

TOWN OF SHARON
SHARON PLANNING AND
ZONING COMMISSION

SUBDIVISION REGULATIONS

Effective July 16, 2011

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APPROVAL BLOCK

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TOWN OF SHARON
SHARON PLANNING AND ZONING COMMISSION
SUBDIVISION REGULATIONS revised to 7/13/2011

1.00 INTRODUCTION

1.01 AUTHORITY

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

1.02 PURPOSES

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

1. Protecting and providing for the public health, safety and welfare in the community and promoting the general welfare and prosperity of its people;
2. Promoting the coordinated development of the community and guiding future growth and development in Sharon in accordance with the Plan of Conservation and Development;
3. Ensuring that land to be subdivided is of such character that it can be used for building purposes without danger to health or public safety;
4. Guiding public and private policy and action in order to provide safe, adequate, and efficient transportation, drainage, water, sewer, parks, schools and other public facilities;
5. Providing for the circulation of traffic throughout the community so that proposed roads shall be in harmony with existing and proposed roads, especially as regards safe intersections, and shall be so arranged and of such width as to provide an adequate and convenient system for present and future traffic needs;
6. Establishing reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land;
7. Ensuring that public facilities are available and have adequate capacities to serve the proposed subdivision;
8. Preventing the pollution of air, streams, rivers and water bodies; assuring the adequacy of drainage facilities; providing for protective flood control measures; and encouraging the wise use and management of natural features throughout the community in order to preserve the integrity, stability and beauty of Sharon and the value of the land;
9. Preserving the natural beauty and topography of the community and ensuring appropriate development with regard to these natural features;
10. Encouraging energy efficient patterns of development and land use, use of solar and other renewable forms of energy, and energy conservation.

2.00 INTERPRETATION

2.01 GENERAL INTERPRETATION

1. In their interpretation and application, the provisions of these Regulations shall be held to be adopted for the purposes stated herein.
2. In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements unless the context clearly indicates that such provisions are intended to be a maximum limitation.
3. In the construction of these Regulations, the rules and definitions contained in this Section shall be observed and applied, except where the context clearly indicates otherwise.
4. Where any conflict arises between the provisions of these Regulations and any other law, ordinance, easement, covenant, rule, regulation, or permit, the provision that establishes the greatest restriction or imposes the highest standard shall control.
5. For the purpose of interpretation and enforcement of these Regulations, words not defined in this Section shall be defined by the Commission after consulting and considering:
 - a. the Building Code,
 - b. the *“Illustrated Book of Development Definitions,”*
 - c. the Connecticut General Statutes,
 - d. Black's Law Dictionary,
 - e. a comprehensive general dictionary (such as Webster's Third New International Dictionary).

2.02 INTERPRETATION OF TERMS

1. Words used in the singular shall include the plural, and the plural the singular.
2. Words used in the present tense shall include the future.
3. The word “shall” is mandatory and not discretionary. The word “may” is permissive.
4. Words which are specifically masculine or feminine shall be interpreted as interchangeable.
5. The phrase “these Regulations” shall refer to the entire Subdivision Regulations.
6. The word “Section” shall refer to a section of these Regulations, unless otherwise specified.
7. The word “person” shall include any individual, firm, partnership, corporation, association, organization or other legal entity and the word “subdivider” shall include applicant and developer.

2.03 DEFINITIONS

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

Applicant - The person proposing a subdivision or resubdivision.

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

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

CGS – Connecticut General Statutes.

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

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

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

CTDOT - Connecticut Department of Transportation.

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

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

Director of Health– The person or persons responsible for enforcement of the Public Health Code for the Town of Sharon.

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

Driveway – A private roadway that provides access to not more than two (2) lots or parcels.

Shared - A privately owned and maintained driveway shared by adjacent property owners for access to no more than two lots.

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

easement permitting a property owner to gain access to a road over the land of an adjoining property owner.

Easement, Conservation - A conservation easement is a voluntary, legally binding agreement between a landowner and a qualified land protection organization (land trust) or government agency that limits certain types of uses or prevents development from taking place on a piece of property now and in the future, while protecting the property's ecological or open-space values.

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

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

Erosion and Sediment Control Manual - The "Erosion and Sediment Control Manual" applicable to Litchfield County Connecticut that is available from the Northwest Connecticut Soil and Water Conservation District or the U.S. Department of Agriculture, Natural Resource Conservation Service.

FEMA - Federal Emergency Management Agency.

Flood Hazard Area - That area designated as subject to periodic flooding by a flood having a one percent (1%) chance of being equaled or exceeded in any given year (a "one-hundred-year-flood"), consisting of the floodway and the floodway fringe of the one-hundred-year flood as shown on the Flood Boundary and Floodway Maps in the Flood Insurance Study, as amended.

Improvement - Any change or alteration to the existing conditions of the subdivision site for the purpose of complying with these Regulations or rendering the site more suitable for development and/or habitation.

Inspection - The periodic review by the Town, the Commission, or the Commission's representative of the construction or development of a subdivision.

IWWCC - The Town of Sharon Inland Wetlands and Water Courses Commission.

Lot - For the purposes of these Regulations a lot shall be defined as a unit of land created from a larger tract of land for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agriculture purposes.

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

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

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

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

Performance guarantee - A guarantee in the form of a passbook savings account, or an irrevocable letter of credit.

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

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

Resubdivision - A change in a map of an approved or recorded subdivision if such change: affects any road layout shown on such map, affects any area reserved thereon for public use, or diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

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

Road – see “Street”

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

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

Soil Erosion and Sediment Control Plan - A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

Soil Scientist - A person who is qualified as a soil scientist in accordance with the standards set by the United States Civil Service Commission.

Soils Map - Soils classification maps as shown in the Soil Survey, Litchfield County, Connecticut prepared by the U.S. Department of Agriculture, Soil Conservation Service (1970).

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

Statute – Connecticut General Statutes.

Street – The public way, or way opened to the public use, but excluding an alley use for service access only, or any proposed street shown on a recorded subdivision approved by the Commission. “Street” shall be deemed to include the entire width of the right-of-way.

Street, Private – A street in a subdivision approved by the Commission under the requirements of the Sharon Zoning Regulations and the section on Private Streets in these Regulations.

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

Subdivision - The division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development, expressly excluding development for municipal, conservation or agricultural purposes. The word “subdivision” shall also include resubdivision.

Town - The Town of Sharon, Connecticut.

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

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

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

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

3.00 GENERAL REGULATIONS

3.01 APPLICABILITY

1. These Regulations shall apply to any subdivision or resubdivision of land within Sharon, Connecticut.
2. No subdivision of land shall be made and no land in any subdivision shall be sold or offered for sale until a subdivision plan, prepared in accordance with the requirements of these Regulations, has been approved by the Commission and has been filed in the office of the Town Clerk.
3. No subdivision plan shall be filed or recorded by the Town Clerk until its approval by the Commission is indicated upon the plan as prescribed in these Regulations, and any recording of a subdivision plan without such approval shall be void.
4. The Commission shall have the authority to determine whether the existing or proposed division of any land constitutes a subdivision or resubdivision under the provisions of these Regulations.

3.02 INTER-MUNICIPAL PARCELS

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

3.03 LAND CHARACTER

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

2. Development of Land Requiring Special Precautions. The following types of land are considered generally unsuitable as site for building development, roads, driveways, septic fields or other development; unless the applicant demonstrates to the Commission that proposed safeguards and measures are adequate to avoid danger to the public health, safety or adverse environmental effect. Generally the lands described below present severe development limitations due to erosive soils, drainage difficulties, construction conditions or unsuitability for sewage disposal. It is the intent of these Regulations to strictly control development of these areas in order to protect the public health and safety.

a., inland wetlands

b. 100 year flood hazard area

c. slopes over 25%

d. soil types rated as “somewhat limited” or “very limited” for sanitary facilities as determined by the U.S. Natural Resources and Conservation Service Soil Survey for Litchfield County, Connecticut.

e. land within the Aquifer Protection Overlay Zone, The Housatonic River Overlay Zone, Beardsley Pond and Calkinstown Watershed (as delineated on the Zoning Map and on maps in the Town Hall).

3.04 WAIVER INFORMATION REQUIRED

1. Requirements for Waiver

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

a. have received a specific written request from the applicant for the waiver,

b. find that the granting of the waiver shall not have a significant adverse effect on adjacent property or on public health, safety, or welfare, and

c. state upon the record its reasons for which such a waiver was granted.

2. Waiver of Information Requirement or Design Standard

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

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

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

4.00 DESIGN STANDARDS

4.01 COMPLIANCE REQUIRED

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

4.02 NAMES OF ROADS OR SUBDIVISIONS

The proposed name of any road or any subdivision shall not duplicate, or too closely approximate phonetically, the name of any other road or subdivision in Sharon.

4.03 PROTECTION OF NATURAL FEATURES

1. The subdivision shall be designed and arranged and provision shall be made to:
 - a. preserve natural features as defined in these Regulations,
 - b. make best use of the natural terrain,
 - c. prevent the pollution of wetlands, watercourses, and water bodies,
 - d. protect the quality and quantity of water supplies,
 - e. minimize flood damage.
2. During the review process, the Commission may require:
 - a. the preservation or enhancement of specific natural features,

b. the submission of additional information that demonstrates the applicant's proposals (such as a conservation restriction and/or the dedication of open space) for protecting such resources.

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

4.04 PROTECTION OF COMMUNITY RESOURCES

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

a. scenic views, scenic areas, prominent hillsides, ridgelines, ridge tops, hill crests, stone walls, agricultural lands, significant trees, and other scenic resources,

b. open space, recreation areas, greenways, and trails,

c. archeological sites, historic buildings, historic sites,

d. similar resources.

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

a. the preservation or enhancement of specific community resources,

b. the submission of additional information that demonstrates the applicant's proposals (such as a conservation restriction and/or the dedication of open space) for protecting such resources.

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

4.05 CONSERVATION DEVELOPMENT

1. In order to encourage the protection of natural features, the preservation of community resources, and the reservation of open space, the Planning & Zoning Commission may approve a Conservation Development designed and arranged in accordance with the standards contained in this Section. Upon a finding that the proposed Conservation Development would meet the purposes of this section, the Planning & Zoning Commission may approve a Conservation Development and permit greater flexibility in lot requirements as may be provided in the Zoning Regulations.

2. A Conservation Development shall require submission of the following information:

a. a site assessment map identifying resources and features to be preserved including:

-- primary conservation areas (stream corridors, wetlands, steep slopes, floodplains)
and

-- secondary conservation areas (greenways and trails, scenic view sheds, prominent hillsides, ridgelines, ridge tops, hill crests, prime farmland, historic sites and

structures, mature woodlands, hedgerows, free-standing trees or tree groups, wildlife habitats and corridors, existing rural streetscapes, and similar noteworthy features).

b. a preliminary development layout locating:

-- the number of residential home sites proposed and allowed by the Zoning Regulations on the total parcel that are to be located within potential development areas (areas not identified as primary conservation areas or secondary conservation areas),

-- access roads and driveways servicing the houses,

-- contiguous areas to be preserved as open space in accordance with the requirements of these Regulations except that the preserved areas shall total at least fifty percent (50%) of the area of the parcel, and

-- property lines delineating potential house sites.

c. A preliminary proposal outlining how the open space areas will be preserved in perpetuity and how public access for greenway trails or other community amenities will be provided.

4.06 LOT LAYOUT

1. Minimum lot size and frontage on a public road or private street in an approved subdivision and as defined herein shall be as required by the Town of Sharon Zoning Regulations for the zoning district in which the lot is located.

2. The shape, size, location, topography, character, and arrangement of a lot shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in:

a. securing building permits to build on the lot in compliance with the Zoning Regulations and the Public Health Code,

b. occupying and using such lot for building purposes without danger to the health and safety of the occupants or the public, and

c. providing driveway access to buildings on such lot.

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

a. does not conform to the requirements of these or other applicable codes and regulations or sound engineering practice,

b. is found unsuitable for occupancy and building by reason of unsuitable soil, topography, water, flooding, or other conditions.

This provision shall not apply to land designated as open space in an approved subdivision.

4. No land or building lot shall be configured in such a way that, in the opinion of the Commission, it could control access to other property unless the control of such land or

building lot is placed within the jurisdiction of the Town under conditions approved by the Commission.

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

6. Corners of all lots, open space, conservation easements, and other parcels or areas shall be marked with one (1) iron pin or with a concrete monument.

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

4.07 OPEN SPACE IN A SUBDIVISION

1. With the exception of subdivision of four (4) lots or less, every subdivision shall provide for the reservation of open space land in order to:

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

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

- a. dedication of land within the subdivision,
- b. dedication of land elsewhere in Sharon acceptable to the Commission,
- c. a fee-in-lieu-of-open-space donation,
- d. dedication of land and a fee-in-lieu-of-open-space-donation, or
- e. another arrangement determined acceptable to the Commission such as a streetscape protection easement, a trail easement, a conservation easement, or similar proposal).

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

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

5. Dedication of Land

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

b. In determining the appropriateness of an area proposed for open space or other public purposes, the Commission shall consider:

- the presence or absence of any existing open spaces in the area, and
- the size of the subdivision.

c. When a subdivision abuts an existing open space, the Commission may require the lot lines of such land form a continuation of the existing open space to provide a single, unified area.

d. The Commission may defer the requirements for the immediate provision of such land in a subdivision which is a part of a larger tract of land, provided that the subdivider dedicates an area of land in the undeveloped portion of the tract equal to the requirements of this section in the developed portion.

e. The Commission may require that any open space land designed for public use shall have direct access to a public road through a right-of-way dedicated to public use and that such accessway be graded and improved to allow for pedestrian access.

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

6. Method of Protection

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

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

Regardless of the manner of ownership of the open space, the instrument of conveyance must include provisions satisfactory in form and substance to the Commission that will ensure on-going use of such land for the intended purposes and the continuity of proper maintenance for those portions of the open space requiring maintenance.

7. Open Space Protection Entities

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

The Town of Sharon;

The State of Connecticut;

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

An approved Home Owners Association as provided for in 8. below.

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

8. Homeowners Association

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

a. The homeowners association must be established as a legally recognized entity. The association must be responsible for liability insurance, local taxes, and the maintenance of any recreational and other facilities.

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

c. Each lot owner shall have an equal vote in determining the affairs of the organization, costs shall be assessed equally to each lot; and the organization shall remain under the control of the developer until a majority of the lots are conveyed to permanent owners.

d. The association or corporation must have the power to assess and collect from each lot owner a specified share of the costs associated with maintenance, repair, upkeep and insurance of the Open Space.

e. The association must have the authority to adjust the assessment to meet changed needs.

f. The method or organization, by-laws and rules of procedure of the homeowners' association and any amendment thereto shall be in a form acceptable to the Commission and are subject to a review by the Commission's attorney. The Commission may require that a sinking fund be established and used to maintain common areas. The sinking fund shall be transferred to the homeowners' association when the assets are transferred to the association upon completion of a requisite portion of the development.

9. Fees in Lieu of Open Space

a. For a subdivision of 5 or more lots where dedication of land as open space will not meet the purposes of this section, the Commission may request the subdivider pay a fee to the

Town in lieu of the requirement to provide open space. If payment of such a fee is proposed by the subdivider, the Commission may refuse such fee if it determines, in its sole discretion, that there are acceptable areas on the subdivision which merit preservation by one of the methods set forth in these Regulations.

b. The open space payment shall be placed in a fund established by the Town to be used for the purpose of preserving land for open space, recreational, or agricultural purposes, including easements or purchases of development rights.

c. The fee in lieu of open space procedures shall be in accordance with Section 8-25 of the Connecticut General Statutes, as amended.

d. The fee in lieu of open space may be paid in one lump sum by the subdivider or may be made in partial payments at the time of the sale of each approved lot in the subdivision. If partial payments are to be made, each payment shall be prorated in value relative to the number of approved lots in the subdivision.

e. When fractional payments are provided in lieu of open space land, the developer shall execute a mortgage securing the fee-in-lieu-of-open space and such mortgage shall be recorded on the Town of Sharon Land Records with a priority, form, and substance acceptable to the Commission's attorney. Partial releases shall be provided upon the tender of each fractional payment.

7. Waiver of Open Space Reservation

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

a. the transfer of all land in a subdivision of less than five (5) parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin for no consideration, or

b. the subdivision is an affordable housing development in accordance with the requirements of C.G.S. 8-30g.

4.08 SUBDIVISION IMPROVEMENT AND ROAD CONSTRUCTION AND DESIGN REQUIREMENTS

1. Street Planning and Design - General

The planning and design of subdivision streets shall be in accordance with the following and the requirements of the Town Ordinance on "Highway Construction Requirements – Subdivision Development". Where there is a conflict between the requirements of these regulations and the town ordinance on Highway Construction Requirements – Subdivision Development the requirements of the town ordinance shall apply.

a. Safe Access. Safe and convenient motor vehicle access to every building site, with minimal disruption of the natural environment, shall be required in all plans.

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

Streets shall be planned to provide a convenient system for prospective traffic needs, and to safely accommodate fire-fighting, school bus, snow removal and service vehicles.

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

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

Only existing State or Town maintained streets, or streets built to Town standards and private streets in an approved subdivision and as defined herein shall be used as the means of traffic access to a subdivision.

2. Existing Streets

Where an existing street is to provide frontage for new lots or access to a new street, the portion of the street fronting the subdivision, or giving access to a subdivision, shall be brought to sufficient conformity with all standards of these Regulations. The subdivider will be required to dedicate to the Town land sufficient to satisfy the street right-of-way width requirement.

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

3. Dead-End Street

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

- a. a cul-de sac street terminating in a circular turnaround, and not exceeding 1,000 feet in length and serving no more than 10 lots; or
- b. a loop street, not exceeding 3,000 feet in length, enclosing an area at least 600 feet in depth served by a single connecting residential street not over 750 feet in length.

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

4. Temporary Dead-End Street

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

Temporary dead-end streets shall:

- a. be limited to a constructed total length of 2000 feet;
- b. serve no more than ten (10) lots;
- c. terminate in a temporary circular turnaround;
- d. provide a monumented right-of-way and a dedication to the Town of the land required for any future street extension as determined by the Commission.

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

- a. dedication of the required right-of-way for future street extension;
- b. statement that the turnaround will be removed when the street is extended;
- c. delineation of the resulting street and right-of-way boundary lines when the street is extended and the turnaround is removed;
- d. delineation of the required building setback lines for the street when extended, using current building setback requirements; and
- e. statement that the excess area beyond that required for the extended paved street will be top soiled and seeded by the future subdivider at his expense.

No buildings shall be located forward of the setback lines delineated for an extended street.

5. Circular Turnarounds

All dead-end streets, both permanent and temporary, shall terminate in a circle as specified in the Town ordinance on Subdivision Development. Maximum roadway gradient within the turnaround shall be six percent (6%), with a minimum gradient of two percent (2).

6. Intersections Street intersections shall conform to the following:

- a. A minimum separation distance of 500 feet from other intersecting streets shall be maintained on the same side of the connecting roadway.
- b. An unobstructed sight-line distance at the intersection of a subdivision street with a town road shall be a minimum of 250 feet on town roads. The measurement method for sight lines shall be in conformance with requirements established by the Connecticut Department of Transportation. Where the Commission determines it is necessary for safety the sight line distance shall be the safe stopping distance of vehicles traveling at the 85 percentile speed.
- c. Centerline angle of horizontal intersection shall be as close to ninety (90) degrees as possible, for at least 50 feet from the intersected travel way; where the perpendicular intersection is not possible because of topography or ownership limitations the angle shall not be less than 60 degrees.

d. Maximum travel way gradient at centerline, for all new intersecting streets, shall be three percent (3%) for a distance of fifty feet (50) back from the pavement line of the street intersected by the new street.

e. Rounding of the right-of-way at each corner of the intersection shall be as set forth in the Town ordinance on Subdivision Development.

7. Curbing

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

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

8. Sidewalks

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

9. Guide Rails

Guide rails shall be used:

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

10. Pavement Location

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

11. Grading

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

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

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

12. Street Construction (see Figures #1 Typical Roadway Section and #2 Typical Roadway Section Wetland Crossing)

Street construction methods and materials shall conform to the Connecticut Department of Transportation Form 816 (or the latest copy thereof), and to the following conditions:

- a. The street right-of-way shall be staked out prior to beginning any construction work.
- b. Line and grade stakes shall be spaced not more than fifty (50) feet apart. On horizontal curves, the stakes shall be spaced not more than twenty-five (25) feet apart. A construction entrance (anti-tracking pad) meeting the requirements of the State Erosion and Sediment Control Guidelines and shall be installed by the subdivider prior to the start of any construction of a subdivision street at the intersection(s) of that street with an existing public road. Erosion and sediment control measures pursuant to an approved Erosion and Sedimentation Control Plan as set forth in these Regulations shall be installed and maintained to function properly throughout the period of construction until all disturbed areas have been stabilized.
- c. Top soil shall be stripped and stockpiled for future use on the site, as directed or approved by the Commission or its agent, and shall not be removed from the site without approval of the Commission or its agent.
- d. The subgrade is that earthwork which is overlaid by the subbase. The fill or borrow material used for the subgrade will be subject to the approval of the Commission's engineer and no borrow material is to be taken from within the proposed street right of way. It shall be deposited in layers not to exceed twelve inches (12') in depth and rolled to compaction by a roller weighing not less than ten (10) tons until each layer is thoroughly consolidated, for the entire area of construction. Compaction tests shall be performed on the subgrade by an independent testing lab paid for by the applicant. All material shall be impacted to 95% standard proctor density. In cases of fill three feet (3') deep or greater, compaction tests may be required throughout. The number of tests and their locations shall be determined by the Commission or its agent.
- e. After the subgrade is complete, the Commission or its agent shall inspect the street and a final determination shall be made for the use and location of underdrains. If groundwater is encountered at an elevation of one foot (1') or less below the subgrade, excavation for the subgrade shall be extended an additional eight inches (8"). The space so provided shall be backfilled and compacted with granular fill materials required for the base course. The intent is to increase the depth of the base course from twelve inches (12") to twenty inches (20") in such areas.

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

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

g. The subbase shall meet the requirements of the Town ordinance on Subdivision Development.

h. All underground utilities, including sanitary sewer laterals where applicable, shall be installed prior to the street base, and be located so that future connections will not require excavation of the pavement or digging in the street.

i. A Gravel Course shall be laid upon the subbase meeting the requirements of the Town Ordinance on Subdivision Development. A surface course shall be provided laid on the Gravel Course and it shall meet the requirements for Surfacing in the Town ordinance on Subdivision Development.

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

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

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

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

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

The as-built street plans shall be prepared upon the completion of the subdivision improvements. The plans shall be prepared by a licensed professional engineer and/or land surveyor and shall bear his name and seal.

l. Monuments shall be set on all right-of-way lines of streets, at all intersections, angle points and points of curvature. There shall be a clear foresight and backlight to adjacent monuments on the right-of-way line or lines on which a monument is set. Monuments shall meet the dimensional requirements of the Town ordinance on Subdivision Development.

The monuments shall be of concrete with a center reinforcing rod of a type approved by the Selectman. The monuments shall not be set before the final wearing course has been completed nor shall they be set while frost is in the ground. They shall be set so that the top is three inches (3") above the finished grade and they shall be so set and tamped as to

prevent shifting. The subdivider's surveyor shall certify that the location of all monuments is accurate to A-2 survey standards.

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

n. Street names shall be approved by the Commission and shall not duplicate or cause confusion with the names of existing streets in the town or adjoining the town. Streets which are extensions of or in alignment with existing named streets shall bear the names of existing streets.

13. Stormwater Run-off Control Plan

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

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

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

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

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

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

f. All run-off control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where run-off control structures

have been accepted by the Town for maintenance, improved access easements shall be provided.

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

h. Permits for stormwater management systems may also be required from the Inland Wetlands and Water Courses Agency where such systems may have an impact on inland wetlands, and from the Connecticut Department of Environmental Protection where a dam is to be constructed or water diverted (see Sections 22a-365 et seq. and 22a-409 of the Connecticut General Statutes).

14. Street Drainage

a. Storm drainage systems shall be designed by a qualified professional civil engineer, licensed by the State of Connecticut, and reviewed and approved by the Commission or its agent. In addition to the following requirements the storm drainage system shall meet the requirements of the Town ordinance on Subdivision Development. Where there is a conflict between these requirements and that in the Town Ordinance the requirements of the Town ordinance as administered by the Selectmen shall apply.

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

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

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

-- 100 year - all bridges, any culvert which carries a major waterway which is subject to seasonal flooding, or which is part of a watershed of more than 1 square mile, or which is otherwise designated by the Selectmen; and all cross culverts on dead-end streets.

c. The discharge of all storm water shall be into suitable streams or rivers or into Town drains of adequate capacity. Streets and driveways shall be designed so that there will be no discharge of storm drainage onto the travel surface of an existing or proposed street, nor into the immediate area of a water supply well or sewage system. Surface drainage shall not be permitted to discharge directly from one lot onto another whether within or without the subdivision except as part of an established watercourse, unless the subdivider has obtained proper drainage easements which must be submitted to the Commission prior to the endorsement of the Final Plan as required by these Regulations. The minimum drainage easement width is 20 feet. Where the Commission's engineer determines that the existing watercourse or Town storm drain system relied upon in the proposed subdivision plan is inadequate, it shall be the responsibility of the subdivider to upgrade the facility at no cost to the Town, and no application may be approved prior to the submission to the Commission of plans that satisfactorily provide for the upgrading.

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

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

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

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

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

i. All drainage and culvert pipes shall have thirty inches (30") of cover, except where waived by the Commission.

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

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

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

15. Private Street A private street shall serve no more than five (5) lots. However, if all proposed lots within the subdivision have a lot area that is not less than twice the minimum required lot area, no more than eight (8) lots may be served by a private street.

Standards for design and construction. The standards, procedural and inspection requirements for a private street as set forth in these regulations shall apply to a proposed private street in a Planned Conservation Zone with the following exceptions:

a. As provided in the Zoning Regulations: "Where in the opinion of the Commission the applicant clearly demonstrates that the design and location of a proposed street in a Conservation Development will clearly benefit the purpose of conservation of active

farmland, scenic ridgelines or other valuable open space land, especially as defined in the Town Plan of Conservation and Development, the Commission may permit more than 8 lots on a private street.”

b. All private streets shall be constructed to meet the requirements for public Streets as set forth above in this Section 4.08, except that in lieu of Figure 1, the requirements of Figure 3 “Typical Gravel Roadway Section” shall apply. Gravel surface private streets shall meet the requirements the Gravel Road Requirements and Gravel Material requirements set forth below. However, in all cases a bituminous surface course shall be required on the private street from its intersection with any paved Town road or State highway for a distance of no less than twenty five feet (25’) or more depending on the need for appropriate drainage and a safe intersection.

c. The subdivision map shall show the street clearly labeled “private street”. Lots abutting such a private street shall be sold subject to the following provision which shall appear on the subdivision map. “If the private street shown on this plan of subdivision or any part thereof is to be considered for acceptance by the Town, such private street or part thereof shall first be improved at the sole cost of the affected lot owners, so as to comply with any updated and current specifications of the Sharon Subdivision Regulations relating to the construction of public streets.”

d. Lots served by a private street shall be subject to a Common Interest Ownership Agreement pursuant to Common Interest Ownership Act, Chapter 828 of the Connecticut General Statutes which shall meet at a minimum the terms for a Homeowner’s Association. If the terms of Chapter 828 are determined by the Commission to not apply, lots shall be subject to a Homeowner’s Association meeting the requirements of Section 4.07 “#8. Homeowner’s Association” of these regulations. The provisions of the Homeowner’s Association shall oblige the lot owner to maintain and repair such private street. The subdivision map shall note that each lot on a private street is subject to such a common interest ownership agreement or Homeowner’s Association agreement and a copy of the agreement shall be provided to the Commission.

16. Gravel Road Requirements

a. The traveled portion of the road shall be 20 feet in width. (See Figure 3 Typical Gravel Roadway Section)

b. The road right of way width shall be 66 feet measured and the traveled road surface shall be in the middle of the right of way, except where modified to preserve natural features (trees, stone walls, ledge, streams, etc.) or to minimize conflicts with existing property uses.

c. Drainage swales shall be installed on both sides of the road with swales to be a minimum of twenty four inches (24”) deep with 3:1 side slopes. The swales shall be lined for stability with six inches (6”) to eight inches (8”) modified riprap. (see Figure 3)

d. Alternatively, in areas where side slopes limit available shoulder area, a minimum eighteen inch (18”) deep swale, sized for anticipated flows shall be installed over underdrains. Underdrains shall be sized for anticipated flow with a minimum eight inch (8”) diameter perforated pipe and the flow line is to be a minimum of 2 foot 8 inches (2’ 8”) below the finished grade of the road surface at the shoulder. The underdrain trench shall be 1 ½ the pipe diameter in width and ½ the pipe diameter below the pipe. The trench is to be lined with geotextile and filled with 1 ¼ inch crushed stone. Fabric shall be folded

over the top of the trench at 6 inches below the bottom of the swale and filled to grade with 1 ¼ inch stone.

- e. All cut areas require underdrains installed as described in d. above.
- f. The traveled portion of the road shall be crowned with a cross slope of ½ inch to ¾ inch. The crown shall be centered on the traveled portion of the road.
- g. Subgrade, base course and surface course shall be compacted to 95% of Standard Proctor Density. Each layer shall be compacted and tested by an independent testing laboratory prior to installation of the next layer. Cost for the independent testing laboratory shall be paid by the developer.
- h. A cost estimate for improvements shall be submitted for approval. The amount of the performance guarantee shall be approved by the Commission's engineer and the performance guarantee form shall be approved by the Commission's Attorney. 10% of the required performance guarantee amount will be in cash. 90% of the performance guarantee amount will be released upon completion and approval of the improvements with 10% held by the Town for maintenance for one year.
- i. Plans for work within the Town of Sharon are to be submitted to the Commission's engineer for review and approval prior, commencement of work within the Town of Sharon.
- j. The Commission's engineer shall visit the site periodically during construction as necessary to properly monitor construction. The Commission's engineer shall inform the developer of required visits at the pre-construction meeting.

17. Gravel Road Materials

- a. Gravel road surface material shall be derived from crushed rock with no silt or clay added. Material is to be delivered and placed at optimal moisture content. Optimal moisture is to be determined using Proctor Test, ASTM D698, procedure C, Standard. See Aggregate Gradation Requirements for required grading of material, M.02.03 Grading "C" Form 816.
- b. Base layer shall be derived for crushed rock with minimal fines. Optimal moisture is to be determined using Proctor Test, ASTM D698, procedure C, Standard. See Aggregate Gradation Requirements for required grading of material, M.02.02 Grading "B" Form 816.
- c. Geotextile filter fabric for curtain drain installation shall be non-woven polypropylene, Mirafi N Series or equivalent.
- d. Geotextile fabric for road bed reinforcement shall be woven polypropylene, Mirafi X Series or equivalent.

4.09 DRIVEWAYS

- 1. All driveways shall be designed to provide safe and convenient access onto streets. Driveway construction within the street right of way is subject to the requirements of the Town ordinance on driveways. Where there is a conflict with these Regulations and the requirements of the Town ordinance on driveways the requirements of the Town ordinance shall apply.

2. Except where special conditions exist making other access impossible or unsafe, no driveway shall be permitted within 50 feet of the intersection of two or more existing or proposed streets. All driveways shall be constructed to maintain drainage to the satisfaction of the Commission, and as shown on the plans for construction.
3. The subdivision plan shall show a driveway corridor to the house site for each lot in a subdivision.
4. As provided in the Zoning Regulations a driveway shall not serve or provide access to more than two (2) lots or parcels. All driveways shall be constructed to maintain adequate drainage, to the satisfaction of the Commission, and as shown on the plans for construction. The maximum grade of the driveway travelway shall be 15%. Where the grade exceeds 12% the Commission may require that the applicant submit a detailed plan and profile of the driveway at a scale of 1" = 40' prepared by a Connecticut Professional Civil Engineer. Driveway entrances shall be paved in accordance with Town Ordinance "Schedule C." Paving of entrances is not required if the frontage road is unpaved.
5. Based upon the recommendation of the Commission's engineer or the Sharon Fire Department and for the purpose of providing reasonable access for emergency vehicles and services, the Commission may require a specific driveway location, grade, width, surface, or other design requirement.

4.10 SEWAGE

1. It is the responsibility of the applicant to supply sufficient satisfactory evidence to the Commission and the Director of Health that the site will adequately satisfy the requirements of the State Health Code for a sewage system and not endanger public health, safety or general welfare.
2. The Commission shall not approve any lot where insufficient evidence has been provided to satisfy the requirements of the State Health Code.

4.11 WATER

It is the responsibility of the applicant to supply satisfactory evidence to the Commission and the Director of Health that topographic, geologic and other site conditions are satisfactory for providing a potable water supply. Where the Commission determines that the area of the subdivision has questionable capacity to provide sufficient water supply wells the Commission may require that prior to issuance of a Zoning Permit the owner shall drill a well first and determine that there is a well on the property that meets the requirements of the Director of Health and the Public Health Code.

4.12 STORM WATER CONTROL PLAN

The developer shall furnish projections of the increase in stormwater run-off created by the proposed development to show that no impact on abutting or downstream properties will occur. Should the Commission conclude that adjoining lands or streets will be affected by an increased flow or that downstream watercourses are incapable of accommodating such flow increase, a stormwater run-off control plan shall be required.

When required, storm drainage control facilities shall be planned and located so as to minimize danger to the life and property of area residents and for ease of maintenance. All

storm drainage controls shall be designed by a registered professional engineer. Measures for retention and/or detention and controlled release of stormwater run-off from the development shall meet the following standards:

1. Peak discharges from the 2-year, 10-year, 25-year, 50-year and 100-year frequency, 24-hour duration, type III distribution storms shall be analyzed. No increases in peak flow from these storms shall be allowed. This may be accomplished by detention basins, limits on impervious surface coverage, underground tanks or other effective methods.
2. The overall drainage system shall be designed such that the run-off rate outside the subdivision, during or after development, does not exceed the rate that existed prior to development. This may be accomplished by retention basins, infiltration basins or other acceptable means as approved by the Commission's engineer.
3. Maximum infiltration to groundwater is encouraged. Design of the stormwater management system shall consider reducing run-off by use of such techniques as minimizing impervious areas and maximizing travel times by using grass or rock-lined channels and other low impact development techniques in lieu of storm sewers.
4. For drainage areas of less than ten (10) acres, run-off may be calculated using the Rational Method. In all other cases, run-off shall be computed in accordance with Technical Release #55, Urban Hydrology, Engineering Division, Soil Conservation Service, (now NRCS), USDA, January 1975, as amended, or other recognized methods approved by the Commission's engineer.
5. Stormwater management system components shall be designed according to sound engineering principles and installed in a sequence that permits each to function as intended without causing a hazard. Single components shall not be installed until plans for the entire run-off management system are completed and approved. Final discharge points shall be approved by the Commission.
6. All run-off control structures located on private property, whether dedicated to the Town or not, shall be accessible at all times for Town inspection. Where run-off control structures have been accepted by the Town for maintenance, improved access easements shall be provided.
7. Stormwater management systems shall be visually compatible with the surrounding landscape.
8. Permits for stormwater management systems may also be required from the Inland Wetlands and Water Courses Agency where such systems may have an impact on inland wetlands, and from the Connecticut Department of Environmental Protection where a dam is to be constructed or water diverted (see Sections 22a-365 et seq. and 22a-409 of the Connecticut General Statutes).
9. Appropriate safety features and devices shall be installed to protect humans and animals.

4.13 UNDERGROUND WIRE UTILITIES

1. New electric, telephone, television cable and other utility wires shall be installed underground with the following exceptions. The Commission may permit above ground utility wire installation where:
 - the lot to be served has frontage on an existing street or highway, and

- the Commission determines the utility service can be provided from a pole located in an existing street or highway right of way, and
- the utility service connection can be completed without the need for intermediate pole(s) located outside of the street right of way.

2. All utility pipes and conduits shall be installed in the street right-of-way shoulders.

3. Utility pipes and conduits that cannot be installed in an existing or proposed street right of way or are required outside of the street right-of-way shall be located in an easement at least 20 feet in width to allow for present or future connections or extensions of such utilities and for the maintenance thereof.

4. Prior to paving the road, the subdivider shall install laterals from all utilities in proposed and existing roads to the street line.

5. All utilities associated with the subdivision shall be installed at the subdivider's expense. Electric, telephone, cable and any other utilities shall be installed in proposed and existing roads as specified by the appropriate utility company and shall be subject to the inspection and acceptance of such company.

4.14 FIRE PROTECTION

1. Fire protection facilities to protect public safety shall be provided at the subdivider's expense for subdivisions of four or more lots. This requirement may be modified or waived by the Commission in accordance with Section 3.05 where it is determined that existing fire protection facilities are adequate to protect public safety.

2. Fire protection facilities shall be sized and constructed in accordance with National Fire Protection Association (NFPA) Standard 1142, 1999 Edition -Standard on Water Supplies for Suburban and Rural Firefighting, as amended. In general, such facilities shall contain at least 1,000 gallons of water supply per lot in the subdivision and no less than 10,000 gallons of capacity. All such facilities shall include the installation of a dry hydrant. The Fire Marshal shall review and approve the proposed size, design, construction specifications, and installation of such facilities. To the extent feasible, the design of any fire protection facilities shall include means to maintain the water level.

3. Fire protection facilities including fire ponds and water storage tanks shall be located in areas approved by the Fire Marshal and as may be recommended by the Sharon Fire Department. These locations shall be easily accessed year around by emergency personnel. Where possible, they shall be located adjacent to the road right-of-way. Design standards for access areas shall be approved by the Commission's engineer and shall provide turn around room for fire fighting equipment. Where water storage tanks are proposed as a guideline there shall be at least one water storage tanks for the first 2,200 feet of subdivision road frontage. For a subdivision road of over 4,400 feet an additional water storage tank may be required.

4. The Commission may require the use of landscaping or other materials to screen pipes, access drives, or other structures associated with the installation of fire ponds or tanks.

5. All fire protection measures required by the Commission shall be completed prior to the issuance of a certificate of occupancy for any dwelling in the subdivision.

6. Unless offered to and accepted by the Town all fire protection facilities shall be owned and maintained by a common interest ownership organization in accord with the requirements of the Connecticut Common Interest Ownership Act or by a homeowner's association in accord with the requirement specified in Section 4.07, "#8. Homeowners' Association".

7. Where the fire protection facility and access area are privately owned the Commission may require that they be encumbered by easements approved by the Commission's Attorney to ensure the Town's perpetual right of access. Such easements shall also provide that the private property owners shall not inhibit the use of the fire protection facility for firefighting purposes without the approval of the Fire Marshal. The Town shall have the right to recover the costs of maintaining any privately owned fire fighting facility that is not properly maintained in working order and a provision to this effect shall be provided in the Common Interest Agreement or Homeowner's Association documents.

8. A homeowners' association relating to fire protection facilities shall include the following provisions:

a. Applicants shall provide the Commission with copies of the proposed deed covenants, which shall:

- identify fire facility maintenance responsibilities and other responsibilities of the homeowners association, and
- provide that grantees, heirs, successors and assigns of the property owners shall be obliged and subject to all covenants in the deed, that they share with all other property owners in such expenses, and that these obligations must be included in all future deeds for the property, and
- include an acknowledgement that the Town of Sharon is not liable for maintenance of the fire protection facilities and that the Town may recover the cost of work done to maintain a fire fighting facility not properly maintained by the private property owner.

4.15 CLEARING, GRADING AND EROSION AND SEDIMENT CONTROL

1. Tree stumps, logs, shrubs, other decomposable material or building debris shall not be used as fill material, and the burial of such materials shall be prohibited within the limits of the proposed subdivision unless approved by the Commission.

2. When rocks or boulders are used for fill, they shall be located only in areas of the lot where they shall not adversely affect foundations, septic systems, drainage facilities or underground utilities and shall be so deposited that, in the opinion of the Commission's engineer or his designated representative, voids likely to cause undue soil settling will not be created.

3. Where filling of lots for final grading is required, compactable fill, and topsoil as required for lawn or plant growth, shall be used.

4. The subdivider shall adhere to those standards set forth in the most current "Connecticut Guidelines for Soil Erosion and Sediment Control," as amended, in order to:

- a. minimize erosion and sedimentation during construction,
- b. stabilize and protect land from erosion when completed,
- c. not cause off-site erosion and/or sedimentation.

5. A soil erosion and sediment control plan shall contain provisions to control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology.

4.16 SPECIAL FLOOD HAZARD AREAS

1. In areas subject to flooding, proper provision shall be made for protective flood control measures including, but not limited to, the following:

- a. storm drainage shall be designed to reduce exposure to flood hazards,
- b. roads shall be of such elevation or shall be suitably protected so as to allow emergency access during flood conditions,
- c. roads, drainage and other improvements shall be safe from flood damage,
- d. public and private improvements shall be designed to minimize flood damage and shall be capable of use without danger from flooding or flood related damages,
- e. All utilities and services (including sewage, water, and electric systems) shall be located and constructed to minimize or eliminate flood damage.

4.17 TREE PLANTING

1. Along the frontage of proposed subdivision building lots on an existing town road or proposed subdivision road trees shall be planted in each subdivision in the amount of four (4) trees per 100 feet of road length. However, this requirement shall not apply where the Commission determines there are existing trees which will be preserved as part of the subdivision plan sufficient to meet this purpose.

2. A planting plan showing the proposed location of tree planting shall be submitted for approval by the Commission.

3. Trees to be planted shall:

- a. be located outside of the Town road right of way and within five (5) feet of the edge of the right of way unless modified by the Commission due to possible interference with wetlands, watercourses, topography, soils, scenic views, intersection sight lines, winter conditions, or underground or overhead utilities,
- b. be an indigenous tree species approved by the Commission,
- c. be two inch (2") caliper or larger, and
- d. be planted, protected and maintained using good horticultural practices.

4.18 SOLAR ACCESS

1. Energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation are encouraged.

2. The subdivider shall demonstrate to the Commission that, in developing the subdivision plan, consideration has been given to using solar energy techniques and site design techniques with the potential to:

a. maximize solar heat gain, minimize heat loss, and provide thermal storage within a building during the heating season.

b. minimize heat gain and provide for natural cooling during the cooling season.

3. The site design techniques shall include, but not be limited to:

a. house orientation,

b. road and lot layout,

c. vegetation,

d. natural and man-made topographic features,

e. protection of solar access within the subdivision.

5.00 PLAN REQUIREMENTS

5.01 PROFESSIONAL PREPARATION REQUIRED

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

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

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

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

5.02 SUBDIVISION PLAN INFORMATION DETAILS AND REQUIREMENTS

1. Drawing Requirements **Preliminary (optional)** **Formal Application**

a. A title block providing names of current owner, subdivider, engineer and/or surveyor, name of subdivision, drawing date and revision dates	Required	Required
b. A north arrow and map scale	Required	Required
c. Scale	1"=40' to 1"=100'	1"=40' unless modified by PZC
d. Size of Sheet	Optional	24" by 36"
e. Embossed or stamped seal of the appropriate professional and an original signature	Recommended	Required
f. A Key Map at a scale of 1"=1,000' or less locating: the subdivision within the surrounding properties and the proposed road system in relation to existing roads	Required	Required on at least one drawing
g. An Index Map for multiple sheets or sections showing entire subdivision with lots, lot numbers, roads, road names, sheet delineation and match lines between sections	Recommended	Required with "match" lines on all sheets
h. Zoning data table showing zoning district and requirements for lot area, setback, other relevant information, and boundary lines of Overlay Zones	Recommended	Required on at least one drawing
i. Number of sets of prints	Three (3)	Five (5)
j. Bound sets	Recommended	Required

2. Property Information **Preliminary (optional)** **Formal Application**

a. Existing and proposed property boundaries with monument locations	Approximate	A-2 accuracy
b. Parcel areas (including area of each proposed lot excluding areas designated as inland wetlands and watercourses and slopes over 25%)	Approximate (acres)	A-2 accuracy
c. Data on abutting parcels including owner's name and lot line locations	Required	Required
d. Existing and proposed easements and other rights-of-way for utilities drainage, access, walks, etc.	Suggested	Required

3. Site Conditions	Preliminary (optional)	Formal Application
a. Existing and proposed topography with: 10' contours for preliminary plans, 5' contours within areas proposed for development and 2' contours in road areas for formal application	USGS acceptable	Field or aerial topography
c. Regulated inland wetlands and watercourses (flagged by a soil scientist and surveyed)	Required	Required
d. Base flood elevation data and flood hazard area data for all subdivision proposals that are located in A, AE, AH, or A1 to A30 zones	Recommended	Required
e. Historic buildings and sites in the Sharon Historic District or on National Register of Historic Places	Recommended	Required
f. Archaeological sites as known to or listed by the State Historical Commission	Recommended	Required
g. Stonewalls and monuments, and other structures having historical or cultural significance	Recommended	Required
h. Identification of trees greater than 18 inches in diameter in areas of proposed improvements or clearing	Suggested	Required
i. Other significant site features	Suggested	Required
4. Soils Information	Preliminary (optional)	Formal Application
a. Soil types consistent with the National Cooperative Soil Survey of the USDA NRCS	Recommended	Required
b. All areas from the Soil Survey with: slopes exceeding 25% and twenty inches (20") or less of consolidated till above bedrock	Required	Required
c. Locations and identification numbers of two percolation test holes (min.) and two deep hole tests (minimum) for each lot	Recommended	Required
d. Results of percolation tests and deep pits (minimum 2 of each per lot)	Recommended	Required

5. Open Space Information	Preliminary (optional)	Formal Application
a. Areas recommended in the Sharon Plan of Conservation and Development for open space preservation	Recommended	Required
b. Location and configuration of existing abutting open spaces	Required	Required
c. Open Space / Trail Plan	Recommended	Required
6. Design of Lot Improvements	Preliminary (optional)	Formal Application
a. Building set-back lines with dimensions	Recommended	Required
b. Location of existing and proposed structures and other improvements e.g. retaining walls, culverts, property fences	Recommended	Required
c. Location of primary/reserve septic-leach fields with distances to property lines and any well within 200' (on or off the tract)	Recommended	Required
d. Location of proposed wells and water sources for each lot	Recommended	Required
e. Driveway layout and grading	Suggested	Required
7. Design of Other Improvements	Preliminary (optional)	Formal Application
a. All proposed soil erosion and sediment control measures	Optional	Required
b. Road design -overall layout and grading and construction details - plan and profile with field topography for centerlines - centerline profiles for 300' on any existing road from subdivision road connection - proposed road cross sections with field topography at 50' intervals	Recommended	Required
c. Drainage design - location of temporary or permanent storm water detention points of discharge to or from any road or other property plan and profile construction details	Recommended	Required
d. Utility design (including connections)	Schematic	Final
e. Detailed drawings of bridges, box culverts, deep manholes, and other special structures	Suggested	Required
f. The location and design of underground tanks or fire ponds	Recommended	Required

8. Miscellaneous.

- a. When a plan covers only a portion of the subdivider's entire holdings, a sketch of the prospective future road and lot layout in the entire holding shall be furnished at a suitable scale.
- b. Design of roads and utilities shall be based on official Town, State or USGS topographic benchmarks or other permanent benchmarks approved by the Commission's engineer and the benchmarks used shall be noted on the plan
- c. All appropriate details and dimensions necessary to clearly explain the proposed road, drainage, and utility construction, including type of construction, material, top of frame, size, pitch, invert elevations and stream cross sections and profiles, etc. shall be shown and shall be in conformity with applicable standards.

5.03 SUMMARY OF PLAN REQUIREMENTS FOR FORMAL APPLICATIONS	Subdivision Plan	Plan and Profile	Site Development Plan
1. Scale	1"=40' horizontal	1"=40' horizontal 1"-4' vertical	1" = 40' horizontal
2. Property Information			
a. Existing and proposed lot boundaries with monument locations	X	X	X
b. Proposed lots showing calculation of lot area with and without inland wetlands/watercourses and slopes over 25%	X		X
c. Owners name and lot line locations of abutting parcels	X	X	X
d. Existing and proposed easements and other rights of way	X	X	X
3. Site Conditions			
a. Existing and proposed field topography - 2' contours		X	
b. Existing and proposed field topography - 5' contours			X
c. Existing drainage features	X	X	X
d. Field located wetlands and watercourses on property	X	X	X
e. Generally locate wetlands and watercourses near property	X	X	X
f. Base flood elevation data and floodplain data		X	X
g. Other site features and areas intended for preservation		X	X
h. Analysis of special site conditions and/or significant resources			X
4. Open Space Information			
a. Location and configuration of existing open spaces in vicinity			X
b. Open space plan	X	X	X
5. Soils Information			
a. Soil types information			X
b. Soils rated as "somewhat limited" and "very limited" for sanitary facilities by USDA, NRCS soil survey			X
c. Slopes exceeding 25% and areas with shallow depth to bedrock			X
d. Locate & identify percolation test holes & deep hole tests			X
e. Notation regarding the need for engineered septic design	X		X
6. Design of Lot Improvements			
a. Building set-back lines with dimensions	X		X
b. Location of existing structures, driveways & other improvements	X		X
c. Location of proposed structures, driveways & other improvements			X
d. Location of existing primary and reserve septic-leach fields	X		X
e. Location of proposed primary and reserve septic-leach fields			X
f. Location of existing wells and water sources within 200' of parcel	X		X
g. Location of proposed wells and water resources for each lot			X
7. Design of Overall Improvements			
a. All proposed soil erosion and sediment control procedures		X	X
b. Road design including road names		X	X
c. Drainage design including the location of drainage discharges		X	X
d. Utility design (including connections to existing lines)		X	X
e. Any existing or proposed retaining walls, culverts or fences		X	X

5.04 ADDITIONAL FORMAL APPLICATION REQUIREMENTS

1. Sanitary Waste Disposal Report

- a. Every application for approval of a subdivision must include a report prepared by a professional civil engineer licensed by the State of Connecticut addressing the manner in which the properties are to be provided with sanitary waste disposal.
- b. The report shall provide:
 - a detailed description of proposed sewage disposal facilities in compliance with the requirements of the State Health Code,
 - a statement by the engineer that, in his/her professional opinion, each lot for proposed development is suitable for the installation of individual sanitary sewage disposal systems of the general type and size described in the report, and
 - a statement of any reservations, special conditions, or special precautions that the engineer may consider necessary to provide proper functioning of the proposed disposal system.
- c. If, in the opinion of the Director of Health, or his agent, or the Planning & Zoning Commission, the sanitary report is incomplete as to the required information, additional information sufficient to correct the deficiencies of the report may be required.
- d. A report from the Director of Health, or his agent, shall be obtained and submitted to the Commission by the applicant certifying that the land to be subdivided and the subdivision plans are satisfactory for the installation of private septic systems.

2. Water Report

- a. Every application for approval of a subdivision shall address the manner in which the properties are to be provided with domestic water supply.
- b. A report from the Director of Health shall be obtained and submitted to the Commission by the applicant certifying that the land to be subdivided and the subdivision plans are satisfactory for the installation of private wells.

3. Drainage Report

- a. A report shall be submitted by a registered professional engineer identifying the proposed drainage plan for the property, existing drainage areas, and the drainage treatment for different areas, including the methodology used to compute pipe sizes and drainage volumes.

4. Erosion and Sediment Control Report

- a. Every application for approval of a subdivision must include a narrative report identifying the manner in which erosion and sediment control will be addressed in accord with the current Connecticut Sediment and Erosion Control Manual.
- b. The narrative report may be placed on the site development plan, separate soil erosion and sediment control drawing, or may be a separate document.

c. The narrative report shall include:

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

6.00 PROCEDURAL REQUIREMENTS

6.01 GENERAL

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

2. The Commission retains the right to have any information submitted with regard to an application reviewed by Town staff or officials, and to consult with any other qualified agency or person as, in the opinion of the Commission, may be advisable, for their information, review and recommendations. In accordance with C.G.S. Section 8-1c and any Ordinance on Land Use Application Fees, the applicant may be required to compensate the Town for any review fees involved in processing the application, including but not limited to the inspection of subdivision construction.

3. Submission of a subdivision application shall be deemed permission for the Commission and the Town or their agents or representatives to enter the property for the purposes of:

- a. reviewing the proposed subdivision,
- b. inspecting the property and any proposed improvements,

6.02 PRELIMINARY PLAN PROCEDURE

1. The Preliminary Subdivision Plan procedure is strongly suggested to prospective subdividers, their agents or engineers, so that they may discuss the design of the subdivision in the formative stages with the Commission and other Town officials. The process is intended to permit informal discussion of the general design of the subdivision and its improvements to assure coordination with the Plan of Conservation and

Development and these Regulations in order to prevent undue delay or extensive modification to a Final Plan.

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

a. receipt of materials shall not constitute a “formal application,”

b. delivery of the required material is at the option of the subdivider,

c. any discussion or opinions rendered are advisory only and are not binding on the Commission or the potential subdivider and shall not be the basis for a claim of predetermination by the subdivider.

3. Three copies of materials as described in Section 5 of these Regulations shall be submitted to the Zoning Enforcement Officer, and the potential subdivider shall be advised of the date to appear at a regular meeting of the Commission for informal review and comment.

6.03 APPLICATIONS INVOLVING INLAND WETLANDS

1. If a formal application for subdivision approval involves land regulated as an inland wetland or watercourse, the subdivider is encouraged to acquire permits and approvals from the Sharon Inland Wetland and Watercourse Commission (IWWC) prior to submission of the application to the Commission. In any event, the subdivider shall submit an application to the IWWC no later than the date the application is filed with the Commission.

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

6.04 FORMAL SUBDIVISION APPLICATION

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

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

a. one (1) copy of the prescribed application form,

b. the required application fee payable to the Town of Sharon,

c. five (5) sets of plans containing the maps or documents as required by Section 5 of these Regulations or as required by the Commission,

d. a sanitary waste disposal report as required by these Regulations prepared by a professional engineer registered and licensed to conduct business in the State,

e. a water report as required by these Regulations prepared by a professional engineer registered and licensed to conduct business in the State,

f. a drainage report prepared by a professional engineer, registered and licensed to conduct business in the State, documenting the design of the storm drainage system including:

- g. a base map used to determine watershed and drainage patterns, including;
 - downstream runoff areas affected by the storm water runoff from the subdivision,
 - the methodology used to compute runoff and pipe sizes, and
 - documentation of the design of special structures (if any).
- h. a certificate of public convenience and necessity as required by C.G.S. Section 16-262m, if water is to be supplied by a water company by means of a community water supply system as defined in that section,
- i. copies of any other application filed with, and decisions rendered by, local, state or federal commissions or agencies in connection with the proposed development, even if such application is made or decision is rendered subsequent to the filing of a subdivision application with the Planning & Zoning Commission and prior to its decision on the application,
- j. a copy of the deed, contract, option to buy, or other acceptable proof of the applicant's ownership of or interest in the parcel and/or the applicant's or agent's authority to act on behalf of the owner.

3. The Commission may require the submission of:

- a. funds to compensate the Commission for any costs of review or guidance as authorized by C.G.S. Section 8-1c and the Town Ordinance on Land Use Application Fees,
- b. evidence of application to CTDOT seeking approval of access onto any State Highway or discharge of drainage into a State system or onto State property,
- c. copies of letters to the State Archeologist and the Natural Resources Center requesting information on significant resources at the proposed subdivision, written responses from those agencies, and a management plan, approved by the appropriate State agency, that addresses the protection of any identified resources,
- d. any proposed grant or grants to the Town, in form satisfactory to the Town Attorney, including any required easements for drainage access, utility, or other purposes,
- e. any additional information and data as may be required from the subdivider in order to establish that the proposed subdivision complies with these Regulations,
- f. additional copies of application materials as necessary for review by the Commission or other Town agencies.

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

6.05 APPLICATION - RECEIPT AND SCHEDULING

1. The Commission shall make a determination as to whether the application is complete. If the application is incomplete, the Commission may deny the application. The date of

receipt of a complete application shall be as provided in Chapter 126 of the Connecticut General Statutes.

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

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

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

a. schedule the public hearing to commence in accordance with the statutory timeframe as provided in Chapter 126 of the Connecticut General Statutes,

b. submit legal notices for publication as provided in Chapter 126 of the Connecticut General Statutes,

c. notify the applicant of the hearing date,

d. require the applicant to mail notice to land owners within a 200 foot radius of the proposed subdivision by certified mail within fifteen (15) days of the commencement date of the hearing,

e. allow the applicant the opportunity to present the plans at the public hearing,

f. require the submission of documentation of required mailing to abutting property owners at the initiation of the public hearing, and

g. give an opportunity to interested persons to examine and comment upon the plans at the public hearing.

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

6.06 APPLICATION PROCESSING

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

2. The time period for action by the Commission on applications regulated by the IWWC may be extended until the report of the IWWC has been received in accordance with the provisions set forth in Chapter 126 of the Connecticut General Statutes.

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

4. The Commission shall cause notice of its action to be published in a newspaper having substantial circulation in the community as provided in Chapter 126 of the Connecticut General Statutes. The Commission shall notify the applicant by certified mail. The

applicant may publish such notice within 25 days after such decision has been rendered if the Commission fails to cause notice to be published.

6.07 PRIOR TO FILING OF APPROVED PLANS

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

2. The applicant shall then submit to the Commission for signature:

a. four (4) paper sets and one (1) set of approved plans on a permanent material as required by the Connecticut State Library, with any required modifications.

b. a copy of a permit from the Connecticut Department of Transportation for any proposed driveway, road, or storm drainage system which joins with a State Highway,

c. a copy of a Certificate of Compliance from the Sharon Building Official authorizing any proposed activity in a Special Flood Hazard Area,

d. information as to the intended method of guaranteeing the completion of subdivision improvements.

3. The applicant shall also submit, in a form satisfactory to the Town attorney or Commission's Attorney as appropriate:

a. any required grant or grants to the Town in executed form,

b. any required easements for drainage, access, utility, or other purposes in executed form,

c. a certificate of title indicating that any proposed conveyance is free of encumbrances,

d. evidence of the signatory's authority to sign on behalf of the grantor.

4. Such grants or easements except those for the purpose of open space shall not be recorded on the Land Records until the Subdivision Plan shall have been filed on the Land Records, and until any necessary action shall have been taken by any other appropriate Town body or bodies.

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

6. Such final plans, including any required performance guarantee, shall be submitted to the Commission for Commission signature. The applicant shall provide the Commission with a minimum of ten (10) days prior to the filing deadline to complete review and signing. It is the applicant's responsibility to file the subdivision map and documents within the filing period (see Section 6.09).

6.08 PERFORMANCE GUARANTEE FOR COMPLETION OF IMPROVEMENTS

All improvements defined as "work" under Section 8-25 of the Connecticut General Statutes that are required in connection with the subdivision shall both be completed and accepted by the Commission prior to the endorsement of the subdivision plan by the Commission, or in lieu of completion of such public improvements the Commission may accept a performance guarantee to ensure satisfactory completion of required subdivision improvements. Such performance guarantee shall meet the requirements of this section and shall be received and accepted prior to signing and filing of the subdivision plan on the Land Records. The performance guarantee shall secure to the Town the actual construction and installation of such public improvements.

1. Performance Guarantee

a. Final subdivision approval may be granted by the Commission subject to providing a performance guarantee to ensure the completion of public improvements.

b. Where the Commission approves a subdivision plan subject to the submission of a performance guarantee it shall be submitted to the Commission in accord with the requirements of 6.07, Section 6 above.

c. No final subdivision plan shall be signed by the Commission or filed and no zoning permit shall be issued until the Commission's attorney has reviewed the proposed performance guarantee and approved it as to form and content, such as:

- a passbook savings account from a financial institution approved by the Board of Selectmen, or

- an irrevocable letter of credit issued by a financial institution approved by the Board of Selectmen.

d. The amount of the performance guarantee shall be equal to 150 percent of the estimated cost of all public improvements. Public improvements include, but are not limited to, the following:

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

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

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

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

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

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

g. Any performance guarantee shall include:

-- a provision that the performance guarantee shall not expire unless the Commission or its designated agent has received written notice of such expiration at least thirty (30) days but not more than forty-five (45) days before such expiration is to occur,

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

h. Reduction in the amount of the performance guarantee may be considered by the Commission for the completed public improvement. The Commission may retain up to twenty five (25) percent of the performance guarantee as a maintenance guarantee and to cover unforeseen deficiencies in the required subdivision improvements. Where acceptance of the improvement by the Town is proposed the maintenance performance guarantee shall terminate no earlier than one (1) year after the date of Town acceptance.

6.09 FILING OF APPROVED PLANS

1. Once authorized by the Commission and signed by the Chairman or Secretary the signed set of the approved plans on a durable material meeting the requirements of these Regulations shall be filed by the applicant with the Town Clerk at the applicant's expense.

2. Such plans shall be filed in the Town Clerk's office within ninety (90) days of the expiration of the appeal period under C.G.S. Section 8-8, or in the case of an appeal, within ninety (90) days of the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant.

3. The Commission may extend the time for such filing for two (2) additional periods of ninety (90) days, and the approval shall remain valid until the expiration of such extended time.

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

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

6.10 INSPECTION OF IMPROVEMENTS

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

a. review job conditions,

b. advise the Town of the construction schedule,

c. review the Sharon Roadway Construction Standards and Specifications (if any),

d. obtain said Specifications for all contractors and subcontractors.

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

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

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

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

a. issue a Stop Work Order,

b. order in writing the remedying of any condition found to be contrary to these Regulations or the certified Control Plan,

c. redeem the performance guarantee in order to rectify erosion and sediment control issues at the site.

6.11 TIME PERIOD FOR COMPLETION OF IMPROVEMENTS

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

2. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan and maintained in effective condition to ensure the compliance of the certified plan.

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

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

a. the time for all extensions shall not exceed ten (10) years from the date the subdivision was approved,

b. the Commission may revise the amount of the performance guarantee securing the actual completion of the work.

5. Expiration of the time period for completion shall:

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

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

6.12 FINAL COMPLETION OF SUBDIVISION IMPROVEMENTS

1. The Commission shall not provide a final acknowledgement of the completion of subdivision improvements in accord with the approved subdivision plan until the subdivider has submitted the following to the Commission:

- a. one set of plans on a durable material meeting the requirements of these Regulations and four (4) paper copies of plans showing the "as-built" location of all road and associated improvements approved by the Commission or their authorized agent and where the as-built plans differ from the approved construction plans,
- b. a letter from a registered land surveyor certifying that all required monuments and property corner pins are properly installed in the correct location,
- c. a letter from a professional engineer stating that all improvements, including all road signs, stop signs, and traffic control signs and devices have been installed or satisfactorily completed in accordance with the approved plans or indicating where exceptions were made,
- d. a copy of all proposed deeds and easements to the Town and other information as required for review and approval by the Town attorney, if not previously provided,
- e. a copy of all other proposed deeds and easements to other parties that are integral to public improvements or conditions of approval or the proposed development for possible review by the Town Attorney or the Commission's Attorney as appropriate.

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

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

4. a maintenance performance guarantee is provided in an amount and form acceptable to the Commission as required under Section 6.08.1 (h).

7.00 ADMINISTRATION

7.01 ENFORCEMENT

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

7.02 AMENDMENT

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

7.03 CONFLICT

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

7.04 APPEALS

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

7.05 SEPARABILITY

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

7.06 PENALTIES

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

7.07 EFFECTIVE DATE

1. These Regulations, and any amendments or changes hereto, shall be in full force and effect from the date established by the Commission.
2. Subdivision Regulations were originally adopted in the Town of Sharon with an effective date of April 14, 1970 and revised on December 12, 1980 and June 8, 1984 and all other amendments thereto are hereby superseded on the effective date of these Regulations.
3. The Regulations were comprehensively reorganized and modified with an effective date of July 16, 2011.

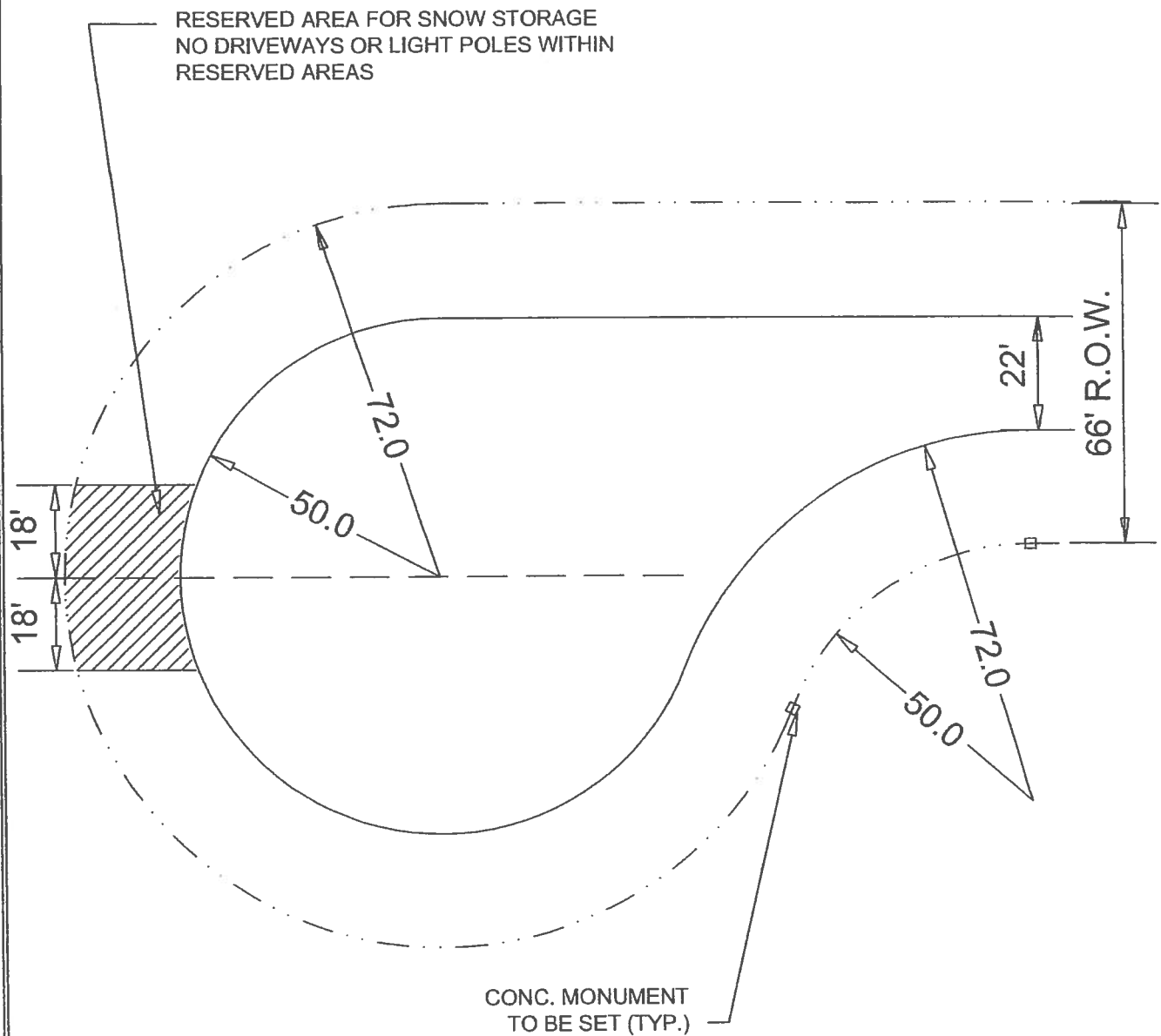
APPROVAL BLOCK

The following APPROVAL BLOCK shall be located in the lower right section of each sheet adjacent to the Title Block.

APPROVED BY THE SHARON PLANNING AND ZONING COMMISSION AT ITS MEETING ON:	
DATE _____	AND SIGNED BY:
CHAIRMAN _____	DATE _____
SECRETARY _____	DATE _____
AND DELIVERED TO THE APPLICANT ON:	
DATE _____	

IN ACCORDANCE WITH STATE STATUE 8-26C ALL WORK IN CONNECTION WITH THIS SUBDIVISION MUST BE COMPLETED BY:	

ENTER EXPIRATION DATE HERE	



NOTES:
THE MINIMUM AND MAXIMUM GUTTER SLOPE TO THE P.C. OF
THE CUL-DE-SAC SHALL BE 2% AND 6% RESPECTIVELY.

NOTE:
*Where there is a conflict between the requirements
in this Table and the Specifications in the town
ordinance on "Highway Construction Requirements
- Subdivision Development" the requirements of
the town ordinance shall apply.*

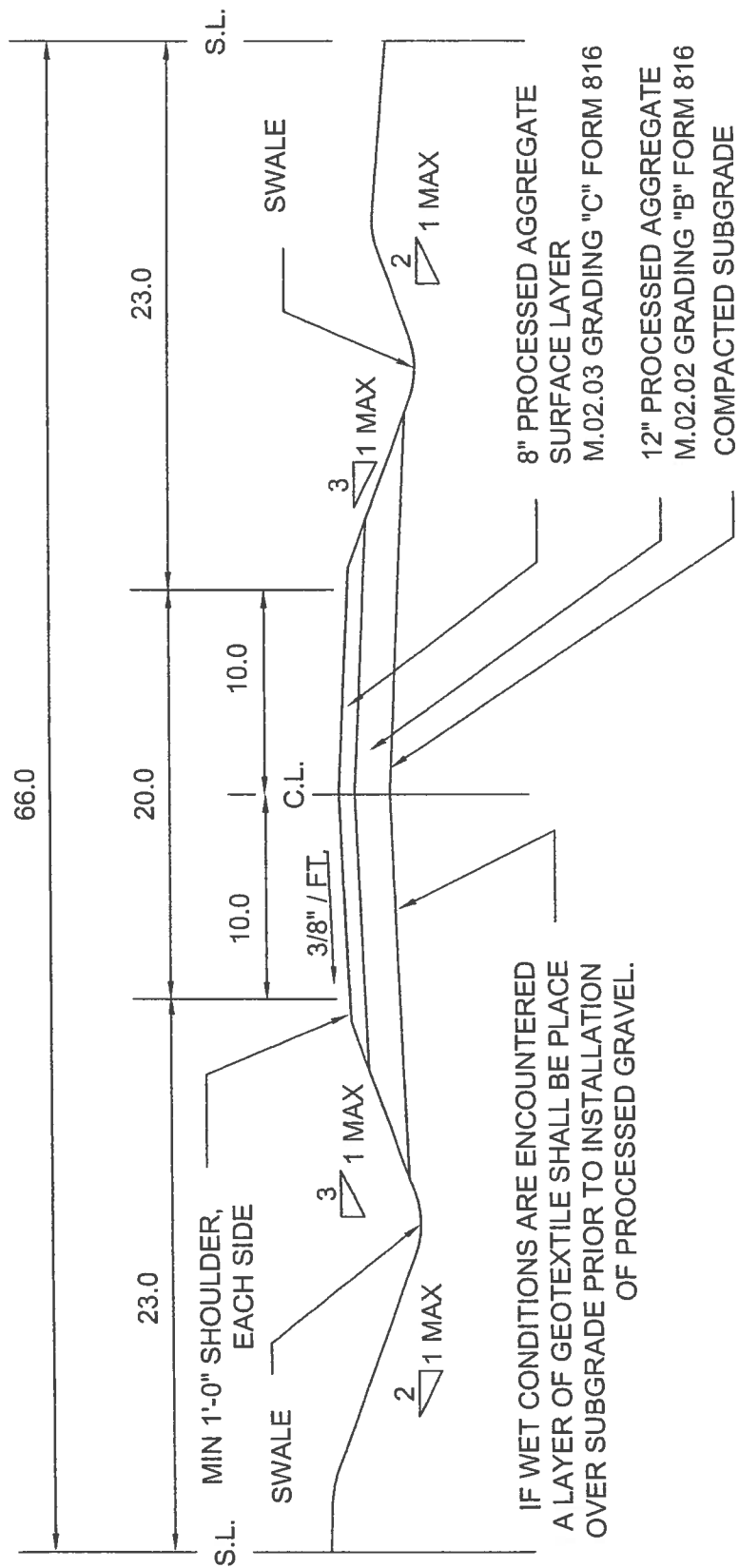
FIGURE #4

TOWN OF SHARON

63 MAIN STREET
SHARON, CONNECTICUT 06069

PERMANENT CUL-DE-SAC

DRAWN	SCALE: NTS
DATE: 6/11/04	SHEET 1 OF 1
DRAWING NO.: 001	



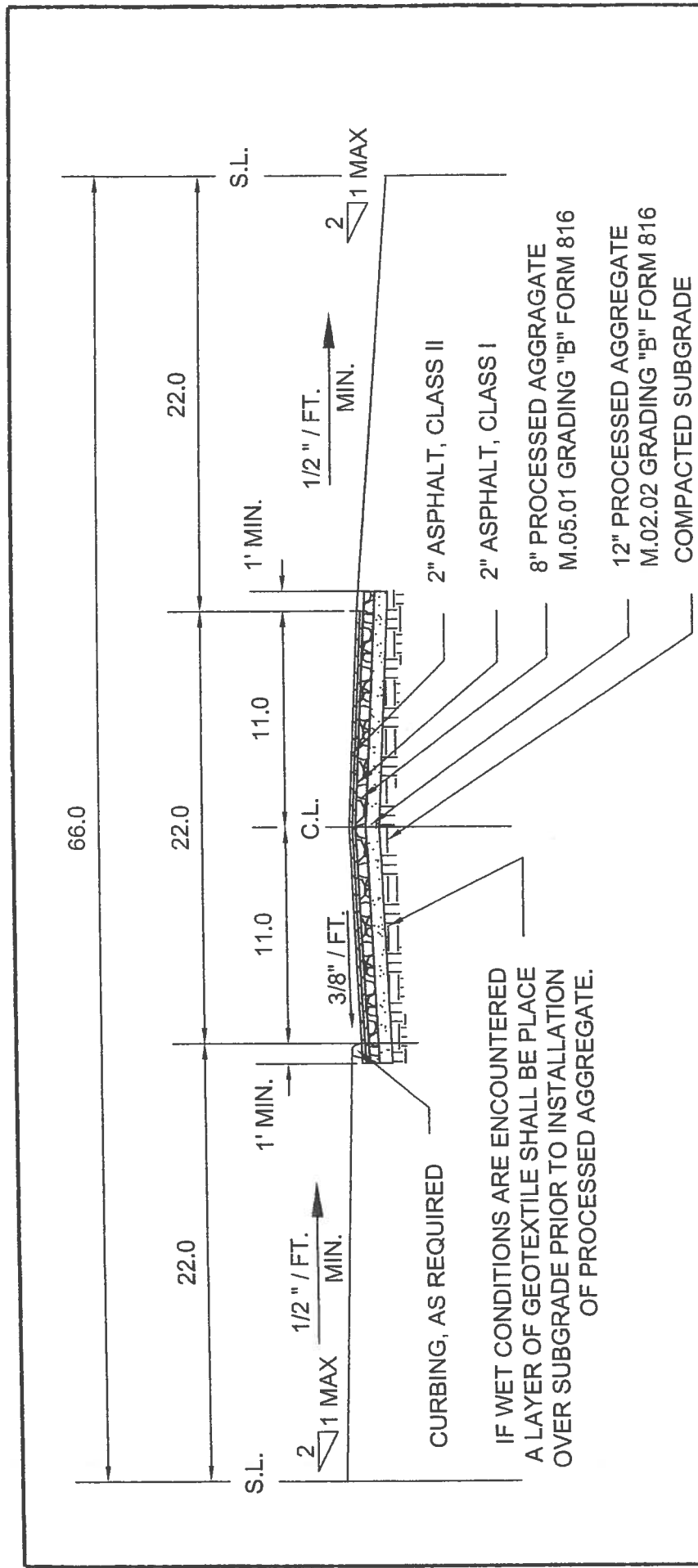
IF WET CONDITIONS ARE ENCOUNTERED A LAYER OF GEOTEXTILE SHALL BE PLACE OVER SUBGRADE PRIOR TO INSTALLATION OF PROCESSED GRAVEL.

NOTE: IF LEDGE IS ENCOUNTERED, A MIN OF 18" OF PROCESSED AGGREGATE (M.02.01) GRADING "B" IS REQUIRED BETWEEN LEDGE AND 8" SURFACE COURSE.

FIGURE #3

TOWN OF SHARON	
63 MAIN STREET	
SHARON, CONNECTICUT 06069	
TYPICAL GRAVEL ROADWAY SECTION	
DRAWN	SCALE: NTS
DATE: 4/7/09	SHEET 1 OF 1
DRAWING NO. 009	

NOTE:
Where there is a conflict between the requirements in this Table and the Specifications in the town ordinance on "Highway Construction Requirements - Subdivision Development" the requirements of



IN THE CASES WHERE PLACEMENT OF SURFACE COURSE IS PLANNED TO BE DELAYED MORE THAN 30 DAYS, ALL CATCH BASINS AND MANHOLES WITHIN THE PAVEMENT AREAS SHALL BE SET FLUSH WITH THE BINDER SURFACE. AT THE TIME OF PLACING SURFACE COURSE, 2" RINGS SHALL BE ADDED TO ALL FRAMES TO MATCH FINAL SURFACE GRADE. THE ADJACENT AREAS OF THE CATCH BASIN ARE TO BE MILLED TO A DEPTH OF 1" BY 1 FOOT WIDE IMMEDIATELY PRIOR TO PLACEMENT OF FINAL COURSE.

NOTE:

Where there is a conflict between the specifications in this Table and the specifications in the town ordinance on "Highway Construction Requirements - Civil/Division Development" the requirements of the town ordinance shall apply

FIGURE #2

TOWN OF SHARON	
63 MAIN STREET	
SHARON, CONNECTICUT 06069	
TYPICAL ROADWAY SECTION	
WETLAND CROSSING	
DRAWN	SCALE: NTS
DATE: 4/7/09	SHEET 1 OF 1
DRAWING NO. 1A1	

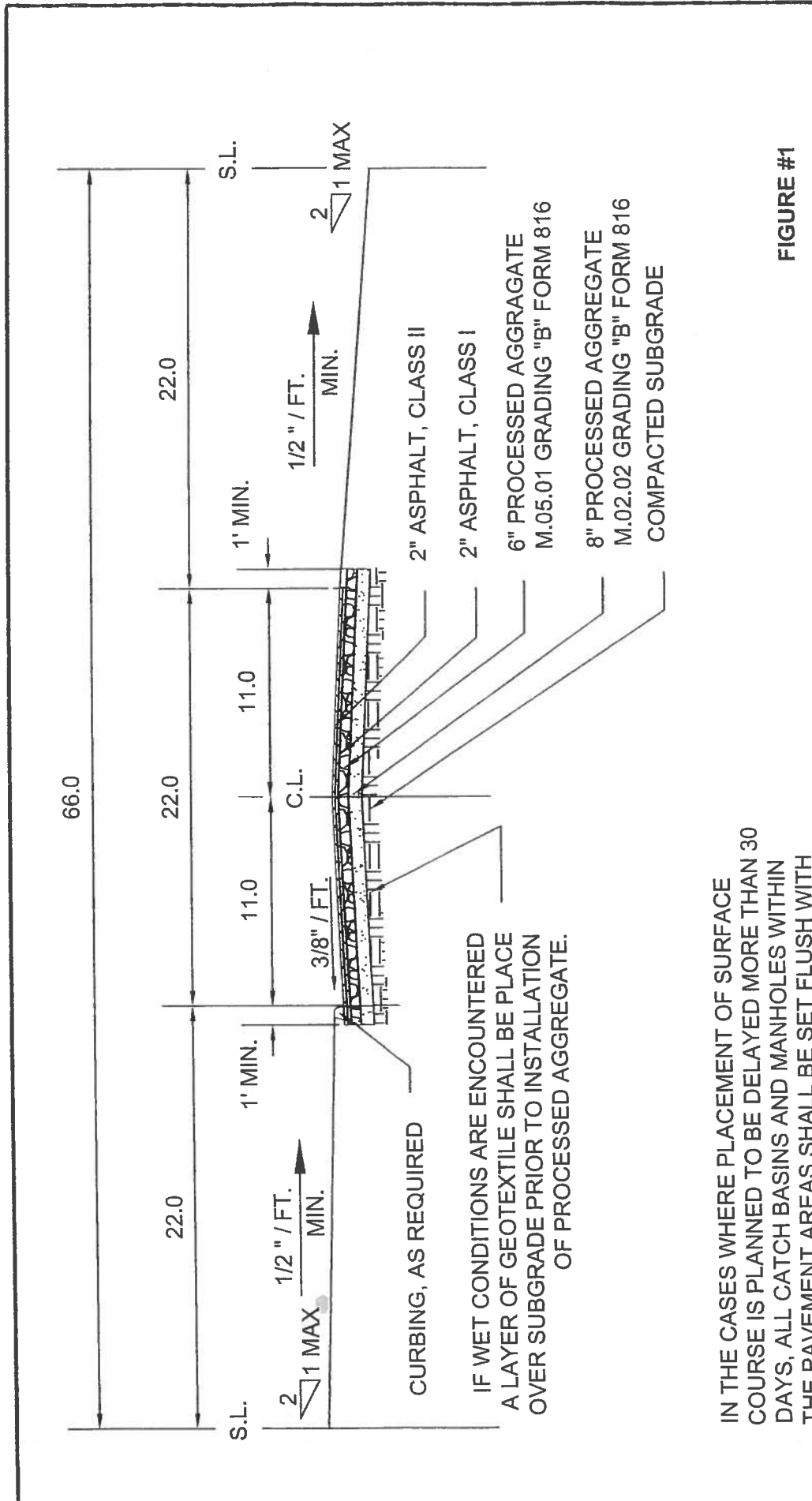


FIGURE #1

TOWN OF SHARON
63 MAIN STREET
SHARON, CONNECTICUT 06069

TYPICAL ROADWAY SECTION

DRAWN	SCALE: NTS
DATE: 4/7/09	SHEET 1 OF 1
DRAWING NO. 1A	

IN THE CASES WHERE PLACEMENT OF SURFACE COURSE IS PLANNED TO BE DELAYED MORE THAN 30 DAYS, ALL CATCH BASINS AND MANHOLES WITHIN THE PAVEMENT AREAS SHALL BE SET FLUSH WITH THE BINDER SURFACE. AT THE TIME OF PLACING THE BINDER COURSE, 2" RINGS SHALL BE ADDED TO ALL FRAMES TO MATCH FINAL SURFACE GRADE. THE ADJACENT AREAS OF THE CATCH BASIN ARE TO BE MILLED TO A DEPTH OF 1" BY 1 FOOT WIDE IMMEDIATELY PRIOR TO PLACEMENT OF FINAL COURSE.

NOTE:

Where there is a conflict between the specifications in this Table and the specifications in the town ordinance on "Highway Construction Requirements - Civil/Division Development" the requirements of the town ordinance shall apply.