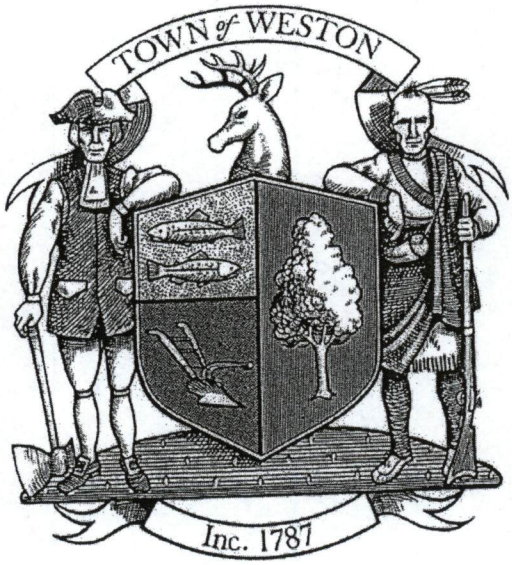

SUBDIVISION REGULATIONS FOR THE TOWN OF WESTON

Effective Date: September 1, 1984
As Amended to September 23, 2011

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PREAMBLE

The Town of Weston, Connecticut is a rural residential community comprising 13,626 acres. This land presently supports approximately 3,025 households with domestic water and sewage disposal systems, and may be a future source of public drinking water for other communities.

Much of the available, undeveloped land poses problems for development and for on-site sewage disposal. Major technical studies and adopted public policies concur on the necessity of preventing the overintensive development of Weston's fragile land and water area. (Amended 3/16/87)

ARTICLE I

AUTHORITY AND PURPOSE

1.1 Authority

In accordance with authority granted by the General Statutes of Connecticut, Sections 8-25 et seq., section 8-2b and other relevant sections, the following regulations are hereby adopted as the amended Subdivision Regulations of the Town of Weston.

1.2 Purpose

1.2.1. In order to more fully protect the health and safety of the community, the Commission recognizes the need to:

a. Prevent contamination of drinking water sources.
b. Provide flood management measures where needed.
c. Control erosion and sedimentation.
d. Encourage energy-efficient development.
e. Preserve open space and plan for future recreational needs.
f. Develop a safe and convenient system for traffic and emergency service needs.

1.3 Applicability of Regulations

1.3.1. These regulations govern the subdivision and resubdivision of land within the Town of Weston pursuant to the provisions of the General Statutes as amended.

1.3.2. No subdivision or resubdivision of land shall be made and no land in any subdivision or resubdivision proposed to the Commission shall be conveyed until a subdivision plan has been prepared in accordance with these regulations and formally endorsed with approval by the Weston Planning & Zoning Commission. For regulation of construction and land alteration see 2.2.

1.3.3. In the event of a conflict between any provision of these regulations and any other code, ordinance or regulation of the Town of Weston, the more restrictive provision shall be deemed to apply.

1.4 Separability

Should any article, section or provision of these regulations, as contained herein or as hereafter amended, be ad-judged by a court of competent jurisdiction to be invalid or unconstitutional, the adjudication shall pertain only to the article, section or provision so adjudged, and the remainder of the regulations shall remain valid and effective.

1.5 Effective Date

These regulations, and all amendments thereto, shall become effective at such time as may be established by the Commission in accordance with the requirements of the General Statutes.

ARTICLE II

APPLICATION PROCEDURES

2.1 Complete Application Required

2.1.1. An application for subdivision or resubdivision shall not be accepted for consideration and action until the Commission has verified that all data required by these Regulations have been submitted in proper form. Data necessary for consideration are listed in 2.4.1 to 2.4.l2k. Further data necessary for approval are listed in 2.4.121 to 2.4.19.

2.1.2. A determination by the Commission that a pending application is deficient in prescribed data shall be cause for non-consideration of the application. In the event of non-consideration, the Commission shall state its reasons in writing and refund the application fee.

2.2 Unauthorized Construction

2.2.1. No land clearing, regrading, excavation, or construction of facilities which may affect the arrangement of streets or lots shall be done on a proposed subdivision site until the final subdivision plan has been approved by the Commission. The installation of test pits and necessary clearing for surveying shall be exceptions to this rule.

2.2.2. Any unauthorized site work commenced after submission of a subdivision plan, shall be considered cause for immediate denial.

2.3 Preliminary Discussion

2.3.1. To provide helpful guidelines to applicants, informal discussion of subdivision plans is strongly recommended.

2.3.2. It is suggested that each applicant submit for advance review by the Commission a preliminary subdivision proposal. Such preliminary proposal shall be a tentative proposal only, for the sole purpose of clarifying and guiding the design of the subdivision plan to be later submitted as an application.

2.3.3. The Commission recommends that the preliminary proposal be based on an accurate survey of the property, at a scale suitable for the eventual subdivision plan, and prepared by a registered engineer or land surveyor. The following data should be shown in map form, or included at the same scale as attachments:

a. Map showing the location of the subdivision in the Town.

b. Scale of plan, compass points, names and addresses of owner(s), developer, engineer and surveyor. Reference by note to previous subdivision plans or survey maps filed in Town land records, by file map number and file date.

c. Tentative layout of lots, with lot numbers, area of each lot and parcel in acres, and total acreage of subdivision.

d. Accurate boundaries of the property, the approximate area, dimensions and location of all other land belonging to the- owner or developer located adjacent to and across the street from the proposed subdivision, the names of the owners of record of adjacent properties and properties across the road, and any easements, deed restrictions, rights-of-way and other limitations affecting the property.

e. Location and names of existing roads, location and layout of all proposed roads, and their relation to recommended roads shown on Town Plan of Development and the Weston Roads Analysis.

f. Proposed open space reservations.

g. A general plan for proposed storm drainage and retention facilities.

2.4. Content of Subdivision Application

The following materials shall be submitted with the application for the application to be considered by the Commission:

2.4.1. An Application form, furnished by the Commission, properly completed and signed by the owner(s) of the property. If owner(s) are to be represented by others, a letter authorizing such representation, signed by the owner(s), shall accompany the application;

2.4.2. The fee for each application as prescribed by the General Statutes, payable to the Town of Weston;

2.4.3. For all subdivision applications which will require a public hearing (See 2.6.4.), a list of the correct names and addresses of all owners of record of adjacent properties and properties across the road(s), with the stamped addressed envelopes to be sent to them.

2.4.4. Map of natural features and existing site conditions, prepared by a professional engineer or surveyor, at a scale identical to the proposed subdivision plan, delineating the following information where applicable:

a. Topography from field, aerial or partial survey referenced to the Aerial Survey Maps prepared for the Town of Weston dated September, 1981, at a contour interval of five feet or less, except at contour intervals of two (2) feet where said land lies within wetlands or floodplains.

b. Drainage basin divides, locating the watersheds of all perennial streams and all significant intermittent streams and drainage courses and including on-site survey locations of all wetland boundaries;

c. Flood plains, showing the boundaries of the floodway and the boundaries of the "100 Year Flood Hazard Area," as mapped for the Town's flood insurance program. The extent of any disagreement between the aerial survey maps prepared for the Town of Weston dates September, 1981 and the Federal Flood Map Data, as amended, should be identified.

d. Stratified drift aquifers underlying the site; "The Water-Resources Inventory of Connecticut 14, South Western Coastal River Basins."

e. Protection Zones and Critical Planning Units, as such areas are designated in the Weston Environ-mental Resources Manual;

f. Property boundaries of the site, and streams, ponds, marshes, ledges, trails, roads, driveways, stone walls, fence lines, dams, buildings and other structures, wells and septic systems, drainage pipes and structures, and any area, structure or feature designated by the Conservation Commission or the Historic District Commission for

special protection;

g. A locus accurately drawn to determine the location of the subdivision in the Town;

h. Areas adjacent to a proposed subdivision shall be mapped within 200 feet of the boundaries of a site smaller than 10 acres, within 300 feet of a site between 10 and 25 acres, and within 500 feet of a larger site. Data to be included, where available, shall include ponds, wetlands, floodplains, streams, well fields, septic areas, roads, drive ways, and constructed drainage systems (noting pip sizes). Data shall be compiled from available Town and Westport-Weston Health District maps. A note on the map shall identify this data as having been compiled from other maps and not from direct survey.

2.4.5. Written report from developer on suitability of proposed sewage disposal systems for each lot, including written recommendations of the District Health Director. (Amended 3/16/87)

2.4.6. Construction Plans for new roads, changes in existing roads, construction or reconstruction of drainage systems or other structures.

a. The design of roadways, drainage systems, structures and other constructed facilities shall conform to all requirements of the Standard Specifications for Subdivision Road Construction, and of these Regulations.

b. In addition to meeting the requirements of Section 2.5, the construction plan shall show the accurate location, layout and necessary construction details of the following:

1) Proposed new roads and reconstruction of existing roads:

a) a coordinated plan map and profile drawing shall show existing topography (two foot contour intervals or less), right-of-way dimensions, proposed roadway centerline elevations with stations every fifty (501) feet, proposed pavement area, necessary horizontal and vertical curve data, sightlines, and percent grade on all finished surfaces;

b) Proposed pedestrian walk-ways, bus stop areas, driveway aprons, and utility facilities shall be shown.

2) Plan-profile maps shall also show the entire proposed drainage system, including drainage easements, curbs, porous shoulders, ditches and swales, catch basins, manholes, culverts, pipes,

discharge channels, weirs, retention basins and the like with notes identifying all drainageway slopes, pipe sizes, spillway and invert elevations.

3) Typical cross sections of all roads and open drainage channels, showing construction details of sub-base, base and top course methods of stabilizing all slopes. Individual cross sections showing centerline, paved area, . shoulders, curbs, drainage ways, ~op and toe of all slopes, pipes and other structures, pedestrian ways (if any), rights-of-way and slope easement boundary areas, shall be provided at stations every 100 feet or less wherever linear grades exceed 5%, or wherever cuts or fills exceed the right of way, or require retaining structures.

4) Detailed plans for construction at proposed intersections with existing roads, including existing and proposed grades, curblines, centerlines, right-of-way area on both sides of road, required sight-lines~ paved area and all data specified in I through 3 above. Plan area shall include all of the existing road within required sight-line distances.

5) Detailed drawings indicating dimensions, types of materials and construction details for all proposed structures and constructed facilities (wherever planned or required), including bridges, culverts, retaining walls, drainage swales, retention basins, ponds, dams and spillways, side-walks, curbs, manholes and catch basins, fences and guide rails, fire hydrants, shelters, utility stations, water and sewer systems, signs and street lights.

6) Proposed water supply and sanitary sewer systems.

2.4.7. Erosion control and stormwater retention plan showing all areas of earth disturbance, reconstructed land contours, and measures to be carried out to implement the requirements of 3.12, together with required engineer's report and runoff calculations.

a. Planned control measures to achieve zero increase in volume and rate of peak storm runoff, to minimize erosion and siltation during construction, and to prevent long term soil erosion and deposition of sediment in watercourses, wetlands and other low lands (in accordance with Inland Wetland Regulations) shall be noted.

2.4.8. A statement to the effect that stakes have been accurately placed in the field to assist the Commission's on-site inspection, marked as follows:
--orange, with station numbers, every 50 feet along the centerline of proposed roads and common driveways,

--blue, at corners of proposed septic and reserve areas,
--yellow, with lot number marking approximate house site location and, if requested by the Commission,
--red, marking edges of wetlands, flood plains or other areas of concern.

2.4.9. Written authority for the Commission or its agents to walk the property for purposes of inspection.

2.4.10. Confirmation of applications to Conservation Commission, Zoning Board of Appeals, Westport-Weston Health District, and for public utility service authorizations.

2.4.11. For all subdivision plans proposing construction in, or disturbance of land with such special natural characteristics for development, (See 3.2.) a lot development plan showing where such activity is proposed and what kind of activity is proposed.

2.4.12. Subdivision Plan Map showing:

a. The name of the subdivision and the full extent of all lots and other parcels composing the subdivision tract, with accurate distances and bearings of all boundary lines and proposed lot lines, and the area of each separate lot or parcel, in acres (nearest hundredth);

b. The subdivision plan map shall show the approximate area, dimensions, and location of all other land completely or partially owned by either the applicant, the developer or the owner of the area proposed for subdivision located contiguous to or across the street from the proposed subdivision. (Amended 11/12/87)

c. Existing structures and significant natural or manmade features, where such items have not been presented on a map of natural features. Structures and features to be mapped shall include those which are proposed to remain on the subdivision tract and those within the stipulated distances in section 2.4.4.h., the latter to be compiled from Town and WWHD maps and not by direct survey.

d. The names, location and layout of existing and proposed roads, with their relationship to the Town Plan of Development and the Weston Roads Analysis, and easements and rights-of-way with notes as to their purpose. Accurate distances and bearings, arc lengths and radii of all curves shall be included.

e. Location and acreage of proposed open space parcels.

f. Minimum rectangle establishing required lot width, depth and building

area, and minimum road frontage stated as a total dimension from its component segments, each in full conformity with the Town Zoning Regulations;

g. Proposed wetland and slope encroachment lines and boundaries of other areas to be excluded from development;

h. Proposed location for driveway for each lot;

i. A note providing that all electric and telephone lines shall be placed underground;

j. Notes and references which specifically describe:

1) Previous subdivisions or survey map(s) filed in the Town land records, by map file number and date;

2) Zoning districts if any (with boundaries shown if they intersect property);

3) Existing deed restrictions, easements, covenants and other legal limitations affecting all of the property, or any portions thereof as delineated on the plan map, and filed in the land records.

k. Map showing the location of the subdivision in the Town.

The following items are necessary for approval but need not accompany the application:

l. Accurate location and description of existing and required monuments.

1) Permanent monuments shall be placed no more than 500 feet apart on roads at all angle points, points of curve, and points of tangency, and spaced to be within sight of one another along lines entirely within the road right-of-way.

2) Monuments shall be installed at all intersections of lot boundary lines, and as necessary to mark all easements.

3) The locations of major changes in the directions of lot lines shall be indicated by monuments.

4) Stone walls, ledge rock, trees or other topographical features shall not be substituted for monuments. Where any such feature prevents proper installation of a required monument, that monument shall be installed offset from its proper location, and the accurate distances of offset shall be shown on the plan. Monuments shall be

set with accurate reference to a permanently identifiable fixed point, or to the Connecticut Coordinate System.

5) Monuments for all roads, drainage easements, and open space parcels shall be of stone or good reinforced concrete, not less than four (4) inches square and three and one-half (3 1/2) feet long, with centers clearly marked; other monuments may be of suitable permanent materials approved by the Town Engineer. Each monument shall be installed so that it rises no more than three (3) inches above finished grade and does not form an obstruction.

6) All monuments shall be set by a registered surveyor.

m. A note which lists each of the supplementary plans required by the Commission.

n. Utility lines

1) where reconstruction or relocation of existing utility lines is required by a proposed subdivision plan, the rebuilt lines shall be placed underground prior to the conveyance of any lot in the subdivision or completion of the proposed subdivision road, whichever comes first;

2) any line installed in a location not shown on the plan because of field conditions, shall be shown on an as-built plan submitted to the Commission before release of bond.

2.4.13. Required permits or written comments as to acceptability of the proposed plan, from non local regulatory authorities which exercise legal jurisdiction over any aspect of the proposed subdivision, such as adjacent towns or the South Western Regional Planning Agency (SWRPA).

a. Whenever a proposed subdivision includes land in another municipality, the Commission shall, before approving such subdivision, submit it to SWRPA for review. Written comments from Planning and Zoning Commissions or other agencies in any other town involved in the subdivision should also be on file to be considered.

b. If, within thirty (30) days after transmittal, a report is not received from the South Western Regional Planning Agency, it shall be presumed that such agency approves of the proposed subdivision.

2.4.14. Copies of required wetland or watercourse permits from the Weston Conservation Commission along with any conditions of approval which should be shown on the final map and any other relevant supporting

materials.

2.4.15. Copies of variances pertaining to the subdivision that have been granted by the Zoning Board of Appeals, and copies of special permits pertaining to the subdivision granted by the Zoning Board of Appeals (prior to 2/1/84) or the Planning and Zoning Commission.

2.4.16. A letter or written authorization from each public utility company whose facilities will be connected to the subdivision, agreeing to make such installations within the time authorized by the Commission for completion of required construction work.

2.4.17. Proposed conveyance agreements, in legal form acceptable to, or prescribed by the Town for all public parcels including:

a. easements for storm drainage, utilities, sightlines, slope access, and conservation purposes;

b. easements or title to open space parcels;

c. fee title to roadways (contingent on acceptance by the Town).

2.4.18. Proposed conveyance agreements, ownership and maintenance covenants covering private open space parcels and other private reservations and commonly owned parcels.

2.4.19. A comprehensive cost estimate, in itemized detail, prepared by the developer's engineer in consultation with and in the form prescribed by the Town Engineer for all construction work and other improvements which will be required of the developer in order to complete the subdivision plan as shown (This will include such improvements as roads, bridges, culverts, weirs, retaining walls and fences, storm drainage facilities, retention ponds, community water supply and sewage disposal systems, land contouring and planting, monuments, etc.).

2.4.20 Statements from the Fire Marshall and the Chief of Police that there are adequate accesses for emergency vehicles and that proposed roads are safe. (Added 3/16/87)

2.5 Map Standards

2.5.1. All maps and plans required to be submitted as part of the subdivision application shall be:

a. Based on an accurate survey of the property, which meets "Class A-2" criteria of the Connecticut Technical Council, Inc. Survey Maps shall

bear the seal certifying that the data are "substantially correct" in accordance with the cited criteria. Other map sheets drawn from the survey map shall be signed or sealed by the maker with the proper reference to the original or revised survey map;

b. Prepared with permanent ink on a stable mylar film (3 mil minimum, 24 inch by 36 inch sheets or 12 inch by 18 inch) which meets criteria for filing in the Town land records, and is also suitable for whiteprint reproduction;

c. Signed and marked with the seal of the professional engineer registered in Connecticut who was responsible for the design of all planned improvements (i.e.: roads, streets, drainage systems, water supply and distribution systems, sewage disposal systems, ponds and retention basins, dams and retaining walls, culverts, storm sewers and other structures);

d. Drawn to the largest practicable decimal scale but not larger than one (1) inch equals 40 feet, nor smaller than one (1) inch equals 100 feet for map data. Construction details may be larger as required, and map data may extend to more than one sheet, provided accurate match-marks are shown.

e. Provided with: title, scale, North arrow, and date of preparation and submission; boundary lines and names of all roads; names of owners of adjacent property and property across the road, names of subdivision property owner(s), names of developers (if other than owner), names of those responsible for preparing the map or plan; Town and zone boundary lines where applicable; references in notes to related data, reports, source maps, easements, deed restrictions, and conditions of approval as required, and approval block with lines for Commission signature, date of approval and expiration date as prescribed by the General Statutes.

f. Furnished in quadruplicate. At least four (4) clear white-print copies of each map or plan, including all revisions, shall be furnished by the applicant at the time of submission of the application. A reasonable number of additional copies, when required by the Commission for review purposes, shall be submitted. All copies or maps shall be provided at the expense of the applicant.

2.6. Procedural steps Following Submission of Application

2.6.1. The subdivision application shall be submitted to the Planning and Zoning Commission for consideration at a regular meeting.

2.6.2. Within thirty (30) days, whichever is sooner, the Commission will determine whether the application has been submitted in proper form, or not, and accept the application for consideration, or advise the applicant that the application is incomplete and refuse to accept it.

2.6.3. Within ten (10) days of acceptance of the application for consideration, the Commission may refer a complete copy of all pertinent application maps, plans, reports and other materials to:

a. Board of Selectmen (Town Engineer),

b. Conservation Commission (Inland Wetland Agency), if application has not been submitted to them,

c. Southwestern Regional Planning Agency, or others where required by statute,

d. Other public agencies when the proposal falls within their jurisdiction,

e. Town boards or agencies as required by these regulations or deemed desirable by the Commission. Reports and recommendations received from these referrals shall become part of the record of the application.

2.6.4. A Public Hearing may be held on any .subdivision application and shall be held on all resubdivision applications and on subdivision applications for five (5) or more lots. Legal notice shall be published in accordance with the requirements of the General Statutes, and a copy furnished by ordinary first class mail to all adjacent property owners at the time of first publication. It shall be the responsibility of the applicant to furnish correct names and addresses of adjacent property owners and owners across the street from the subdivision, along with stamped addressed envelopes to be sent to them. Public Hearings shall be completed within thirty (30) days from the opening of the hearing. Extensions of this time limit are allowable, up to a total limit of thirty (30) days, if the application makes such a request to the Commission.

2.6.5. The Commission shall approve, or approve with conditions or disapprove the application, entering into the record its reasons for approval and disapproval, and .shall publish and communicate its decision as required by law. The Commission shall render its decision within sixty-five (65) days after the Public Hearing has been closed. Extensions of this time limit are allowable, up to a total limit of sixty-five (65) days if the applicant makes such a request to the Commission. Where no Public Hearing is to be held, the Commission must render its decision within Sixty-five (65) days after the subdivision application has been accepted for consideration. Extensions of this time limit are allowable, up to a total

limit of sixty-five (65) days if the applicant makes such a request to the Commission.

2.6.6. In instances where the Commission approves an application, with conditions it shall promptly advise the applicant of the required changes to the subdivision plan or other application documents.

2.6.7. No approval shall become effective, however, until the completion of the following:

a. Where a performance bond will be required, the Commission shall advise the applicant at this point of the monetary amount and particulars which must be guaranteed by said bond (refer to Section 4.6).

b. No application shall be considered approved or in final form for filing until the Commission determines that all conditions for approval have been completed in proper form, and that all final plans, bonds, grants, conveyances and easements required by its approval have been submitted in properly executed form. Such materials shall be submitted to the Commission's office prior to any regular meeting of the Commission scheduled within ninety (90) days after the Commission's decision. Extensions of this time limit are allowable, up to a total limit of one-hundred and eighty (180) days, if the applicant makes such a request to the Commission.

c. Upon determination that all submitted materials are in proper form, the Commission's signature of approval by the chairman or secretary, noting the statutory expiration date of approval, shall be affixed to the subdivision plan and the same released to the applicant for filing in the Town of Weston land records as required by law.

2.6.8. In Section IV, IMPLEMENTATION, the following steps are explained in detail: withdrawal of application, filing in land records, copies of filed maps to be submitted, inspection and installation grant, performance bond, construction scheduling and inspection and as-built plans.

ARTICLE III

Development Standards for Subdivisions

3.1 Character of Land

3.1.1. Land suitable for development shall be of such character that it can be used for building purposes without danger to health or to the public safety.

Every subdivision application shall demonstrate that land to be utilized for development will provide:

a. safe water supply and sewage disposal, in accordance with Westport-Weston Health District Regulations

b. stormwater and erosion control, as specified in Sec. 3.10.8. and 3.12.

c. convenient and safe access for service and emergency vehicles.

d. protection OF basic land and water resources.

3.2 Land with Special Natural Characteristics

3.2.1. The Commission will give special scrutiny to applications proposing development of land with any of the following natural characteristics:

a. Flood plains, as defined by the "Flood Boundary & Floodway Maps of the u.s. Department of Housing and Urban Development- (October 17, 1978); and including any subsequent revisions which may be made;

b. Slopes of twenty percent (20%) or greater as determined by accurate topographic survey at contour intervals of 5 feet or less;

c. Wetlands, wetland linkage areas; streams, marshes, bogs and swamps, and other water bodies;

d. Soil areas possessing "severe" or "very severe" limitations for homesite or on-site sewage disposal systems by soil types as classified by the Fairfield County Soil and Water Conservation District;

e. Direct or primary recharge areas of stratified drift aquifers;

f. Areas subject to unusual water or wind erosion due to unstable soil, excessive stream velocity, or lack of topsoil and vegetation;

g. Ledge rock, shallow soil areas, and extensive bedrock outcroppings;

h. Areas identified as Protection Zones and Critical Planning Units in the Weston Environmental Resources Manual, Maps 4 & 5;

i. Areas which are not accessible from a road capable of furnishing safe and convenient access for emergency services. (Amended 3/16/87)

3.3 Development of Land with Special Natural Characteristics (As listed in 3.2)

3.3.1. A subdivision application proposing development of any such land shall be:

a. Accompanies by a lot development plan which details where any such development is to take place and what type of development is proposed.

b. Designed so that no dwelling, structure, sewage or waste disposal system, septic reserve area, road, driveway or other impervious area requiring construction shall be located in flood plains, wetlands, or on major slopes unless approvals have been obtained as needed under the following regulations or plans:

Flood Plain Management Regulations (for development in Flood Plains); Inland Wetland Regulations (for development in wetlands or watercourses); Drainage and Erosion Control Plan; Town Driveway and other Ordinances where they specifically apply. Amended 11/13/08)

c. Planned to use reasonable care in the development of land with the special natural characteristics listen in 3.2. Where reasonable development alternatives exist on a site, the Commission may require that the subdivision plan be re-designed to accomplish this.

3.4 Exemption from the requirements of Section 3.3 above may be granted where the Commission finds that all land areas with any of the listed special natural characteristics:

3.4.1. Have been delineated on the map and excluded from the proposed development area, and

3.4.2. Are protected from development by a note on the map and by deed restriction providing that such areas shall remain permanently undisturbed in their natural condition, free from construction, regrading, paving and other significant alteration.

3.5 Basic Lot Standards

3.5.1. The layout of lots, roads and building areas shall be designed, where feasible, to preserve the significant natural features of the site, and to promote compliance with the passive solar objectives of Public Act 81-334.

3.5.2. Minimum lot areas and dimensions shall be as prescribed by the Weston Zoning Regulations.

3.5.3. Every subdivision lot shall accommodate its own:

a. House site and required rectangle;

b. Water supply well and protection area;

c. Sewage disposal system and reserve area;

d. Driveway and parking; (where the Commission finds such to be in the best interests of public safety or resource conservation, it may permit these facilities to be combined to serve more than one lot in accordance with the Zoning Regulations of the Town of Weston, an approved site development plan and an approved maintenance covenant).

3.5.4. Split Lots: A parcel or tract of land that is divided by a public or private road, a Major Watercourse, a public or private easement restricting development (other than a utility easement or a right of way) does not meet the Minimum Lot Area Requirements unless it contains at least two (2) contiguous acres of land. For purposes of this regulation, land is not contiguous if a public or private road, a Major Watercourse, a public or private easement restricting development, or a right of way divides it. This contiguity requirement applies even if the public or private road, Major Watercourse, public or private easement restricting development, or right of way and the parcel or tracts of land are in the same ownership. Construction on a lot that is subject to this section of the Minimum Area Requirement Regulation must take place on that section of the lot that contains the two contiguous acres of property. This regulation does not apply to passageways that serve as a second access to a parcel or tract of land and are dedicated exclusively to emergency access. For purposes of this Section, "Major Watercourse" shall mean the Saugatuck River, the Aspetuck River, the West Branch of the Saugatuck, and any non- seasonal branch or tributary thereof being more than two (2) feet wide at any point within the subject lot. (see CGS Section 8.26a) (Amended 5/18/06)

3.5.5. Odd-Shaped Lots: A Lot may not measure less than seventy-five (75) in width or depth at any point except where the measurement of the width or depth of the Lot at such point multiplied by three (3) is equal to or greater than the distance from such point to the point where the Lot boundary lines form a figure closed on three sides measured along a line running through the center of such portion of the Lot. An Access Way otherwise in compliance with these regulations shall not be a violation of this subsection. For example, a Lot which narrows to fifty (50) feet at a given

point must become a closed geometric figure within one hundred and fifty (150) feet of such point (*See Illustration #1*). A Lot which narrows to thirty (30) feet at a given point must become a closed geometric figure within ninety (90) feet of such point (See *Illustration #2*). (Amended 5/04/06)

Illustration #1

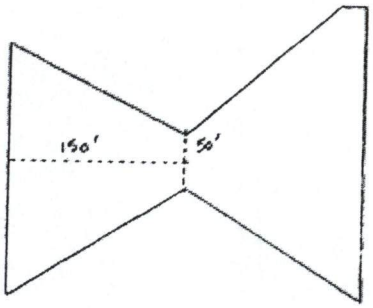
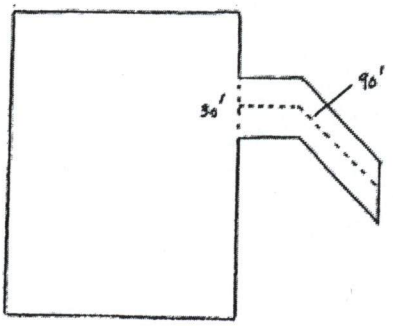


Illustration #2



3.6 Driveways

3.6.1. The driveway entrance and driveway construction for each lot shall conform with all requirements of State law and of the Town Driveway Ordinance, and the Commission may require that the proposed location be shown on the final subdivision plan.

3.6.2. Where a lot has frontage on both a major (or collector) road and a minor road, access driveways shall be taken only from the minor road unless the Commission determines that direct access from the major road is preferable for safety or environmental reasons. The Commission may require that driveway entrances be combined or otherwise controlled as necessary to assure safe traffic movement, and to afford proper separation of local and through traffic.

3.6.3. Within 40 feet of the centerline of the travelway of an intersecting road the maximum gradient of the driveway shall be three (3%) percent. Where necessary to avoid excessive regrading, where the driveway serves only one dwelling, the Commission may approve a driveway design as part of a lot development plan in which the driveway gradient is between 12% and 15% for not more than fifty (50) feet in length. No curve shall be allowed where the gradient exceeds 12%. The Commission may require fences and guide rails for safety along embankments and steep slopes.

3.6.4. Where a driveway must cross a flood plain, wetland, watercourse or drainage way, the lot development plan shall show a culvert or other structure approved by the Town Engineer as safe for accommodation of emergency vehicles, with sufficient hydraulic capacity for a fifty-year storm. No such crossing will be authorized without all approvals required

by the Inland Wetland Regulations, the Town Driveway Ordinance and the Flood Plain Management Regulations.

3.7 Rear Lots

3.7.1. Rear lots are only desirable where their use minimizes necessary road construction and environmental impact.

3.7.2. Each rear lot shall:

a. Conform with all requirements of the Zoning Regulations;

b. Have a travelway designed to safely accommodate emergency and service vehicles;

c. Have a right-of-way 25 feet in width to accommodate a travelway 12 feet in width where serving one (1) dwelling;

d. Have a right-of-way 30 feet in width to accommodate a travelway 16 feet in width where serving two (2) dwellings;

e. Have in both (d) and (d) above, space for necessary utility and drainage easements, and undeveloped space for planting and grade adjustments on each side between the travelway-easement areas and the property line;

f. Have an equitable allocation among benefiting property owners of the liability and maintenance responsibility for any common accessory.

3.8 Pedestrian and Bike Paths and Fire Ponds

3.8.1. The Commission may require the installation of graded pedestrian ways, or safe walking paths, along the right-of-way of any road which, because of width, curves, grades or traffic volume, presents severe hazards to pedestrians.

3.8.2. Bicycle paths and trails may also be required by the Commission in roadside or other appropriate right-of-way locations where it determines that they are needed for safety reasons.

3.8.3. Where the Commission deems it necessary, or is requested by the Fire Marshall, it may require a fire pond as appropriate for safety. Such pond may be required before any building construction shall commence in the subdivision. (Amended 3/16/87)

3.9 School Bus Stops

3.9.1. Where a subdivision road intersects a major {or collector} road, and at other locations deemed necessary by the Commission for reasons of safety, the subdivider shall reserve, grade and appropriately surface an area suitable for the safe accommodation of children awaiting school buses. Its design and location shall require Commission approval. The paved area shall be located on the road right-of-way near the curb line, comprising 100 to 200 square feet in area.

3.10 Roads

3.10.1. Safe Access:

Roads shall be designed for safe and access and for minimum disturbance of natural resources.

3.10.2. Existing Roads:

a. Where a subdivision fronts on any road section which has a right-of-way width, curve or intersection less than the standards specified in these Regulations, or requiring improvement as indicated in the Town Plan or Weston Road Analysis, the Commission may require the subdivider to annex to the right-Of-way by deed, an amount of land sufficient to correct the deficiency in accordance with standards of safe design.

3.10.3. Layout of Roads

a. Existing topography and significant natural features shall be preserved to the maximum degree consistent with public safety in the layout of new roads. Combinations of steep grades and curves shall be avoided. Roads shall be planned to provide a convenient system for prospective traffic needs, and to safely accommodate fire fighting, school bus, snow removal and other service vehicles.

b. Proposed roads shall be in harmony with existing and proposed thoroughfares shown in the adopted Town Plan of Development, including proposed realignments, and in the Weston Roads Analysis. Road layout and design shall be approved in each case by the Commission.

c. The Commission may require proposed roads to connect with adjacent roads or undeveloped property where it deems such connection desirable for safety, provision of utilities, or adequate future access.

Reserve strips which would prevent the extension of roads are prohibited.

3.10.4. Permanent Dead-end Roads

a. A permanent dead-end road may be approved where road continuity is not feasible. Such permanent dead-end road shall be limited to the shortest practicable length required to provide safe access to all lots, but in no case shall serve more than twelve (12) potential lots.

b. A dead-end or loop road shall only be laid out from another dead-end road when the total lots served by the total dead-end road system are limited to twelve.

c. Where it deems such action to be necessary in the public interest, the Commission may require that easements for utilities, pedestrian access, or drainage be provided between any dead-end road and adjacent property.

3.10.5. Temporary Dead-end Roads

a. A temporary dead-end road may be approved where the Commission determines that:

1) Future extension of the road would be feasible and desirable, considering topography, site conditions, and potential availability of adjacent land for development. The applicant shall grant to the owner of such adjacent property a perpetual right-of-way for ingress and egress over such temporary dead-end road in event of and subject to development of such adjacent property as an approved subdivision.

2) The eventual connection to distance from the original entrance locations and extension will complete a safe the road system at a reasonable distance from the original entrance locations; and

3) All property owners on or adjacent to the proposed extension have been notified of the proposal.

b. Temporary dead-end roads shall:

1) Be limited to a constructed total length of 1500 feet within the subdivision;

2) Serve no more than twelve (12) lots;

3) Terminate in a temporary turnaround located and improved as directed by the Commission;

4) Provide a monumented right-of-way and reservation;

5) Require building setbacks from future extensions equivalent to those required existing roads.

3.10.6. Turnarounds

a. All dead-end roads, both permanent and temporary, shall terminate in a turnaround of circular or other design approved by the Commission, having a minimum diameter or transverse width of right-of-way of 100 feet. Within the said turnaround there shall be a roadway suitable for vehicle turning purposes, with a maximum gradient of five (5) percent. Every permanent turnaround shall be constructed in accordance with the Standard Specifications for Subdivision Road Construction.

b. Plans incorporating temporary turnarounds shall provide, by appropriate notes, that:

1) Liability and maintenance responsibility for the temporary turnaround shall be clearly identified,

2) The reserved right-of-way for future road extension shall be conveyed to the Town of Weston. The Town shall be under no obligation to construct or maintain any improvements thereon, and may assign its rights for roadway development to others;

3) Whenever the road is extended, the temporary turnaround shall -be removed, and the area unused by the road area topsoiled and seeded by the future developer at his expense, and title to the released area shall revert to each abutting lot owner along the frontage of the released area.

3.10.7. Intersections

Special attention shall be given to the safe design of all road intersections. Intersections shall require design and construction to:

a. Be at least 800 feet from any other intersection with a major road, where feasible;

b. Be at least 500 feet from any other intersection with a minor road, where feasible,

c. Provide a 150 foot offset from an opposing driveway, where feasible;

d. Provide a sight-line along each intersecting roadway as specified in Section 3.10.13. Required sight-lines shall be shown on the construction plan, and corresponding sight line easements shall be established, with proper monuments as necessary, on the subdivision plan;

e. Provide a center line angle of horizontal intersection as close to ninety (90) degrees as possible, for at least fifty (50) feet from the intersected travel way. A perpendicular maximum deviation of not more than twenty degrees (70-110 interior angle) may be permitted when an increased pavement radius is provided inside the acute angle to prevent vehicle turning conflicts;

f. Prohibit an intersection with an existing road at any point where the existing road's gradient exceeds five (5) percent.

g. Provide a travel way gradient at centerline, for all new intersecting roads, not to exceed two (2) percent for the first fifty (50) feet.

h. Provide a right-of-way at each corner of the· intersection rounded to a minimum radius of twenty-five (25) feet, and sight-line easements provided as necessary to meet the requirements of Section 3.l0.7d above.

3.10.8. Drainage

a. Roads and driveways shall be designed so that there will be no discharge of storm drainage to the travel surface of an existing or proposed road, nor into the immediate upslope drainage area of a water supply well or sewage disposal system.

b. Surface drainage shall not be permitted to discharge directly to adjacent land without a drainage easement. All drainage easements shall be at least twenty (20) feet in width, and accurately shown on the subdivision plan.

c. Where a proposed road slopes down to an intersection, a low point shall be provided at least ten (10) feet back from the intersected road and catch basins provided to collect gutter flows.

d. Curbing shall be provided to control gutter flows on all roadways where a gradient of five (5) percent or greater occurs, and suitable erosion control measures shall be provided to stabilize shoulders on lesser gradients if so directed by the Commission.

e. Wherever possible, storm drainage from roads and driveways shall be accommodated in retention or detention basins for controlled and gradual release. All systems designed for the accommodation of stormwater runoff shall be required to meet the criteria for "Zero Incremental Runoff" and other standards prescribed in Section 3.12. No alteration of natural wetlands or watercourses shall be permitted without prior approval of the Conservation Commission where its jurisdiction applies as the Inland Wetlands Agency.

3.10.9. Right-of-way Protection

a. No land clearing, excavation, filling or regrading shall take place on any proposed road right-of-way in an unapproved subdivision (with the exception of clearing for test pits and surveying) without prior Commission approval.

b. Every road right-of-way, including bank slopes and driveway cuts and fills, shall be preserved in A stable, thoroughly planted condition. The Commission may require that construction avoid major trees and other significant natural features, and that such features be protected from the effects of construction by such devices as walls, barriers, retaining walls, and special erosion control measures.

c. Standard steel guide rail fencing or the equivalent, where required for safety, shall be shown on the plan and installed by the developer as directed by the Commission.

d. Where sight-line easements are shown on the subdivision plan, a note shall be added conferring on the Town or other holder of the right-of-way the right to clear, regrade and maintain said easements as necessary for safe visibility, or in conformity with specifications stated on the plan.

3.10.10. Road Names and Address Numbers

Road names shall be proposed by the developer and shall be approved by the Fire Marshal and Police Chief prior to submission to the Commission. Road names shall require approval by the Commission and shall not closely resemble any existing road name in Weston or its vicinity. A Town-standard sign bearing the name of the approved road shall be placed at each intersection. Such names shall be shown on the final subdivision plan. (Amended 3/16/87)

3.10.11. Utilities

All distribution and service lines for electric, telephone, gas, water, sanitary sewer and other facilities shall be installed underground in accordance with plans approved by the Commission, and shall be completed to the property line of each lot before final road paving. Significant installations serving more than one lot, such as pad-mounted transformers, pump stations, water standpipes, stormwater filtration basins, and the like shall be placed underground wherever possible. Any facility requiring above-ground installation shall be located and effectively screened as directed by the Commission. Where utility lines must cross private land, a perpetual easement at least 20 feet in width shall be provided and shown on the subdivision plan.

3.10.12. Construction Requirements for Roads

Roads shall be required to meet the standards of Section 3.10.13. Road classification may be determined in each case by the Commission. Roads shall be constructed in conformity with Sec. 2.4.7. and the standard specifications for subdivision road construction.

3.10.13 Road Classification and Design Standards

The classification of existing and proposed roads may be indicated in the adopted Town Plan of Development, and shall be specifically determined by the Commission in each application.

Arterial, or Connector, roads are those inter-town State-maintained roads which serve primarily regional needs and carry significant volumes of non-local traffic.

Major, or Collector, roads are those through-roads which serve larger neighborhoods, provide Town traffic circulation, or are projected to carry significant traffic volumes.

Minor, or Local, roads are those through or dead-end roads which serve primarily as access to local neighborhoods and abutting lots.

Neighborhood Lanes are those public or private dead-end roads serving no more than eight (8) residential lots.

The following standards govern the design and construction of all subdivision roads:

	Neighborhood Lane	Minor Road	Major Road
a) Right-of-way Minimum width (feet)	40	50	50
b) Travel way, excluding shoulder & curbs Minimum width (feet)	20	22	24
c) Horizontal curve at centerline Minimum radius (feet)	120	150	250
d) Horizontal tangent between reverse curves Minimum (feet)	100	150	200
e) Vertical curve Minimum radius (feet)	75*	100*	150*
f) Gradient Maximum (percent Minimum (percent)	12% 1%	10%** 1%	8% 1%
g) Clear sight distance Minimum (feet)	200	250	300
h) Easement for drainage utilities Minimum width (feet)	20	20	20
i) Off-road pedestrian easement Minimum width (feet)	25	25	25

*Except that minimum radius shall be not less than the following values for each one percent (1%) algebraic difference in grade; Neighborhood Lane, 15 feet; Minor Road, 20 feet; Major Road, 25 feet.

**Except 12% on straight alignment where approved by the Commission.

3.11 Storm Runoff and Erosion Control

3.11.1. Soil and Water Conservation

A plan for control of stormwater runoff to prevent flash floods, conserve natural water tables, minimize erosion and siltation, and protect wetlands and other natural resources must accompany every subdivision application.

3.11.2. Design Storm and Drainage Area

a. In each subdivision, planning and design of stormwater facilities shall be based on potential storm runoff from the served area at full development, in accordance with fifty (50) year frequency storm criteria.

b. Culverts, catch basins, pipes, swales, and retention ponds shall be

designed to accommodate storm runoff from upland watershed areas where no adequate storm water retention facilities exist.

3.11.3. Zero Increase in Rates of Runoff and Erosion

a. Development and other modification of land shall be planned so that there will be no increase in the volume of runoff, nor increase in the speed of stormwater discharge, nor increase in natural or pre-existing rate of soil erosion, on the subdivision site under conditions of the fifty year design storm.

b. Storm runoff calculations shall be based on full development of the entire site and must conform to standard criteria contained in the Connecticut Department of Transportation Drainage Manual, for hydrologic and hydraulic analyses and available at the office of the Town Engineer. Full development means development in accordance with current zoning regulations, with allowance made for planned roads, driveways, septic fields, paved and semi-pervious areas. (Amended 11/13/08)

c. Zero incremental runoff shall be accomplished by. appropriate water retention or infiltration systems designed to achieve a gradual, controlled and dispersed storm water release, by such means as retention/detention basins, dry wells, diversion reservoirs, or permeable driveways or other systems designed in accordance with good engineering practices and sound environmental and conservation objectives.

d. Any alteration of existing wetlands or watercourses is subject to the regulatory jurisdiction of the Weston Conservation Commission, and will require approval from that body.

3.11.4. Soil Stabilization Measures

a. Development tending to increase runoff or soil saturation in unstable areas, (such as significant slopes, stream banks, or shallow-soil ledges), shall be avoided wherever possible. No construction shall take place in these areas prior to installation of protective measures approved by the Commission. During construction, all bank slopes shall be stabilized as rapidly as possible.

b. Previously existing unstable conditions on the site such as steep banks, drainage ditches or eroding slopes, must be stabilized and corrected.

c. Localized increases in runoff velocity within the site shall be controlled as close to the source points as possible, to prevent an

increase of erosion and siltation on the site.

d. Erosion and stormwater controls shall be consistent with good engineering practice. Recommended practices detailed in the "Erosion Control Handbook for Connecticut," published by the U.S. Soil Conservation Service, and in the Connecticut Department of Environmental Protection Stormwater Quality Manual shall guide the Commission in its review of each Drainage and Erosion Control plan. (Amended 11/13/08)

3.11.5. Stormwater Discharge to Roads

a. Storm drainage from driveways, cellar drains, roof drains and other impervious areas on lots shall not be discharged to the travelway of a road. Sites shall be designed to retain as much storm runoff as possible on the site for gradual release to natural watertables, but stormwater discharge to on site road drainage systems may be approved by the Commission where effective detention facilities are provided at convenient downslope control points.

b. Roadside shoulder areas of all roads lacking curbs shall be designed to minimize scouring and erosion, as detailed in the plan approved by the Commission. "Soft drainage" on roads shall be prohibited where slopes exceed five percent (5%).

3.11.6. Hundred Year Flood Plains (Added 6/18/2010)

Except as specifically approved by the Commission under the Flood Plain Management Regulations, no dwelling or other construction shall be located within any portion of the 100-year flood plain. If a proposed subdivision is located in a floodplain the following requirements shall apply:

A. All subdivision proposals shall be consistent with the need to minimize flood damage;
B. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
C. All subdivision proposals shall have adequate drainage to reduce exposure to flood hazards; and
D. The Commission shall require the applicant to provide base flood elevation data for all subdivision proposals. Where base flood elevation data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis performed by a Connecticut registered professional engineer that generates

the base flood elevations for all subdivision proposals and other proposed development.

3.11.7. Drainage and Erosion Control Plan

a. Facilities designed to carry out the requirements of Sections 3.11.1. through 3.11.6. shall be shown in detail on the construction plan, or on a separate plan accompanying the subdivision plan at the same or larger scale. The Drainage and Erosion Control Plan, including all drainage computations and facility designs, shall be prepared by a professional engineer registered in the state of Connecticut.

b. All storm drainage and retention facilities shall be designed with reserve capacity to accommodate sudden overloads caused by malfunction of existing undersized upland drainage facilities, and for minimal maintenance, as determined appropriate by the Commission. Where the development of a subdivision will result in additional stormwater discharges to any wetland, watercourse or 100-year flood plain, the plan shall include a runoff analysis (pre-development and post-development) in accordance with the Connecticut Department of Transportation Drainage Manual for the complete upland drainage basin and shall provide such retention/detention and other measures as are needed to fully protect the downstream area. All drainage computations and other analyses shall be described in an accompanying report. (Amended 11/13/08)

c. The Commission may require the submission of additional information or changes in design where necessary to implement the requirements of Sections 3.12.1. through 3.12.7. inclusive.

3.11.8. Drainage Easements

Where storm drainage or retention facilities must serve more than one lot, or be located off the site, the developer shall provide at his expense all necessary drainage easements. Such easements shall be perpetual, unobstructed, monumented courses at least twenty (20) feet in width, sufficient to provide convenient access to all facilities.

Drainage Easements shall be conveyed to the Town of Weston where they serve Town roads: and shall require maintenance covenants satisfactory to the Commission where they serve private roads or private lands.

3.11.9 Soil Erosion and Sediment Control Plan (Added 6/26/85)

A Soil Erosion and Sedimentation Control Plan (ESCP) shall be submitted with each subdivision application. This shall consist of a plan (map) and

written narrative. If appropriate, the applicant may incorporate requirements of the following sections within the ESCP: 3.11.1, 3.11.2, 3.11.4 and 3.11.7.

The ESCP site map shall include the following:

a) existing and proposed topography

b) proposed alterations during developmental activity

c) location and design detail of soil erosion and sedimentation control measures.

The accompanying narrative shall include the following:

a) sequence of developmental activities such as grading, installation of drainage devices and erosion/sedimentation controls

b) sequence for final stabilization of the area

c) signed statement by the project engineer that an "as built" certification will be submitted under his seal and signature at the completion of developmental activities.

Site development shall not begin until the Commission has approved the ESC Plan and Site Map. Said approval shall constitute certification when both plan and narrative are signed by the Chairman subsequent to vote of the Commission.

3.12 Open Space Reservations

3.12.1 General Standards. (Amended 12/30/09)

a. The Commission shall require that ten percent (10%) of the aggregate area of any proposed subdivision, which proposed subdivision consists of ten acres or more, shall be reserved for open space, parks, or playgrounds as set forth in Connecticut General Statutes §8-25.

b. The Commission shall determine the location and boundaries of the reserved area.

c. Each reserved area shall be of a suitable size, topography, and general character and shall have adequate access to serve the particular purpose for which the area is dedicated.

d. The area reserved pursuant to this section shall be delineated on the final subdivision plan approved by the Commission.

3.12.2. Area Requirements *(Repealed December 30, 2009)*

3.12.3. Negative Easements

Where significant natural resources would be endangered by development, but a specific reservation for open space would unreasonably reduce the number of lots, the Commission may specify the granting of negative easements restricting development to protect the significant area. Such easements shall be shown on the subdivision plan and recorded in the Town land records for each affected lot at the time of filing the subdivision plan.

3.12.4. Trails and Access to Open Space

a. The subdivider may propose the recipients of title to open space land and easements, and shall be responsible for presenting such proposed agreements for conveyance before subdivision approval.

1) Ordinarily, land adjacent to Town-owned open space or trails, where indicated in the Town Plan as recommended for public acquisition, shall first be offered to the Town.

2) Open space may be offered to a public or private conservancy.

3) Where land is to be conveyed to a neighborhood association for recreation purposes, a legal covenant establishing undivided ownership and liability and maintenance obligations to run with the title of the lots, shall be approved by Town Counsel and submitted with subdivision approval.

3.12.5 Ownership and Maintenance

b. The subdivider shall propose and the Commission shall determine the form and adequacy of all arrangements for ownership, use privileges, and maintenance responsibility for all dedicated open space tracts and positive and negative easements. All conveyance of right, title, interest and easements shall be in form approved by the Town's legal counsel, and shall be executed and recorded in the Town land records.

1) Coincident with the recording of the approved subdivision plan; or

2) No later than a specified date accepted by the Commission and noted 9n the subdivision plan.

3.12.6 Payment in Lieu of Open Spaces. (Added 12/20/09)

In lieu of reserving open space as required pursuant to subsection 3.12.1 above, an applicant may, by written notice delivered to the Commission at any time prior to closing of the public hearing, elect to make a payment of a fee equal to the maximum sum permitted pursuant to Connecticut General Statutes §8-25 (the "Fee in Lieu"). To be effective, such notice shall include an appraisal by a licensed appraiser jointly selected by the applicant and the Commission certifying to the Commission the amount of the Fee in Lieu, the cost of said licensed appraiser is to be paid solely by the applicant. The Fee in Lieu shall be become due and payable in the manner set forth in Connecticut General Statutes §8-25 The Fee in Lieu shall be administered and utilized pursuant to Connecticut General Statutes §8-25b. An applicant may revoke its election under this Section at any time prior to closing of the public hearing after which its election shall become irrevocable, subject only to withdrawal of the subdivision application.

3.13 Responsibility and Rules for Reserved Areas

3.13.1. All roads, easements and other reserved parcels shall be shown on the subdivision plan and their boundaries fixed with permanent monuments.

3.13.2. Subdivision applications shall include:

a. For all roads, easements and reserved parcels to be offered to the Town, a conveyance agreement prescribed by or acceptable to the Town;

b. For all roads, easements and reserved parcels for other ownership a conveyance agreement which includes a perpetual ownership and maintenance covenant accepted by the designated recipient;

c. For temporary reservations, such as temporary turnarounds and dedications for future road extensions, a covenant which provides for interim ownership and maintenance responsibility and future conveyance to designated recipients.

3.13.3. Each of the above instruments shall become, as approved, a binding condition of the subdivision approval.

3.13.4. During the period of bonded obligation to the Town, the subdivider shall be responsible for proper maintenance and repair of all constructed facilities.

3.13.5. Roads, easements and reserved parcels required to be offered to the Town for acceptance on satisfactory completion of prescribed improvements include:

a. All roads classified as Major (or Collector), and those Minor (or Local) roads which connect at two or more points with other Town roads or serve 12 or more lots;

b. All drainage easements serving existing or proposed Town roads;

c. Pedestrian and other easements serving existing or proposed Town lands.

3.13.6. The following easements, where they lie within a lot, may be included in determining the minimum area of such lot: drainage, open space-negative, sightline, slope. Easements which may not be included in determining minimum lot area are: access (right-of-way), open space-positive, pedestrian, utility (where such easements restrict the use of the land).

3.14 Waivers

3.14.1. The Commission may waive any specific requirement of Sections 2.4, 3.3, 3.4, 3.5.3, 3.6, 3.7, 3.10, 3.11, 3.12, or 4.6 of these Regulations. The waiver must be approved by a three-fourths vote of all members of the Commission providing that the conditions for the granting of waivers specified in the particular Section of these Regulations are met and where it finds each of the following criteria applies:

a. Natural or physical conditions of the site are such that compliance with the particular requirement for submission or approval would create an exceptional difficulty for the applicant, and these conditions do not apply generally to other land in the vicinity;

b. The waiver would allow a feasible development alternative, under which reasonable use of the land will occur and natural resources will be soundly protected;

c. Granting the waiver is consistent with the purposes of these Regulations, and will promote the public health, safety, and welfare.

3.14.2. The Commission shall state on its records the reason for which a waiver is granted in each case.

Article IV

Implementation

4.1 All expenses incurred by a subdivider for the preparation, submission and filing or recording of all applications, plans, maps and certificates required by these Regulations, shall be the sole responsibility of the subdivider.

4.2 Withdrawal of Application

At any time prior to filing in the land records, a subdivi*sion* application may be withdrawn by the applicant by submitting a written notice to this effect to the Commission. Such withdrawal shall rescind any Commission approval as of the date of such notification, and all fees and application materials previously submitted shall be forfeited to the Commission.

4.3 Filing in Land Records

4.3.1. Approved subdivision plans shall be filed in the Town land records within ninety (90) days of the Commission's approval. Within the same period, conveyances and covenants required by the approved plan shall also be filed in the land records unless an alternative date has been approved by the Commission and noted on the subdivision plan.

4.3.2. The Commission may, at the request of the applicant, where it deems that the circumstances justify such action, extend the period for filing an approved plan in the land records by not more than two (2) consecutive periods of ninety (9O) days each.

4.3.3. Any filing in the land records of a subdivision plan lacking the Commission's inscribed approval over signature of it chairman or secretary, or modification of an approved plan without express authorization from the Commission, shall be invalid and render the plan null and void.

4.3.4. One (1) copy of the approved subdivision plan on a scale of 1" = 200' shall be provided for the Tax Assessor's Office.

4.4 Copies of Filed Maps to be Submitted

Within fifteen (15) days of the date on which an approved subdivision plan is filed in the land records, the subdivider shall submit to the Commission a mylar film copy of the approved and recorded subdivision plan, showing the file date and Town map file number, together with one (1) copy of all filed documents.

4.5 Inspection and Installation Grant

Every subdivision plan which requires the construction of specific improvements shall be accompanied by a written instrument, in a form satisfactory to the Town's legal counsel, granting to the Town of Weston and its authorized representatives the right to enter the property of the applicant at any time during the effective period of a performance bond for the purpose of determining compliance with required conditions of subdivision approval. Such instrument shall also provide that in the event of a default in the construction obligation, the Town or its agents may complete such improvements under the terms of such bond.

4.6 Public Improvements (Added 9/23/11)

4.6.1. Street and Public Utilities. Each subdivision approval shall prescribe the extent to which and the manner in which streets shall be graded and improved and public utilities and services provided (the "Public Improvements") pursuant to Connecticut General Statute §8-25(a).

4.6.2 Condition Approvals; Bonds and Sureties; Assessments. With respect to any approval, the Commission may, (i) require that the applicant complete all Public Improvements prior to the endorsement and filing of the approval, (ii) require that the applicant file a restriction of the land records of each lot within the subdivision, in a form acceptable to the commission or its agent, prohibiting the sale of any lot until such time as all Public Improvements are complete, or (iii) require[1]:

(a) submission of a bond or surety in an amount and with surety and conditions satisfactory to the commission securing to the town the actual construction, maintenance and installation of such Public Improvements; or

(b) imposition of an assessment or other method whereby the town is put in an assured position to complete the Public Improvements at the expense of the owners of the property within the subdivision.

4.6.3 Bonds and Sureties; Standards.

4.6.3.1 Approval of Form of Bonds and Sureties. The commission or its agent shall approve the form of any bond or surety to be submitted pursuant to this Section. Without limiting the generality of the foregoing, the text of each bond or surety, in the commission's discretion, may be required to include a provision pursuant to which: (i) a five percent (5%) monthly charge is assessed on any funds not delivered to the town within five (5) business days following a draw, (ii) the issuer agrees that the bond or surety shall be governed by, and construed and enforced in accordance with the internal laws of the State of Connecticut,

[1] Annotation: option (iii) is favored as it permits the commission to secure adequate funds to install erosion control measures and complete other work if the Public Improvements are abandoned after they are started. This annotation is informational and is not binding on the commission.

without regard to principles of conflicts of law and submits to the exclusive jurisdiction of any state or federal court sitting in Fairfield County, Connecticut in any action or proceeding arising out of or relating to the bond or surety, and (ii) the issuer indemnifies, defends and holds the town harmless from all costs of enforcement and collection of the bond or surety (including, without limitation, attorney's fees).

4.6.3.2 Approval of Issuers. The commission or its agent shall approve the issuer of any bond or surety to be submitted pursuant to this Section and may require that each issuer maintain an office in the State of Connecticut.

4.6.4 Completion Date. With respect to each approval, the commission shall determine a date by which the Public Improvements shall be completed (the "Completion Deadline"). In the event the commission fails to determine such date, the Completion Deadline shall be the date such approval shall lapse.

4.6.5 Phased Development. The commission, in its discretion, may approve a subdivision for development in phases. In the event the commission approves phased development, the commission shall determine the amount of any bond or surety required in each phase pursuant to Section 4.6.7, below, and identify the lots affected by each phase pursuant to Section 4.6.8, below.

4.6.6 Required Bond or Surety. (a) In the event the commission elects to accept a bond or surety pursuant to subsection 4.6.2(a) above, such bonds or surety may be required to include:

(i) Erosion Control Bond. a sum not to exceed one hundred ten percent (110%) of the estimated cost of all erosion control reasonably necessary to complete all Public Improvements in all phases of development (each an "Erosion Control Bond").

(ii) Construction Bond. a sum not to exceed one hundred ten percent (110%) of the estimated cost of constructing all Public Improvements for each phase of development; and

(iii) Interim Maintenance Bond. a sum not to exceed one hundred ten percent (110%) of the estimated cost of maintaining all Public Improvements until such improvements have been accepted by the town.

(b) The commission's estimate of the above-referenced costs shall be dispositive. Such estimate shall include, without limitation, the cost of materials, labor, surveying and engineering, advertising for bid, bid evaluation, contract negotiation costs, workers' compensation and other insurance premiums, and third-party construction management services all upon 'prevailing wage' rates pursuant to Connecticut General Statute §§ 31-53, et seq. and include any applicable tax. The town shall have no obligation to utilize town employees to perform any portion of said work.

4.6.7 When Posting of Bond or Surety is Due. Except as set forth herein, any bond or surety required hereunder may, in the discretion of the person posting such bond or surety, be posted at any time before all Public Improvements are constructed and installed. Notwithstanding the foregoing, (i) no construction or installation of any kind may be commenced until any required Erosion Control Bond is posted, and (ii) for any subdivision that is approved for development in phases, no construction or installation approved for any phase may be commenced until any bond or surety required in connection with the previous phase is posted.

4.6.8 No Transfer Prior to Posting of Bonds and Sureties. No lot shall be transferred to a buyer before any required bond or surety is posted. No lot situated within a portion of any subdivision that is the subject of a phased approval pursuant to Section 4.6.5, above, shall be transferred to a buyer before any required bond or surety is posted for each phase affecting the lot.

4.6.9 Draw Down of Bonds and Sureties: Bonds and sureties may be drawn down upon the earlier of (i) the Completion Deadline in the event the Public Improvements have not been completed and maintained in a satisfactory manner, (ii) the failure of the applicant to diligently complete any Public Improvements in a satisfactory manner following the transfer of any lot to a buyer, (iii) the failure of the applicant to diligently complete any Public Improvements required for erosion control or to make the property safe in a satisfactory manner.

4.6.10 Assessments: In the event the commission elects to accept an assessment pursuant to subsection 4.6.2(b) above, each owner of property within the subdivision (excluding property owned by the town or any conservation organization) will be assessed an amount equal to the total estimated cost of constructing the Public Improvements and maintaining such Public Improvements until such time as they are accepted by the town multiplied by a fraction the numerator of which is the assessed value of such owner's property within the subdivision, and the denominator of which is aggregate assessed value of all owners' property within the subdivision (excluding property owned by the town or any conservation organization). Assessments shall be levied and become immediately payable following the Completion Deadline in the event the Public Improvements have not been completed and maintained in a satisfactory manner. Any unpaid assessment shall be a lien on the defaulting owner's property within the subdivision. Assessments shall include, without limitation, the cost of materials, labor, surveying and engineering, advertising for bid, bid evaluation, contract negotiation costs, workers' compensation and other insurance premiums, and third-party construction management services all upon 'prevailing wage' rates pursuant to Connecticut General Statute §§ 31-53, et seq. and include any applicable tax. The town shall have no obligation to utilize town employees to perform any portion of said work.

4.6.11 Release of Bonds and Sureties: Bond and sureties shall be released pursuant to the requirements of Connecticut General Statute §8-25(d)(2).

4.6.12 Extension and Modifications. Upon receipt of any application to modify or extend an approval granted pursuant to this Section 4.6, if granted, the commission shall re-estimate the amount of each bond and surety and require issuance of a replacement bond or surety in the event such bond or surety is deemed insufficient.

4.6.13 Maintenance of Public Improvements. All owners of property within the subdivision (excluding property owned by the town or any conservation organization) shall be jointly and severally liable for the repair and maintenance of all Public Improvements (including keeping all roadways and drainage facilities free of ice, snow and debris) until such time as such Public Improvements are accepted by the town.

4.6.14 Recorded Site Plan Disclaimer; Bonds and Sureties: Any recorded site plan or other document evidencing approval of a subdivision where posting of a bond or surety is required shall bear the following disclaimer prominently:

WARNING: PURSUANT TO C.G.S §8-25(d)(1), NO LOT SHALL BE TRANSFERRED TO A BUYER BEFORE ANY BOND OR SURETY REQUIRED PURSUANT TO THIS APPROVAL IS POSTED.

4.6.13 Recorded Site Plan Disclaimer; Assessments: Until all Public Improvements have been completed, any (i) recorded site plan or other document evidencing approval of a subdivision, and (ii) any deed or other instrument evidencing the conveyance of any interest within a subdivision, where an assessment is required shall bear the following disclaimer prominently:

WARNING: AN ASSESSMENT SECURING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS AT THE EXPENSE OF THE OWNERS OF THE PROPERTY WITHIN THIS SUBDIVISION MAY BE IMPOSED PURSUANT TO C.G.S §8-25(a)(1) AND SUBDIVISION REGULATION §4.6.

4.7 Construction Scheduling and Inspection

4.7.1. The Town Engineer shall act as agent of the Commission in making all necessary inspections and in determining compliance with required construction plans and specifications.

4.7.2. Before undertaking work on required improvements, the applicant (or developer) shall confer with the Town Engineer to determine the particular stages of construction at which Town inspection will be required.

4.7.3. At least two (2) full working days in advance, the developer shall notify the Town Engineer of the schedule for each designated stage.

4.7.4. Following initial clearing and rough grading, no work shall proceed on

any stage of the construction until the Town Engineer has inspected and approved the preceding work for compliance with approved construction plans and specifications.

4.7.5. Should unforeseen natural or technical difficulties make changes necessary in the construction plan, the Commission may approve amendments to the technical design or specifications of such plan consistent with recommendations of the Town Engineer and the purposes of these regulations.

4.8 As-Built Plans

4.8.1. When the Town Engineer has certified that all construction requirements have been satisfactorily completed and are in proper condition, the developer shall submit to the Commission an "As-Built" plan and profile drawing. The plan and drawing *shall* show the actual locations, grades, elevations and specifications of *all* constructed improvements -- including roads, driveways, pedestrian walks, bus stops, curbs, culverts, bridges, headwalls, manholes, catch basins, pipe sizes and invert elevations, drains, retaining walls, dams, detention ponds, cut and fill slopes, guide rails and fences, sewer and water mains, transformers and the like.

4.8.2. The As-Built plan shall be prepared and certified correct by a licensed engineer or surveyor, and shall be similar in format, content, scale and technical standards to the construction plan. An attached schedule of notes shall describe deviations, if any, from the original construction plan approved by the Commission and cite the date such modifications were approved by the Commission.

4.9 Lot line changes or road access changes shall not be made to convert a lot without special natural characteristics to a lot with special natural characteristics without approval of the Commission. (Added 3/16/87)

ARTICLE V

AMENDMENTS

5.1 The Planning and Zoning Commission may, on its own motion, or on the recommendation of the Board of Selectmen, or on petition of one or more property owners within the Town, amend these Regulations in accordance with Chapter 126 of the General Statutes.

5.2 Applications for amendment shall be submitted in a form prescribed by the Commission, shall be written in clear and precise language, and shall be accompanied by an explanation of the consistency of the proposed amendment

with the adopted Town Plan and the public health, safety and welfare.

5.3 Amendments shall only be adopted after a Public Bearing been held and legal notices have been published as prescribed by the Statutes and approved by the Commission.

5.4 Amendments shall become effective at such time as is fixed by the Commission.

ARTICLE VI

APPENDIX I

Definitions

Words and phrases used in these regulations have the ordinary meanings as defined in standard dictionaries. Where doubt arises as to the intended meaning of any section, the proper interpretation shall be determined by the Planning and Zoning Commission. Terms underlined below shall have the following meanings:

ACCESS - The portion of a driveway or travel way for vehicles between the edge of the road and the property line, commonly referred to as the apron. (For application see Driveway Ordinance)

ACCESSWAY - Any portion of a lot 25 feet in width which serves to connect the building area of the lot with the road on which it has frontage and access. Accessway is not counted toward minimum lot area.

AQUIFER - A geologic formation which is capable of yielding usable quantities of groundwater.

AQUIFER, BEDROCK - The water-bearing strata of fractured crystalline rock which underlie upland till areas and are usually tapped by deep-driven wells for domestic water supply.

AQUIFER, STRATIFIED DRIFT - An earth formation comprised of sedimentary deposits, primarily lowland sand and gravel, which are capable of yielding significant quantities of ground water.

BUILDABLE AREA - The portion of a lot within which buildings or enclosed structures may be erected as limited by these Regulations. COMMISSION - The Planning and Zoning Commission of the Town of Weston, Connecticut.

CONSTRUCTION PLAN - The plan map which accompanies a subdivision plan and shows the location, design and general specifications of specific improvements required to be constructed as a condition of the subdivision approval.

DEAD-END STREET - Any road or connected group of roads with one common egress and ingress.

DEVELOPER - Any person, persons, group, association, company, or corporation which engages in the development of land, whether intended for resale or not.

DEVELOPMENT - The construction of facilities or alteration of land which attends the creation of building sites, roads, driveways, drainage, buildings or structures, utilities, sewage disposal systems, or any other intensively-built use of land.

DRAINAGE - Any system, natural or man-made, arranged to collect and transport the surface or sub-surface runoff water discharged from land.

DRIVEWAY - A graded and constructed roadway situated on a lot, designed to be used as the means of vehicular ingress from a road to the site of a building or structure.

DRIVEWAY, ORDINANCE, TOWN - The "Driveway Ordinance" of the Town of Weston, as now and hereafter adopted by the Town.

DUAL FRONTAGE - A lot which extends along two or more public or private roads, such roads being owned by other than the lot owner.

DWELLING - A structure or portion thereof which is used exclusively for human habitation.

EASEMENT - A designated area of real property for which specific legal rights have been granted by its owner to others, together with those assigned rights.

EASMENT, ACCESS - An easement which grants to authorized persons, vehicles, or conveyances the right of travel thereon between specified points, together with rights to improve same for safety or convenience.

EASEMENT, DRAINAGE - An easement which grants to public or private parties the right to discharge collected stormwater thereon, or to convey the stormwater to another point of discharge, together with rights to channel, pipe or otherwise control the flow of water.

EASEMENT, NEGATIVE - An easement which precludes the owner of the land from doing that which the owner would be entitled to do if the easement did not exist.

EASEMENT, POSITIVE - An easement which grants, to the Town or to others, rights for specified uses of property for installation and maintenance of improvements thereon, such as utility lines, slope rights, recreational or safety use, or development rights.

EASEMENT, SCENIC - An easement which grants to the Town or to others, the right to preserve and maintain in an open or undisturbed natural condition an area of special

scenic or natural value, such as a stream, a water body, a ledge, a trail, or a distant view.

EASEMENT, SIGHT-LINE - An easement which grants to the Town, or to the holder of fee title to a road, the right to establish clear sight lines between approaching traffic.

EASEMENT, SLOPE - An easement which grants to the Town, or to the holder of fee title to a road, the right to use an area adjacent to the road for maintenance of a stable earth slope or constructed embankment.

ENVIRONMENTAL RESOURCES MANUAL - "The Weston Environmental Resources Manual, a Guide to Natural Carrying Capacity in Connecticut," booklet and maps prepared for the Weston Planning and Zoning Commission, September 1976, on file at Weston Town Hall.

EROSION - The processes by which water and wind cause the removal and redistribution of soil or other earth materials.

FLOOD PLAIN - An area of lowland subject to intermittent flooding as defined in the Flood Plain Management Regulations of the Town of Weston.

FLOOD PLAIN, 100 YEAR - Any land contained within the 100-year frequency flood boundaries as now or hereafter shown on the rate maps adopted for flood insurance purposes by the Federal Emergency Management Agency, Federal Insurance Administration, U.S. Dept. of Housing and Urban Development, or successor agencies.

FLOOD PLAIN MANAGEMENT REGULATIONS - The "Flood Plain Management Regulations" of the Town of Weston, Conn. (Effective December 4, 1978) as now and hereafter adopted by said Town.

FLOODWAY - (also Regulated Floodway) means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

FRONTAGE - The extent of a lot along any road, street or public way on which it abuts.

GRADE (also GRADIENT) – The relative inclination or slope of a road or driveway, expressed as percent deviation from the horizontal at any point (e.g. a 7% grade indicates that that surface is rising or declining at a rate of 7 feet vertical distance per 100 feet horizontal distance at the cited point.

INLAND WETLAND REGULATIONS - An Ordinance Concerning The Regulation of Inland Wetlands and Water Courses of the Town of Weston (effective March 16, 1977) as now and hereafter adopted by the Town of Weston Conservation Commission.

LOT - A parcel of land used, intended or potentially available for building purposes. (Note: for certain limitations see Zoning Regulations Section 610).

MAINTENANCE COVENANT - A written agreement, approved as to form and content by the Planning and Zoning Commission, designating lots and binding the respective lot owners, with their successors and assigns, to specified responsibilities to maintain shared facilities (such as driveways, drainage, open space, recreation, etc.), as a condition of subdivision plan approval.

OPEN SPACE - Land permanently reserved from intensive development and dedicated to a suitable public or private organization for safety, recreation or for the purpose of preserving the said land in a natural condition consistent with the conservation objectives of these Regulations.

PLAN OF DEVELOPMENT, TOWN - The official Plan of Development for the Town of Weston, Conn., with all amendments thereto, as now and hereafter adopted by the Town of Weston Planning and Zoning Commission.

REAR LOT (FLAG LOT) - A lot on or abutting a public road and where access to the public road is by a narrow, private right-of-way.

RECHARGE AREA, PRIMARY - The entire land surface and subsurface storage area of a stratified drift aquifer; this area receives groundwater recharge directly by percolation from its surface as well as laterally from adjacent secondary recharge area.

RECHARGE AREA, SECONDARY - The land surface and subsurface drainage area upland from and directly tributary to a stratified drift aquifer; ground and surface water not reaching perennial streams in this area recharges the primary aquifer.

REGULATIONS - The Subdivision Regulations of the Town of Weston, as herein contained, together with all amendments and attachments incorporated by reference.

RESERVE AREA, SEPTIC - An area of a lot designated and reserved for potential replacement of an existing or proposed sewage disposal system, approved for such purpose by the Westport-Weston Health District.

RESERVE STRIP - A tract or strip of land set aside to prevent the extension of a road, access drive, or utility line.

RESUBDIVISION - A change in a map of an approved or a recorded sub-division or resubdivision if such change:

a) affects any street layout shown on such map,

b) affects any area reserved thereon for public use, or

c) diminishes the size of any *lot* shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the

approval or recording of such map.

RETENTION AREA OR BASIN - A land surface area designated to collect and impound the increased stormwater runoff generated by land development, for the purpose of controlled release to groundwater or surface streams.

RIGHT-OF-WAY - The legally defined strip of land which constitutes an easement for roadway or other purposes.

ROAD (STREET) - Any street, highway, avenue, lane or way dedicated to public use for movement of vehicles and pedestrians, and which is shown on a subdivision plan approved by the Commission (or a map filed in the office of the Town Clerk prior to March 1, 1956); said road may be a State, Town or private road but excludes private driveways and rights of way.

ROAD CONSTRUCTION REGULATIONS, TOWN - "Standard Specifications for Subdivision Road Construction, Town of Weston, Connecticut, effective April 1, 1970" as now and hereafter adopted by the Town of Weston, which ordinance is hereby incorporated by reference.

SEDIMENTATION - The process by which earth material, both mineral and organic, is carried in suspension by air, ice or water.

SEPTIC SYSTEMS - (also Sewage Disposal System) - Any subsurface system designed for the detention and treatment of domestic sewage, including holding tanks, leaching fields and all related components.

SIGHT LINE DISTANCE - (also Clear Sight Line) - The distance, measured in feet along an unobstructed line of vision between a viewer and a distant object. For analysis, required sightlines are measured as follows:

a) at an intersection, approaching required "stop" line, taken from a point 3.5 feet above grade and 15.0 feet back from the travel way of the intersecting road, extending to approaching objects 4~0 feet high;

b) for all moving traffic lanes of a roadway, taken from a point 3.5 feet above grade at the center of the travel lane, extending forward to all parts of the travel way to objects 0.5 feet high.

SILTATION - The process by which earth material is deposited in water bodies or lowland areas.

SLOPE - The average natural grade of inclination of the earth's surface, measured for any point as the percent of deviation from the horizontal, based on topographic datum at five-foot intervals (e.g. a 20% slope indicates land surface is rising or declining at an average 20 feet vertical distance per 100 feet horizontal distance at the cited point).

SOIL CONSERVATION SERVICE (SCS) HANDBOOK - The "Erosion and Sediment Control Handbook for Connecticut,· published by the United States Department of Agriculture, Soil Conservation Service, Storrs, Connecticut, 1976, and as it may be subsequently revised.

SOIL SURVEY - of Fairfield County, Connecticut" published by the U.S. Dept. of Agriculture, Soil Conservation Service 1981, Storrs, CT. General types of soil classifications.

SOLAR ENERGY SYSTEM - A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy.

STRUCTURE - A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

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 (for municipal, Conservation or agricultural purposes) including "resubdivision."

SUBDIVISION APPLICATION - The plan map and other documents which together comprise a complete application for subdivision approval.

TOWN - The Town of Weston, Connecticut.

TRACT - A lot, parcel or group of contiguous parcels comprising a subdivision.

TRAVEL WAY - That portion of a road or driveway which is designed and improved for the regular accommodation of vehicular traffic, shoulders, intersections and turnarounds.

TURNAROUND - The terminal portion of a dead-end road, designed to facilitate the turning of vehicles to the opposite (or return) traffic flow direction.

TURNAROUND, TEMPORARY - A turnaround serving a dead-end road which is planned for eventual extension, where both extension and turnaround are in accordance with plans approved by the Planning and Zoning Commission.

WATER COURSE - Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite Channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or flood water.

WATERSHED - The area drained by a given stream or river.

WETLANDS - Land consisting of soils which are poorly drained, very poorly drained, alluvial or flood plain as more particularly defined in the Weston Inland Wetland Regulations.

ZERO INCREMENTAL RUNOFF - (also Zero Extra Runoff) - The principle of detaining stormwater runoff on a site, through natural or artificial means, to achieve a rate and volume of stormwater discharge from the site which will be no greater after site development, than the maximum rate and volume of stormwater discharge prior to development.

ZONING REGULATIONS - The "Zoning Regulations of the Town of Weston, Connecticut," as now and hereafter adopted.

APPENDIX II

SOILS WHICH MAY HAVE LIMITED SUITABILITY FOR DEVELOPMENT –

Surface soils have been classified for Weston by the Fairfield County Soil and Water Conservation District, in collaboration with the Soil Conservation Service of the U.S. Department of Agriculture, and are generally delineated on the Town of Weston Soils Map (available for inspection at the Town Hall).

Soils evaluated by the Soil Conservation Service as having severe limitations and ·very severe limitations· for house sites and on-site sewage disposal systems generally include the types listed below.

The purpose of this list is to identify those soils which require special evaluation before designation as building sites on a subdivision plan.

Soil Map Symbol *	Publication Symbol**	Name (Short Form}***
02; 023	Ro	(Limerick) Rippowam
043	Ps	(Winooski) Pootatuck
4C; 4D	CrC; CrE	Charlon-Hollis
8; 08; 08R; 08R-D	Rp	(Rockland); Rock Outcrop-Hollis; Complex
15	HkD	Hinckley
17C; 17D; 17L-BC; 17L-D	CrC; CrE	Charleton-Hollis
17MC; 17MD	HpC; HrE	(Hollis), Hollis-Charleton-Rock Out-Crop
20C; 20D; 20-BC; 20MD	NfC; NfD	(Farmington) Nellis-Farmington

25; 25M; 25X	GgB; GgC; GhB; GhC	(Amenia) Georgia
31; 31M; 31X	Wx; Wz; Wy	Woodbridge
32D; 32MB; 32MC; 32MD; 32XD	CfD; CnC; CnD	Charleton
35; 35M; 35X; 56	Pb; Pd; Pe	Paxton
41M	Sx	Sutton
42; 42X	Sn; Sp	Stockbridge
43; 43M; 43X	Lc	Leicester
46; 464	Wd	Walpole
75	Sc	Scarboro
91	Aa	(Shallow Muck), Adrian Muck
92; 93; 922	Ce	(Muck), Carlisle Muck
98; 98X	Rd; Rn	Ridgebury
463	Rb	(Raynham) Raypol
806; 816	Ps	(Ondawa) Pootatuck
823	Sb	Sa co
853; 855; 856	Ro	(Limerick, Runmey, Belgrade) Rippowam

*Symbols used on the Town Soils Map are based on Fairfield County field map symbols. Letter suffixes "-A, -B, -C, -D, -E" indicate slope, and generally appear in the Town Soils Map symbols. Where a soil type listed in this column omits the letter suffix, all soils and slopes in that type have severe limitations. It should be noted that data in this table are not comprehensive; for complete information and interpretation, refer to published Soil Survey of Fairfield County, Connecticut (Soil Conservation Service, 1981).

**Revised symbols have been adopted by U.S. Soil Conservation Service for published Fairfield County Soil Survey cited above. Where third-letter suffix appears in symbol, limitations apply only to soils of particular slope indicated by such suffix.

***Name of soil type is abbreviated to common (generic) name, for convenience; omits description of soil characteristics and slope ranges. Where final name as published in County Soil Survey differs from earlier field map unit name, earlier name is given in parentheses.

APPENDIX III

REFERENCE MATERIALS UTILIZED IN PREPARING THESE SUBDIVISION REGULATIONS ARE AS FOLLOWS:

1) Town Plan of Development, Weston, Connecticut, 1969 (adopted January 21, 1969).

2) State of Connecticut Plan of Conservation and Development (adopted 1979, as amended).

3) Tri-State Regional Development Guide (adopted 1979).

4) Regional Plan of Development, South Western Regional Planning Agency (adopted 1983).

5) Environmental Resources Manual, Town of Weston (1976) (WERM).

6) Land Use, Water Resource Management and related Area-wide Waste Treatment Management Planning Program reports, South Western Regional Planning Agency (1978-79).

7) Soil Survey and Report, Fairfield County, Connecticut U.S. Department of Agriculture Soil Conservation Service (Feb. 1981).

8) The Illustrated Book of Development Definitions, by Moskowitz and Lindbloom (Rutgers, 1981).

9) The Water Resources Inventory of Connecticut 14. Southwestern Coastal River Basins, by Ryder, Cervione, Thomas and Thomas (prepared by U.S.G.S. in cooperation with the Connecticut Water Resources Commission, 1970).