

SUBDIVISION REGULATIONS



**WEST HAVEN,
CONNECTICUT
EFFECTIVE DATE - MARCH 26, 2002**

CITY OF WEST HAVEN
HONORABLE JOHN M. PICARD, MAYOR

PLANNING AND ZONING COMMISSION

John J. PanzaChairman
Raymond Ceccarelli Vice-Chairman
Howard A. Davis Secretary
William D'Amicis Commissioner

Barbara SimmonsAlternate
Alfred PoseyAlternate
Gene Sullivan.....Alternate

PLANNING AND DEVELOPMENT DEPARTMENT

Eileen Buckheit Commissioner
Harry Eberhart Asst. City Planner
Kevin Clark Zoning Enforcement Officer
Debra Pericas Administrative Secretary

CHAPTER 1 STATEMENT OF LEGISLATIVE INTENT

1-1 GENERAL PURPOSE OF SUBDIVISION REGULATIONS

The Subdivision Regulations established in this resolution are designed to promote and protect public health, safety and the general welfare. These general goals include the following specific purposes:

- A: To insure that only land suitable for building purposes without danger to health, safety or public welfare will be subdivided;
- B. To promote the most desirable use of the land;
- C. To promote increased safety in the use of streets; to safeguard residential streets from the hazards of excessive traffic.
- D. To provide for sufficient space for the movement of all emergency vehicles and fire fighting equipment; and
- E. To safeguard the City from undue expenditures for the maintenance of streets and other open spaces devoted to public use by private developers.

1-2 GENERAL PROVISIONS

No subdivision or resubdivision of land shall be made, or shall any lot in a Subdivision be filed or recorded in the Office of the City Clerk until a final plan for Subdivision has been approved by the Planning and Zoning Commission.

1-3 DEFINITIONS

“Subdivision” means the division of a tract or parcel of land into three or more parts or lots for the purpose, whether immediate or future, of sale or building development, (expressly excluding development for agricultural purposes), and included Resubdivision.

“Re-Subdivision” means a change in a map of an approved or recorded Subdivision or Resubdivision, if such change:

- 1) affects any street layout shown on such map;
- 2) affects any area reserved thereon for public use; or
- 3) diminishes the size of any lot and creates an additional building lot, if any of the lots shown on the prior map have been surveyed.

CHAPTER 2

PROCEDURE FOR APPROVAL

2.1 GENERAL PROCEDURE

- A. **Application** - an application shall be submitted to the Planning and Zoning Commission in accordance with the provisions of Chapter 3 of this Article.
- B. **Preliminary Plan** - a preliminary subdivision plan shall be submitted to the Planning and Zoning Commission in accordance with the provision of Chapter 3 of this Article.
- C. **Public Hearing** - a public hearing on the proposed subdivision shall be held in accordance with the procedures set forth in Chapter 126 of the Connecticut General Statutes.
- D. **Action on Preliminary Plan** - the Planning and Zoning Commission shall not later than its third regular meeting following the submission of the preliminary plan, tentatively approve, disapprove, or approve with modifications the preliminary plan, advising the applicant of any changes which should be made. Such action shall not relieve the applicant of the necessity of submitting and obtaining the formal approval of the Commission of the final subdivision plan. The applicant will also be notified of the amount of the surety bond which approval of the final plan will be contingent.
- E. **Final Plan** - Not later than six (6) months after tentative approval or approval with modifications of the preliminary plan, the applicant shall submit the final plan in accordance with the provision of Chapter 3 of this Article. Except with the written consent of the Planning and Zoning Commission, failure of the applicant to provide such plan within this six month period shall render the Commission's approval of the preliminary plan null and void.
- F. **Action on the Final Plan** - the Planning and Zoning Commission shall act on the final plan not later than sixty (60) days after the final plan, complete with all required documentation, has been submitted to and accepted by the Commission. Such action, notification of action, or in the results of the Commission's failure to act within the specified time shall be in accordance with the procedures specified in the General Statutes.

If the final plan varies substantially from the preliminary plan as tentatively approved or modified and approved by the Planning and Zoning Commission, the withdrawal of the application file, together with the filing of a new application, may be required so as to afford the Commission time to review the new layout and the public an opportunity to express their views

- O. The **subdivision plan** must show all utilities and roads which will be constructed and certified complete prior to the construction of any structures. Should the subdivision plan require two or more phases for the completion of utilities and structures; the preceding construction phase shall be completed prior to any clearing of vegetation, movement of fill or rock material, or construction on the next subdivision phase.

- H. **Changes in the Final Plan** - any proposed changed in the accepted final plan must be submitted to the Planning and Zoning Commission for its consideration.

- I. **Effective Date of Approval** - Approval by the Planning and Zoning Commission shall become effective only on the date of filing and recording of a final plan in the Office of the City Clerk. Prior to such filing and recording, the applicant must secure from the Commission a Certificate of Compliance. Such certificate shall only be issued upon the filing of the surety bond, as described below, to the City of West Haven, together with three copies of all offers of cession of land dedicated to public use. Approval of the final plan by the Commission shall not by itself constitute an acceptance by the City of the dedication of any street, park or other open space.

- J. **Optional Alternate Procedure** - the applicant may submit at one time the maps, plans and documents required by Chapter 3 of this Article and prepared in accordance with the requirements contained therein. Action under the optional alternate procedure shall be the same as normal procedure except that such action will be completed within 90 days.

K. **Surety Bond and Offers of Cession** - the surety bond and the offers of cession shall be certified as to form by the Planning and Zoning Commission. The amount of the surety bond shall be specified by the Planning and Zoning Commission and shall be sufficient to cover the cost of the improvements shown on the final subdivision plan. The bond shall be released only upon certification by the Commission that all required improvements have been completed to its satisfaction.

L. **Recording of Final Plan** - the final plan shall be filed and recorded by the City Clerk only if the approval of the Planning and Zoning Commission has been endorsed thereon and only upon further certification by the Commission that all the regulations set forth herein have been fully complied with. Any plan not duly filed in the Office of the City Clerk within 90 days of the date upon which plan is approved by reason of failure of the Commission to act, shall become null and void.

The applicant may meet with the Planning and Zoning Commission prior to submitting any plans or document to discuss the requirements of this Article and the procedure for Subdivision Approval.

CHAPTER 3

DOCUMENTS TO BE SUBMITTED

3.1 APPLICATION

Application for approval of a subdivision shall be made to the Planning and Zoning Commission in writing on forms provided by the Commission and accompanied by the documentation require in this Chapter.

3.2 PRELIMINARY PLANS

Three prints of the preliminary subdivision plan map shall be furnished to the Planning and Zoning Commission. Such map shall be drawn at a scale of one inch equals not more than 100 feet. As a minimum, the map shall show the following:

- A. Existing and proposed property and street lines;
- B. Adjoining properties within two hundred (200) feet of the proposed development and the names of record owners;
- C. Existing and proposed water courses;
- D. Existing and proposed street names;
- E. Existing and proposed storm drains, catch basins, manholes, sanitary sewers, bridges, headwalls, and other structures;
- F. Existing and proposed parks, recreation areas, wooded areas and open spaces;
- G. Title, date and northpoint;
- H. Names of engineer and land surveyor preparing map;
- I. A-2 certification;
- J. Existing Flood Zones and Wetland Areas

The following maps and documents will be required by the Commission to supplement the preliminary Subdivision plan map;

- A. If the preliminary subdivision plan map is in sections, key map showing the location of each section;
- B. A map showing existing and proposed contours at an interval of five (5) feet;
- C. If the proposed Subdivision falls within more than one zoning district, a map showing the district boundaries;

- D. If the proposed Subdivision covers only a portion of a parcel of land, a map showing the suggested street systems;
- E. If the proposed Subdivision is not served with sanitary sewers, evidence that private sewage disposal for each lot will be in conformity with the State Sanitary Code;
- F. A map showing all utilities and landscaping on the site to include; a mandatory tree (Elm, Oak or Maple) to be spaced in fifty (50) foot intervals along roads within the subdivision; soil erosion and sediment control map for the site; flood area designations and Coastal Area Management resources (if applicable), wetlands designation.
- G. A plan of passive solar techniques planned in the construction of the building within the site and on the site itself.

3.3 CROSS SECTIONS

Cross sections of proposed streets shall be required showing the widths of rights-of-way and pavement, gutters, sidewalks, and planting strips, utility lines and grades.

3.4 FINAL PLANS

The final **Subdivision Plan Map** shall be drawn with fast colored waterproof ink or mylar on a sheet or sheets 25 inches wide and 37 inches long. The original and three prints shall be submitted. The map shall be drawn at a scale of 50 feet or less to an inch and included the following:

- A. Title, date and northpoint;
- B. The seal of a land surveyor licensed to practice in the State of Connecticut, certifying that the accuracy of the information presented thereon meets the standards for a Class A-2 Transit Survey. This shall apply to the delineation of the boundary lines as well as the interior lots and streets.
- C. The design of roads, drainage systems, sanitary sewer systems and water supply and distribution systems as shown on the map must bear the seal of a Civil Engineer licensed to practice in the State of Connecticut.
- D. Adjoining property lines and names of owners of record.
- E. Existing and proposed property and street lines.
- F. Existing and proposed easements and rights-of-way.
- G. Proposed lots and lot numbers and area in square feet of all lots.

- H. All dimensions to the nearest hundredth of a foot and all bearings or angles on all property lines, recreation areas, and open spaces.
- I. The central angle, tangent distance and radius of all areas.
- J. Existing and proposed street names and street monuments.
- K. The words "approved by the West Haven Planning and Zoning Commission" with a designated spaces for the signature of the Chairman and date or approval.

The developer shall submit with the final plans and agreements to give the City, on demand, proper deeds for lands reserved on the map for public use, for street and for right-of-ways required for drainage and public utilities.

3.5 FINAL CONSTRUCTIONS PLANS.

Final construction plans shall be submitted bearing the seal of an engineer licensed to practice in the State of Connecticut. Such plans shall include plans and profiles for roads, storm sewers, catch basins, ditches and water courses, sample cross sections and specifications for construction. All construction plans shall have the approval of the Commissioner of Public Works.

CHAPTER 4

SUBDIVISION DESIGN AND REQUIREMENTS

4.1 STREET REQUIREMENTS

The following standards shall control in all subdivisions:

- A. No privately owned reserve strips which control future extension of streets or land dedicated to public use will be permitted.
- B. The right-of-way of all street shall be no less than fifty (50) feet wide, measured as the shortest distance between roadway lines. The apportionment of the street width among roadway, planting strip and sidewalk shall be subject to the approval of the Planning and Zoning Commission. Refer to specifications for Road and Street Construction, where roads and streets are to be submitted for acceptance by the City of West Haven.
- C. The paved roadway shall not be less than thirty (30) feet in width, the roadway shall conform in construction and pavement to the Specifications for Road and Street Construction for the City of West Haven.
- D. When a street deflects in direction by more than 10 degrees, the tangents shall be joined by a curve. The radius of the inner right-of-way shall be concentric with the inner line. Whenever possible reverse curves shall be separated with tangents at least one hundred (100) feet long. All changes in direction of the paved roadway shall have a sight line of at least 150 feet along the inside edge.
- E. Dead End streets which will not be extended in the future shall not exceed 800 feet in length and shall terminate in a turn-around roadway with a minimum

radius of 60 feet to the outside taking line. The paved roadway within the turn around shall not be less than 20 feet in width, with a minimum radius of 50 feet to the outside edge of pavement. A street continuing to the boundary of the tract to provide access to acreage which may be subdivided in the future need not have a turn-around. However, the last 50 feet must be paved for a width of not less than 50 feet.

- F. Street grades shall not exceed 10 percent no less than 0.5 percent. All changes in grade shall be connected by vertical curves with a minimum length of 100 feet.
 - G. Streets shall intersect at angles as close to 90 degrees as possible, and in no case shall such angles be less than 30 degrees. Street intersections shall either meet or be at least 200 feet apart. Intersecting property lines at street intersections shall be joined by a curve with a minimum radius of 20 feet.
 - H. Street names shall not duplicate or too closely approximate in spelling or pronunciation existing street names in the City of West Haven.
 - I. Suitable guard posts shall be installed where the street grade is more than four (4) feet above front lot lines.
 - J. Suitable street trees shall be planted at approximately 50 foot intervals on both sides of the proposed street, to be replaced if within five (5) years any of the planted trees suffer disease or die.
 - K. All sidewalks shall be at least five (5) feet in width, unless an adjoining walk is four (4) feet in width, in which case the Commission may permit a four (4) foot walk. In front of commercial properties, places of assembly or other places which generate large amounts of pedestrian traffic, sidewalks or appropriate widths may be required by the Commission in order to safely accommodate such traffic.
 - 12. Wherever possible side lot lines shall be perpendicular to straight street lines or radial to curving street lines.
 - 13. Blocks shall not exceed 1000 feet in length no 400 feet in depth.
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- 14. Wherever necessary, the Commission may require easements of sufficient width to provide for public utilities. Provision for water supply and sewage disposal shall be shown and shall be accompanied by certification by the health officer that the proposed method complies with all applicable sanitary codes, rules and regulations. The applicant shall furnish a report of seepage tests certified by a person qualified to make such tests and any other information required by the health officer to review the application.

15. Permanent monuments of a design acceptable to the Commission shall be set at all street line intersections, angle points, at the points of curves and at such other points as may be required or otherwise needed to conform to State Requirements.
16. Areas other than streets dedicated to public use shall be of size, shape, and condition permitting them to be properly used in accordance with the purpose indicated on the final subdivision plan map. Open spaces for parks and playgrounds may be required in places deemed proper for such uses by the Commission.
17. In cases of subdivision served by public water supply and/or sanitary sewers, all mains, hydrants, conduits, and other appurtenances shall be installed as approved by the municipal department or corporation having jurisdiction and underground service shall be required.
18. Where deemed necessary by the Commission, the provision of these regulations concerning lot size and layout, block size and street construction and design may be adjusted to meet the needs of commercial and industrial subdivisions, provided that such adjustment is in harmony with the purpose and intent of the regulations. Residential lot size and layout shall meet the requirements of the zoning district.
19. The improvements indicated in the final subdivision plan map shall be inspected at specific stages of construction as determined by the City Engineer.
20. All proposed buildings shown on the final subdivision plans shall be identified and numbered in accordance with requirement set by the Assessor of the City of West Haven.
21. The Planning and Zoning Commission may waive any requirement and/or standard contained in the Article if it deems such action essential in view of unusual topographic conceptions or other special circumstances, provided that any variance granted does not conflict with the general purpose and intent of these regulations.

To secure such variance, the applicant shall make written request to the Commission explaining fully the reasons therefore and submit same with the preliminary plan. Action by the Commission on such request will be taken as part of the general action on the preliminary plan.
22. Any person, firm, or corporation making any subdivision of land without full compliance of the regulations of this Article or without the approval of the Planning and Zoning Commission shall be fined not more than two hundred

(\$200.00) dollars for each lot sold or offered for sale or subdivided.

23. Any person may appeal an action of the Planning and Zoning Commission to the Superior Court as provided by Statute.

Effective Date: March 26, 2002.