but not limited to, minimum lot area and minimum lot area per Dwelling Unit.

Submission of conceptual and alternative plans is recommended and required as follows to that the City Plan Commission can determine the allowable density:

- a. It is recommended that before submitting a formal Application for Approval of a PRCD Subdivision Approval the Applicant prepare and present to the City Plan Commission for informal review at least two alternative conceptual site plans. One plan shall show the proposed PRCD project and at least one shall show how the same land might be developed as a conventional Subdivision under the Land Subdivision Regulations without use of a PRCD Subdivision. Conceptual plans should show the lots that can reasonably be created on the tract, the location of proposed roads complying with City ordinance, regulations and standards, and the proposed location of all open space areas. The purpose of this informal review is to provide guidance to the Applicant on the best approach to meet the objectives of the Land Subdivision Regulations and this Section. Preliminary plans have no official status, and an opinion expressed by the City Plan Commission that a conceptual plan appears to be feasible in no way implies approval of a formal plan for the conceptual conventional Subdivision, or conceptual PRCD Subdivision.
- b. As part of the formal Application, the Applicant shall submit alternative plans as described in Section 4.5(a), above. The Applicant shall demonstrate to the satisfaction of the City Plan Commission that the building lots shown on the conventional Subdivision Plan can in fact be legally and feasibly used for construction of buildings in accordance with the Zoning Regulation requirements. The Applicant shall submit a base map showing the boundary of the PRCD Subdivision property, the existing topography, areas of exposed, or shallow depth to bedrock, slopes of greater than 15%, wetlands, watercourses, 100-year flood zone, and other significant natural resources. For purposes of determining the suitability of the lots so shown for the installation of subsurface sewage disposal systems, the City Plan Commission may require the Applicant to obtain Health Department certification that the property will support the proposed use of on-site sewage disposal systems. The number of Dwelling Units that may be permitted within the boundaries of a proposed PRCD shall be limited to the number of such units that can reasonably be built on the Applicant's property pursuant to a Conventional Subdivision as shown on the conceptual plan for that type of development after the City Plan Commission has eliminated the lots it finds to be unsuitable for building purposes.

4.6 IMPLEMENTATION OF THE OBJECTIVES

Each PRCD shall be designed to conform with and implement the objectives set forth in these Regulations.

4.7 SITE LAYOUT

Site layout shall take advantage of the topography of the property, existing natural features, and provide landscaping and low impact stormwater management practices for all areas disturbed by development of the PRCD Subdivision.

4.8 SPECIFIC DESIGN CRITERIA

The following specific design criteria are applicable to PRCD projects:

4.8.1 LOT SIZE AND SETBACKS

The Applicant shall demonstrate that the lots can accommodate residential dwellings and meet the standards of the district in which it is located by showing allowable building space on each proposed lot. In approving a PRCD Subdivision, the City Plan Commission, if it determines that the proposal complies with the spirit and intent of this Section, may modify, within the limits allowed in the Zoning Regulations, the minimum lot area, minimum setbacks, and maximum allowable building coverage percentage, applicable to the District wherein the proposed PRCD to be located insofar as they relate to individual lots; but only for the PRCD Subdivision layout, not for the Conventional subdivision used to show equivalent density that would be allowed for the property using a Conventional Subdivision layout. Road design standards shall be as provided in Section 5.4 of these Regulations.

4.8.2 OTHER DESIGN REQUIREMENTS

The following design requirements are also applicable to PRCDs:

- a. No Building within a PRCD Parcel shall be located within twenty five (25) feet of the boundary of:
 1. An inland wetland or watercourse;
 2. An electrical or gas transmission line easement; or
 3. the boundary of the PRCD Subdivision; or
 4. Nor shall such a structure be located within one hundred (100) feet of any single-family dwelling located outside the PRCD subdivision.
- b. The minimum distance between detached Dwelling Buildings shall not be less than twenty (20) feet.

4.9 ZONING REGULATIONS

The Applicant may simultaneously submit applications for Subdivision and Zoning approval of the proposal.

4.10 POSSIBLE CONFLICTS

If the requirements of this Section are in conflict with other Sections of these Regulations, the requirements of this Section shall prevail.

4.11 OPEN SPACE

The preservation or creation of open space shall be accomplished by a unified design that:

- a. protects flood plains, inland wetlands, watercourses, ponds, future public water groundwater sources as indicated by significant aquifer maps, steep slopes, and preserves, where applicable, unusual rock formations and tree stands;
- b. preserves sites of historic, archeological, or scenic value;
- c. promotes the use of property as recommended in the City Plan of Conservation and Development; and
- d. fosters opportunities for passive and active recreational activities.

4.11.1 GENERAL

Land to be kept as open space, including but not limited to land to be used for parks, playgrounds and recreation areas, shall be provided and reserved in each PRCD Subdivision in conformity with these Regulations except that at least 10% of the open space land shall be part of the Net Buildable Area within the PRCD tract as determined by the City Plan Commission. The City Plan Commission shall require that a land area be set aside for open space equal to or greater than 40% of the entire area covered by the PRCD Subdivision property.

4.11.2 CONVEYANCE OF OPEN SPACE

Open Space provided by a PRCD Subdivision shall be conveyed as set forth in Section 6 of these Regulations.

4.12 ACCESS AND CIRCULATION

Interior streets and driveways shall be designed to discourage through traffic, reduce traffic speeds, and provide for adequate circulation within the PRCD and internal access to its facilities and open space. The design may include a through street to provide more than one point of access to the Development. The Applicant and the City Plan Commission shall consider the use of Traditional street layout if appropriate to meet the objectives stated elsewhere in this Section to preserve the natural character of the property to the extent possible, and to provide walkways, courts and paths for pedestrian access to and between residential structures, supporting facilities and community open space. Pedestrian amenities shall be separated from vehicular traffic wherever reasonably possible.

SECTION 5. SUBDIVISION DESIGN STANDARDS

5.1 GENERAL

Land to be subdivided shall be of such character that it can be used for building purposes without danger to health and public safety. Every effort shall be made to locate streets, building lots, and open spaces in a manner that complements the parcel's unique characteristics, results in a minimum disturbance of the natural terrain and vegetation, and considers the capacity of the land to accommodate the proposed development. Approval of a Subdivision Plan by the City Plan Commission gives no assurance as to the suitability of each lot shown thereon for building purposes.

City Plan Commission approval for the subdivision of land shall be in conformance with these Regulations and shall be consistent with the City of Waterbury Plan of Conservation and Development. Subdivisions, including lot layout and infrastructure improvements shall be planned, designed, and constructed in accordance with the requirements and standards hereinafter. These requirements and standards are the criteria upon which a proposed subdivision will be evaluated. If a proposed subdivision does not meet these standards, it will be considered an undesirable development for the City of Waterbury and shall not be approved.

5.2 SUBDIVISION NAME

The proposed name of the subdivision shall not duplicate, or too closely approximate in pronunciation or spelling, the name of any other subdivision in the City of Waterbury. The principal road in the subdivision shall be of the same name as the Subdivision.

5.3 SUBDIVISION LOT LAYOUT

Lot dimensions shall comply with the minimum standards of the Zoning Regulations. Where lots are more than double the minimum required area, the City Plan Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots.

5.3.1 LOT AREA

The area of individual lots shall be in compliance with the City of Waterbury Zoning Regulations as they apply in the zone district where the proposed subdivision is located. When lots in a proposed subdivision are to be served by on-site sanitary waste disposal the City Plan Commission shall require lots of a size as recommended and approved by the City Director of Public Health.

5.3.2 FRONTAGE

Lots shall have frontage on an approved street in compliance with the City of Waterbury Zoning Regulations as they apply in the zoning district where the proposed subdivision is located. Combined driveways serving two lots may be allowed. In subdivisions that include or abut arterial streets, the layout of lots shall avoid having lot frontages on the arterial street, unless provisions are made for frontage improvements that control noise and limit access to provide intersection configuration meeting the standards of Section 5.4.9 of these Regulations.

5.3.3 SIDE LOT LINES

In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless the Applicant demonstrates that a variation from this rule will give a better street or lot layout. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets.

5.3.4 LOTS ON SLOPES

In the case of lots on land sloping more than ten percent, the Subdivision Plan shall show the buildable area and potential location of future principal building(s), driveway, and subsurface waste water disposal system location, if needed for development of the lot. The plan shall also show how the potential location of improvements will meet the required lot standards of the Zoning Regulations and other regulatory requirements such as avoiding wetlands and/or steep slopes. Wherever possible, the first floor elevation of a principal structure shall be higher than the grade of the road on which it fronts.

5.3.5 CONSIDERATION OF PASSIVE SOLAR TECHNIQUES

The City Plan Commission may require an Applicant to demonstrate to the City Plan Commission that consideration has been given in the development of the plan, to using passive solar energy techniques to the extent possible without significantly increasing the cost of the housing to the buyer, after tax credits, subsidies, and exemptions.

As far as practical, streets shall be aligned along an east-west orientation (i.e., within 30-degrees either side of true east) to facilitate the development of buildings facing true south. Where topographic, soil conditions and access to thoroughfares preclude an east-west street orientation, then due consideration shall be given to a more flexible lot layout, a south facing orientation for the long wall of the building and the appropriate siting of vegetation as means of enhancing the potential use of solar energy and protecting access to sunlight.

5.3.6 BLOCKS

Intersecting streets shall be laid out at such intervals as shown on Table 5-1 or Table 5-2, as applicable. In no instance shall block lengths exceed 1,000 feet. The minimum width of blocks shall not be less than 200 feet between street lines in a residential area.

5.3.7 ALLEYS

Alleys may be included in the proposed Subdivision Plan as indicated on Table 5-2; alleys shall be on the back side and between rows of lots. Alleys may be used to access utilities, and provide residents access to garages at the rear of their lots, backyards, and accessory uses. They also provide alternate access for emergency response.

5.4 STREET DESIGN

In order to provide for streets of suitable location, width and improvement to accommodate existing and prospective traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, Subdivisions shall comply with the design standards for streets listed herein. All street pavement, shoulders, drainage improvements and structures, curbs, turnaround and sidewalks shall conform to all construction standards and specifications as specified by the City Engineer.

The City of Waterbury has been developed over time with both Traditional and Conventional (post WW II) street patterns. To promote an enhanced sense of neighborhood and to promote pedestrian traffic, these Regulations include Traditional, sometimes referred to as neo-traditional, or New Urbanist, street design standards for use in new residential and mixed-use Subdivisions. The Conventional street design standards are retained for use in commercial and industrial Subdivisions where pedestrian amenities will be required, but design to accommodate vehicular traffic will be predominant. The Traditional standards are intended to calm traffic and be pedestrian friendly, and are not applicable in high traffic areas. The application of the appropriate standards may be proposed by the Applicant but approval will be at the discretion of the City Plan Commission.

All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.

5.4.1 STREET NAMES

All street names shall be shown on Subdivision Plans and shall be approved by the City Plan Commission. Proposed street names shall be substantially different from any present names, to avoid confusion in sound or spelling. The principal road in the subdivision shall be of the same name as the Subdivision. Streets that become extensions of existing streets shall generally bear the same name.

The Applicant shall be responsible for the cost and installation of street name signs. Such signs shall be placed at each intersection with existing streets as well as at each intersection within the development. The location, type and size of such signs shall be subject to the approval of the City Engineer. The Applicant shall bond such street name signs with all other public improvements.

5.4.2 ACCESS AND CONNECTIVITY

- a. All proposed streets shall connect with an improved public street in Waterbury, or with a proposed street that has been approved and bonded in accordance with these Regulations.
- b. No subdivision shall be approved unless the area to be subdivided shall have access from an existing public road which is suitably improved and paved; or a proposed street shown upon a map approved by the City Plan Commission and recorded in the office of the Town Clerk. Such proposed street must be suitably improved as required by these Regulations, or be secured by a surety.
- c. No proposed lots or new street shall have access to a privately owned road unless otherwise approved by the City Plan Commission.
- d. The City Plan Commission may withhold approval of all or part of a subdivision where the volume of traffic expected to be generated from such subdivision will likely exceed the capacity of neighboring roads or adversely affect traffic safety, or where the proposed access to the subdivision or individual lots within the subdivision will adversely affect traffic safety.
- e. The arrangement of proposed streets shall generally provide for the continuation of principal existing and proposed streets without offsets and of required width as stated in these Regulations. Where such straight continuations are not practical, such continuations may be adjusted by curves or deflection angles in accordance with these Regulations. Where the Subdivision Plan submitted covers only a portion of the Applicant's tract, a sketch of the proposed future street system for the remainder of the tract shall be furnished, and the proposed street system will be considered with regard to connections to the overall street system of the entire tract and the areas adjacent to it.
- f. All streets shall be properly integrated with the existing and proposed significant system of streets and dedicated rights-of-way. Additionally, all streets shall be properly related to existing traffic generators such as industries, business districts, schools, churches and shopping centers, to population densities, and to the pattern of existing and proposed land uses. In general, street patterns shall be proposed without dead ends. However, streets should be designed in a manner which does not encourage excessive vehicle speed or cut through traffic on local or limited local streets. The City Plan Commission may require road designs for local or limited local streets to incorporate traffic calming elements.

- g. Where required by the City Plan Commission, rights-of-way shall be provided for extending streets to adjoining unsubdivided property. Land in such rights-of-way shall be deeded to the City or other authority as deemed appropriate by the City Plan Commission.
- h. Where a proposed subdivision abuts an approved subdivision containing a future street right-of-way, the Applicant of the subdivision under consideration for approval shall construct the street and all required improvements from the proposed subdivision to the approved street in the existing subdivision.
- i. New streets shall be extended to the boundaries of the subdivision to provide access to adjoining property, and shall intersect with other streets where designated by the City Plan Commission. A temporary turnaround shall be provided and a notation shall be added to the record subdivision map indicating that such new road may be extended to serve the adjoining property. The Record Subdivision Map shall also show, and include notation that land comprising the turnaround that is outside the normal street right-of-way shall revert to abutting property owners when the street is continued.
- j. Where a parcel to be subdivided abuts vacant land with a minimum of 50 foot frontage on an existing public road, the City Plan Commission may require the Applicant to provide means of street entrance and/or egress to the adjoining vacant land. If required by the City Plan Commission, the right-of-way for the proposed future street shall be shown on the subdivision and shall be dedicated to the City of Waterbury.
- k. Access to existing streets shall be provided to provide multiple points of access to a Subdivision and to promote a connected network of local streets that connect to existing arterial or collector streets, and provide continuation of existing streets where possible. In the event connectivity can only be provided through adjacent property not owned by the Applicant, a temporary cul-de-sac shall be provided to allow for future development to provide connectivity through that adjacent property. Enhancing connectivity shall be required unless the Applicant can demonstrate that connections cannot be made because of either of the following conditions exists.
 - 1. Geographic conditions prevent development of connecting streets,
 - 2. Buildings, other existing improvements, or previously recorded undeveloped lots on adjacent land prevent development of connecting streets at the time of the Application, or in the future.
- l. The City Plan Commission may not approve a subdivision, if, in its judgment, a lack of multiple access points presents a potentially unsafe condition.

5.4.3 WIDENING RIGHT-OF-WAYS AND STREETS

Where a proposed subdivision contains frontage on a street that has a right-of-way less than half of what is required by these Regulations, or has a width of pavement less than that required by these Regulations the City Plan Commission may require the Applicant provide the additional required right-of-way, and widen said street.

5.4.4 DESIGN STANDARDS

The street plans and design shall be in accordance with the requirements in the Tables below. As described in Section 5.4 above, the Conventional Standards are appropriate to use in locations where vehicular traffic has preference over pedestrian, and Traditional Standards are appropriate where a pedestrian friendly environment is the goal.

Table 5-1 – Conventional Road Design Standards

Appropriate for use in C.A., C.O., I.P., I.L., I.G. Zone Districts

Type	R-o-W width*	Traffic Lane Width*	Parking Lane Width*	Pavement Width*	Speed	Planting Buffer*	Sidewalk*	Curb Return Radius*
Limited Local	50	11	Off-street	22 ^a	25	5	5	
Local	50	10.5	7 one side	28	30	6	5	30
Collector	60	11	7b	36	35	6	5 One side	
Industrial Route	60	11	8	38	35	Not Required	5 One side	

*Distances are given in feet

^aParking lanes can be added to this pavement width where on-street parking is proposed

^bAngled parking requires a parking lane width shall be 16 feet

Table 5-2 – Traditional Road Design Standards

Appropriate for use in Residential, C.N., C.G., and CBD Zone Districts, and mixed-use areas of other districts

Type	R-o-W width*	Traffic Lane Width*	Parking Lane Width*	Pavement Width*	Speed	Planting Buffer*	Sidewalk*	Curb Return Radius*
Alley	20	8	None	10-12	10	None	None	15
Lane	40	7	Informal ^{a, b}	16-18	15	6 both sides	5 both sides	15
Street	50	8	Informal ^{a, b}	24-26	20	6 both sides	5 both sides	15

*Distances are given in feet

^aOn-street parking is not striped, and parking may occur on either side

^bAngled parking requires a parking lane width shall be 16 feet

5.4.5 CUL-DE-SAC

The City Plan Commission shall not approve any dead-end street that will provide access to more than thirty (30) single family lots or exceed 1,500 feet in length in the RS-12, R.S., or R.M. Districts. The City Plan Commission shall not approve any dead-end streets in excess of 750 feet in higher density residential, commercial, or industrial districts.

5.4.4.1 Turnarounds

A temporary turnabout shall be provided on all temporary cul-de-sac streets, with the notation on the subdivision map that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The City Plan Commission may limit the length of temporary dead-end streets in accordance with the design standards of these Regulations.

Where a temporary turnaround is provided on a street that is to be extended in the future, the 50-foot street right-of-way to the subdivision boundary shall be deeded to the City, and the segments of the turnaround outside of 50-foot street shall be deeded to the abutting lot owners subject to an easement to the City for street purposes. When such street is extended beyond the turnaround, the developer constructing the extended street shall remove the road construction in the segments of the temporary turnaround, fill with earth and loam and seed in an appropriate manner.

5.4.4.2 Permanent

Streets designed to have one end permanently closed shall provide in each case a turnaround roadway with a minimum right-of-way of 58 foot radius. In all non-residential subdivisions, and where school buses are to traverse the turnaround in residential subdivisions, the inside radius of the turnaround shall be 45 feet, otherwise the minimum radius may be reduced to 30 feet.

Turnarounds with unpaved island centers shall be considered only with on-way traffic around the center. The unpaved area may be used for stormwater management and shall have a minimum radius of 30 feet, and a maximum radius of 120 feet.

On residential streets only a "T" or "Branch" turnaround may be considered for streets less than 1,500 feet in length. The Applicant shall demonstrate that single unit truck design vehicles are able to reverse direction using the turnaround without leaving the paved area.

Permanent cul-de-sacs may be permitted only where topographic or existing development warrants, as stated above, and where they will not

1. Impede the circulation patterns and existing street networks in the City;
2. Cause undue concentrations of traffic; or
3. Be prejudicial to the needs of public health and safety by unduly delaying or inhibiting access to lots.

5.4.6 STREET WIDTH AND CROSS-SECTION DESIGN

Street widths shall be as listed in Table 5-1 and Table 5-2. The designation and design of other types of streets under consideration by the Applicant will be made by the City Plan Commission based on the projected traffic for the Subdivision. The City Plan Commission may require the placement of parking restriction signs if it determines such restrictions are necessary for emergency access.

The design, materials, and installation of the street cross-section including cross grade, materials, and construction methods shall be in accordance with the standards of the City Engineer. A typical cross-section is attached in Appendix A.

5.4.7 RESERVE STRIPS

The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street, unless said strip of land is reserved as Open Space in accordance with these Regulations.

5.4.8 GRADES

Where feasible, no street shall have a grade greater than eight percent, or less than one percent. Where topographic conditions warrant grades greater than eight percent, a grade not to exceed ten percent shall be allowed for a distance not to exceed 500 feet. Street grades in excess of ten percent may be waived by the City Plan Commission, in accordance with Section 7.1 of these Regulations, if a Applicant shows that lesser grades cannot be achieved because of topography, and the resulting design is not unsafe or otherwise detrimental to the City.

5.4.9 STREET INTERSECTION AND CURVES

Where feasible, streets shall intersect at ninety (90) degrees, but in no event shall the angle of intersection be less than sixty (60) degrees. The street alignment shall stay perpendicular from the point of intersection for a distance of at least one hundred (100) feet on local streets, and at least 150 feet on collector streets. Streets shall not have a grade exceeding three percent within a distance of at least 25 feet from the point of intersection with the intersecting street's right-of-way line. Property lines at street intersections shall be rounded to a radius of 15 feet. Larger radii may be required by the City Plan Commission, when, in its opinion, such design is advisable or necessary for orderly traffic movement.

5.4.10 DISTANCE BETWEEN CURVES

- a. The tangent distance between reverse curves shall not be less than 250 feet on collector streets and 50 feet on cul-de-sacs and local access streets. Except for intersections and turnarounds on cul-de-sacs, no local access street curve shall have a radius of less than 100 feet, no collector street curve shall have a radius of less than 175 feet, and no arterial streets shall have a radius less than 330 feet, as measured radial to the centerline.
- b. Where possible 150 feet of straight roadway shall be provided between curves on local and collector streets, and 300 feet shall be provided between curves on arterial streets.

5.4.11 SIGHT DISTANCE

- a. The minimum vertical sight distance shall be 100 feet on a permanent dead-end street, 200 feet on other local and on collector streets, and 300 feet on arterial streets.
- b. The minimum horizontal sight distance shall be 100 feet on local and collector streets and 200 feet on arterial streets.
- c. The minimum sight distance at the intersection of a cul-de-sac or local road and a collector or arterial road shall be 250 feet in each direction along the major road.

5.4.12 VERTICAL RELATION OF ROADS TO LOTS

Where the grade of the existing or proposed road will be materially higher or lower than the proposed lots fronting on it, the City Plan Commission may, for reason of providing adequate sight distance on driveways, alleviating excessive or hazardous slope, or excessive runoff, require any lot or any part of such lot to be regraded as necessary to be in harmony with the road grade.

5.5 STREET AMENITIES

5.5.1 TRAFFIC CONTROL

Traffic control requirements shall be based on expected traffic volume calculated in accordance with ConnDOT standards. Traffic control signals and signs shall be provided by the Applicant as required by the City Engineer.

The Applicant shall be responsible for the cost and installation of any traffic control devices deemed necessary by the City Engineer. Such devices shall meet the appropriate standards set forth in the manual on Uniform Traffic Control Devices for Streets and Highways. The Applicant shall bond such traffic control devices with other public improvements. Necessary State permits for work related to State highways shall be the responsibility of the Applicant and shall be coordinated through the office of the local Traffic Authority.

5.5.2 STREET SIGNS

Subdivision shall be provided with street signs as required, both as to location and design, by the City Engineer.

5.5.3 GUARD RAILS

Guide rails shall be provided where the side slope on fill is steeper than one vertical to four horizontal, or as otherwise determined to be required by the City Engineer.

5.5.4 BUS STOPS

When Subdivisions are proposed along bus routes, provisions shall be made in the design of the street facilitate the embarking and disembarking of passengers, and allow the bus to easily access the travel lane.

5.5.5 STREET LIGHTING

- a. The Applicant shall be required to install one lighting pole at each intersection, together with any additional lighting poles as the City Engineer may require to prevent hazard. The upkeep, maintenance, and power supply expense associated with additional lights added at the discretion of the Applicant shall be the responsibility of the Applicant unless specifically accepted as a line item infrastructure improvements for acceptance, by the Council of Aldermen. The location of such poles shall be shown on the Subdivision Plans as defined in Section 3.3 of these Regulations. The cost of all lighting fixtures, poles and installation shall be the responsibility of the Applicant. The Applicant shall bond such lighting facilities with all other public improvements.
- b. Street lights shall be full cutoff and provide no more than one foot-candle of illumination at the adjacent property line, and as otherwise meet the design requirements of the City Engineer. The type, material, and installation of the power supply to the lights shall be acceptable to the local electric service provider.
- c. Prior to the acceptance by the City of Waterbury, the Applicant shall submit acceptable evidence to the that all costs of construction, erection, and installation have been paid in full; and shall also submit certification from the local electric service provider that the design and construction standards of the lights is acceptable to the electric service provider.

5.5.6 PLANTING STRIPS

A planting strip, in accordance with the approved street cross-section, shall be provided between the curb and sidewalk. At a minimum the planting strip shall be planted with grass. Trees may be required to be furnished by the Applicant in planting strips. Trees, such as sugar maple, red oak or

London plane, are suggested. Conifers shall not be used to meet this requirement. All trees are to be placed in the planting strip. Trees shall be a minimum of two and one-half inches at breast height at the time of planting. Trees are to be spaced approximately 50 feet on center. Maintenance of required trees shall be included in the Maintenance Bond requirements stipulated elsewhere in these Regulations.

5.5.7 CURBS

Curbs shall be required for all new public streets unless eliminated by the City Plan Commission upon approval of the City Engineer. Curbs shall conform to the construction and design standards of the City Engineer.

All streets that incorporate pedestrian access shall include curb ramps at intersections for use by persons with disabilities in accordance with the ADA.

5.5.8 SIDEWALKS

- a. Sidewalks and curbs along the street frontage shall be required on one side of a street in the Subdivision that is within 5,000 feet of an existing or proposed school, park, playground, other community facility, or retail use.
- b. Pedestrian crossings shall be marked with appropriate signage and striping per the Manual on Uniform Traffic Control devices.
- c. Curb extensions are encouraged to be installed as a traffic calming measure at all intersections on streets where on-street parking is allowed. Curb extensions shall not be constructed into vehicle travel lanes.

5.6 MONUMENTS

Monuments or bounds shall be provided and set by the Applicant's surveyor where indicated on the Subdivision Plan. Monuments shall be of materials, and installed at the locations shown on the Subdivision Plans as approved by the City Engineer.

5.7 DRIVEWAYS

Where feasible, the grade of driveways should not exceed three percent for the 25 feet of the driveway immediately adjacent to its intersection with the street right-of-way line.

5.8 UTILITIES

5.8.1 UNDERGROUND UTILITIES AND LATERAL UTILITY CONNECTIONS

Utilities and lateral utility connections to the property line shall be installed underground on new streets, including telephone and electrical conduits. Utilities shall be installed within the street right-of-way and spaced and encased, or otherwise designed so as not to interfere with one another. Utilities and lateral connections shall be of a material and in a location approved by the City Engineer. No finished grading or surfacing shall be done until all utilities have been installed and inspected by the City. If a utility must be installed outside the street right-of-way, easements to the utility company shall be provided by the Applicant and shown on the Subdivision Plan.

The lateral utility connections required shall be the following, which shall be placed in accordance with the City Engineer's preferred cross-section in Appendix A:

- a. Sanitary sewer (if applicable)
- b. Water service
- c. Storm drain

- d. Electrical service
- e. Telephone service
- f. Cable television service

All service charges for any connection to a City owned water and waste water utility shall be at a rate prescribed by the City Department responsible for the utility. Utility locations in the street right-of-way shall be installed, to the extent possible, in the locations shown on the Cross Section Detail included in Appendix A. Where existing utilities pre-empt installation of utilities in the locations shown on that detail, the alternate location of utilities shall be approved by the City Engineer.

5.8.2 EASEMENTS

Where necessary, the City Engineer shall require easements of at least 15 feet in width along the lines of or across lots for storm and sanitary sewers or other utilities lines. Easements of the same or greater width may be required along the lines of or across lots where necessary for the extension of planned utilities.

5.8.3 POTABLE WATER AND SANITARY SEWAGE DISPOSAL

Adequate provisions shall be made for a potable water supply and disposal of sanitary wastes. If public sewer facilities are available the provision of sanitary sewers (including lines, pumps, and laterals to the property lines) shall be required of the Applicant, and the Applicant shall bear the full cost of such improvements.

5.8.4 STORMWATER MANAGEMENT

The Applicant shall provide for the disposition of surface water runoff that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be designed in accordance with the standards set forth in the Section 18 of the Zoning Regulations – Stormwater Management Standards. Where feasible, stormwater management measures shall be located in the street right-of-way, or in easements satisfactory to the City Engineer. Where it is proposed that storm water run-off from the subdivision will not be directed in its entirety to the right-of-way of a public street, but will in part affect adjacent properties, approval shall be conditioned on the execution and submission of an easement for such drainage granted by the affected adjacent property owner(s). The City may obtain these rights by eminent domain when it is in public interest to do so, and the cost of such rights-of-way shall be borne by the Applicant.

Stormwater management facilities shall, in all cases, be large enough to accommodate potential run-off from the entire upstream drainage area, whether inside or outside the subdivision, under conditions of maximum development permitted by the Zoning Regulations. The Applicant shall demonstrate that development of the Subdivision will not cause stormwater runoff to exceed the capacity of downstream stormwater conveyances. In the event downstream conveyances require increased capacity to accommodate the increase stormwater runoff from the proposed Subdivision, the Applicant shall be responsible for the cost of upgrading the downstream stormwater conveyances as necessary.

The Applicant shall provide and pay the cost of necessary stormwater sewers including, but not limited to, pipes, manholes, catch basins, inlets, and right-of-way.

5.9 LANDSCAPING

The Applicant is encouraged to incorporate landscaping measures in the design of stormwater management best management practices employed for the Subdivision.

To provide visual, acoustic, and stormwater buffers and to promote safety, the City Plan Commission may require landscaping of common areas, perimeter buffers, or buffers.

5.10 STREAMS AND NATURAL FEATURES

The Applicant shall preserve and develop the aesthetic quality of existing natural features of the land. The Applicant shall provide a drainage easement to the City, which shall be the greater of 30 feet or a minimum of 10 feet beyond the top of banks of the stream, along such streams or major natural features the limits of which shall be shown on the Subdivision Plan. A reduction in easement width may be approved by the City Plan Commission if the full width is not available due to physical limitations of the site.

5.11 NON-RESIDENTIAL SUBDIVISION STANDARDS

The Applicant shall demonstrate to the satisfaction of the City Plan Commission that, in addition to the requirements and standards set forth in the Section of these Regulations, which are appropriate to the design and layout of all subdivisions, the street, parcel, and block pattern proposed is specifically suited to the non-residential uses anticipated and takes into account other uses in the vicinity.

At a minimum, the following requirements and standards shall be met to show that the Subdivision is appropriate for the proposed commercial or industrial development.

- a. Proposed industrial lots shall be suitable in area and dimension to accommodate the types of industrial development anticipated.
- b. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.
- c. Special requirements may be imposed by the City Plan Commission with respect to the street, curb, gutter, and sidewalk design and construction; and to the design and construction of public utilities, including water, sewer, and storm water drainage.
- d. Every effort shall be made to protect adjacent residential areas from potential external impacts of a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip if determined by the City Plan Commission to be necessary.
- e. Streets carrying nonresidential traffic, especially truck traffic, shall not be extended to the boundaries of adjacent residential districts where an alternative route exists or can be developed.

5.12 FLOOD PRONE AREAS

In areas contiguous to water bodies subject to flooding, proper provisions shall be made for protective flood control measures. Such land as identified on Flood Insurance Rate Maps and in the Flood Insurance Study shall not be subdivided unless the following conditions are met:

- a. Water supply and sewage disposal systems shall be designed and located so as to avoid impairment or contamination from flooding, erosion, or related circumstances.
- b. New and replacement water supply systems are designed to minimize or eliminate infiltration of floodwaters into systems.
- c. New and replacement sanitary sewer systems are designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- d. Subdivisions shall meet the applicable standards of the City of Waterbury Flood Control Ordinance, City Code Chapter 153, as may be amended.
- e. Subdivisions shall meet the applicable standards of CGS Section 8-2, as may be amended.

No development shall occur in the floodway; nor shall any development increase the frequency or severity of flooding.

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SECTION 6. OPEN SPACE

6.1 PURPOSE

Preservation and dedication of Open Space is to provide meaningful natural and recreational areas within private developments and to encourage site development sensitive to the natural characteristics of the area being developed.

6.2 GENERAL

The City Plan Commission may with applications involving less than ten acres, and shall with applications involving ten acres or more, require dedication of open space and/or recreation areas in locations deemed proper and adequate by the City Plan Commission. In determining the appropriateness of an open space and/or recreation area and whether public access shall be required, the City Plan Commission shall consider recommendations in the Plan of Conservation and Development and the subject site's characteristics with respect to the following objectives:

- a. Protect surface and subsurface water resources and provide for public access where appropriate.
- b. Expand existing open space.
- c. Assemble open corridors or greenbelts by providing linkages to existing open space or connecting nodes of development, trails, wildlife corridors or riparian buffers.
- d. Protect critical or threatened habitats with emphasis on those areas identified in Connecticut's Natural Diversity Database and Endangered Species List.
- e. Protect groundwater within existing or potential public drinking water supply aquifers.
- f. Protect natural drainage ways.
- g. Protect lands and features of cultural importance including archeological and historical sites.
- h. Provide sites for active and passive recreation of a non-commercial nature.
- i. Protect unique and significant natural features including watercourses, wetlands, floodplains, and scenic vistas.
- j. Preserve areas that shape community design and character i.e. buffer strips, landscaped areas visible from main roads, walkways, and waterbodies.
- k. Protect steep slopes to control soil erosion and water runoff as well as maintaining scenic views of and from areas such as bluffs, ridges, river ways, et cetera.

6.3 STANDARDS

- a. For Subdivisions, dedication of open space shall be in an amount not less than ten percent of the gross land area of the subdivision, unless waived in accordance with Section 7.1 of these Regulations. For Planned Residential Conservation Development Subdivisions, designation of open space shall be in accordance with the standards of Section 4 of these Regulations.
- b. If a parcel, or abutting parcels under common ownership, is subdivided in stages, the open space dedication attributable to the subdivision of a portion of the entire tract may, at the City Plan Commission's discretion, be deferred to a later date when more or all of the land remaining in the entire tract is subdivided. If approved by the City Plan Commission, the following notation shall be placed on the approved map: "The open space dedication attributable to the land depicted on this map is hereby deferred to a later date when some or all of the remaining land is re-subdivided." At such later date, the open space attributable to the subdivision will be combined with the open space dedication(s) attributable to the

remaining portion(s) of the entire tract in a size and at a location determined by the City Plan Commission in accordance with the requirements set forth in these Regulations.

- c. No more than 50) percent of the open space land may be covered by water or classified as inland wetlands.
- d. No open space parcel area shall be less than one acre unless it meets the total open space requirements for the subdivision.
- e. The City Plan Commission may require access ways to open space areas used for the purpose of active or passive recreation to be graded and improved in a manner suitable for safe pedestrian and/or vehicular traffic. Open space access roadways that are intended to accommodate vehicular traffic shall have a right-of-way no less than 50 feet with a traveled way of 20 feet. The slope of an access roadway shall not exceed 12 percent. Parking may be required to accommodate the number and types of vehicles expected to use the facility. Easements for pedestrian access ways shall be no less than 15 feet wide.
- f. Land to be provided as open space for the purpose of conservation and protection of wildlife and natural or scenic resources shall typically be left in a natural state. Except for improvements approved by the City Plan Commission, open space areas shall not be disturbed. Clearing shall be limited to maintenance clearing to remove dead trees and bush.
- g. All site improvements proposed for open space shall be shown on the Subdivision Plans.
- h. Any excavation, filling, regrading or other alteration of open space; any construction of any building, structure or other improvement thereon; or any paving or surfacing of open space subsequent to the date of approval of the subdivision, other than those activities required by the plans as approved shall require an amendment to the subdivision approval. In the event there is unauthorized disturbance of an area designated as open space the City Plan Commission may require the restoration of such area to the condition at the time of approval of the subdivision or restoration consistent with a landscape plan approved by the City Plan Commission.
- i. Where open space is proposed for active or passive use by members of the public the City Plan Commission may require that the Applicant provide access paths or driveways graded and improved in a manner suitable for safe pedestrian and/or vehicular traffic. The City Plan Commission may require the landscaping of open space in a number of situations including but not limited to the following:
 1. Where such open space is located adjacent to a proposed or existing roadway or to a nonresidential use;
 2. Where such open space contains inland wetlands or watercourses or slopes in excess of twenty (20) percent grade; and
 3. Where such open space contains active recreation areas.

6.4 CONVEYANCE OF OPEN SPACE

The City Plan Commission shall determine the most appropriate method of conveyance after considering: the relationship of the subject area(s) and its specific characteristics to the Plan of Conservation and Development and the objectives cited in Section 10-2, the desirability and suitability of public access and use, and the scope of the subdivision proposal.

The following options for conveyance may be utilized by the City Plan Commission:

- a. Perpetual dedication to the City;
- b. Perpetual dedication to the State of Connecticut;
- c. Perpetual dedication to a land trust or other private organization whose purpose is the preservation of the historic and natural sites for the public benefit and use;

- d. Dedication to a Homeowners' Association formed under the Common Interest Ownership Act (CIOA);
- e. Utilization of Conservation Easements, with or without public access;
- f. Utilization of a Recreation Easement;
- g. Private Ownership with the appropriate taking of development rights by a public entity (State or City); or
- h. Any combination of the aforementioned or any suitable alternative approved by the City Plan Commission.

If an Applicant proposes dedication of Open Space to the State of Connecticut, a land trust, or any other private organization, a letter from an authorized agent for the State or private organization, stating its willingness to accept the open space, shall be included with the application.

In the case where the ownership and maintenance of the open space is to be transferred to an association of property owners such transfer shall be in accordance with standards established by the City Plan Commission to include, but not be limited to, the following:

- a. Creation of the association or corporation prior to the sale of any lot;
- b. Mandatory membership in the association of all original lot owners and any subsequent owners; non-amendable bylaws or other restrictions which require the association to maintain the land reserved for open space, park and playground purposes, with power to assess all members for all necessary costs;
- c. The association or corporation shall have the power to assess and collect from each lot owner a specified share of, and where necessary, provide reserves for the costs associated with maintenance, repair, upkeep and insurance of the open space;
- d. Association documents shall provide that if maintenance or preservation of the dedication no longer complies with the provisions of the approval, the Town may take all necessary action to assure compliance and assess against the association all costs incurred by the Town for such purposes.

Open space covenants and restrictions and association documents shall be subject to the approval of the City Plan Commission and the Waterbury Corporate Counsel in form and content. After approval the document shall be filed by the Applicant in the office of the Town Clerk.

Properly executed legal documents, including warranty deeds for any title transfer, shall be prepared in accordance with the provisions of this Section and shall be submitted with the Record Subdivision Map to be endorsed and filed.

6.5 FEE IN LIEU OF OPEN SPACE DEDICATION

The City Plan Commission may accept the payment of a fee in lieu of the land dedication required for open space in accord with CGS Section 8-25b. This decision shall be based on the determination that the open space is not of an adequate size or suitable for recreational use or conservation purposes. Any Applicant wishing to take advantage of this provision shall submit a request in writing to the City Plan Commission stating the reasons therefore. When a fee in lieu of land is accepted, it shall be in an amount equal to 10% of the fair market value of the land to be subdivided prior to approval of the subdivision. The fair market value shall be determined by an appraiser approved by the City Plan Commission at the cost of the Applicant. A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of the sale of each approved parcel of land in the subdivision and placed in a fund which shall be used for the purpose of preserving open space or acquiring additional land for open space, recreational or agricultural purposes. Such fund shall be administered by the Board of Aldermen.

6.6 LEGAL TRANSFER OF OPEN SPACE

Properly executed legal documents, including warranty deeds for any title transferals, shall be prepared in accordance with the provisions of this Section and shall be submitted in triplicate with the final subdivision maps to be filed. All documents must be acceptable to the City Corporate Counsel and/or the City Plan Commission and shall refer to the approved subdivision map by title. All warranty deeds for the dedication of land to the City shall be held in escrow by the City Plan Commission to be recorded on the land records upon acceptance by the Board of Aldermen. If the Board of Aldermen chooses not to accept the open space, the deed shall be returned, and the Applicant shall return to the City Plan Commission for determination of an alternative means of preserving the open space. In no case, shall the acceptance of any deed by the City Plan Commission or an employee of the City be deemed as acceptance of the open space and/or recreation area by the City.

SECTION 7. ADMINISTRATION AND ENFORCEMENT

7.1 WAIVERS

Waivers may be granted in accordance with CGS Section 8-26, as may be amended. The City Plan Commission may waive requirements under the regulations by a three quarters vote of the members of the City Plan Commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area. When determining such waiver, the City Plan Commission will consider topographic features including but not limited to slopes, inland wetlands, ledge outcroppings, and other significant natural features. No waiver shall be granted that would have a significant adverse effect on adjacent property or on public health and safety. The City Plan Commission shall state upon its records the reasons for which a waiver is granted in each case.

7.2 PUBLIC HEARINGS

Any public hearing required by CGS 8-12 or any other applicable law or regulation, shall be conducted in accordance with CGS Section 8-7d, as may be amended. All Applications and maps and documents relating thereto shall be open for public inspection. Any person may appear and be heard at the public hearing.

7.2.1 NOTICE BY PUBLICATION

The City Plan Commission shall publish notice of the public hearing in accordance with CGS Section 8-7d, as may be amended.

7.2.2 NOTICE TO ABUTTERS AND NEARBY PROPERTY OWNERS

All abutters and property owners within 100 feet of any property line of the property that is the subject of a public hearing shall be notified of the hearing by the Applicant/Petitioner/Respondent at least fifteen (15) days prior to the public hearing. The form of the notice shall be provided to the Applicant/Petitioner/Respondent by the City Plan Commission.

The Applicant/Petitioner/Respondent shall provide the City Plan Commission with an affidavit of the mailing, which shall be accompanied by a listing of the property owners to whom the notice was sent. Failure to return said affidavit shall render the Application/Petition/Appeal incomplete and the City Plan Commission shall deny the subject Application/Petition/Appeal. The Applicant/Petitioner /Respondent may request an extension or postponement of the hearing in accordance with CGS 8-7d to correct an error in the required notification.

7.2.3 NOTICE BY POSTING OF SIGN

Sign(s) provided by the City Plan Commission shall be posted on every paved street frontage of the property that is the subject of a public hearing. Such sign(s) shall indicate a land use public hearing is pending and provide a telephone number for specific information. One sign shall be provided by the City Plan Commission upon receipt of the application fee and scheduling of the public hearing. Additional signs will be provided subject to the payment of a fee determined by the City Plan Commission.

Said sign(s) shall be located no further apart than five hundred (500) feet along any single frontage. Said sign(s) shall be placed in close proximity to the street or highway to be clearly visible to the passing public. If a property has no paved street frontage, signs shall be posted in a location(s) determined by the City Plan Commission.

The Applicant/Petitioner/Respondent shall place said sign(s) fifteen full days prior to the date set for the public hearing and shall take reasonable measures to ensure that the signs are maintained

until the day following the close of the public hearing. Applicant shall return an affidavit attesting to the fact that signs have been posted on the property in accordance with these Regulations. The form shall be provided to the Applicant/Petitioner/Respondent by the City Plan Commission. Failure to return said affidavit shall render the petition incomplete and the City Plan Commission shall deny said petition for said reason. The Applicant/Petitioner /Respondent may request an extension or postponement of the hearing in accordance with CGS 8-7d to correct an error in the required notification.

7.3 ENFORCEMENT

These regulations shall be enforced by the City Plan Commission, and/or its delegated Agent.

If the City Plan Commission determines that the requirements of these Regulations, or the provisions of any plan approved or certified by the City Plan Commission are not being adhered to, the following action shall be taken:

- a. The City Plan Commission shall notify the owner or Applicant of the violation by sending a letter to such person by registered or certified mail, return receipt requested, explaining in detail the violation and the corrective measures necessary. The letter shall specify a reasonable time for the implementation of the corrective measures.
- b. If the corrective measures called for by the City Plan Commission have not been implemented within the period specified, the City Plan Commission, through its designated Agent, shall issue a Cease and Desist Order, effective in a specified reasonable time by registered or certified mail, return receipt requested. In the event there shall be an outstanding surety, a copy of such notice shall be set in the same manner to the surety and to such other persons as the City Plan Commission may deem appropriate.
- c. If the Cease and Desist Order issued by the City Plan Commission is not obeyed within the period specified, the City Plan Commission shall refer the matter to the town's counsel for obtaining a restraining order against the violation.
- d. Nothing in this Section shall be deemed to exclude any other remedy or relief available to the City Plan Commission by law or in equity.
- e. Nothing in this Section shall be deemed to preclude conferences and negotiations between the City Plan Commission and any owner or Applicant with respect to any alleged violations.

7.4 APPEALS

Appeals from actions or decisions of the City Plan Commission shall be in accordance with the provisions of CGS Section 8-8, as may be amended.

7.5 REGIONAL PLANNING AGENCY REVIEW

The City Plan Commission shall give written notice of a proposed amendment to these Regulations to the Regional Planning Agency (Central Connecticut Regional Planning Agency or Central Naugatuck Valley Council of Governments) for that municipality. Such notice shall be made by certified mail, return receipt requested not later than thirty days before the public hearing to be held in relation thereto. The Regional Planning Agency shall study such proposal and shall report its findings and recommendations thereon to the City Plan Commission at or before the hearing, and such report shall be made a part of the record of such hearing.

If such report of the Regional Planning Agency is not submitted at or before the hearing, it shall be presumed that the agency does not disapprove of the proposal. The Regional Planning Agency may transmit such notice of the proposed amendment or change to the Secretary of the Office of Policy and Management or his designee for comment. The Regional Planning Agency may designate its

executive committee to act for it under this Section or may establish a subcommittee for the purpose. The report of said planning agency shall be purely advisory.

7.6 NOTICE OF DECISION

In accordance with the provisions of CGS Section 8-28, as may be amended, notice of all official actions and decisions of the City Plan Commission shall be published in a newspaper with a substantial circulation in the City of Waterbury within 15 days of such action or decision.

7.7 RECORD OF ACTIVITY

The official minutes of the City Plan Commission shall contain a full and complete record of all activities occurring pursuant to these Regulations which records shall be public records and available for inspection at reasonable times. The record of applications disapproved shall state reasons for disapproval with specific reference to particular facts and conditions.

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SECTION 8. AMENDMENT TO LAND SUBDIVISION REGULATIONS

8.1 AMENDMENT

The City Plan Commission may occasionally modify, supplement, and amend these Regulations. No such modifications or amendments shall be made without first holding a public hearing with proper notice, and no such change shall affect any subdivision previously approved by the City Plan Commission.

8.1.1 APPLICATION

Private applications to amend these Regulations shall include an original and ten copies, and an electronic copy, of an application, in letter form that shall include:

- a. Applicant's name, address, phone number and email address and Applicant's agent with contact information;
- b. A description of the proposed amendment, with appropriate supporting documentation, of how the proposed amendment relates to the needs of the City, the adopted Plan of Conservation and Development and the intents and purposes of these Regulations;
- c. Such other information as is requested by the City Plan Commission to facilitate its review of the proposed amendment in light of the standards of applicable enabling legislation; and
- d. Payment of a fee.

8.1.2 PUBLIC HEARING

No change in these Regulations shall become effective until after a public hearing in relation thereto, held by the City Plan Commission, at which parties in interest and citizens shall have the opportunity to be heard. The City Plan Commission shall hold a public hearing on all proposed amendments and changes to these Regulations and shall publish a notice of said hearing in a newspaper of general circulation within the City. The hearing and notice of same shall be in accordance with Section 7.2 and CGS Section 8-7d, as may be amended.

8.1.3 ACCEPTANCE OF APPLICATION

The Application shall be submitted to the City Plan Commission's delegated Agent who will file a copy with the Town Clerk and City Clerk.

8.2 EFFECT OF CHANGE IN LAND SUBDIVISION REGULATIONS

Effect of change in Land Subdivision Regulations shall be made in Accordance with the provisions of CGS Section 8-26a.

APPENDIX A: CROSS SECTION

Pending receipt from City Engineer.

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