

## SECTION 5 SUBDIVISION DESIGN AND CONSTRUCTION STANDARDS

### 5.1 General Requirements

5.1.1 Town Plan of Conservation and Development: Subdivisions shall be planned and designed in general conformance with the Clinton Plan of Conservation and Development, adopted by the Planning and Zoning Commission in accordance with Chapter 126 of the Connecticut General Statutes, particularly with regard to the following:

- (a) Location and classification of streets;
- (b) Provision of sewage disposal, water supply, drainage systems and service areas;
- (c) Preservation of land for parks, recreation and open space; and
- (d) Preservation of the rural character of the town.

5.1.2 Natural Features: The planning and design of subdivisions, including streets, drainage and other improvements, and the layout of lots, shall provide for retention of the natural features of the tract:

- (a) by avoiding excessive cuts, fills and regrading which result in potential soil erosion, tree and other vegetation removal, and disturbance to water resources;
- (b) by maintaining water courses and wetlands in their natural location and avoiding relocation of and encroachment thereon;
- (c) by retention and protection of large notable trees and forested areas; and
- (d) by management of coastal natural resources in a manner consistent with the policies of Chapter 444 of the Connecticut General Statutes, in accordance with Section 4.6.5 of these Regulations.

5.1.3 Site Disruption and Restoration: To the extent possible, natural vegetation and unusual topographic features shall not be disturbed during construction. Upon completion of improvements, and prior to the release of the Performance Bond and/or Soil Erosion Bond in its entirety, the developer shall be required to properly grade any disturbed land to dispose of undesirable surface water, remove all brush and debris created by human intervention, and grade and seed all open or disturbed areas to

field grass. All temporary ditches shall be filled; all sewer lines, drains, catch basins and manholes shall be cleaned and flushed; all streets, walks, curbs and other structures shall be cleaned and repaired; and the whole site shall be left in a neat and clean condition.

5.1.4 Historic and Cultural Preservation: Subdivisions and resubdivisions shall be laid out to preserve significant historic sites and buildings, identified archaeological sites, and other cultural resources such as stone walls and existing trails. Suitable public access to a particular preserved feature may be required by the Commission.

5.1.5 Other Applicable Standards: All lots, streets, storm drainage, water supply systems, sewage disposal systems, open space, sidewalks, bikeways, driveways, installation of property markers, fire protection measures, and all other subdivision improvements shall be designed, constructed and maintained in accordance with the standards specified in these Regulations and the Town's Design and Construction Standards, and in accordance with any other local, state or federal statutory or regulatory requirements, codes and standards. Whenever there is a conflict among applicable standards, the most stringent requirement shall govern.

5.1.6 Consideration of Alternative Construction and Design Standards: The Planning and Zoning Commission recognizes both the need for flexibility to accommodate individual site conditions and the desirability of using state-of-the-art technology. The Commission will consider and may approve alternatives to the construction standards for road and drainage set forth in these Regulations, provided that such alternative standards meet the criteria in Section 1.2 of these Regulations. Additionally, the Commission may consider alternative subdivision designs as set forth in Section 6 of these Regulations.

5.2 Character of Land: Land which the Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the applicant and approved by the Commission, upon recommendation of the Town Engineer, to mitigate the problems created by the unsuitable land conditions.

### 5.3 Lots

5.3.1 Building Lots: Proposed building lots shall meet all requirements of the Town of Clinton Zoning Regulations. In addition, in accordance with Connecticut General Statutes Section 8-25, all building lots shall be of

such shape, size, location, topography, accessibility and character that said lots can be occupied and used for building purposes without danger to the health and safety of the occupants, the neighborhood or the general public. Any proposed lot which is found at the time of application to be unsuitable for occupancy and building by reason of water or flooding conditions, unsuitable soils, topography, ledge rock or other adverse conditions, shall be combined with another contiguous lot that is suitable. The Commission shall not authorize the creation of separate parcels of land which are unsuitable for building purposes, unless the parcel is to be used for municipal, conservation or agricultural purposes. Building lots, along with related streets, drainage and other improvements, shall be planned and designed to be consistent with the following:

- (a) to make best use of the natural terrain;
- (b) to retain and preserve natural features including large isolated trees, desirable woods and other vegetations;
- (c) to be capable of use without extensive filling or regrading which would result in potential erosion and sedimentation and excessive vegetation removal or which would adversely affect the ability of the lot to accommodate on-site sewage disposal and water supply facilities;
- (d) to be laid out in such a way as to maximize potential use of passive solar energy design techniques, as defined in the Connecticut General Statutes to the extent practicable;
- (e) to be capable of accommodating buildings as permitted by the Clinton Zoning Regulations together with driveway access, parking spaces and suitable sites for on-site sewage disposal and water supply, without excavation, filling, regrading or otherwise disturbing swamps, floodplains, wetlands and watercourses unless authorized by the Clinton Inland Wetland and Conservation Commission; and
- (f) to include a Minimum Area of Buildable Land (MABL) such that each building lot shall contain within its boundaries an area with the following characteristics:
  - (1) such parcel shall include a contiguous area of not less than 15,000 square feet, except in the R-10 Zone, which shall include a contiguous area of not less than 10,000 square feet;
  - (2) the Minimum Area of Building Land (MABL) shall be of such shape as to be capable of containing a rectangle not less

than 100 feet on a side, except in the R-10 Zone, which shall be capable of containing a rectangle not less than 70 feet on one side and in the R-15 Zone, which shall be capable of containing a rectangle not less than 90 feet on one side;

(Amended 3/1/2005)

- (3) the Minimum Area of Buildable Land shall not include any land determined to be inland wetlands or tidal wetlands defined by the Connecticut General Statutes, nor any land delineated as Special Flood Hazard Area. There shall be a fifty foot buffer area along all tidal and inland wetlands areas located on individual lots, free of development of structures or utility installations, as a deed restriction;  
(Amended 7/1/2004)
- (4) the house and subsurface sewage disposal system must be located within the Minimum Area of Buildable Land, although all other improvements do not;  
(Amended 3/1/2005)
- (5) No more than twenty percent of area designated as the Minimum Area of Buildable Land (MABL) shall have a naturally occurring topography exceeding twenty percent (20%) slope in grade as measured in 40 foot increments throughout the parcel;
- (6) No land shall be included in the Minimum Area of Buildable Land (MABL) which is identified as having ground water or evidence of seasonal high water at subsurface elevations less than 18 inches below the naturally occurring surface, or ledge at a depth of four feet below the natural ground surface as observed by soil testing. A minimum of four (4) test holes which have been observed by the town sanitarian or his agent shall be provided as demonstration and shall be conducted such that both the primary and reserve system areas are investigated.

5.3.2 Lot Size: Each lot shall conform to the minimum acreage requirements of the Clinton Zoning Regulations unless required by Subdivision Regulations to be larger in order to accommodate on-site sewage disposal and/or water supply systems and an expansion system for sewage disposal.

5.3.3 Lot Numbers: The applicant shall assign lot numbers to all lots beginning with the number "1". Numbering shall continue consecutively throughout the entire subdivision whether developed all at once or in sections, with no omissions or duplications. All lot numbers shall be conspicuous and noted on the map in the approximate center of the lots.

- 5.3.4 Lot Frontage: All lots shall have frontage consistent with the Clinton Zoning Regulations, on either an existing approved street or upon a new street to be created as a part of an approved subdivision plan.
- 5.3.5 Minimum Square: All lots in a subdivision shall be of such shape that a square equal to the dimensions established in the Clinton Zoning Regulations can be placed within the boundary lines of the lot, with the house able to be located within said square.
- 5.3.6 Lot Access/Driveways: Each lot shall be capable of being accessed by an individual driveway located at the designated lot frontage, except in cases where the Commission determines that a combined driveway serving more than one lot will reduce traffic conflicts or preserve significant natural features. All driveways shall be designed and constructed in accordance with Section 5.10, Driveways and the Construction and Development Standards for the Town of Clinton, Connecticut, as may be amended. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on principal thoroughfares.
- 5.3.7 Lot Lines: In general, lot lines shall be laid out so as not to cross Town boundaries. No lot shall be approved which does not meet all of the requirements of these regulations by land located within the Town of Clinton, and for the purpose of this Section, the municipal boundary line shall be considered as a property line for setback and other measurement purposes, but land in another municipality may be added to such a lot. In addition and insofar as practical, the side lot lines of all lots shall run for fifty feet (50') at right angles to the street on which the lot faces or shall be radial to the street line.
- 5.3.8 Bodies of Water: If a tract of land being subdivided contains a body of water or portion thereof, including a dam or other structure, the Commission may require that the lot lines be drawn so as to place the entire ownership and burden of maintenance of the body of water and dam or other structures in undivided ownership.
- 5.4 Flood Protection: All subdivision proposals shall be consistent with the need to minimize flood damage and meet the requirements of Section 15 of the Zoning Regulations. When the subdivision includes land in a Special Flood Hazard Area or regulated floodway, the lots, streets, drainage and other improvements shall be reasonably safe from flood damage and shall conform to the following:
- 5.4.1 Flood Hazard Minimization: Lots and improvements shall be consistent with the need to minimize flood damage within Special Flood Hazard Areas and shall be capable of use without damage of flooding.

- 5.4.2 Flood Hazard Minimization of Utilities and Facilities: The Commission shall require written assurances prepared by and bearing the seal of the applicant's licensed professional engineer, and written confirmation from the Clinton Building Official and Sanitarian, as appropriate, or their designated agents, that all utilities and facilities, including but not limited to private sanitary sewer systems, private and public water supply systems, electric systems and gas systems, shall be designed, located and constructed to minimize or eliminate flood damage or infiltration of flood waters into such systems. Endorsement of the engineer's report by the Town Engineer, the Zoning Enforcement Officer and/or the Sanitarian or their designated agents shall constitute written confirmation.
- 5.4.3 Adequate Drainage in Flood Hazard Areas: The applicant shall demonstrate that adequate drainage is provided in flood hazard areas to reduce exposure to flood hazards;
- 5.4.4 Flood Hazard Minimization with New and Existing Street: Where feasible, the Commission may require that new streets and existing streets being brought up to current street design and construction standards be constructed above the base flood elevation of a flood hazard area. The Commission shall require that any access driveway to a residential dwelling be raised above the base flood elevation to provide safe access during flood conditions.
- 5.4.5 Facility Prohibitions within Flood Hazard Areas: None of the following shall be constructed on land lying within a Coastal High Hazard Area, Special Flood Hazard Area or in the regulated floodway:
- (a) Any portion or part of a public or community water system, including public or community water supply wells, pumping stations, treatment facilities, storage tanks and towers;
  - (b) Any portion or part of any utility system and facilities;
  - (c) Any structural storage facility or non-structural storage area for chemicals, explosives, flammable liquids (including gasoline and motor fuels, except for storage of fuels for retail sales to boats), road salt, manure or fertilizer, or other toxic materials which could be hazardous to public health and safety.
- 5.4.6 Channel Lines: Channel and building lines shall be provided along any major stream or river for the purpose of preventing encroachment upon the natural water channel by buildings, filling operations or other facilities and construction. The width of the channel shall be based on sound engineering calculations anticipating long range storms and flow potentials and recognizing proper alignment and gradients of the channel. A note

shall be placed on the detailed layout maps explaining the channel and building lines and stating the restrictions against encroachment upon the channel in a manner approved by Town Counsel. Reference shall be made to the Flood Plain requirements of the Zoning Regulations in arriving at the above computations.

5.4.7 Alteration or Relocation of Watercourse: In the event of a proposal to alter or relocate a watercourse, the Applicant shall notify adjacent communities and the CT Department of Environmental Protection prior to any such alteration or relocation and shall submit evidence of such notification to the Federal Insurance Administration.

5.5 Provision of Water Supply: Each lot shall be capable of being provided with an adequate water supply on a continuous, long term basis to meet the requirements of all uses that would be permitted on the lot under the Clinton Zoning Regulations.

5.5.1 Public Water: The Commission may require public water supply connections and/or extensions to be made available to each lot in any subdivision which is either:

- (a) Located within a area currently served by an existing public water supply system, or
- (b) Where any part of the land being subdivided is located within 200 feet of the nearest existing public water supply service line.

Where such service is available, each lot shall be served by, and provided with, a curb connection to a central water supply system. Such system and connection shall meet all the technical and administrative requirements of the Public Health Code of the State of Connecticut as interpreted by the Clinton Director of Health or the Director's designated representative, the utility company providing the service and to the standards of the Connecticut Department of Public Utilities. The Commission may approve individual private wells if it determines that a central water system is not available or cannot reasonably be provided or extended by the applicant to serve one or more lots.

If a public water supply is to be used for the subdivision, the applicant shall submit written evidence of agreement by the water company to provide a safe and adequate public water supply.

5.5.2 Private Water Supply: If private water supply wells for individual lots are proposed, the applicant shall submit written evidence that the Clinton Director of Health or the Director's designated agent concurs with the adequacy of the plans for a permanent water supply for the subdivision,

and that such private wells can be located in compliance with the separation requirements of the Public Health Code of the State of Connecticut, or the Ordinances and Special Acts of the Town of Clinton, whichever is more restrictive.

For any subdivision containing 20 or more lots in which private water supply wells are proposed, a water study is required, prepared by a certified hydrogeologist, addressing the adequacy of ground water supplies and the effect of the proposed subdivision on surrounding wells. Such water study shall be submitted to the Director of Health for review. Written evidence shall be provided that the Director of Health or the Director's designated agent concurs with the adequacy of the plans for a permanent water supply.

5.6 Provision of Sanitary Sewage Disposal: A private subsurface sewage disposal system shall be provided for each lot in accordance with the Connecticut Public Health Code, latest revision, or the Ordinances and Special Acts of the Town of Clinton, and any applicable regulations and standards of the Connecticut Department of Environmental Protection, whichever is more restrictive. No proposed lot shall be approved unless a written report endorsed by the Clinton Director of Health, or the Director's designated agent, is submitted to the Commission, concurring with the adequacy of plans for on-site sewage disposal facilities.

5.6.1 Soil Tests Required: If private subsurface sewage disposal systems on individual lots are proposed, percolation tests and deep observation pits shall be required on each lot, in the vicinity of the primary and reserve leaching areas, at the subdivider's expense. These tests shall be conducted to conform with requirements of the Connecticut Public Health Code or the Ordinances and Special Acts of the Town of Clinton, whichever are more restrictive. The Director of Health or the Director's designated agent may prescribe the location and depth of tests, number of tests, specifications for testing, season of year necessary for valid testing, and stage of site preparation suitable for relevant testing. All soil tests shall be witnessed by the Director of Health or the Director's designated agent, whose findings and recommendations shall be submitted to the Commission. All proposed lots shall provide for a reserve leaching area in accordance with the Connecticut Public Health Code or the Ordinances and Special Acts of the Town of Clinton, whichever are more restrictive. The location, test dates and results of deep test pits and percolation tests shall be shown on Detail Map, as required in Section 4.5 of these Regulations.

5.6.2 Site Capacity for Individual Lots and Site Capacity for Multiple Lots: Using the Minimum Leaching System Spread (MLSS) criteria in the Connecticut Public Health Code or the Ordinances and Special Acts of the Town of



Clinton, whichever are more restrictive, the applicant shall demonstrate to the satisfaction of the Commission's reviewing engineer that each proposed lot can accommodate a subsurface sewage disposal system for a single family residence having four bedrooms. The applicant is required to demonstrate that the cumulative effect of all the sanitary systems to be built in the subdivision will not degrade the ground water quality at the boundaries of the subdivision, the total sewer shed area, or at areas of concern, including wetlands and ledge outcroppings. The analysis of the cumulative effect shall include, but not be limited to, nitrogen renovation, bacteria renovation, and hydraulic capacity.

5.6.3 Larger Lots: When the results of deep test pits and percolation tests indicate a need for larger lots, final approval of the subdivision plan shall not be granted until such larger lots, as required, are shown on the maps or the Commission may combine lots as needed as a condition of approval.

5.6.4 Septic Systems in Special Flood Hazard Areas: For lots in Special Flood Hazard areas, the applicant shall submit a report by a professional engineer, currently licensed in the State of Connecticut, giving assurances that each lot is capable of accommodating an on-site sewage disposal system in a manner that avoids impairments of the system and contamination from the system during flooding.

5.7 Storm Water Management: A storm water management system shall be designed and constructed for each subdivision to provide for the efficient drainage of the subdivided land and surrounding lands which normally drain across the areas of the proposed subdivision. The storm water management system shall accommodate collection and discharge of storm water on the development site, while adequately mitigating downstream impacts from any alteration of storm water discharge characteristics resulting from the subdivision. Such alterations include changes in the rate and volume of discharge, changes in the duration of discharge and time to peak discharge, and alteration of water quality characteristics.

5.7.1 General Design Requirements for Storm Water Management: When a Storm Water Management Plan is required in accordance with Section 4.6.3 of these Regulations, the storm water management design shall meet the following general criteria, in addition to any other requirements:

(a) Storm Water Runoff Management: Subdivisions shall be designed to provide effective management of storm water runoff. The volume of storm water runoff generated shall be minimized by keeping total impervious surface area within the subdivision to a minimum. Reducing the volume of storm runoff will result in less

potential for on-site and downstream flooding, and fewer pollutants being transported from the development site.

- (b) Increase in Volume or Rate of Storm Water Runoff: Where the proposed development is likely to cause an increase in the volume or rate of storm water runoff so as to overload the existing drainage system, causing flooding and damage downstream, measures shall be taken by the developer to prevent or alleviate such harmful effects. Potential adverse impacts from changes in discharge characteristics shall be minimized through use of structural and/or natural control measures. A zero percent increase in discharge characteristics is not mandated for all subdivisions, but may be required in certain cases where existing downstream land use or property is shown to be subject to flooding. Natural runoff detention or retention capacity of adjoining inland wetlands may be used as a mitigating factor in determining the scope of downstream impacts and the extent of on-site drainage control measures warranted.
- (c) Additional Runoff from Storm Drainage: Storm drainage within the subdivision shall be designed and constructed to be capable of accommodating all additional runoff which can reasonably be expected to result from future development of the drainage area upstream of the subdivision and which may reasonably be expected to drain through the subdivision.
- (d) Diversion Prohibited: Due consideration shall be given to minimizing the disruption of existing drainage patterns. In general, storm water runoff shall not be diverted from one watershed or watercourse to another.

5.7.2 Discharges: All storm water from the subdivision shall be discharged no less than 100 feet from the street line and only to suitable streams or rivers, or into town or state drains, ditches, or other Town or State drainage facilities with adequate capacity to carry the additional water. Where the discharge is onto private property adjoining the subdivision, proper easement and discharge rights shall be secured by the applicant on behalf of the Town and shall be presented to the Commission as part of the application at the time of application. It shall be incumbent upon the developer to ascertain and demonstrate within the application that existing town drainages, ditches or other Town drainage facilities are adequate to carry the additional water to its terminus. Discharge shall be designed with particular regard to discharge points and velocities, and in a manner that protects streams and wetlands from pollution, flooding and erosion due to increase in runoff. In addition, any site which has a post-construction storm water discharge located less than five-hundred feet (500') from tidal wetlands, which are not fresh-tidal wetlands, discharge

such storm water through a system designed to retain the volume of storm water runoff generated by one inch of rainfall on the site.

If the Commission determines that, in its judgment, there will be no substantial danger to the public health and safety, it may approve, on lots of one (1) acre or larger, the discharge of storm water in open ditches, swales, or detention basins, except that such structures shall not be located in that portion of the lot customarily used for front and side yards, or which might be used for on-site sewage disposal or water supply systems.

5.7.3 Storm Water Discharge Easements: Easements for storm water discharge shall be obtained in accordance with the requirements of the Town's Design and Construction Standards, as may be amended. In addition, easements shall be provided in locations deemed proper by the Commission or Town Engineer for storm water and water mains or other utility lines that may need to be installed in the future to serve undeveloped land within the watershed that normally drains across the area of the proposed subdivision. It shall be incumbent upon the developer to determine that easements exist for the Town drains, ditches or other drainage facilities, into which they intend to discharge storm water, and, if they do not exist, then the developer shall obtain the necessary easements for the Town. This determination shall include the system to its terminus. Approval of the subdivision shall be contingent upon this matter.

5.7.4 Additional Requirements for Storm Water Management: Additional requirements for storm water design and construction are set forth in the Town's Design and Construction Standards, as may be amended.

5.8 Open Space: The Commission shall require lands for parks, playgrounds, recreational areas or conservation open spaces, or a combination of the foregoing, be provided and reserved in each subdivision. The land reserved shall be of such location, size, shape, dimensions, topography and natural character as to satisfy the open space needs as determined by the Commission. In determining the size of an open space parcel, the Commission may require the applicant to dedicate in excess of the minimum standard in dense areas. In determining the need for open space, the Commission shall take into consideration the size of the subdivision and any existing parks, playgrounds, recreation areas and open space in the area. Such needs may include, but are not limited to, the following:

- (1) Preservation and potential enhancement of existing natural resources such as, but not limited to, unusual topography, large trees, wetlands, aquifers, agricultural land, wildlife habitat, flora and fauna, visual corridors and vistas;

- (2) Retention of natural drainage ways;
- (3) Avoidance of undifferentiated sprawl patterns, provision for visual edges, focal points and centers to enable people to relate to their surroundings and to integrate or separate various types of uses and activities;
- (4) Provision for passive and active recreation;
- (5) Preservation and enhancement of historic and cultural resources and locations;
- (6) Maintenance of scenic quality.

The reservation of land shall conform, to the greatest extent possible, to the recommendations of the 2000 Town Plan of Conservation and Development and any other plans for parks, playgrounds, recreation land, conservation or open space which have been formally adopted by the Clinton Planning and Zoning Commission, Clinton Conservation Commission, Clinton Park and Recreation Commission, or other official town board or agency.

5.8.1 Open Space Dedication Requirement: In determining the need for reservation of open space, the Commission shall be guided by, but not limited to, a minimum standard of twenty percent (20%) in the R-10, R-20, R-30 & R-40 Zones and fifteen percent (15%) in the R-60, R-80 and R-120 Zones of the total area of the subdivision and a minimum reservation area of one (1) acre unless the area is in addition to an existing or proposed park, playground, open space or public land or unless a lesser area is approved by the Commission as appropriate for the open space purposes intended. Such dedication shall be in accordance with the following standards:

- (a) At least 60% of the land being used to meet the minimum open space requirements must be uplands.
- (c) Calculation used to establish compliance with this section shall be present on submitted plans in table form for ease of confirmation.

5.8.2 Access and Location: The area or areas reserved for open space shall be laid out so as to be used in conjunction with and linked to similar areas in adjoining subdivisions or of possible future subdivisions. Proper pedestrian and vehicular access shall be made subject to approval by the Commission, which access shall be wholly owned and an integral part of the open space reservation.

- 5.8.3 Coastal Waterfront Sites: In such cases where the proposed subdivision site abuts tidal waters, the Commission may require such open space, in addition to public access, to and along the waterfront, consistent with Section 22a-92 through 22a-113, inclusive, of the Connecticut General Statutes.
- 5.8.4 Condition of Land: Land reserved for open space shall not be used for the storage of equipment or the deposit or burial of construction debris or materials. The land reserved for open space shall not be excavated, filled or re-graded, and trees shall not be removed there from. Such open space shall remain in its natural state, except in accordance with a grading plan submitted under Section 4.5.8 of these Regulations and approved by the Commission.
- 5.8.5 Open Space Dedication in Phased Projects: When a subdivision plan is approved in phases, an open space dedication need not be included in each separate phase provided a comprehensive open space plan is submitted at the time of application for the first phase and approved consistent with Section 5.8 as a whole and the integrity of such open space is specifically guaranteed in accordance with the proposed of Section 5.8 of these Regulations. This approval shall be a prerequisite for approval for the first section submitted.
- 5.8.6 Methods of Open Space Reservation: Open space areas shall be permanently reserved for the designated use by means acceptable to and approved by this Commission, such as, but not limited to, the following. In all cases, the application must provide at the time of application proof of proposed recipients acceptance of open space:
- (a) Deeded to the Town of Clinton: Where open space areas are to be conveyed to the Town, the applicant shall convey them at the stage and in the condition agreed upon in connection with the processing and approval of the subdivision.
  - (b) Deeded to a Non-profit Organization Acceptable to the Commission: Such non-profit organization shall be a private non-profit, non-stock corporation which has as its primary purpose the preservation of open space land. The deed to such organization shall contain language satisfactory to the Commission requiring that the land be held in perpetuity as open space land. The Commission may require that a copy of the organization's Certificate of Incorporation and By-Laws be submitted for its review. The deed to the organization shall contain the provision that in event of the dissolution of the corporation, the property shall be conveyed to the Town of Clinton, or to a non-profit corporation, at the discretion of and subject to the approval of the Commission.

The Commission shall have the right to reject any proposal for the transfer of open space land to a private non-profit organization if the Commission determines that such conveyance would not be in the best interest of the Town.

- (c) Held in Corporate Ownership by Owners of Lots within the Subdivision: Open space may be conveyed by warranty deed to a homeowners' association within the subdivision upon such terms and conditions as specified by the Commission. When tracts are conveyed in this manner, a copy of the bylaws of the homeowners' association shall be submitted as a part of the application for subdivision. Membership in such corporation shall be mandatory for all lot owners within the subdivision. Each deed conveyance to lot owners shall include the provisions of the declaration of rights and responsibilities in regard to open space, and shall be recorded in the Clinton Land Records. Wording on each deed shall state that such open land is reserved for use only as open space in perpetuity.

5.8.7 Conditions of Open Space Conveyance: Title to the open space land shall be unencumbered and shall be conveyed coincidental with the filing of the mylar in the Town Clerk's Office.

5.8.8 Deed Guarantees: Regardless of the method employed, the instrument of the open space conveyance must include provisions suitable to the Commission and the Commission's Counsel. All legal documents required for the disposition of open space in accordance with Section 5.8 must be submitted to the Commission for review as part of the application materials. All executed documents shall be submitted to the Commission for safekeeping prior to final endorsement of the application. Such open space documents shall guarantee the following:

- (1) The continued use of such land for the intended purpose;
- (2) Continuity of proper maintenance for those portions of the common open space land requiring maintenance;
- (3) When appropriate, the availability of funds required for such maintenance; and
- (4) Recovering loss sustained by casualty, condemnation or otherwise.

5.8.9 Disposition of Proposed Open Space: The Commission shall determine the disposition of proposed open space. Disposition of open space shall take one of the following forms:

- (a) After all improvements have been completed, subject to the approval by the Board of Selectmen, the open space may be conveyed by warranty deed to the Town of Clinton or to one of its agencies such as the Park and Recreation Commission, with appropriate restrictions as to the future use of the land; or
- (b) The open space may be conveyed by warranty deed to a private non-stock, non-profit corporation which has as its purpose the preservation of open space land as described in Section 5.8.6(b) of these Regulations. If proposed open space is to be conveyed to a land trust, the applicant shall present a letter from that land trust agreeing to accept the open space parcel as part of the application; or
- (c) The open space may be conveyed by warranty deed to a homeowner's association within the subdivision as stipulated in Section 5.8.6(c) of these Regulations.

5.8.10 Fee-in-lieu of Open Space: In lieu of the above requirements to provide land for open space purposes, the Commission may authorize the subdivider to pay a fee to the Town, or provide a combination of land and fee, in accordance with the provisions of Section 8-25 of the Connecticut General Statutes. The Commission may consider payment of such fee when it determines, in its sole discretion, that there is not a suitable area within the subdivision with which to meet the requirements of Section 5.8, or that there are other areas within the Town, the preservation of which would be more beneficial to the Town and there is no abutting open space or potential for open space abutting and if the minimum open space requirement is less than 1.5 acres. The amount of the fee and its method of payment shall be in accordance with the procedures set forth in CGS 8-25. The payment option shall be secured by a lien against each lot in the subdivision, which shall be filed at the same time that the final subdivision plans are filed in the Office of the Town Clerk. The lien shall be in a form approved by the Commission, and shall be unencumbered by any mortgage or encumbrance having priority over said lien, as evidenced by a current Certificate of Title, required in Section 4.6.

## 5.9 Roads

5.9.1 Street Planning: Proposed streets shall be planned to provide safe and convenient access to proposed lots, shall be suitably located and adequately constructed to accommodate both present and future anticipated traffic, and shall provide access for emergency and maintenance vehicles. Such street planning shall conform to all the requirements of the "Construction and Development Standards for the Town of Clinton, Connecticut", as may be amended, together with

additional requirements as stated below. Streets shall be designed in an attractive layout which follows the natural contour of the land, and shall be located and graded to preserve the natural terrain, substantial trees, woods, and other natural features which enhance the property values and maintain the natural character of the subdivision. If, in the opinion of the Commission, a proposed street requires excessive grading and/or clearing that may have a substantial adverse impact on the environment, the Commission may require the applicant to take mitigating measures including, but not limited to, street redesign and lot reduction.

The design of each residential street shall be appropriate to its function and classification. Properly scaled and designed streets create more attractive communities and contribute to overall community character. Traffic within residential areas shall be designed to be kept to a minimum to reduce noise, congestion and hazards to pedestrians. Where possible, street layouts shall be planned to avoid excessive storm water runoff and the need for extensive storm drainage installations.

- 5.9.2 Access from Major Roads: In order to reduce danger to pedestrian and traffic safety along the major roads of Clinton, and to help preserve the scenic quality of the town, the design of all proposed subdivisions shall reflect and attempt to minimize the number of new streets and driveways that intersect major roads. Major roads include all State highways and town roads classified as "Arterial" or "Collector".

Where practical, lots adjacent to major roads shall not be accessed directly from the major road. Instead, such lots shall front upon and shall be accessed from a street one lot depth removed from the major road (Section 5.9.7, Reverse Frontage), or shall be accessed from an intersecting side street. Roads shall be laid out so as to obtain as many of the building sites at or above the grade of the road. A buffer zone, protected by a conservation easement at least twenty-five feet (25') in width shall be maintained on each lot along the property line abutting the major road right-of-way. No buildings, improvements or structures shall be constructed within the Conservation Easement area. The Commission may require that the buffer contain a fence, wall, stream, hedge, dense trees or other suitable deterrent to access as may be deemed appropriate.

- 5.9.3 Connection to Existing Streets: All subdivision streets shall connect directly to one or more accepted town roads or state highways. Subdivisions containing more than 20 lots shall have at least two direct connections to one or more accepted public roads. In the case of resubdivision or phased development, previously approved lots shall be considered part of the total number of lots in determining the need for a second direct connection. Prior to the issuance of a building permit for the 21<sup>st</sup> lot, the second access must be completed.



- (a) Access from Another Municipality: Whenever access to the subdivision is required across land in another municipality, the applicant shall demonstrate that that access is legally established and that the access road is adequately improved, or that adequate security has been posted in a form acceptable to the Commission and is sufficient in amount to guarantee the construction of the access road. The applicant shall demonstrate that adequate provision has been made for coverage for mail delivery, emergency services, school transportation, snow plowing and other municipal services.

5.9.4 Future Street Connections: Streets shall be laid out to provide connections with existing streets on adjacent properties, where appropriate, and also with proposed streets that may be provided for in the Clinton Plan of Conservation and Development. When a subdivision adjoins undeveloped land, its streets shall be laid out so as to provide suitable future street connection with adjoining land where it appears probable that the later could be subdivided. Proposed streets which may be continued into adjoining properties shall be carried to the boundary line. No reserve strips shall be permitted. Rights-of-way for future streets shall have proper width and shall be conveyed by warranty deed to the Town of Clinton. The Town shall not bear responsibility for construction of the future street connection, but shall make the right-of-way available to the developer of adjacent land, who shall be responsible for such construction as part of subdivision improvements to the adjacent land. The Town shall not bear responsibility for the restoration of the temporary cul-de-sac.

5.9.5 Street Widening:

- (a) No increase in width of a street right-of-way will be permitted beyond the minimum width specified in Section 5.9.9 of these Regulations, when the purpose of widening is to create additional street frontage for additional proposed lots.
- (b) Where the proposed subdivision abuts an existing town street which does not have the minimum right-of-way width required in Section 5.9.9, the applicant shall convey to the Town sufficient land along such road as to permit its widening then or in the future to conform to the Town standards. The applicant shall also convey any necessary drainage easement or sloping rights necessary to improve the road to town road standards.
- (1) When the property to be subdivided abuts a state highway, the applicant may be required to convey land for road widening, or easements for drainage or grading purposes to

the Town of Clinton or the State of Connecticut as appropriate.

- (2) Where a proposed street right-of-way is located adjacent to a property boundary, which property is not owned by the subdivider, the right-of-way shall have extra width or area necessary to accommodate all road construction within the right-of-way without encroachment on the adjacent land. The requirement may also be met by the acquisition of construction easements and sloping rights from the adjacent land owner, provided that the rights are in a form approved by the Commission at the time of application.

5.9.6 Street Names: Streets which are designed to connect and align directly with other streets shall bear the same name. No duplication of street names shall be permitted, and similar sounding names shall be avoided. Streets names shall be appropriate to the character of the Town, and whenever possible, shall reflect the geographic or historic aspects of the area in which the street is located. All street names are subject to the approval of the Commission.

5.9.7 Reverse Frontage: Wherever practicable, lots adjacent to a State highway, feeder street, commercial street or thoroughfare, as defined in Section 5.9.8, shall have their frontage reversed and shall front on a street one lot depth removed from the State highway or major Town road, or shall front on an intersecting side street. Reverse frontage lots which back onto a State highway or major Town road shall have a buffer zone at least twenty-five feet (25') wide along the property line abutting the road right-of-way. Buffer zones shall contain a fence, wall, stream, hedge or other suitable deterrent to access.

5.9.8 Street Classifications: Classification of streets shall be determined by the Planning and Zoning Commission. All proposed streets in the subdivision and any existing street abutting the subdivision shall be classified as one of the following:

- (a) Arterial Street (Also know as "Thoroughfare"): A major, heavily traveled road serving as an artery for interconnection among large areas of town or giving access into or circulation within business or industrial areas.
- (b) Collector Street: A moderately heavily traveled road that is presently receiving or has the potential to receive traffic from two or more local roads, private roads or dead-end streets.

- (c) Local Residential Street: A street primarily providing access to abutting lots used for residential purposes, including dead end streets.
- (d) Private Residential Street: A street that is privately owned and privately maintained. The creation of new private streets, previously permitted under the Clinton Subdivision Regulations, is strongly discouraged under these current regulations, except where the Commission determines that the creation of a private street is an amenity that enhances the character of the overall subdivision development plan, which determination shall be at the sole discretion of the Commission. An existing private street is one that is clearly identified on a filed subdivision plan, or which was existing prior to the adoption of subdivision regulations by the Town of Clinton. A private street is subject to the restriction that such street shall not be offered to, accepted by or maintained by the Town of Clinton. In general, a private street is a street owned and maintained by a legally constituted homeowners' association, and constructed in accordance with the standards for private streets which were a part of the Subdivision Regulations at the time of approval of the subdivision. In addition, a private street must be posted as such.

Private streets shall be constructed to the standards established for local residential streets. In addition, private streets shall be owned in fee and without encumbrance except as permitted below, by an association of lot owners incorporated under the laws of Connecticut. The instrument of association shall be in the form and language approved by the Commission and the Commission's counsel, and shall contain at least the following provisions:

- (1) The power to levy assessments against the owners of lots within the subdivision enforceable by lien;
  - (2) Covenants to maintain the street in good and safe condition, to make all required repairs, and to undertake snow plowing and refuse collections at no expense to the Town of Clinton. Said covenants shall be expressly enforceable by the town as a third party beneficiary.
- (e) Dead End Street: A dead end street, as defined in Section 2.45(5) of these Regulations, shall meet design standards for a collector street, unless the Applicant demonstrates to the satisfaction of the Commission, that based on factors such as, but not limited to, topography or soil conditions, it is not feasible to provide a future road connection to abutting undeveloped land. If the Commission

finds that it is not feasible to provide a future road connection into abutting undeveloped land, then the proposed dead end street shall meet design standards for a Local Residential Street.

- (1) Maximum Length of Dead End Streets: Dead end streets shall not be longer than 2,000 feet from the nearest intersection having more than one outlet to any adjacent through streets, as measured to the center of the required turnaround.
- (2) Turnarounds:
  - i) A paved and landscaped turnaround or cul-de-sac shall be provided at the closed end of all dead end streets. Turnarounds shall be circular and have a minimum diameter of 120 feet for the right of way and a minimum paved diameter of 100 feet. The Commission shall require a center island in the turnaround circled by the paved area of the street with a minimum paved width of 24 feet. Land for such turnaround shall be provided in the form of an easement to the Town of Clinton for highway purposes.
  - ii) Turnarounds in any non-residential development requiring service by tractor-trailer trucks or other like equipment requiring a radius larger than provided in a residential subdivision turnaround, shall have a minimum diameter of 170 feet for the right of way and 150 feet for the paved area of the turnaround.
  - iii) Lots on a Curvilinear Road (Cul-de-sac): In order to accomplish a more desirable layout on lots that directly abut a cul-de-sac on a curvilinear road, frontage requirements may be varied by placing a square, having the side dimension equal to the minimum width of the lot, at the minimum setback line.

(Added 7/1/2004)
- (3) Access to Other Properties: Dead end streets shall be only used for access to lots having frontage on the dead end street, unless specifically authorized by the Commission as part of the approved subdivision plan.

5.9.9 Street Pavement and Right-of-Way Widths:

<b>Street Classification*</b>	<b>Minimum Width of Right-of-Way (Feet)</b>	<b>Minimum Width of Shoulder (Unpaved, Feet)</b>	<b>Minimum Width of Traveled Portion of Pavement (Feet)</b>
<b>Arterial (Thoroughfare)</b>	60	10	30
<b>Collector Street</b>	50	8	30
<b>Local Residential Street</b>	50	10	24
<b>Permanent Dead-end Streets (Serving up to 20 lots)**</b>	50	4	20

\* When curbing is necessary, the width of the curbing shall be added to the width of the traveled portion of the pavement.

\*\*Temporary dead-end streets are to be built to the standards required for the anticipated classification of the finished road.

- (a) Right-of-way Width: Right-of-way widths shall be as listed above, unless an alternative width is approved by the engineer reviewing the plan or other authorized agent on behalf of the Town, to accommodate field conditions. Widths in excess of the above minimum for the right-of-way may be required to accommodate unusual construction features such as deep cuts or fills, as well as other safety considerations. In cases where the required minimum presents a hardship, the adjoining land may be subjected to an easement for sloping rights, where approved by the reviewing engineer. The Commission shall approve the provisions and wording of the easement.
- (b) Clearing of the Right-of-Way: Clearing of the right-of-way shall be the minimum necessary to construct improvements and establish adequate sight lines, as determined by the reviewing engineer.

5.9.10 Intersections: The following standards shall be used when designing intersecting roads:

- (a) No more than two streets shall intersect at any one location.

- (b) Intersections of two Local Residential Streets shall be spaced not less than 200 feet apart measured between center lines. Intersections of all other street classifications shall be not less than 400 feet apart, measured between center lines.
- (c) All intersections must be in conformance with the Design and Construction Standards.

5.9.11 Curbing: Curbs shall be constructed along the edge of street pavement of all streets in accordance with the Design and Construction Standards.

5.9.12 Guide Rails: Guide railing shall be installed wherever necessary for safety purposes, including along all streets where there will be an embankment with a depth of three feet at the toe of the embankment slope, unless the slope is less than 4:1. Guide rails shall also be installed at all culverts and along all common drive where deemed necessary for safety purposes by the Commission. Guide rails shall conform to the current Design and Construction Standards. The Commission may specify the type of DOT approved guide rails to be installed.

5.9.13 Street Lighting:

- (a) Location: Road lighting shall be provided if required by the Commission at any location where illumination is necessary to minimize the risk of accident involving vehicles or pedestrians or to assure safe and convenient vehicle and pedestrian passage.
- (b) Type: Lighting standards and luminaries shall be of such type and design and shall be so located as to safeguard against discomfort glare and disability glare and avoid adverse effects from illumination upon the use, enjoyment and value of adjacent property.
- (c) Lighting shall conform to the requirements of the Town's Design and Construction Standards.

5.9.14 Street Name Signs, Traffic Aids, and Regulatory Signs: In the event the Commission determines that the proposed subdivision shall require installation of new road signage, whether within the subdivision or on existing Town roads, the Commission may require the developer to bear the cost of procurement and installation of such road signs.

5.9.15 Additional Requirements for Streets: Additional requirements for street design and construction are set forth in the Town's Design and Construction Standards.

- 5.10 Driveways: A permit to connect a new driveway to a State Highway must be obtained from the Connecticut State Department of Transportation. A permit to connect a new driveway to a town road must be obtained from the Department of Public Works.
- 5.10.1 Driveway Construction and Grade: No driveway shall have a grade greater than 10% at any point and shall meet the construction requirements of the Town's Design and Construction Standards, as may be amended. If a driveway exceeds a grade of 5%, it must be paved for the entire distance that is in excess of the 5%.
- 5.10.2 Driveway Entrance Location and Sight Line: Safe driveway entrances with adequate sight lines for safe vehicular entry onto a street shall be required for all lots, and adequate vehicular turnarounds shall be provided within each lot.
- 5.10.3 Requirements for Share Driveways: In order to minimize adverse environmental impacts of development, reduce the need for new driveway cuts and provide access to developable land which is otherwise inaccessible due to topographic conditions, the Commission may allow or require common or shared driveways. Whenever a shared driveway is proposed, the following requirements shall be met.
- (a) All shared driveways shall be provided with a right-of-way at least twenty-five feet (25') in width and the driveway itself shall have a width of at least eighteen feet (18') and shall be constructed in accordance with the Town's Design and Construction Standards.
  - (b) The deed for any lot which utilizes a shared driveway shall include all appropriate easements to pass and re-pass and to install utilities as necessary. Further, the deed shall contain the provisions that the access driveway shall not be used to access other property except for agricultural purposes, and that the Town of Clinton shall not ever be required to plow, maintain, assume ownership or provide school bus service or other services along the driveway access to such lot.
  - (c) No more than 2 lots shall be served by a single shared driveway.
- 5.11 Sidewalks and Bikeways: The Commission may require the installation of sidewalks on thoroughfares, in pedestrian easements, on local streets in the vicinity of schools and playgrounds, and in other places deemed proper by the Commission for public necessity and safety. When sidewalks are required, plans for sidewalks shall be shown on the construction plans with proposed sidewalks constructed to conform to the "Design and Construction Standards of the Town of Clinton", as may be amended.

5.11.1 Pedestrian Easements: In areas where the proposed street system does not conform to a convenient pattern of pedestrian circulation, particularly in the vicinity of parks, schools, playgrounds, or other public or semi-public places, the Commission may require the establishment of easements for pedestrian ways, which shall be a minimum of ten feet (10') in width.

5.11.2 Bikeways: The Commission may require bikeways to be constructed when deemed necessary or appropriate for public safety, and when such bikeways will contribute to an integrated system of bikeways providing an alternative means of transportation for the town. A bikeway may be either a separate trail or path for the exclusive use of bicycles, or a portion of the roadway which has been designated for preferential or exclusive use of bicycles, separated from the roadway by a paint stripe or curb or similar device.

## 5.12 Final Grading and Landscaping

5.12.1 Street Trees: Trees provided by the developer shall be planted at the edge of the right of way line or other suitable location, at a minimum distance of twenty feet (20') and at a maximum distance of fifty feet (50') apart on both sides of any street, subject to variations made necessary by driveways, street corners and walks. Trees to be planted shall be in accordance with the Design and Construction Standards. The Commission may require the subdivider to post satisfactory surety to sufficiently cover the estimated cost of such trees.

5.12.2 Maintenance of Landscaped Areas and Street Trees: All areas stabilized by vegetation, all landscaped areas, and all street trees shall be properly maintained by the person or firm constructing the road, drainage facilities and associated improvements until permanent growth of such plantings has been established to the satisfaction of the Commission.

5.12.3 Disposal of Construction Debris: No onsite burial of construction debris, brush or stumps is permitted, except that large boulders and other earth materials may be disposed of onsite only with the explicit written approval of the Commission or its designated agent. Any area used for disposal of large rocks or other earth materials shall be shown and designated on the subdivision plan as a "rock disposal area".

5.13 Fire Protection: In order to assure that all new development has an adequate water supply for fire protection purposes, the Commission may require that a fire well or fire pond be constructed in connection with the new subdivision. Prior to the submission of a subdivision application to the Commission, the applicant shall consult with the Clinton Fire Marshal to determine, whether in his opinion, a new water supply is necessary. The applicant shall be required to demonstrate



that the proposed water supply meets or exceeds the minimum requirements of such national and state standards as the Fire Marshal deems applicable to the subdivision application.

Such fire well or pond shall be installed at the expense of the developer and the cost of such shall be included in the bond. The design, location and construction must be approved by the Commission. When a fire well, fire pond or appurtenance thereto is part of a subdivision application, the plans must be submitted to the Fire Marshal for review and written approval. Evidence of approval shall be submitted to the Commission as part of the subdivision application. The applicant shall identify the person or organization responsible for all maintenance of water supply facilities. All underground storage tanks shall have a minimum capacity of 20,000 gallons, and their design, location and capacities shall be approved by both the Clinton Fire Department and the Fire Marshal. Such required water sources shall be installed at the expense of the developer and the cost of such shall be included within any security which is posted with the Commission under Section 3.11. Such water sources are to be installed prior to the issuance of any Certificate of Occupancy on new dwellings within the subdivision.

The applicant shall submit legal documentation providing the named title holder of said fire pond, together with provisions for the legal access to said fire pond by the Town of Clinton and its respective fire department. The documentations shall also provide for the legal maintenance of said fire pond, which documentation shall further provide for liability coverage in favor of the Town of Clinton, which documentation shall be approved by the Commission's counsel.

- 5.14 Utilities: New electric, telephone and cable television wires within a subdivision shall be installed in the right-of-way of any new street and shall be installed underground unless the Commission determines, based on a written report submitted by the applicant and by the appropriate utility provider, that such underground installation is inappropriate or unfeasible for all or part of the subdivision. Wherever possible, underground utility facilities shall not be located under street pavement. Requirements for underground wires shall be noted on the subdivision plan. In making such a determination, the Commission shall take into account the following:
- (a) the type of service existing in the area adjacent to the subdivision;
  - (b) topographic and construction conditions; and
  - (c) the size of the subdivision.
- 5.15 Energy Efficiency: Pursuant to Section 8-25(b) of the Connecticut General Statutes, the applicant shall demonstrate to the Commission that in developing the subdivision plan, consideration has been given to the use on each lot of

passive solar energy techniques that would not significantly increase the cost of use and occupancy of the lot. Passive solar energy techniques are subdivision or site design techniques which a) maximize solar heat gain, minimize heat loss and enable thermal storage within buildings on each lot during the heating season and b) minimize heat gain and provide for natural ventilation during the cooling season.

5.16 Boundary Markers and Monuments: Monuments and pins shall be installed in accordance with the following requirements:

5.16.1 Permanent Monuments: Permanent monuments shall be installed at all points of change in direction or curvature of new streets along the line separating the street right-of-way and the adjoining property, and at other points as shown on the final plan, and where in the judgment of the Commission or the Town, permanent monuments are necessary. Monuments must be set so that they are visible one from another or as specified in this section, which ever is less. No permanent monuments shall be installed until all construction which could destroy or disturb the monuments has been completed. In the event that any monument is destroyed or disturbed during construction of subdivision improvements, the monument shall be replaced or repositioned prior to release of the subdivision construction bond.

- (a) Monuments shall be of reinforced concrete 30" in length and 4" square at the top and shall contain a cross or other measuring point in the top center. Monuments shall be set 28" in the ground after all project grading has been completed. If ledge, large boulders or stone walls are encountered, a brass plug 1/2" by 3" shall be set in the ledge and secured with a Portland Cement mortar. PIPE MARKERS ARE NOT ACCEPTABLE in order to satisfy this requirement.
- (b) Monuments shall be set on street right-of-way lines at beginnings and ends of all curves and rounding all changes in alignment. Additional monuments shall be installed in sufficient number so that at no point will the distance between monuments, on the same side of the road, exceed 500 feet.
- (c) All lot corners shall be marked by monuments as described in (a) above. This is to be done after the final approval of the Record Subdivision Map by the Commission. Until the accurate placement and location of such lot monuments are certified by the developer's Land Surveyor and are on the site, no Zoning Permit, Building Permit or Certificate of Occupancy shall be issued. A lot corner that may occur in wetlands or where monument installation is not

feasible shall be triangulated by such means as shall be determined by the Land Surveyor.

- 5.16.2 Lot Markers: Permanent monuments as described above shall be installed at all lot corners. At other points of change in direction along property lines, the applicant shall have a choice of drill holes or permanent monuments. During construction, it is permissible to use temporary surveyor's stakes to delineate boundaries.
- 5.16.3 Open Space Markers: Monuments shall be installed at all corners and at intervals no greater than 200 feet along the boundaries of all open space parcels. Rights-of-way to open space parcels which are 50 feet in width or less shall be marked at intervals no greater than 100 feet.
- 5.16.4 Driveway Access Markers: Driveway access strips for all rear lots shall be marked with monuments on both sides at intervals of not more than 100 feet for the length of the access strip.
- 5.16.5 Certification of Installation: The accurate placement and location of markers and monuments shall be certified by a land surveyor and the cost of such shall be included in the construction bond. In subdivisions where property markers are the only "improvement", the applicant may choose to have the markers installed prior to filing the subdivision plan in lieu of posting a security for marker installation.
- 5.17 Required Easements: Easements for access to and use of land outside a street right-of-way shall be provided as required or approved by the Commission, and shall be shown on the subdivision map with adequate survey information so that the land subject to easement may be accurately located by field survey and adequately described in all legal documents. Easement shall be provided in at least the following cases:
- (a) For access to bridges and culverts by construction and maintenance equipment;
  - (b) For storm water pipes and other drainage features, water mains and sanitary sewers and appurtenances shown on the plan, or which may need to be installed in the future, such easements to be not less than 30 feet in width;
  - (c) For the full width of the channel, plus an additional width of ten feet for maintenance purposes, of any stream or drainage ditch in the subdivision which will carry drainage runoff from any proposed street, existing street or streets which may be constructed in the future on the undeveloped land within the watershed;

- (d) Easements for temporary turnarounds;
- (e) Temporary construction easements for grading and other construction work in the front 25 feet of each lot along a proposed street where such grading is required;
- (f) Sight easements across corners of lots at intersections or other places where viewing is obstructed, to assure safe line of sight on the street;
- (g) Easements at least 10 feet in width for pedestrian ways to parks, playgrounds, schools and other public or semi-public places where the street system does not conform to a convenient pattern of pedestrian circulation;
- (h) For shared driveways in accordance with Section 5.9; and
- (i) For preservation and protection of swamps, marshes (tidal and inland), floodplains and other natural features the Commission deems sensitive;
- (j) Any other easements required under the Town's Design and Construction Standards, as may be amended.