

SUBDIVISION REGULATIONS

Town of Simsbury, Connecticut

Adopted 3/5/54 --- Amended 11/28/95

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SIMSBURY, CONNECTICUT
PLANNING COMMISSION

Subdivision Regulations

The existing Subdivision Regulations of the Town of Simsbury adopted March 5, 1954, as amended, Section 100 through 700 are hereby amended by deleting said sections and adoption of Sections I through X of the revised regulations as follows:

The Town of Simsbury Highway Specifications, dated November 19, 1981, as amended, a part of the Town of Simsbury Subdivision Regulations, remains in effect.

SECTION I - PURPOSE

For the purpose of promoting and protecting the general welfare, health, and public safety, and providing for the orderly growth of the Town of Simsbury, the integration of each subdivision of land into the land surrounding it, the provision of open spaces, and continuation of streets from one part of the community to another, and the proper design and construction of streets, drainage, sewerage, and other facilities, the Planning Commission of the Town of Simsbury, hereby adopts the following regulations for the subdivision of land, pursuant to Chapter 126 of the General Statutes of the State of Connecticut, Revision of 1958, as amended, and to become effective December 7, 1973, as amended.

SECTION II - DEFINITIONS

1. Subdivision:

- a. The division of a tract or parcel of land into three (3) or more parts or lots made subsequent to the adoption of subdivision regulations by the Commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation, or agriculture purpose, and includes re-subdivision.
- b. In determining whether a tract or parcel has been so divided, any division before October 6, 1941, shall not be considered a subdivision.

2. Re-subdivision: A change in a map of an approved or recorded subdivision, as defined above, if such change:

- a. Affects any street layout on such map.

- b. Affects any area reserved thereon for public use.
 - c. Diminishes the size of any lot shown thereon, and creates an additional building lot, if any of the lots thereon have been conveyed after the approval or recording of such map.
3. **Town:** The Town of Simsbury, Connecticut.
 4. **Commission:** The Planning Commission of the Town of Simsbury, Connecticut.
 5. **Subdivision Plan:** The subdivision plan shall consist of plans that conform to Section IX.1 and IX.2 of these regulations.
 6. **File Plan:** A plan to be filed with the Town Clerk following approval of the subdivision plan and which conforms to the requirements of Section IX.3 of these regulations.
 7. **Aerial Marker:** A commercial grade balloon 3 feet or greater in diameter used to provide a visual reference point in the air. (Adopted 9/22/87)
 8. **Basal Rate:** A measurement of the tree cover area consisting of the stand of trees computed in square feet per acre. The stock to be measured includes healthy trees 6 inches or greater in diameter with the measurement taken at a point 3 feet above grade, evenly distributed over the area. (Adopted 9/22/87)
 9. **Site Cone:** A cone-shaped area, defined in plan with measurement by feet and degrees, used to define the limits of vegetation removal for the purpose of gaining increased views from the site. (Adopted 9/22/87)
 10. **View Section Plan:** A plan showing vegetation on a lot that will be altered to provide for a sign cone to increase the line of site from the lot to surrounding areas. (Adopted 9/22/87)
 11. **Visual Impact Observation Point:** A point located along an arterial or collector street as defined by the Plan of Development, in a commercial retail area, within the Simsbury Center Zone, or at a place of significant public assembly that provides visual access to the proposed subdivision. (Adopted 9/22/87)
 12. **Visual Impact Area:** An area or areas located within the subdivision site that will be significantly more noticeable as the result of the alteration of vegetation or construction of structures, roads, driveways, and other man-made features. (Adopted 9/22/87)

SECTION III - GENERAL PROVISIONS

1. No subdivision of land shall be made and no lot in a subdivision shall be sold, offered for sale, or subdivided until a Subdivision Plan, prepared in accordance with the requirements of these Regulations, has been approved by the commission and filed and recorded in the Office of the Town Clerk.
2. No subdivision plan shall be filed or recorded by the Town Clerk until its approval by the Commission is indicated upon the plan, and any recording of a subdivision plan without such approval shall be void.
3. Any land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety. No land subject to flooding shall be subdivided for residential purposes or for any other use which will aggravate the flood hazard. No land shall be subdivided without water supply, means of drainage and sanitary sewerage disposal adequate in the opinion of the Commission to protect the public health, safety, and welfare.
4. Each subdivision plan shall provide for adequate water supply, storm water drainage, surface water drainage, sanitary sewage disposal, fire hydrants, utilities, sidewalks, curbs and any other improvements, in amounts and locations considered necessary by the Commission to protect health, safety and general welfare.
5. No privately owned reserved strip shall be permitted which limits or controls access to any street or to any land dedicated or proposed to be dedicated for public use or which shall impair the orderly development of the Town.
6. Due regard shall be given to the preservation and enhancement of natural features, scenic points, large trees, the natural cover and contours of the land, and other community assets.
7. The Commission shall not approve any subdivision plan which would result in the creation of a lot or parcel less than the minimum size required by the Zoning Regulations of the Town, except that such subdivisions may be permitted at the discretion of the Commission when such lot parcels are to be conveyed to the owner of an adjacent existing lot.
8. No lot shall be approved which does not have required frontage on a street that is constructed or bonded for construction in conformance with the Town Highway Specifications or on an existing town road.

9. Public Open Space, Parks, or Playgrounds

- a. Inasmuch as there presently exists in the Town of Simsbury a large amount, of public open space, parks, or playgrounds in relation to the developed land, and inasmuch as it is in the public interest to preserve the character of the Town, insofar as such open space, parks, or playgrounds is concerned, public open space, parks, or playgrounds shall be required by the Commission in amounts and in locations, which the Commission considers proper and reasonable. All such open space, parks, or playgrounds shall be adequately cleared, graded, drained, and seeded to serve the intended purpose.
- b. Unless otherwise determined upon the affirmative vote of two-thirds (2/3) of the Commission members present and acting upon the subdivision or re-subdivision application concerned, the Commission shall, in all subdivisions or re-subdivisions, require twenty percent (20%) of each subdivision or resubdivision to be dedicated to the Town as public open space, parks, or playgrounds.
- c. The nature of the land to be so dedicated may be in the wetlands category or may have slopes in excess of thirty percent (30%), but the percentage of the publicly dedicated land in these categories shall be no greater than the percentage of the land in the remaining portion of the subdivision or re subdivision. The following shall not be included in open space calculations:
 - (1) Land included in above-ground power transmissions, roads and other access easements.
 - (2) Land set aside for drainage structures. (Adopted 11/28/95)

10. No subdivision shall receive approval by the Commission unless one of the following procedures has been followed.

- a. All streets and other improvements shown on the approved plan and public maps have been graded and constructed in accordance with the Town Highway Specifications and inspected and found satisfactory to the Town Engineer and “as built” street profiles have been submitted to the Commission and have been certified by a Professional Engineer registered to practice in the State of Connecticut.
- b. A performance bond with surety or other adequate security acceptable to the Commission in lieu of the actual street and other improvements has been posted with the First Selectman for the total cost of the streets and other improvements as estimated by the Town Engineer, securing to the Town the actual construction. Such bond shall be released following the actual construction and inspection by the Town Engineer and approval by the Commission.

11. Streets in each subdivision shall be so laid out as to provide for continuation of the principle streets adjoining or entering the subdivision and for the proper projection of streets as laid out in the proposed subdivision into adjoining land on which there are no existing streets. Existing or proposed collector streets shown in the Commission's Plan of Development for the Town shall be so arranged and of such widths as to provide an adequate and convenient system for present and prospective traffic needs.

12. Protection of Inland Wetlands

All soil types designed as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soils Survey of the Soils Conservation Service of the United State Department of Agriculture shall be shown on proposed subdivision maps, plans, and where such soils are shown in the subdivision application must be accompanied by a report from the Soils Conservation Service or a qualified Soils Scientist showing how the soils will affect or be affected by the development of the proposed subdivision.

The Commission may, at its discretion, prohibit development on any lot where soil conditions indicate development would be detrimental to the preservation of inland wetlands or to the health or safety of the future residents.

13. The Commission may waive or vary certain specific, requirements under these regulations by a three-quarter (3/4) vote of all members of the Commission provided that all of the following apply:

- a. A condition exists which affects the subject land and is not generally applicable to other land in the area.
- b. The granting of the waiver will have no significant effect on adjacent property or on the public health and safety.
- c. The granting of the waiver does not alter or vary any other town regulations such as zoning or inland wetlands.

In granting such a waiver, the Commission shall state on its records the reasons for which a waiver is granted and such waiver shall be specified on the final subdivision plans.

14. The Commission may require reasonable measures for sediment control and control of erosion caused by wind or water.

15. In order to judge the effect of a subdivision on the immediate geographic area on the Town of Simsbury, the Commission may require impact statements from the applicant evaluating its effect on the environment, including but not limited to, on-site waste disposal, surface drainage, availability or water supply and estimated traffic and its effect on adjacent roads.

16. Where lots front on a town road designated in the Plan of Development as arterial or major collector, the Commission may require that the lots face internally with no driveways leading to such arterial or major collector roads. Where lots front on an arterial road and access is permitted, the building line may be increased up to 100 feet.
17. Each subdivision application in any zone except R15, R25, R30, R40, R80, and R160 must be accompanied by a site plan.
18. The Commission shall evaluate each proposed subdivision for consistency with the goals, policies, and objectives of the Plan of Development, as adopted on June 21, 1983, and as amended, and may disapprove or modify any subdivision which is inconsistent with the Plan of Development.
19. It is the intent of the Commission to maintain the character of the Town's ridge lines by preserving or adding to the existing vegetative cover. The removal of trees for any purpose will be not be permitted, except in a manner consistent with these regulations. (Adopted 9/22/87)
20. Each building lot shall meet the following criteria:
 - a. Each building lot shall be of a size and configuration that it will contain, exclusive of the required side, front, and rear yards, a rectangle of the size required in the following chart (Adopted 8/17/88):

| Conventional Subdivision | | |
|---------------------------------|--|--|
| Zone | Minimum Dimension In Feet | Minimum Area in Square Feet |
| R-160 | 96 | 14,400 |
| R-80 | 96 | 14,400 |
| R-40 | 80 | 10,000 |
| R-30 | 80 | 4,900 |
| R-25 | 75 | 9,025 |
| R-15 | 60 | 5,776 |

Open Space Subdivision

| <u>Zone</u> | <u>Minimum Dimension In Feet</u> | <u>Minimum Area in Square Feet</u> |
|--------------|--|--|
| R-160 | 96 | 14,400 |
| R-80 | 76 | 9,025 |
| R-40 | 56 | 4,900 |

- b. The rectangle contained within each lot shall not contain land in the following classifications:
1. Inland wetlands as defined by the Town of Simsbury Inland Wetlands and Watercourses Regulations.
 2. Floodplain areas as defined by the Town of Simsbury Regulations or Ordinance of the Town of Simsbury.
 3. Land with an average slope, as measured over any distance of fifty feet (50') within the rectangle, greater than twenty percent (20%).
(Adopted 8/17/88)
- c. The required lot frontage shall be measured at the front lot line, except, in the case where the front lot line is an arc or the side lines converge toward the front lot line, the required frontage may be measured along the rear line of the required front yard. (Adopted 8/17/88)
- d. The width of the lot, as measured between any two points on each of the side lot lines, shall be no less than fifty percent (50%) of the required lot frontage. These minimum lot width requirements shall not apply to any portion of the lot that is behind the limit of required lot area as measured from the front lot line. Lot area shall be as set forth in the Simsbury Zoning Regulations. (Adopted 8/17/88)
- e. The Commission may waive the buildable area requirements on at least one lot, but not more than twenty percent (20%) of the total number of lots in the subdivision when, in the judgment of the Commission, the configuration of the buildable area provides for adequate development of the lot(s). (Adopted 8/17/88)
21. An applicant submitting a plan for subdivision shall, in accordance with Connecticut General Statutes, as amended, demonstrate how using passive solar energy techniques and energy conservation have been considered which would:
- a. not significantly increase the cost of the housing to the buyer, after tax credits, subsidies, and exemptions; (Adopted 3/14/89)

- b. be consistent with Section III - General Provisions; (Adopted 3/14/89)
- c. not adversely impact the tree and understory characteristics of the site or result in the removal of significant amounts of tree stock; (Adopted 3/14/89)
- d. be consistent with the Environmental Preservation Goals of the Simsbury Plan of Development Policies and Objectives; and (Adopted 3/14/89)
- e. otherwise be consistent with the Simsbury Subdivision Regulations. (Adopted 3/14/89)

SECTION IV – STREETS

1. All streets shall be designed, constructed, and maintained in conformance with the Town Highway Specifications.

SECTION V - ENHANCEMENT OF SITE TREE COVER

1. Applicants shall endeavor to minimize disturbances to existing tree cover when locating roads, buildings, and public utilities.
2. All applications shall include a report from a licensed arborist or registered landscape architect that describes the impact of proposed tree clearing due to the construction of roads, public utilities, and buildings on the local habitat area. This report shall recommend a replacement program including the species of trees that will preserve and enhance the integrity of the local habitat and the location of replacement trees. The report shall also include the rationale for these recommendations.
3. Major trees (24" caliper (diameter), 3' off ground) shall be replaced at a ratio of two for every one cleared or found by the Commission to be in significant jeopardy from disturbance in its vicinity.
4. Replacement trees may be planted within public open spaces, conserved areas, or on private property. If replacement trees are planted on private property, it must be demonstrated to the satisfaction of the Commission that disturbance of these trees is unlikely. In such cases, conservation restrictions shall be placed upon the private property to protect those trees. (Adopted 3/23/99)

SECTION VI - MONUMENTS

1. Monuments shall be installed along all street lines in conformance to the Town Highway Specifications.
2. Monuments shall also be installed at all angle points on the boundaries of the subdivision and on all angle points of boundaries of open space dedicated to the Town. Lot corners at street lines shall be marked with iron pins where not otherwise marked by monuments.

SECTION VII - UTILITIES AND SANITARY REQUIREMENTS

1. Sewage Disposal

- a. Where individual on-site sewage disposal systems are proposed, the subdivision plan shall be accompanied by a Sanitary Report prepared by a Professional Engineer. The report shall demonstrate the feasibility of the ground for sub-surface disposal of septic tank waste, and all tests and proposed systems shall be prepared in conformance to Connecticut State Health Code and Sanitary Specifications.
- b. Sanitary sewers shall be installed in new streets in all subdivisions which are developed in lands within the direct service area of any public sanitary sewer trunk line, whether such public sanitary sewer trunk line is existing, or is in the process of being constructed, or can be reasonably expected to be extended to serve the subdivision within a period of five (5) years. For the purposes of determining if a sanitary trunk line can be reasonably expected to be extended within a period of five (5) years, The Commission shall accept verification concerning the five (5) year period from the Water Pollution Control Authority. All such sewer facilities shall be constructed in accordance with the Simsbury Water Pollution Control Authority Specifications. Where no trunk line exists, subdivision sewer systems shall be capped in conformance to Water Pollution Control Authority requirements.

2. Public Water Supply

Where public water supply exists or where such supply is available all subdivisions shall be designed so that the houses can connect to such facilities.

3. **Underground Utilities**

All electrical and telephone lines shall be located underground in conformance with the Town Highway Specifications.

Where such installation is not feasible, the case for such non-compliance shall be made by the subdivider and such installation may be waived by the Commission.

SECTION VIII - STORM DRAINAGE AND PRESERVATION OF NATURAL DRAINAGE SYSTEM

All stream courses and watercourses shown on the U. S. Geological Survey or U. S. Soil Conservation Service maps are hereby declared to be the natural drainage system for the Town and shall be preserved for such purpose. Toward this end, the following rules shall apply:

1. No stream or watercourse shall be diverted, filled, or enclosed in pipe without specific authorization of the Commission.
2. Natural land contours shall be preserved within fifty feet (50') of all streams or watercourses unless specifically authorized by the Commission.
3. No building or structure shall be permitted within fifty feet (50') of any stream or watercourse unless specifically authorized by the Commission.

SECTION IX - PROCEDURES

1. Application for subdivision, or resubdivision, signed by the owner or his authorized agent may be submitted to the Clerk or Secretary of the Commission at the office of the Commission during normal working hours. The official date of receipt shall thereof be as follows:
 - a. The receipt of an application, request, or appeal, shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission, or its agent, of such application, request, or appeals or thirty-five (35) days after such submission, whichever is sooner.
2. In all matters wherein a formal application, request, or appeal is submitted to the Commission and a hearing is held on such application, request, or appeal, such hearing shall commence within sixty-five (65) days after receipt of such application, request, or appeal and shall be completed within thirty (30) days after such hearing commences.

3. All decisions on such matters shall be rendered within sixty-five (65) days after the completion of such hearing. The applicant may consent to one or more extensions of any period specified in this section, provided the total extension of any period shall not be for longer than the original period as specified in this section, or may withdraw such application, request, or appeal.
4. A decision on an application for subdivision approval, on which no hearing is held, shall be rendered within sixty-five (65) days after receipt of such application. The applicant may consent to one or more extension or extensions that shall not exceed sixty-five (65) days.
5. The Commission shall not be required to consider an application for approval or a subdivision plan while another application for subdivision of the same or substantially the same parcel is pending before the Commission.
6. A complete application ready for official receipt shall contain the following:
 - a. Where the application has been signed by the owner's agent, a written statement of such agent's authorization, signed by the owner.
 - b. Six (6) copies of the subdivision plan showing all information required by these regulations.
 - c. A written application, completed in full, on forms provided by the Commission.
 - d. Approvals, or applicable correspondence, from other towns, state, or federal commissions, bodies, or agencies froth which applicable approvals are required.
 - e. A Certificate of Title covering the entire area encompassed in any application, including any off-site improvements.
7. No subdivision plan shall receive approval by the Commission until all street and other subdivision improvements or conveyances have been made or a performance bond has been posted in accordance with these regulations.
8. After approval of a subdivision, the applicant shall prepare a file plan showing all elements required by Section IX for signature by the Chairman or Secretary of the Commission and for the purposes of filing in the Office of the Town Clerk.
9. The file plan approved and signed by the Chairman or Secretary shall be filed or recorded in the Office of the Town Clerk by the applicant at his expense. Any approved plan not so filed within ninety (90) days following its approval by the Commission or within ninety (90) days of the Commission's failure to act shall be null and void. The Commission may

extend the time for filing for two (2) additional periods of ninety (90) days and the plan shall remain valid until the expiration of such extended time.

10. Any person, firm, or corporation making any subdivision of land shall complete all work in connection with such subdivision within five (5) years after approval of the plan for such subdivision; the Commission's endorsement of approval on the plan shall state the date on which such five (5) year period expires.

Failure to complete all work within such five (5) year period shall result in automatic expiration of the approval of such plan provided the Commission shall file on the Simsbury Land Records notice of such expiration and shall state such expiration on the subdivision plan on file in the Office of the Town Clerk, and no further lots shall be conveyed in the subdivision except with the approval by the Commission of a new application for subdivision on the subject land. If lots have been conveyed during such five (5) year period, the Town shall call the bond or other surety on said subdivision to the extent necessary to complete the work required to serve those lots. "Work" for the purposes of this section means all physical improvements required by the approval of the plan, other than the staking out of lots, and includes, but is not limited to, the construction of storm drainage facilities, water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electric service, planting of trees or other landscaping, and the installation of retaining walls or other structures.

SECTION X - PLAN REQUIREMENTS

1. All applications for subdivision or resubdivision shall conform to the following requirements:
 - a. It shall be prepared by a registered Professional Engineer and/or a Licensed Surveyor.
 - b. Six (6) paper prints of the Plan drawings shall be submitted. Drawings shall be on sheets 24' x 36' including borders and, if more than one sheet is required, clearly drawn match lines shall be shown on all sheets. Scale of the Plan shall be one inch equals forty feet (1"=40'). An applicant need not submit detailed road, utility and drainage 1"=40' scale Construction Plan and Profiles until at least thirty (30) days prior to such time as a Final Mylar is submitted for signature by the Commission Chairman following approval of the Site Plan. The details that are not required until this time are the road, utility and drainage construction details

only. All other plan requirements and computation submittals must be met.
(Adopted 1/24/95)

- c. A Title Block containing the name of the subdivision owner of record and applicant, if different than owner.
- d. An Approval Block shall be placed on each plan sheet near the Title Block.
- e. An approved plan submitted for signature shall be on mylar at a scale of one foot equals one hundred feet (1'=100'). It shall show all of the data required on the General Subdivision Plan. It shall be accompanied by 12 copies of the approval plan reduced to 800' scale on 8 1/2" x 11" paper.
- f. An application for approval shall consist of three (3) parts described below.
 - (1) General Subdivision Plan
 - (2) Topographic Plan
 - (3) Grading and Utility Plan

2. General Subdivision Plan

- a. Zone District boundaries
- b. A Key Map locating the subdivision within the surrounding proposed and existing street system at a scale of one inch equals 800 feet (1"=800'). The Key Map shall encompass an area of a half (1/2) mile radius. (Adopted last sentence 9/22/87)
- c. The names and section number of all adjoining subdivisions, the side lines of abutting lots, and the name of the adjacent property owners.
- d. Proposed and existing street right-of-way.
 - (1) Curves and corner cutoffs;
 - (2) Monument location, lot pin locations;
 - (3) Proposed street names. Street names shall be chosen so as to minimize the chance for confusion with existing streets in town and their names shall be approved by the Planning Commission after review and report by the Fire Marshal, the Chief of Police, and the Building Official. **Street names should denote natural features or historical influences. They shall also include the word street, road, lane, circle, court, or similar suffix as part of the street name.** (Adopted 3/23/99) The final mylar shall reflect the street names approved by the Commission. (Adopted 1/24/95)

- e. Other rights-of-way and easements including identification, description, location, width, and other dimensions necessary for description.
- f. Lot identification by consecutive number, each number circled, and proposed street addresses, each number enclosed by a rectangle. A street address shall be given to every lot according to the following guidelines:
 - (1) An odd and an even street number shall be assigned for every one hundred feet (100') along the center line of the road with the even numbers assigned to the right side of the road and the odd numbers assigned to the left side;
 - (2) The numbering of the proposed streets shall start with the lowest number at the intersection of the proposed street with the existing street. Subsequent branching streets shall be numbered so that their street numbers increase away from their intersection with the main access road;
 - (3) Proposed streets which intersect with two existing roads shall have their numbers beginning at (a) a State Highway, or (b) the most heavily traveled of the existing roads, in that order of preference;
 - (4) A proposed street which intersects with one existing road twice, shall have its numbering begin on that leg which intersects at the lowest number of the existing road;
 - (5) At the time of application, the applicant must present one set of maps showing the proposed street names and addresses to the Simsbury (06070) Postmaster. Before the final approval of the subdivision, the Building Official will, in accordance with Section 112 of the Code of the Town of Simsbury, make a decision to accept, reject, or modify the proposed street numbering system. The final mylar presented to the Planning Commission for signing shall reflect the street numbering system approved by the Building Official. (Adopted 1/24/95)
- g. Subdivision boundary lines and lot lines with accurate lengths to the nearest hundredth of a foot and angles and bearings to the nearest second.
- h. Building setback lines with dimensions.
- i. Lot area in square feet to the nearest foot, number of acres in the tract to the nearest tenth of an acre.
- j. Open Space land reserved for public use and other special parcels with a description of proposed action, use, and development.

3. Topographic Plan Requirements

- a. Contour interval shall not be more than two feet (2').
- b. The Topographic Plan may be based on Town Topographic Maps data and shall clearly show all lines and dimensions and all existing physical site features including roads, all forms of waterways and waterbodies, structures, inland wetland soil types and floodplain boundary lines.
- c. Physical features
 - (1) All major or trees (24" caliper, 3' off ground), distinctive outcropping of trees, specimen trees, trees of unusual variety for the area.
 - (2) Notation of density of tree cover (in terms of 0-10' apart, 10-20' apart, greater than 20' apart) with lines indicating density zones.
 - (3) Walls, existing structures, ridge lines, and vistas.
 - (4) Significant geologic features. such as eskers, kame, kettles, etc.

4. Utility and Grading Plan Requirements

- a. Details of the street layout, including the center line stationing, the proposed profile stations and elevations of all vertical control points, and stations and elevations of vertical curve high points at fifty foot (50') stations.
- b. Details of the sanitary sewer system, if applicable.
- c. A percolation test shall be required on each proposed building lot at the approximate location and elevation of the leaching system Additional tests may be required by the Commission.
- d. All percolation tests are to be conducted between September 15 and May 15 unless otherwise permitted by the Farmington Valley Health District.
- e. A deep test pit shall be dug to a depth of at least seven feet (7') on each proposed building lot and shall be located on the Plan. Deep test pits are intended to show subsoil conditions including rock, groundwater, and other unsuitable soil conditions. Additional tests may be required by the Commission.
- f. All deep test pits and percolation tests shall be located and numbered on the Plan and test results entered.

- g. Details of the Erosion and Sedimentation Control practices to be utilized consistent with the recommendations of the “Connecticut Erosion and Sedimentation Control Handbook.”
 - h. The complete drainage system for the entire subdivision shall be shown with all existing drainage features that are to be incorporated and properly identified as existing or proposed.
 - i. All drainage computations and work sheets showing all contribution areas shall be submitted as supporting documentation for the planned drainage system.
 - j. Drainage systems shall be designed to control the rates of runoff in accordance with the Town Storm Water Management Plan.
 - k. All proposed water systems, including hydrants, valves, and related appurtenances shall be shown.
5. Additional Plan Requirements (Adopted 9/22/87). For each subdivision application including land located above the 250-foot elevation in the eastern slopes of Town and above the 350-foot elevation in the western slopes of Town as described in the Simsbury Plan of Development, the Commission shall evaluate the development of land located above those elevations and shall modify the plan, as appropriate, after that evaluation. The factors that the Commission shall consider shall include, but shall not be limited to, the following: soil erosion by wind or water, loss of vegetative cover, destabilization of steep-slope areas, impact of reflective glare, disruption of natural setting, and preservation of scenic areas, vistas, ridge lines, wildlife corridors, or significant geological features. The applicant shall submit the following material or shall perform the following required analysis as appropriate:
- a. The applicant shall submit a map prepared at a scale of one inch equals one hundred feet (1"=100') showing the entire subdivision and delineating that portion of the subdivision above the 250-foot elevation in the eastern slopes of Town or above the 350-foot elevation in the western slopes of Town. (Adopted 9/22/87)
 - b. The applicant shall submit an aerial photograph of the subdivision at a scale of one inch equals one hundred feet (1"=100') with the lot layout superimposed on the photograph. (Adopted 9/22/87)
 - c. The applicant shall submit a plan showing the proposed or existing location of each structure, road, driveway, and other man-made feature on each lot. The plan shall show the maximum first floor topographic elevation and the maximum elevation of the highest point on the roof ridge line of each building or the highest point of each structure. (Adopted 9/22/87)
 - d. The proposed subdivision site shall be staked in the field so that the approximately center line of each road and the approximate center point of each lot front line are clearly visible. (Adopted 9/22/87)

- e. The applicant, in consultation with the Town Planner, shall provide a list of visual impact observation points for the proposed subdivision. These points shall be located through mapping and field observations. The applicant shall place aerial markers at points corresponding to the highest point on the roof ridge line of each building and the highest point of each structure. The applicant shall provide photographs taken from visual impact observation points of the subdivision site with aerial markers in place. The Commission shall verify the visual impact areas and may add other areas to be analyzed for visual impact in addition to proposed structure sites, including sites of proposed or existing roads, driveways, and other man-made features. (Adopted 9/22/87)
- f. All significant vegetation on the site shall be shown in plan and in cross section at a scale of one inch equals one hundred feet (1"=100') in the horizontal and one inch equals one hundred twenty-five feet (1"=125') in the vertical to allow for the analysis of each lot. For each lot identified by the Commission, the applicant shall provide the existing basal rate of tree stock, as calculated by a registered forester, located between each proposed or existing structure, road, driveway, and other man-made feature and the visual impact observation points. (Adopted 9/22/87)
- g. For areas on each lot where removal of vegetation would not be appropriate as set forth in these regulations, conservation easement areas shall be defined within which removal or tree stock greater than 4-inch caliper will be prohibited. (Adopted 9/22/87)
- h. Where existing vegetation is insufficient to provide, in the judgment of the Commission, adequate visual screening of visual impact areas on a particular lot, the applicant shall prepare a landscaping plan specifying the location, number, type, species, and size of plant and tree material which will be added to the lot. The landscaping plan shall specify conifer and deciduous trees of at least two to two and one-half inch (2 to 2 1/2") caliper in amounts sufficient to achieve a rate of 64 trees per acre for such lot, and the Commission may require additional plantings as necessary. The plan shall be designed to screen those portions of the visual impact areas that will be observable from the visual impact observation points. Such landscaping areas shall be included within the defined conservation easement areas. (Adopted 9/22/87)
- i. A view sector plan shall be prepared showing location and dimensions of a site cone(s) for each lot where removal of vegetation is proposed. Site cone areas shall be so designed as to minimize visibility into the internal lot from the visual impact observation points. (Adopted 9/22/87)
- j. Each view sector plan shall specify the existing and proposal basal rate of tree stock. Removal of tree stock in the view sector cone shall not substantially increase the visibility of visual impact areas. In the selection of stock for removal, priority shall be given to the preservation of conifers over deciduous trees, (Adopted 9/22/87)

- k. The applicant shall prepare a chart specifying mechanisms to minimize visual impact of existing and proposed structures, roads, driveways, and other man-made features, including, but not limited to, the following:
 - (1) Restrictions on structure and roof colors to earth tones, which shall include a range of colors including brown and black, but shall not include white or other bright or bold colors.
 - (2) Restrictions on the height of structures whenever the height is expected to exceed the height of the existing or proposed vegetation screening it from the visual impact observation points at a point in time five (5) years from the time of the installation of plant material.
 - (3) Restrictions on the amount of glass installed on the portion of the structure within the visual impact areas as defined as a percentage ratio of glass area to total wall area. The amount of glass shall not exceed thirty-five percent (35%) of each wall area within the visual impact area. (Adopted 9/22/87)

- l. No building permit shall be issued without the submission to the Planning Commission, or its designated agents, of an individual lot development plan at a scale of one inch equals twenty feet (1"=20') showing the conservation easement areas, sight cones, location of structures, driveways and paved areas, utilities, detailed erosion and sediment control plan, proposed landscaping, and all specific requirements for development or minimization of visual impact as incorporated into the subdivision plan approval. (Adopted 9/22/87)

SECTION XI - ENFORCEMENT, SEPARABILITY AND AMENDMENTS

- 1. These regulations may be amended, changed, or repealed in accordance with the General Statutes of the State of Connecticut.
- 2. Invalidity of one provision shall not invalidate any other provision.
- 3. Penalties for non-compliance shall be in accordance with the General Statutes of the State of Connecticut.