

SUBDIVISION REGULATIONS

BOZRAH, CONNECTICUT

PREPARED BY THE BOZRAH PLANNING AND ZONING COMMISSION
with technical assistance from the
SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS
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BOZRAH SUBDIVISION REGULATIONS

SECTION 1 - AUTHORITY

1.1 **Authority.** These subdivision regulations are promulgated under the provisions of Chapter 126, Connecticut General Statutes, 1958 Revision, as amended. These Regulations amend and supersede the Subdivision Regulations, Town of Bozrah, effective March 20, 1967, and subsequently amended October 1, 1973.

1.2 **Purpose.** The purpose of these Regulations is to promote and to insure the orderly development of land within the Town of Bozrah so that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety; so that proper provisions shall be made for water supply, surface drainage, and sewage disposal; so that proposed streets shall be in harmony with existing or officially proposed principal thoroughfares and so arranged and constructed so as to provide an adequate and convenient system for the present and prospective traffic needs; so that open spaces for parks and playgrounds shall be provided in locations deemed proper by the Planning and Zoning Commission; and, in general, to protect the safety, convenience, and welfare of the inhabitants of the Town of Bozrah.

SECTION 2 - DEFINITIONS

2.1 **Subdivision.** The division of a tract or parcel of land into three (3) or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivisions, or as the definition of "subdivision" is used in Chapter 126 of the General Statutes or as it may hereafter be amended by statute.

2.2 **Resubdivision.** A change in a map of an approved or recorded subdivision or resubdivision if such change (a) affects any street layout shown on such map, or (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, or as the definition "resubdivision" is used in Chapter 126 of the General Statutes or as it may hereafter be amended by statute.

2.3 **Subdivider.** The owner(s) of the land to be subdivided or an agent who acts for the owner(s), provided written evidence of such fact is submitted.

2.4 **Commission.** The Planning and Zoning Commission of the Town of Bozrah.

2.5 **Street.** An improved right-of-way open to public use and suitable for two-way vehicular travel; or a proposed street shown on a subdivision plan approved by the Commission.

2.6 **Person.** The term "person" as used in this Regulation shall include individuals,-firms and corporations.

2.7 **Plan.** The subdivision map, drawing or drawings and related documents prepared for approval by the Commission and for filing in the office of the Bozrah Town Clerk.

2.8 **Special Flood Hazard Area.** (11/01/95) The area within a community subject to one percent or greater chance of flooding in any given year, as identified on the FIRM.

SECTION 3 - ADMINISTRATIVE PROCEDURES

3.1 **Application Submission.** Any person intending to subdivide land in the Town of Bozrah shall submit an application as prescribed herein to the Chairman of the Commission or the Zoning Enforcement Officer. Three (3) copies of the plan shall be submitted, along with the completed application form and the required fee. Application forms are available from the Zoning Enforcement Officer or the Town Clerk.

3.1.1 The day of receipt of an application shall be the day of the next regularly scheduled meeting of the Commission immediately following the day of submission to the Commission or the Zoning Enforcement Officer of such application or thirty-five (35) days after such submission, whichever is sooner.

3.1.2 (10/19/87) For any subdivision or resubdivision, the applicant shall, prior to or at any public hearing on an application, or, if no hearing is held, prior to the Commission's action on an application, provide the Commission with evidence that owners of property abutting and directly across any road from any new building lots in the proposed subdivision or resubdivision has been notified of the applicant's intent to subdivide, as indicated by a copy of the notice and postal receipts dated at least ten (10) days prior to the scheduled hearing or action by the Commission. (A sample form for the notice is provided in the Appendix to these Regulations.

3.2 **Fee.** All applications for subdivision, resubdivision, any new or rebuilt road, drainage or other site improvement, shall be submitted with check or money order made payable to the Treasurer, Town of Bozrah, in an amount stipulated by Town Ordinance. (11/10/89)

3.3 **Hearing.** The Commission may hold a public hearing regarding any subdivision proposal within sixty-five (65) days after receipt thereof, if, in its judgment, the specific circumstances require such action. No plan of resubdivision shall be approved by the Commission without a public hearing. Notice of a hearing shall be published in a newspaper of general circulation in the Town at least twice at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days prior to the date of such hearing, and by sending a copy thereof by registered or certified mail to the applicant. The hearing shall be completed within thirty-five (35) days after such hearing

commences.(6/1/06)

3.4 **Regional Planning Agency Referral.** Whenever a subdivision of land is planned, the area of which will abut or include land in another municipality, the Commission shall, before approving the plan, submit it to the regional planning agency or agencies of the region or regions within which it is located by certified mail. The regional planning agency or agencies receiving such referral shall, within thirty (30) days, report to the Commission and to the applicant its findings on the intermunicipal aspects of the proposed subdivision. If such report of a regional planning agency is not submitted within thirty (30) days after the referral from the Commission, it shall be presumed that such agency does not disapprove of the proposed subdivision. The regional planning agency's report shall be purely advisory.(6/1/06)

3.5 **(10/19/87) Referrals.** If the proposed subdivision involves land regulated as an inland wetland or watercourse under the provisions of Chapter 440 of the General Statutes, the applicant shall submit an application to the Bozrah Conservation (Inland Wetlands) Commission no later than the day the application is filed for the subdivision approval with the Planning and Zoning Commission (PZC). The PZC shall not render a decision until the Conservation Commission has submitted a report with its final decision to the PZC. In making its decision, the PZC shall give due consideration to the report of the Conservation Commission.

3.5.1 If the proposed subdivision involves the relocation or alteration of any stream having a watershed of more than three (3) square miles or an average stream flow greater than five (5) cubic feet per second, the Commission shall notify adjacent communities within the watershed and the Water Resources Unit of the Connecticut Department of Environmental Protection, prior to approving any alteration or relocation of a watercourse, and submit copies of such notices to the Federal Insurance Administrator.

3.5.2 (6/1/06) The Commission shall notify the clerk of any adjoining municipality of the pendency of any subdivision application on any site when: (1) any part of the property affected by the Commission's decision is within 500 feet of the adjoining municipality; (2) a significant portion of the traffic to the completed project will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewer systems within the adjoining municipality; or (4) water runoff 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 and shall be mailed within seven (7) days of the date of receipt of the application or site plan and no hearing shall be held on the application or site plan until after the adjoining municipality has received such notice. A representative from the adjoining municipality may appear and be heard at any hearing on any such application or site plan.

3.6 **Vote by the Commission.** The Commission shall vote to approve, modify and approve, or disapprove any subdivision application or maps and plans submitted therewith within sixty-five (65) days after the public hearing thereon or, if no public hearing is held, within sixty-five

(65) days after the day of receipt thereof. Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the municipality and addressed by certified mail to the applicant by its secretary or clerk, under his signature, within fifteen (15) days after such decision has been rendered. The failure of the Commission to act thereon shall be considered as an approval, and a certificate to that effect shall be issued by the Commission on demand. Provided, however, extensions of time may be consented to in accordance with the CGS Section 8-7d. The grounds for the action of the Commission shall be stated in the records of the Commission.

3.6a The Commission may grant a conditional approval in lieu of requiring the posting of a bond to cover required work. When a conditional approval is granted the signature blocks shall contain the words “conditional approval” and a note shall appear on each lot indicating that the lot is not to be sold or offered for sale. This conditional approval shall be null and void if final approval is not granted within 5 years from the date of conditional approval.(2/1/2012)

3.6b When a conditional approval has been granted and the required work has been approved or bonding is posted the Commission shall endorse a new Record Subdivision Map with the words “Final Approval” in the signature blocks.(2/1/2012)

3.7 **Posting of Bonds.** Prior to endorsement of the plan, the Commission shall accept from the applicant a performance bond from a bonding company licensed to conduct business in Connecticut, or other surety with conditions satisfactory to it securing to the Town of Bozrah the actual construction and installation of all improvements as required by these Regulations, including the construction of streets, drainage features, street signs, the installation of monuments and markers, the grading and improvement of recreation facilities, clean up of the premises and measures to be taken to control soil erosion and sedimentation likely to occur from the proposed subdivision. The amount of the bond shall be estimated by the applicant who shall provide the Commission with the basis for the estimate. The Commission shall review the estimate with the First Selectman prior to approving the amount of the bond.

3.7.1 The bond shall be held by the Commission until improvements have been completed, until as-built plans are submitted to the Commission, and, where new streets are involved, until such streets are accepted by the Town. Before release of the performance bond, a maintenance bond shall be submitted which shall be in an amount equal to ten percent (10%) of the performance bond or \$2,500, whichever amount is greater, and which shall be retained by the Commission for one (1) year. The purpose of the maintenance bond is to guarantee correction of any construction failures related to the subdivision.

3.8 **Endorsement of the Plan.** If the Commission votes to approve a plan or modify and approve a plan, its approval with the date thereof, together with a statement of any modification applying to such approval, shall be endorsed and signed by the Chairman or Secretary of the Commission in the space provided for such purpose on each sheet of a mylar copy of the plan

provided by the applicant. In addition to the above, the applicant shall provide three (3) paper copies of the endorsed plan.

3.8.1 The Chairman or Secretary of the Commission shall, when endorsing the plan, indicate on the plan the date by which all improvements shown on the plan shall be completed, as required in Section 3.10 below.

3.9 **Filing the Plan.** The endorsed mylar copy of the plan shall be filed by the applicant in the office of the Bozrah Town Clerk and any plan not so filed within ninety (90) days of the date such plan is delivered to the applicant or within ninety (90) days of the date upon which such plan is taken as approved by reason of the failure of the Commission to act, shall become null and void, except that upon request by the applicant the Commission may extend the time for such filing for two (2) additional periods of ninety (90) days and the plan shall remain valid until the expiration of such extended time. No such plan shall be filed or recorded by the Town Clerk until its approval has been endorsed in writing on such plan by the Chairman or Secretary of the Commission.

3.10 **Time Limit on Completion.** Any person, firm or corporation making any subdivision of land shall complete all work in connection with such subdivision within five (5) years after the approval of the plan for such subdivision, which completion date shall be noted on the plan by the Chairman or Secretary of the Commission at the time of endorsement of the approved plan.

3.10.1 Failure to complete all work within such five-year period shall result in automatic expiration of the approval of such plan, provided the Commission shall file on the land records of the Town of Bozrah notice of such expiration and shall state such expiration on the subdivision plan on filed in the office of the Town Clerk, and no additional lots shall be conveyed in the subdivision by the subdivider except with approval by the Commission of a new application for subdivision of the subject land. If lots have been conveyed during the five-year period, the Commission shall call the bond or other surety on said subdivision to the extent necessary to complete the work required to service those lots. "Work" for purposes of this section means all physical improvements required by the approval of the plan, other than the staking out of lots, and includes, but is not limited to, the construction of roads, storm drainage facilities and water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electric services, planting of trees or other landscaping, and installation of retaining walls or other structures.

SECTION 4 - OPTIONAL PRE-APPLICATION SKETCH PLAN

4.1 **Purpose.** The pre-application sketch plan is a general layout of a proposed subdivision submitted by the subdivider for informal consideration by the Commission prior to a formal submission of an application for approval. A preapplication sketch plan shall not be required requisite to submission of an application, but applicants are encouraged to preview potential

subdivision requests with the Commission before formal submission of an application to ensure that basic requirements can be met prior to incurring engineering, application, and legal fees involved with submission of an application and plan. It should be clearly understood that the pre-application sketch plan enjoys no official legal status and that consent with regard to feasibility of the preapplication sketch plan on the part of the Commission in no way predicates approval of the required plan. A pre-application sketch plan is encouraged in the interest of improved communication between the applicant and the Commission with regard to intent and general design, but is at the sole discretion of the applicant.

4.2 **Contents.** The pre-application sketch plan may be drawn on tracing paper with pencil at a suitable scale which will show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the required Subdivision Plan. The pre-application sketch plan should show:

4.2.1 The subdivision name, boundaries, true north point, date, scale.

4.2.2 The names and addresses of the record owner and the applicant.

4.2.3 All major site features such as existing streams, waterbodies, stone walls, large trees, rock ridges, outcroppings.

4.2.4 The names and approximate location of existing adjacent streets and proposed streets.

4.2.5 The total site area, the total number of proposed lots, the general configuration of the proposed lot boundary lines and approximate area of each proposed lot.

4.2.6 Sites dedicated or reserved for purposes other than residential use.

4.2.7 Subsurface soil conditions based on results of random soil pit tests at the ratio of one (1) pit per two (2) acres distributed evenly over the proposed subdivision tract.

SECTION 5 - REQUIRED SUBDIVISION PLAN CONTENTS

5.1 **General Requirements.** Three (3) copies of all maps, plans and profiles shall be submitted with the application and fee, and unless otherwise permitted by these Regulations, shall conform with Class A-2 standards for accuracy of the Code of Recommended Practice for Standards of Accuracy of Surveys and Maps of the Connecticut Association of Land Surveyors, Incorporated. They shall be prepared and sealed by a registered land surveyor and shall be presented on good quality white paper prints and shall be not larger than thirty-six (36) by twenty-four (24) inches in size. All such prints shall have a one-half inch (~") border on three (3) sides and a two-inch border on the left side. If more than one (1) sheet is submitted, they shall be bound. All such prints shall bear the following information:

5.1.1 The name or title of the subdivision and the words: "Bozrah, Connecticut."

5.1.2 The name of the subdivider and owner of the property.

5.1.3 North point, scale, date of survey, and date of original drawing and revisions.

5.1.4 Where only a part of the subdivision is shown on the sheet, a key map shall show its location in relation to the whole subdivision.

5.1.5 Name, registration number and seal of the land surveyor or engineer that prepared the drawing.

5.2 **Key Map.** The key map shall be at a scale not smaller than one inch (1") equals 1,000 feet and shall show the location of the proposed subdivision and all existing roads and watercourses within 1,000 feet of it. If space permits, the key map may be included as an insert map on the boundary survey map. The key map may be a simple enlargement of a U.S. Geological Survey topographic map.

5.3 **Boundary Survey Map.** This map shall show the property to be divided into building lots at a scale of at least one inch (1") equals fifty feet (50') or one inch (1") equals forty feet (40') will also be acceptable. The boundary survey map shall show the following:

5.3.1 Boundaries, dimensions and acreage of the property to be subdivided.

5.3.2 Boundaries of properties and names of current property owners within 100 feet of the proposed new building lots.

5.3.3 Locations and designations of all wetlands, watercourses and rock outcroppings.

5.3.4 Boundaries, dimensions, angles, bearings, area in square feet and lot numbers of all proposed lots. (Lot areas may be shown in tabular form on the same sheet.)

5.3.5 (10/19/87) All existing buildings, stone walls, and the locations and numbers of all utility poles along both sides of any abutting roads.

5.3.6 All existing and proposed monuments, pipe markers and any other physical evidence concerning property boundaries.

5.3.7 Locations of all existing and proposed easements, rights-of-way, drainage rights and open spaces.

5.3.8 Contours of the land to be subdivided in sufficient detail to show general topography, watercourses and the direction of surface water flow. Contours shall be shown at not more than five-foot (5') intervals. Elevations shall be referenced to U.S.

Geological Survey datum.

5.3.9 (6/1/11) All applications for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include with such applications base flood (a flood having a one percent (1%) chance of being equalled or exceeded in any given year) elevation data for that portion of the subdivision which permits development which is located within A Zones on the Town's Flood Insurance Rate Map, dated July 18, 2011, or any subsequent revision thereof. In addition, the Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for requiring that new construction, substantial improvements, or other development in A Zones, meet the standards of these Regulations.

5.3.10 The words "Approved by the Bozrah Planning and Zoning Commission" with designated spaces provided for the date and signature of the Chairman or Secretary of the Commission.

5.4 **Construction Plan.** A construction plan, drawn at a scale of one inch (1") equals forty feet (40'), shall be submitted when any type of construction, such as roads, drainage, water supply or sewer systems, retaining walls, etc., is to be carried out in connection with the subdivision. The construction plan shall be prepared and sealed by a Connecticut registered professional engineer. The construction of all streets shall be in conformance with the Road Ordinance of the Town of Bozrah. All other construction shall be in accordance with the current issue of the Connecticut Department of Transportation, Bureau of Highways "Standard Specifications for Roads, Bridges, and Incidental Construction" and any supplements and amendments thereof, unless otherwise specifically provided by these Regulations. The construction plan shall include the following, where applicable:

5.4.1 Plan and profile for all proposed streets, showing:

- a. Existing surface elevation along the center line.
- b. Locations, bearings, curve data, including arc length, radii and central angles, proposed grades, vertical curves with centerline elevations every fifty feet (50'), except that such information shall be provided at ten-foot (10') intervals within eighty feet (80') of the centerline cross point of an intersection.
- c. Location, size, and invert elevations of existing and proposed storm drains, catch basins, manholes, bridges, culverts, outfalls and other drainage features.
- d. Location, size and invert elevations of proposed sewers, if any.
- e. Location and size of all water supply and distribution facilities and hydrants.
- f. Cross sections at twenty-five-foot (25') intervals where existing terrain slopes more than ten percent (10%).
- g. Sidewalk location, if any, and location of street paving and curbs within the right-of-way.
- h. Locations of street signs, trees and other special landscape features to be installed by the applicant.
- i. Street names.

5.4.2 Where drainage systems are to be constructed, one (1) copy of the construction plan shall be suitably marked to show watershed data used in the design of such systems and shall be accompanied by all calculations used in the drainage design.

5.4.3 In the case of retaining walls or other special features, a drawing to a scale of one-half inch (~") equals one foot (1') of all such details shall be furnished.

5.4.4 The words "Date of Completion of All Work" with designated space for the date and initials of the Chairman or Secretary of the Commission.

5.5 **Erosion and Sediment Control Plan.** In order to minimize the erosion of top soil and the depositing of sediment in drainage structures and watercourses in the Town of Bozrah, whenever a subdivision plan is submitted which includes a construction plan as described under Section S.4, above, or where substantial regrading is anticipated, the Commission shall require that all plans for the subdivision of land include a plan showing the measures the applicant intends to take to control erosion and sedimentation during construction of the subdivision and to prevent its occurrence after completion of the subdivision. Erosion and sediment control plans shall conform to standards prescribed in the "Erosion and Sediment Control Handbook" of the Soil Conservation Service, U.S. Department of Agriculture. Copies of the Handbook are available from the office of the New London County Soil and Water Conservation District.

5.5.1 The soil erosion and sedimentation plan shall include the following:

- a. Location of areas to be stripped of vegetation.
- b. Location of areas to be regraded and contour data indicating existing and proposed grades.
- c. A schedule of operations, including the sequence and timing for major improvement phases such as clearing, grading, paving, installation of drainage features, and the like.
- d. Seeding, sodding, or revegetation plans and specifications for all unprotected or unvegetated areas.
- e. Location, design and timing of structural sediment control measures, such as diversions, waterways, grade stabilization structures, debris basins, and the like.
- f. A description of procedures to be followed to maintain sediment control measures.

5.5.2 The performance bond required for improvements in connection with the proposed subdivision shall be required to be sufficient to cover the costs of accomplishing the erosion and sedimentation control measures.

5.6 **Utilities Report.** (10/19/87) As a part of the application for any subdivision, a written report endorsed by the Town Health Officer, shall be submitted to the Commission concerning the adequacy of plans for proposed private sewage disposal facilities. Adequacy of plans for subsurface sewage disposal facilities shall be based on deep test holes taken on each lot in the

proposed subdivision in the probable location of the private sewage disposal facility and carried out in the presence of the Sanitarian or his designee.

5.6.1 Where results of such tests indicate a need for a lot size that is greater than required in the zoning regulations because of sewage disposal requirements, final approval will not be granted until such larger lots as required are shown on the map. All installations of private sewage disposal systems shall conform with the standards and requirements of the Connecticut State Department of Health.

5.6.2 As part of the Subdivision Plan, the subdivider shall also submit to the Commission, the report of a registered professional engineer, registered land surveyor, or a qualified individual approved by the Commission as to soil conditions for storm and surface drainage, which report shall state in detail the tests made and their locations, together with the engineer's, surveyor's or qualified individual's evaluation of the results of such tests.

5.7 **Other Supporting Documents.** Before approval of any subdivision, the Commission shall require the following:

5.7.1 Evidence of permits for activities that might be controlled or subject to approval by the Bozrah Conservation Commission.

5.7.2 The subdivider shall submit to the Commission written copies of all agreements, restrictive covenants, or other documents governing the use, reservation, or maintenance of land.

5.7.3 (6/1/11) Within the Regulatory Floodway, designated on the Flood Insurance Rate Maps, dated July 18, 2011, or any subsequent revisions thereof, or as determined in Section 5.3.9 of these regulations, all encroachments, including fill, new construction substantial improvements to existing structures, and other development, are prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that such encroachment shall not result in any (0.00) increase in flood levels during a 100-year flood. Such analysis must be certified by a registered professional engineer.

SECTION 6 - IMPROVEMENTS

6.1 **Street Design.** No subdivision of land, requiring the layout and establishment of new streets, shall be made, unless all street improvements are designed and constructed in accordance with the Town Road Ordinance. The Board of Selectmen, acting as the Local Traffic Authority, will approve the proposed street layout and design. Prior to any decision of the Board of Selectmen the Commission shall submit a report to the Board regarding the acceptability of the proposed road(s) layout, design, safety, and other related considerations. Any negative report

from the Planning & Zoning Commission shall require a unanimous decision by the Board of Selectmen for approval.

6.2 **Lots.** Proposed lots shall be arranged to make the best use of the natural terrain, avoiding unnecessary regrading and preserving large trees, stone walls and other significant features.

6.12.1 All lots shall front on an existing street or on one proposed by the subdivision plan.

6.12.2 Wherever possible, side lot lines shall be a right angles to the road on which the lot fronts, or radial to curved road lines. (11/10/89)

6.12.3 To the maximum extent possible, lots shall be generally rectangular in shape and excessively deep or irregularly-shaped lots shall be avoided. (11/10/89)

6.12.4 Lot sizes and street frontage requirements shall conform to the Zoning Regulations of the Town of Bozrah.

6.12.5 In order to provide information to enable the Commission to determine the impact of construction on natural resources, the locations of proposed principal buildings, driveways, water supplies, and sewerage disposal systems shall be shown on all lots containing wetlands, watercourses, slopes in excess of ten percent (10%), or ledge outcrops.

6.13 **Monuments and Markers.** Stone monuments or reinforced concrete monuments shall be placed at all points of curvature or tangency, at all angle points on the street lines and at one (1) front corner of each lot. Iron pipes or pins shall be placed at all other lot corners or angle points.

6.13.1 Monuments shall be not less than four inches (4") square and thirty inches (30") long with a brass or copper plug, drill home or cross marking the center of the monument. They shall be set flush with or slightly above finished grade. Iron pipes shall be at least one-half inch (~") nominal inside diameter, thirty-six inches (36") long. The tops of pipes or pins shall normally be at least two inches (2") above finished grade.

6.14 **Utilities.** All utility lines will be located underground except that the Commission may approve overhead electrical and telephone lines in subdivisions not involving new streets or where physical conditions make underground installation impractical or where the new street is the extension of an existing street having overhead lines. 6.14.1 Water supply and distribution systems shall be installed in accordance with the specifications of the Southeastern Connecticut Water Authority or the Connecticut Department of Health, whichever has jurisdiction.

6.14.2 All sewage shall be disposed of by methods approved by the Connecticut Departments of Environmental Protection or Health, in accordance with Section 19-13-

B20 of the Connecticut Public Health Code.

6.15 **Open Space.** The Commission may require the subdivision plan provide for one (1) or more open spaces for parks, playgrounds, or conservation purposes. The area of open space shall not exceed ten percent (10%) of the whole tract. The location of the open space within the subdivision shall be subject to Commission approval.

6.15.1 Such open spaces as shall be required shall abut a street, and when a property line of a subdivision abuts on existing open space, the Commission may require the new open space to form a continuation of the existing open space to form a single large unified area. No open space shall be of such shape that its greatest length is more than three (3) times its average width.

6.15.2 Such open space shall be either dedicated to public use and conveyed by warranty deed to the Town of Bozrah or devoted to the common use of all property owners in the subdivision with such common rights being conveyed to each such owner in his deed.

6.15.3 Such open spaces shall be graded by the subdivider so as to dispose properly of surface waters, shall be seeded with field grass where the soil is left barren, cleared of all brush and debris and left in proper condition for use as a park or playground. The work to be performed by the subdivider to comply with this provision shall be covered by proper surety bond as herein provided.

6.15.4 Fee-in-lieu of open space: in lieu of the above requirement to provide open space, the Commission may, at its discretion, approve the payment of a fee to the municipality by the applicant, or may approve the payment of a fee to the municipality and transfer land to the municipality by the applicant in accordance with the provisions of Section 8-25 of the Connecticut General Statutes. (2/01/00)

6.16 **Reserve Strip.** No reserve strip controlling access to adjoining properties or to land dedicated or to be dedicated to public use, including open spaces, parks, playgrounds, or public ways will be permitted.

6.17 **Flooding Considerations.** (5/27/88) The Commission shall determine that proposed subdivisions are reasonably safe from flooding. When a subdivision is proposed in the SFHA be reviewed to assure the following:

6.17.1 That all proposals are consistent with the need to minimize flood damage within the flood-prone areas.

6.17.2 That all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.

6.17.3 That adequate drainage is provided to reduce exposure to flood hazards.

6.17.4 That new and replacement water supply systems are designed to minimize or eliminate infiltration of flood waters into the systems.

6.17.5 That new and replacement sanitary sewer systems are designed to minimize or eliminate infiltration of flood waters into the systems or discharges from the systems into *flood* waters.

6.17.6 That on-site sewage disposal systems are located to avoid impairment *of* them or contamination *from* them during flooding.

6.17.7 (10/19/87) That the flood-carrying capacity is maintained within any altered or relocated portion of any watercourse.

SECTION 7 - WAIVERS

7.1 **Conditions for Waivers.** The Commission may waive certain requirements of these Regulations in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area, provided no waiver shall be granted that would have a significant adverse effect on adjacent property or on public health and safety. No waiver shall be granted unless one (1) or more of the following conditions exist:

7.1.1 The proposed subdivision includes land in a neighboring municipality.

7.1.2 Strict adherence to the requirements of these Regulations would result in the alteration or destruction of a significant or unique natural feature, such as a large tree, a watercourse, a wetland or a rock formation.

7.1.3 Strict adherence to the requirements of these Regulations would result in significant alteration of the natural land contour in a manner that would aggravate natural drainage or cause erosion and sedimentation problems that would be difficult to control or correct.

7.1.4 Strict adherence to the requirements of these Regulations would place a substantial limitation on the development potential of the property.

7.2 **Vote Requirements.** A waiver may be granted only by a three-quarters vote of all members of the Commission.

7.3 **Recording.** The Commission shall state upon its records the reasons for which a waiver is granted in each case.

SECTION 8 - ENFORCEMENT

8.1 **Criminal.** Any subdivider, person, firm or corporation making any subdivision of land without first obtaining the approval of the Commission on a subdivision plan shall be fined not more than five hundred dollars (\$500) for each lot sold or offered for sale or so subdivided.

8.2 **Civil.** The Commission, acting through its chairman, shall have full authority provided by law to enforce compliance with these Regulations, including instituting legal action for injunctive relief.

SECTION 9 - SEPARABILITY

9.1 If any section, subsection, sentence or portion of these Regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 10 - EFFECTIVE DATE

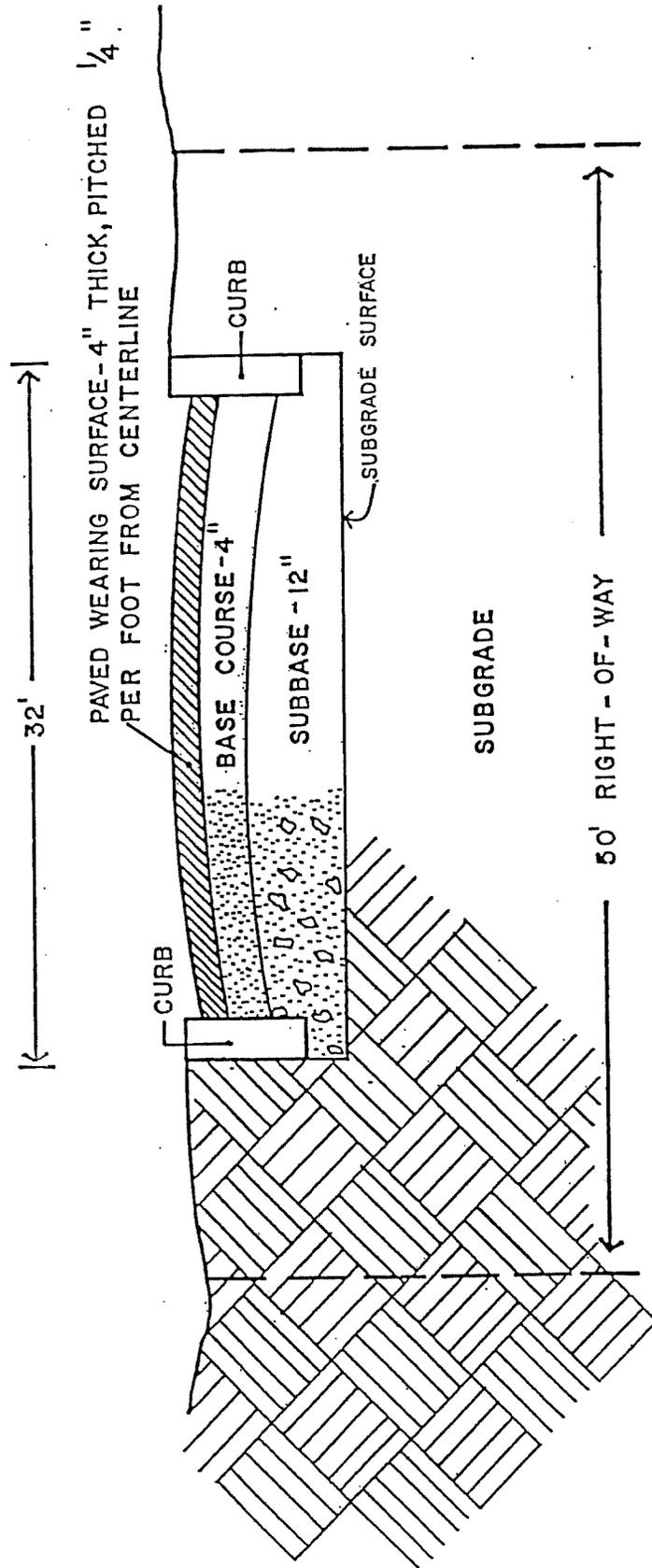
10.1 These amended Regulations are effective February 22, 1980.

10.2 Nothing contained in these Regulations shall apply to a subdivision plan approved by the Bozrah Planning and Zoning Commission prior to the effective date of these Regulations, nor to any proposed subdivision plan filed with the Bozrah Planning and Zoning Commission in conformance with the Subdivision Regulations dated 20 March 1967 prior to the effective date of these Regulations.

SECTION 11 - AMENDMENTS

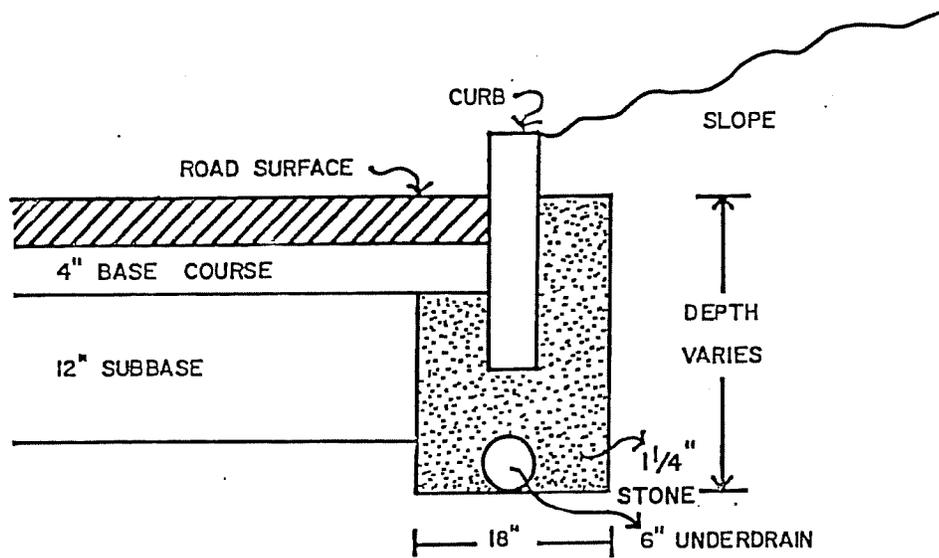
11.1 These Regulations may be amended from time-to-time in accordance with the procedures specified in Section 8-25, Chapter 126 of the Connecticut General Statutes, 1958 Revision, as amended.

TYPICAL STREET CROSS SECTION



(NOT TO SCALE)

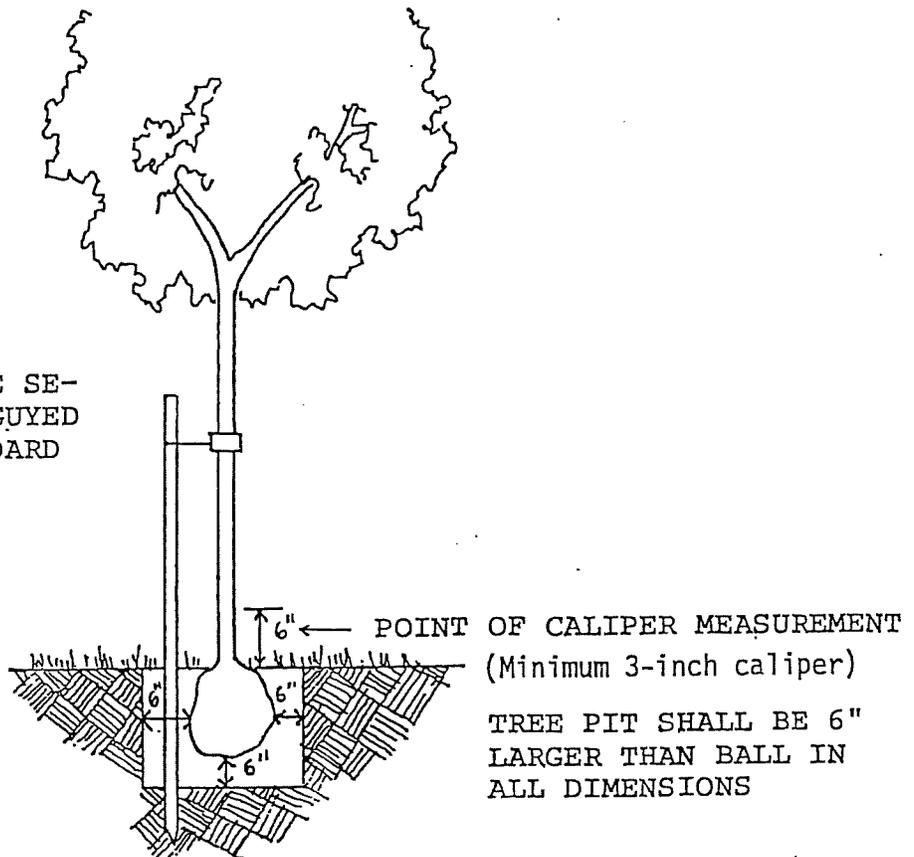
CURB DRAINAGE



(NOT TO SCALE)

STREET TREES

EACH TREE SHALL BE SECURELY STAKED OR GUYED ACCORDING TO STANDARD NURSERY PRACTICE



- S A M P L E -

NOTICE OF INTENT TO SUBDIVIDE
LAND IN THE TOWN OF BOZRAH

In accordance with requirements of the Bozrah Subdivision Regulations, I hereby notify you, as an adjacent property owner, of my intent to subdivide property on _____, (name of road or street) _____, more specifically identified as Lot # _____, Map # _____, of the Bozrah Assessor's Aerial Maps. The property is owned by _____ (name of record owner) _____.

Name of Subdivider: _____

Date of Notice: _____

SUBDIVISION APPLICATION
BOZRAH PLANNING & ZONING COMMISSION

Name of Record Property Owner _____

Address _____

Phone _____

Name of Applicant _____

Address _____

Phone _____

Location of property _____

Name of Surveyor or Engineer _____

Address _____

Phone _____

Total area to be subdivided _____

acres

Number of new lots proposed _____

Signature of Applicant _____

Date _____

To be completed by the Commission:

Application No. _____

Date of submission _____

Received by _____

Date of receipt _____

Fee paid \$ _____

This application, together with three copies of the subdivision plan and the required fee, should be submitted to the Zoning Enforcement Officer or the Chairman of the Bozrah Planning and Zoning Commission.

CHECK LIST
SUBDIVISION PLAN REQUIREMENTS
BOZRAH PLANNING AND ZONING COMMISSION

The following are required for all subdivisions:

1. Name or title of subdivision.
2. Names of property owner and subdivider (if other than owner).
3. North point and scale.
4. Dates of original drawing and revisions.
5. Key map, if more than one sheet is required.
6. Name, registration number, and seal of surveyor or engineer.
7. Key map showing location of subdivision.
8. Property boundaries~ dimensions and acreage (scale 1 inch equals 40, 50, or 100 ft.).
9. Boundaries and owners within 100 ft. of new lots.
10. Wetlands, watercourses, rock outcrops.
11. Lot boundaries, dimensions, angles, bearings.
12. Stone walls; trees 2 ft. or more in diameter.
13. All existing and proposed boundary markers.
14. Easements, rights-of-way, drainage rights, open spaces.
15. Contours with intervals of not more than 5 ft.
16. Elevations of 100-year storm flooding, where applicable.
17. Approval block.
18. Certification from Health Officer for water supply and sewage disposal facilities.
19. Wetlands report, where required.
20. Copies of property restrictions, where applicable.

The above, plus the following, are required for subdivisions involving construction of roads, drainage features, and other improvements:

1. Engineers seal.
2. Street plans and profiles.
3. Street sign and landscape feature locations.
4. Street names.
5. Drainage system plans and design data.
6. Other special feature construction plans.
7. "Date of Completion of All Work" endorsement block.
8. Erosion and Sedimentation Control Plan.
9. Hydrological design where watercourse is altered.

For a more detailed description of what is required in a subdivision plan, see Section 5 of the Bozrah Subdivision Regulations, from which this check list has been compiled.