

SECTION THREE - GENERAL PROVISIONS

3-01 FAMILIARIZATION OF LOCAL RULES AND REGULATIONS

Before preparing a preliminary plan, the subdivider shall familiarize himself with the provisions of these regulations, the Zoning Regulations and map, the specifications and/or the administrative orders setting forth requirements of street layout and construction, and for improvement of adverse geophysical conditions, and the official street map for the area in which the proposed subdivision is located.

3-02 STREET RIGHTS-OF-WAY

Street rights-of-way, street grades, cross sections and improvements shall be in accordance with the street specifications of the Town of Southington and the standard design layouts per Section Four¹ herein.

3-03 PERMANENT CUL DE SACS - MAXIMUM LENGTH

Dead-end or cul-de-sac streets shall not, in general, exceed six hundred (600) feet in length in the R-12 or R-20/25 zone or one thousand (1000) feet in the R-40 or R-80 zones, and shall be constructed in accordance with the appropriate street specifications and/or administrative order and the standard design layout. The Commission may, by simple majority vote, require the establishment of a permanent cul-de-sac street where the future extension of such roadway to adjoining property is not feasible or impractical due to severe topography, wetlands, floodplain or public open space holdings.

3-04 TEMPORARY CUL DE SAC

If adjacent property is undeveloped and future continuation of the proposed street is necessary for convenient movement of traffic representing the best overall traffic pattern, the cul-de-sac shall extend to the abutting property lines. Reserved strips of land shall not be left between the end of a proposed street and an adjacent piece of property.

3-05 LOT SIZES AND GEOGRAPHY²

3-05.1 The area, shape and frontage of proposed lots shall conform to the Zoning Regulations of the Town of Southington, and the dimensions, shape, orientation and ground conditions of each lot or parcel shall be conducive to its maximum usefulness.³

3-05.2 Land of such geophysical nature that, in its present state, cannot be safely used for building purposes because of exceptional danger to the health, peril from fire or flood, or other conditions

¹ Revised, SA #19, effective 9/8/07

² Revised, SA #19, effective 9/8/07

³ Revised, SA #19, effective 9/8/07

such as brook protection requirements, difficult drainage, inaccessibility, floodplain lands, erosion protection requirements, steep sloping topography or inland wetlands, or high groundwater level shall not be approved for residential subdivision, or for such other uses as may increase danger to health, life or property or aggravate the flood hazard unless the Commission is satisfied that the proposed engineering for treatment of the site will eliminate such hazards.¹

- 3-05.3 The Commission may impose reasonable and necessary conditions in connection with the approval of subdivision plans to protect public health, safety and general welfare and protect property from threat of flooding.²
- 3-05.4 Where it is necessary to drain a public highway across lands included in the subdivision, the plans shall provide an easement and unrestricted right for the discharge of water in favor of the Town of Southington. The location of such easements shall be satisfactory to the Commission and town staff.
- 3-05.5 Where it is necessary to place public utility lines across the lands comprising the subdivision, or on lands not contained in the subdivision, the developer shall provide easements in favor of the Town of Southington on said lands.
- 3-05.6 Where it is necessary to discharge water from a public right of way across private lands not included in the subdivision, the developer shall obtain from the owners of said private lands an agreement which grants to the Town of Southington an unrestricted right to permanently discharge water across said lands, and shall submit copies of said agreements at the time of application for subdivision plan approval.
- 3-05.7 All utility easements shall be not less than twenty (20) feet wide for a single utility and not less than 30 feet wide for up to two co-existing utilities, and shall be marked with an iron or steel stake in the same manner as property lines.

3-06 PRIVATE WATER AND SEPTIC SYSTEMS³

In any application for subdivision where both public water supply and public sewage system are not available, a potable, adequate, and dependable water supply shall be provided for every lot. Applicant shall be required to install a private potable water supply well in accordance with all Connecticut statutory and regulatory requirements and obtain approval of the well for quality and quantity from the Town Health Director or his designee for each proposed lot prior to the Zoning Enforcement Officer issuing a zoning permit under the building permit application process.⁴

3-07 ON-SITE SEPTIC SYSTEM

Any subdivision of land for which public sewage system is not available shall be subject to the following requirements for soil investigation:

¹ Revised, SA #19, effective 9/8/07

² 3-05.3 – 3.05.7--New, SA #19, effective 9/8/07

³ Revised, SA #27, effective 8/1/19

⁴ New, SA #17, effective 4/26/07

- 3-07.1** In reviewing subdivision plans, two percolation test holes per lot (one in primary and one in reserve area) shall be required and shall be taken at or below the probable level of the proposed disposal system. The results of such tests will be listed in tabular form by lots and made part of the final plot plan.¹
- 3-07.2** In investigating soil conditions, observation pits shall be required for each lot to check for groundwater, ledge rock, or available good seepage soil below normal depths. The number of observation pits shall be sufficient to prove septic system feasibility. Additional observation pits shall be necessary to comply with the technical standards of the Public Health Code.²
- 3-07.3** All seepage test data shall be certified by a licensed engineer. Said data shall contain a statement by the Engineer that, in his professional opinion, the area is suitable for the installation of individual sanitary systems of the general type and size described in the report. Any special condition shall be included. In addition, the location of all percolation and deep test holes shall be accurately shown on the Subdivision Plan, staked in the field, and shall be located at the proposed area of the primary system.
- 3-07.4** Soils must have an acceptable percolation rate without interference from groundwater, hardpan, bedrock or other impervious strata below the level of the absorption system. The technical standards for determining acceptance will be the Public Health Code of the State of Connecticut as amended. Unless these conditions are satisfied, the area is unsuitable for subsurface sewage disposal systems in a subdivision and shall not be acceptable as a building lot.

3-08 HIGH TENSION POWER LINES/HIGH PRESSURE PIPELINES

Where there exists any surface or underground utility, such as high pressure pipelines, power lines or main lines for water and sewage, the plot plan shall indicate by center line and all other data available from the utility company the exact location of such facilities and the area of the easement or right-of-way.

To lessen the hazard of such pipe or power lines, the subdivider shall comply with the conditions and requirements of the respective charters, ordinances, and/or specifications of the public or private utility owning the particular rights-of-way. Such subdivisions shall also meet the following special conditions.

- 3-08.1** Streets passing directly beneath high tension power lines or across easements shall run, as nearly as possible, at right angles to the power lines and in no case shall make an angle of less than 60 degrees with the power line easement.
- 3-08.2** Subdivisions shall be designed so as to best minimize the encroachment of an

¹ revised, SA #19, effective 9/8/07

² revised, SA #19, effective 9/8/07

easement on the lots within the subdivisions.

- 3-08.3** Septic disposal fields, septic tanks and all appurtenances shall be on the same side of the easement as the building they will serve, unless waived by the Commission.

3-09 APPLICABILITY TO THE ZONING REGULATIONS

- 3-09.1** The regulations and rules controlling the subdivision of land are to include not only the dividing-up of presently recorded units of land for the purpose of residential use, but also for the use of business, industrial, and all special permit and special exception uses as listed in the Zoning Regulations of the Town of Southington as amended.
- 3-09.2** The requirements indicating the density of families per allotted acre of land set forth in the Zoning Regulations and Zoning Map shall govern as the major requirements for the different residential sections to be developed under these regulations.

3-10 SUBDIVISIONS OF INDUSTRIALLY ZONED LAND

Subdivisions for industrial use of land shall be subject to the particular zoning requirements and the appropriate specifications covering industrial activities.

- 3-10.1** Applications for an industrial park subdivision shall include besides the requirements set forth in the Zoning Regulations the following:
- 3-10.1a** The whole industrial park district shall be surrounded by a safety belt, landscaped according to the appropriate specifications of the minimum width of fifty (50) feet disregarding the necessities for a particular kind or type of industrial activity, unless waived by the Commission.
- 3-01.1b** Industrial parks shall be erected only where adequate water supply for the necessary distribution of fire fighting facilities, such as hydrants, reservoirs, etc. are economically feasible.

3-11 SUBDIVISION LOTS ON EXISTING STREETS

- 3-11.1** Where no street lines have been established on an existing street, front property lines for subdivision lots shall not be closer than 25 feet from the center of the road or 50 feet from and parallel to an established street line on the opposite side of the street. The title to all land between the center of the road and the front property lines of the subdivision lots shall be dedicated to the Town of Southington in accordance with the legal requirements for such a procedure.
- 3-11.2** Where the Commission finds that an existing Town street abutting or giving access to the subdivision has a travelway that is insufficient in width, grade, alignment, surface and/or drainage to provide adequate access for the traffic to be generated by the

subdivision without undue hazards to vehicles and pedestrians, the plans for the subdivision shall include the necessary improvements as set forth by the Commission. The above conditions and necessary improvements shall pertain to that portion of the existing street abutting the subdivision only, or may extend said improvements to the entire existing street from the subdivision to a suitable Town street or State Highway as deemed necessary by the Commission.

3-11.3 Where the grade of the existing or proposed road will be materially higher or lower than the proposed lots fronting on it, the Commission may for reason of providing adequate sight distance on driveways, alleviating excessive or hazardous slope, or excessive run-off, require any lot or any part of such lot to be regraded as necessary to be in harmony with the road grade and/or provide slope rights in favor of the Town of Southington.¹

3-11.4 In any case where the finished grading of a lot fronting on an existing street will cause drainage problems in that street, the developer shall, at his expense, install drains in the street or make such other provision as may be necessary to correct the condition.

3-12 FRONTAGE ON IMPROVED STREETS

The area to be subdivided shall have sufficient frontage on an existing publicly traveled Town or State highway as required by the Zoning Regulations. If such existing publicly traveled highways have not been improved to the standards and specifications which are a part of these regulations, the Commission may require the developer to make certain improvements where necessary for drainage, safety, traffic or other reasons and shall grant to the Town permanent slope rights as deemed proper by the Commission.

3-13 ACCESS TO LOTS AND ADJOINING LAND

Land shall not be subdivided in such a manner as to prejudice the possibility of further subdivision of land or of the convenient subdivision of adjoining lands. The Commission shall require, at places where it deems it appropriate, that provision be made in the street layout of the Subdivision Plan for the reservation of easements for future street connections with future streets in adjoining properties. All streets which may be extended shall be designed, graded for construction, loamed and seeded to the subdivision boundary unless the commission approves a waiver for the construction of the connection. Easements for these future connections shall be given to the municipality as a condition of approval of the application and shall be verified by the Town Attorney. Slope rights for grading of such future streets shall be reserved in the deeds of all lots having frontage on areas reserved for future streets. Reservation of slope rights in favor of the Town shall also be shown on subdivision maps.²

3-14 BUSINESS/INDUSTRIAL DEVELOPMENTS UNDER DIFFERENT OWNERSHIP

¹ revised, SA #19, effective 9/8/07

² revised, SA #19, effective 9/8/07

If a business, industrial or other special development is intended to be portioned up into parts under different property ownerships at the time of the application, a statement signed by all owners, binding them as well as the future owners, successors and/or heirs, certified by a public notary, shall be required as a part of the application for approval. This statement shall be binding for all present owners of parts, their heirs, and successors, for all future owners of parts to extend the right of servicing of each portion and/or single establishment over their own land holdings in reciprocity.

3-15 ENVIRONMENTAL ASSESSMENT STUDY

A Phase One (1) environmental assessment study, conducted in accordance with standards set forth by the American Society For Testing of materials (ASTM), shall be required for all subdivision applications involving the conveyance of any land by deed to the Town of Southington. Such study shall be certified to the Town of Southington and shall contain current and relevant information concerning the on-site presence of any environmentally hazardous material. The Commission shall not acquire by deed, any land as part of a subdivision, unless such an assessment study provides evidence that the land under consideration is uncontaminated and/or free of hazardous material.

3-16 CERTIFICATE OF TITLE

A Certificate of Title, signed by an attorney licensed to practice in the State of Connecticut, shall certify that the grantor of any land and/or easement to be deeded to the town is the party of executing such conveyance.

3-17 PROTECTION OF NATURAL RESOURCES AND PHYSICAL ATTRIBUTES¹

Purpose: The following provisions are intended to protect environmentally sensitive land, encourage sustainable development and promote the design and creation of safe and suitable building lots.

3-17a. All subdivision applications for residentially zoned property shall provide information relating to the existing natural and physical condition of the land by clearly identifying on the topographic map the following:

1. inland wetlands
2. natural slopes, the average of which over 100 feet of distance exceed 25%,
3. ponds, lakes and perennial watercourses
4. flood plains
5. special flood hazard areas as defined by FEMA, and
6. Utility Right of Ways.

Subdivision applications shall clearly specify the land area in square feet of each of the features noted above both as total areas, and on each proposed lot. For the purposes of determining minimum lot areas

¹ new, SA #17, effective 6/2/07

only the total area of land comprised of one the features listed in Section 3-17a above shall be discounted using the following multipliers prior to calculating lot areas. (land areas identified as having more than one feature shall be subject to the larger or more stringent lot area multiplier).

NATURAL RESOURCE AREA	LOT AREA MULTIPLIER (%)*
Inland wetlands as field mapped by a certified soil scientist or as delineated on the Town of Southington Inland Wetlands Map	0.25
Natural slopes, the average of which over 100 feet of distance, exceed 25%	0.25
Areas of special flood hazard as determined by FEMA; Floodplains	0.25
Ponds, lakes and perennial watercourses	0.15
Utility Right of Ways	0.50**

* The lot area multiplier represents the amount of the natural resource area to be used towards the density calculation of a development.

** Except for utility easements located in the side yards.

3-18 MINIMUM BUILDABLE SQUARE REQUIREMENTS¹

All residential lots created by subdivision shall contain an area of land forming a geometric square. The length of each boundary line forming the minimum square shall be as follows:

Zoning District	Minimum Length of Each Boundary Line Forming Square (feet)
R-80	150
R-40	125
R-20/25	80
R-12	70
R-12 Multifamily	70
R-O	70
R-HD	65

3-19 REQUIREMENTS TO IDENTIFY NON-ACCEPTED STREETS²

Prior to the issuance of zoning permits for residential subdivisions the developers shall post a durable, weatherproof sign at each access to the property stating “Road has not been accepted by the Town of Southington. For questions regarding snow removal and other services contact (insert developer name and phone number here)”.

A current valid contact name and number must be provided and must be legible.

¹ new, SA #17, effective 6/2/07

² new, SA #20, effective 3/22/08