

# TOWN OF WINDSOR LOCKS

Connecticut

## SUBDIVISION REGULATIONS

Pursuant to the ordinances and/or charter of the Town of Windsor Locks and Chapter 126 of the Connecticut General Statutes, the Town of Windsor Locks' Planning and Zoning Commission adopts the following regulations:

### **DECLARATION OF POLICY**

It is declared to be the policy of the Town of Windsor Locks' Planning and Zoning Commission to consider land subdivisions as a living part of the community, and as part of a plan for the aggregation of lots. In order that the land subdivisions may be made in the best interests of the town, and in accordance with this policy, and in order that adequate provisions may be made for the proper arrangement and development of streets, for open spaces, for recreation, light and air, for the avoidance of undue density of population, for access of fire fighting apparatus to property, and for proper drainage and sewerage facilities, general health, welfare, safety and well-being, the regulations are hereby adopted.

## **Legislative History**

- January 13, 1992 Subdivision Regulations adopted by Planning and Zoning Commission.
- February 1, 1992 Subdivision Regulations become effective.
- January 11, 1993 Section 8.2, subparagraph 14 adopted.
- February 1, 1993 Section 8.2, subparagraph 14 becomes effective.
- July 10, 1995 Revisions to the following paragraphs adopted.  
Section X  
Section XIII, 13.1, 13.2
- August 1, 1995 Revisions to Sections X and XIII become effective.

**SECTION I**

**SECTION 1.1** Definitions: as used in these regulations, the following shall mean:

**ACRE:** Forty-three thousand, five hundred and sixty (43,560) square feet.

**COMMISSION:** The Planning and Zoning Commission.

**CUL-DE-SAC:** A dead-end street with a turnaround.

**ELEVATION:** Based on U.S. Coast and Geodetic survey datum.

**GRADE:** The number of feet rise in one hundred feet of horizontal distance expressed as percent.

**RECORD OWNER:** The owner of record at the time of application for subdivision is made in accordance with requirements of the Enabling Act, Chapter 126, as amended.

**RESUBDIVISION:** A change in a map of an approved or recorded subdivision, or resubdivision, if such change: (a) affects any street layout shown on such maps, (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 have been conveyed after the approval and recording of such map.

**REVISION OF SUBDIVISION:** A change in an approved or recorded subdivision or resubdivision which constitutes a minor change or correction which does not correspond with those under resubdivision.

**STREET:** Any public thoroughfare which affords the public a means of access to abutting property or a proposed public thoroughfare shown upon a subdivision plan duly approved by the Planning and Zoning Commission of the Town of Windsor Locks.

**STREET LINE:** The boundary line of property along a street which defines the right-of-way, not necessarily the edge of the pavement.

**SUBDIVISION:** 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 municipal, conservation, or agricultural purposes. It shall also include resubdivision and shall relate to the process of subdividing any land including nonresidential as well as residential areas.

**ZONING REGULATIONS:** Those zoning regulations which are in effect at the time when application is made to and officially received by the Commission for subdivision plan approval.



**SECTION II**

**APPROVAL REQUIRED**

- 2.1** No subdivision of land, as defined in Section I, shall be sold or offered for sale or lease, nor shall any building permit be granted within such subdivision until the subdivision plan shall have been granted final approval by the Commission and recorded by the Town Clerk.
- 2.2** De Facto Subdivision: Should a developer have built upon the same tract or parcel of land two or more houses, or have divided such tract or parcel of land into three or more lots, and it seems otherwise evident to the Commission that he is, in fact, developing a subdivision even though no application for such subdivision has been made, the Commission may declare the tract or parcel a subdivision and require the developer to make application as required in these regulations, unless the developer can reasonably prove to the Commission that his actions do not constitute a subdivision. Failure to follow the action of the Commission shall make the developer liable to appropriate penalties, as indicated in this section, and no further building permits will be granted on such tract until the developer has complied.
- 2.3** Penalty: Any person, firm, corporation, partnership or association making any subdivision of land without the approval of the Commission shall be fined not more than \$500.00 for each lot sold or offered for sale or so subdivided. The Town may enjoin such action by a subdivider by action for injunction and/or may recover such penalty by civil action: the remedies shall be cumulative, not alternative.



**SECTION III**

**GENERAL REQUIREMENTS FOR SUBDIVISIONS**

- 3.1 All land to be subdivided shall be of such character that it can be used for residential, business or industrial uses without danger to health and safety. Land subject to flooding or with inadequate means of sanitary sewage disposal, shall not be subdivided.
- 3.2 Compliance with Plan of Development: All subdivision plans must conform in general to the “Comprehensive Plan of Development”.
- 3.3 Privately-Owned Reserve Strips: No privately-owned reserved strips which control access to land dedicated to public use, or which may be so dedicated, will be permitted.
- 3.4 Zoning Compliance: All subdivision plans must conform to the Zoning Regulations of the Town and to the Subdivision Regulations herewith prescribed, and they shall be guided in their layout by the Plan of Development.
- 3.5 Lot Sizes and Physical Factors
  - 1. The size of lots shall be as required by the Zoning Regulations of the Town, and the dimensions, shape, orientation and ground conditions of each lot or parcel shall be conducive to its maximum usefulness.
  - 2. Land of such geophysical nature, that in its present state, cannot safely be used for building purposes because of hazards such as danger to health, peril from fire or flood, inadequacy of public drainage systems, difficult site drainage, temporary flooding, erosion, steep slopes, or any other condition deemed by the Commission to make the land unfit for building purposes, shall not be approved for subdivision unless the Commission is satisfied that the proposed engineering for treatment of the site will eliminate such hazards.
  - 3. Larger lot sizes than the minimum under the Zoning Regulations may be required by the Commission in areas to be served by private sewage disposal systems where adverse soil or topographic conditions make such necessary in order to meet the requirements of the North Central Health District.

**3.6** Waivers: Where conditions exist which affect the subject land and are not generally applicable to other land in the area and where strict conformity to these Subdivision Regulations would cause undue hardship to the landowner or where the particular requirements of the Subdivision Regulation would not be of benefit to the public, then such requirement may be modified or waived by the Commission, provided that no waiver shall be granted that would have a significant adverse effect on adjacent property or on the public health and safety. All requests for modification or waivers shall be submitted in writing and must receive a three-quarters vote of all the members of the Commission for approval. Each waiver or modification of the requirements shall be voted upon separately and the reasons for such modification or waiver shall be entered in the records of the Commission and noted on the subdivision plan prior to affixing signatures for filing.

Waivers may be granted or modifications approved for the following:

1. Lot Dimensions: In accordance with Sec. 211 of the Windsor Locks Zoning Regulations.
2. Installation of Sidewalks: Where the Commission finds that such facilities will serve no useful purpose.
3. Curbs: Where subdivision lots are on existing streets that have adequate drainage, pavement, and proper grading to make such improvements unnecessary or on new streets where topography or other physical factors make such improvements nonessential.
4. Open Space: Where the amount of land to be set aside would be insignificant or lot sizes are of such size that common open space would be superfluous.
5. Design Standards: Minor deviations to engineering standards due to physical characteristics of the land or problems created by existing improvements may be permitted provided that resulting design changes are minimal.
6. Underground Utilities: In accordance with Section **6.2** of these regulations.
7. Cul-de-sacs: In accordance with Section **6.2** of these regulations.
8. Ingress and Egress: In accordance with Section **6.2** of these regulations.
9. Street Lighting: In accordance with Section **6.6** of these regulations.
10. Other waivers as provided.

**SECTION IV****SANITARY SEWAGE AND STORM DRAINAGE****4.1 Sanitary Sewage Disposal:** Provision shall be made for sanitary sewage disposal as follows:

1. Where a subdivision in the opinion of the Commission is within reasonable distance of an existing sewer line, a complete sanitary sewer system shall be installed and connected to the existing town sewers by the developer or subdivider. Said sanitary sewer systems shall be designed and constructed in accordance with the Sewer Ordinance for the Town of Windsor Locks, Connecticut, adopted May 8, 1984, as may be amended from time to time. A copy of the regulations can be obtained at the office of the Town Clerk.
2. When a subdivision is in an area of the town where sanitary sewer mains are located within a reasonable distance and said subdivision is located in low lying terrain, the developer shall install a sanitary sewer system, as provided in Section I, and provide a pumping station and forced main to lift the sewage to an adjacent town sewer system all at the expense of the developer. Said sanitary sewer system, pumping station, forced main shall be subject to the approval of the Windsor Locks Water Pollution Control Authority and the State Department of Environmental Protection Agency.
3. Where a subdivision is located beyond the range of an existing sanitary sewer, but is in an area planned to be served by a future extension of the sewer system, the developer shall install a complete capped sanitary sewer system and shall make provisions for a future house sewer lateral connection from the street sewer to each dwelling. He shall provide a surety bond, based on the estimated cost of installing a capped sewer system in all streets of the subdivision to cover the cost of installing such sewers at the developer's expense.

The capped Sanitary Sewer System shall be designed and constructed in accordance with the Sewer Ordinance for the Town of Windsor Locks, Connecticut, adopted May 8, 1984, as may be amended from time to time.

Under such conditions, septic tank systems shall also be installed to serve each dwelling.

4. Where a subdivision is located in any area of the town to which future extension of the sanitary sewer system is not planned, septic tank systems shall be used in accordance with current State Sanitary Code Regulations.

Lots to be served by septic tank systems shall contain sufficient land of proper character to permit satisfactory performance of septic tank disposal fields.

5. The Commission will require a report from the North Central Connecticut Health District

stating that a suitable sanitary waste system can be provided on each lot of the proposed subdivision where lots are not served by public sewers.

- 4.2** Storm Drainage: A complete storm water drainage system shall be installed, and the developer shall acquire at his expense all “rights to drain” easements to a natural outlet. Said drainage easements shall be deeded to the town when the development is completed and formally accepted by the town. Whenever a drainage outlet cannot be found for outletting of the storm water sewers within a development, where a natural outlet for storm drainage is not feasible, the developer shall present an alternate plan which may be used only after approval of the Commission. The developer shall design the storm water system within the development to meet the elevations and grades as set forth on the town’s overall storm drainage trunk line system on file.

The construction of so-called “French drains” within the road area will not be permitted. The developer shall at his own expense construct an outlet for the storm water sewer within the development to the nearest junction of the storm water line as shown on the town plan.

**SECTION V**

**PUBLIC OPEN SPACES**

- 5.1** A subdivision of any tract of land in residential areas shall reserve open space suitable for public use, located as required by the Commission at the rate of ten (10) percent of the area of the subdivision. Such open spaces shall abut or have direct access to a public street through a right-of-way dedicated to public use. The area of such right-of-way shall not be included in the required playground area, shall be at least 20 feet wide, and shall be leveled off in a manner suitable for foot and truck traffic, with a maximum grade of 10 percent.
- 5.2** When a property line of a subdivision abuts an existing playground or other open space use, the Commission may require the open space to be placed in such a manner as to form a single large unified area.
- 5.3** No required public open space shall abut or have access to any boundary line of the Town of Windsor Locks.
- 5.4** Any land reserved for surface water run-off in brooks and streams will be considered at half the total area meeting the requirements of Section V, except that in no case will a required public open space, excluding brooks and stream areas, be approved with less than one and one-half acres of area. Excluding open space areas along brooks and streams, a required public open space shall be contained within a rectangle whose average greater dimension is not more than 3-1/2 times its lesser dimension, except that the Commission may modify these proportions on land that forms an extension of an existing public open space.
- 5.5** Any land dedicated to the Town of Windsor Locks for public playgrounds or open space shall be graded to properly dispose of surface water, and shall have a minimum of four inches of topsoil, and be seeded and landscaped to the satisfaction of the Commission; all brush and debris shall be removed and the land left in condition for the purpose intended.
- 5.6** Unless otherwise directed, land to be dedicated for public open space shall be completely enclosed with fencing four (4) feet in height, with pedestrian and at least one vehicular gate where directed. Bulkheads and concrete endwalls shall also be protected if required.
- 5.7** Minimum specifications for the installation of fencing on public open spaces shall be as follows:

Line posts shall be 1-5/8 inches by 6 feet, weighing 2.27 pounds per foot; end posts 2-1/2 inches with 3.65 pounds per foot; top rail 1-3/8 inches, weighing 1.68 pounds per foot. Line posts shall be set in a minimum of 30 inches of concrete with a minimum diameter of 12 inches. End posts shall be set in a minimum of 42 inches of concrete with a minimum diameter of 15 inches. All posts

shall be domed to shed water and left open to inspection prior to the installation of the top rail. The wire shall be No. 9 wire mesh. All parts shall have a hot galvanized finish.

- 5.8** Open Space Fee In Lieu of Land: The Commission may waive the requirement for open space where a subdivision is of such size that the reserved area would amount to less than one acre, where provision of such land is not appropriate or where lot sizes generally exceed the minimum requirement by ten (10) percent. In lieu of the provision of open space land, the Commission may require the payment of a fee equal to ten (10) percent of the market value of the subject property. Said fee shall be paid into a fund established for the preservation or acquisition of open space.

**SECTION VI****STREETS**

- 6.1** Proposed streets shall be in harmony with existing or proposed arterial, principal or secondary thoroughfares, as shown on the Town Plan of Development approved for use by the Commission, especially in regard to safe intersections with such thoroughfares. Where land to be subdivided does not abut an accepted town street or State road, the subdivider shall provide and construct a street from the subdivision to such a town or State road to be built in compliance with requirements and specifications applying to the construction of streets within the subdivision.
- 6.2** Streets designed to accommodate presently or at any future time traffic other than that of the immediate neighborhood, and all new streets providing frontage to business and industrial land, shall be indicated as secondary thoroughfares and if required by the Commission shall not be less than 60 feet wide. Principal thoroughfares and arterials, as indicated on the foregoing Town Plan, shall be of such width as the Commission may deem necessary. All other streets shall be not less than 50 feet wide. Thoroughfares shall have grades not greater than 5 percent and curves of radii not less than 300 feet, measured at the center line. Other streets shall have grades not greater than 7 percent. No streets shall have grades less than 1 percent. Cul-de-sac streets shall terminate in a circle of not less than 55 foot radius, and it shall have a minimum pavement width radius of 45 feet to the outside curb. Cul-de-sacs shall not be longer than 1200 feet measured from the center of the turnaround to the nearest street intersection. Where, in the opinion of the Commission, such street is likely to be extended in the future to another outlet, this limitation of length may be waived or where strict conformity would cause undue hardship to the applicant, it may be modified. As far as practicable, streets shall follow natural contours.

Ingress and Egress: No plan of subdivision containing a road whose length is more than 1200 feet shall be approved which does not have two means of vehicular ingress and egress from an accepted town street except when modified or waived as above. As used here, vehicular ingress and egress will be by streets in accordance with these regulations.

Relationship to Existing Streets: Proposed subdivisions and any proposed streets therein shall be planned to coordinate with existing streets as follows:

1. Abutting Streets: Proposed subdivisions abutting an existing Town street or a State highway shall provide for proper widening of the right-of-way of such street or highway to the width appropriate for the classification given such street or highway by the Commission. Provision shall also be made for improvements in the travel way as to width, grade and alignment (vertical and horizontal), base, drainage and pavement as, in the opinion of the Commission, may be necessary for the creation of the subdivision.
2. Access: Any proposed street in a subdivision shall connect to an existing Town street or State

highway or to another street in the proposed subdivision or to a street in another subdivision approved by the Commission where the applicant has access rights.

3. Suitability of Access: The existing street to which the proposed subdivision street connects shall be of sufficient width and have suitable travel way, grade and alignment as determined by the Commission to provide adequate access for fire protection, other emergency, utility and highway maintenance services to the subdivision and sufficient to accept the traffic to be generated by the proposed subdivision street without undue hazards to vehicles and pedestrians.

Streets shall be built in accordance with the Town of Windsor Locks Standard Construction Details and Specifications, but streets which may be used as secondary to principal thoroughfares, may be required to have pavement of greater than minimum width. Such requirement will be determined by the Commission after preapplication scrutiny.

Cul-de-Sacs will be allowed under the following conditions: (1) to provide access to undeveloped rear land surrounded by subdivided land, or to solve a topographical problem and (2) as a temporary measure pending future development of adjoining land, in which case, provision shall be made in the turn-around for continuing the street later, and for reversion of any resulting excess right-of-way to abutting property owners.

Street Intersections shall be straight line intersections and as nearly at right angles as possible, and in no case shall be less than 60 degrees. Intersecting right-of-way lines at street intersections shall be connected by a curve of 25 foot radius.

Street jogs with center line offsets of less than 200 feet shall be prohibited.

Proposed Street Names are subject to approval of the Commission. No street name in use in Windsor Locks shall be used and no street name phonetically similar to any street name in use in Windsor Locks shall be used.

Underground Utilities: Electric and telephone wires shall be installed underground except that the Commission may waive this requirement at the request of the developer in cases where the Commission determines that the installation of underground service will result in unusual difficulty or hardship. In making such determination, the Commission shall take into account the following:

- (a) The size and nature of the subdivision.
- (b) Unusual topographic or other natural conditions.
- (c) Type of service existing in the area adjacent to the subdivision at the time of application.

The Commission may grant a full or partial waiver of this requirement and in approving such waiver may require the installation of electric and telephone wires on poles or may require a combination of

underground and overhead services.

Engineering and Construction:

1. All engineering and construction shall be in accordance with the requirements of the Town of Windsor Locks Standard Construction Details and Specifications, as the same may be amended from time to time, which standards and specifications are on file in the Town Engineer's Office, and are available for inspection during regular business hours of said office.
  2. The developer shall be required to carry away by pipe or open ditch, based on the recommendations of the Town Engineer, any spring water that may exist. The developer shall have designed by a registered professional engineer a storm water drainage system that shall contain where necessary culverts, catch basins, head-walls, storm sewers and other structures or facilities suitable to give the streets and adjacent lots proper drainage. It will be the responsibility of the developer to install an adequate storm water drainage system which will handle the runoff from a 25 year storm.
  3. A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. Size of facility based upon potential development and anticipated runoff from a 25 year storm shall be subject to approval by the Town Engineer. The culvert or drainage facility from the subdivision shall continue to a natural watercourse.
  4. Downstream drainage effect of each proposed subdivision outside the area of the subdivision shall also be calculated. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility during a 25 year storm, the Commission shall not approve the subdivision until the subdivider has made such provision for the improvement of such potential condition as the Commission deems reasonable to require of the subdivider.
  5. Where a subdivision of land proposes building lots on an existing approved road, or where the tract of land to be subdivided presently receives storm water drainage from an existing road or watercourse, it will be the responsibility of the developer to provide an approved storm water drainage system suitable to give the existing road and adjacent lots of the proposed subdivision proper drainage.
  6. The engineering and construction in the field shall be in accordance with plans which have been approved by the Commission, except that field changes may be authorized by the Town Engineer or his authorized representative.
- 6.3** All new streets shall be constructed by a qualified road contractor to Town requirements and shall be paved to a minimum width of 30 feet including bituminous concrete curbing, except that all curbing at street intersections in business and industrial zones shall be granite curbing.

Arterials shall have roadway widths such as the Commission may deem necessary.

- 6.4** Sidewalks: Unless otherwise specifically approved by the Commission, concrete sidewalks shall be constructed on both sides of all streets in a new subdivision in accordance with the Town of Windsor Locks Standard Construction Details and Specifications.
- 6.5** Trees and Natural Features: Due regard shall be given to preservation of natural features, large trees, scenic points and other assets of a community nature.
1. The developer shall leave not less than two naturally growing trees in the front yard of each lot, or shall plant two trees of not less than three (3) inch caliper in the front yard of each lot. Only deciduous shade trees shall qualify.
  2. All watercourses shall be protected during the construction stage of the subdivision and shall be left in a condition satisfactory to the Town Engineer or his authorized representative.
  3. No watercourse shall be disturbed, rerouted or otherwise altered unless approved by the Town Engineer or his authorized representative, and the Windsor Locks Inland Wetlands and Watercourses Agency and all other local, State and/or federal requirements are satisfied.
- 6.6** Street Lighting: Street lights shall be installed in subdivisions, at the developer's expense, unless waived by the Commission, and shall be installed in accordance with construction standards of the Connecticut Light and Power Company. Ornamental poles shall be used wherever underground wiring is installed. Lighting shall be in accordance with standards of the Illuminating Engineering Society and all proposals shall be referred to the Board of Selectmen for review.

In residential subdivisions, "half-code lighting"\* shall be used unless the Commission determines otherwise following review by the Board of Selectmen. For major thoroughfares and collector streets and in commercial or industrial areas, "full-code lighting"\* shall be installed unless the Commission determines otherwise following review by the Board of Selectmen.

\* "Full-code lighting" requires a light on every pole at spacings of 100 feet to 140 feet using 100 watt, 9500 lumen high-pressure sodium luminaires.

**6.7 Fire Hydrants:**

1. Fire hydrants shall be installed at the developer's expense in all subdivisions serviced by a public water system.
2. In residential subdivisions the hydrants shall be spaced at intervals not exceeding 1,000 feet, unless a greater space between hydrants is approved by the Fire Chief.
3. In no event shall the distance between a hydrant and any house location in a subdivision exceed 500 feet.
4. In retail business or industrial subdivisions hydrants shall be placed at intervals not exceeding 500 feet, unless a greater space between hydrants is approved by the Fire Chief.

**6.8 Provision of Buffer Strips:** The Commission may regulate the location and orientation of lots along existing streets for public safety and may require the installation of planting strips along existing streets for the purpose of providing buffer screens for present or future residences abutting such streets.

**6.9 Construction Debris:** Stumps, logs, branches or other construction debris such as scrap lumber, metal, concrete, asphalt or other discarded material shall be removed from the construction site. In no case shall such materials be buried or left on the site. This requirement shall not prohibit the use of wood chips or like products for mulching or other landscaping purposes.

**6.10 Monuments:** Monuments of reinforced concrete 4" square with brass or copper plug or drill hole with cross marking the center, shall be installed on all new streets at angles and intersections of tangents and curves. Markers of 1" diameter pipe, shall be installed at all lot corners not designated by monuments. Monuments and markers shall be 4' long except where ledge rock is encountered, set flush with proposed grades.

**6.11 Passive Solar Design:** An applicant for a residential subdivision shall demonstrate to the Commission that in developing the plan, the use of passive solar energy techniques were considered.

The purpose of such techniques is meant to encourage energy conservation, primarily by taking advantage of southerly exposures to the maximum extent possible. By proper lot design and house orientation, a wider range of choices are made available to the future owner regarding building design alternatives which can maximize the solar access advantage.

The passive solar energy techniques considered shall as a minimum include:

1. **House Orientation:** In order to take maximum advantage of the winter sun for heating purposes, a building's longest plane should be positioned no more than 30 degrees off the

east/west axis (see diagram below). For the Commission's consideration and for the information of the future lot owner, the subdivision plan shall show house orientations which will provide the best solar access. Such information shall be included as supporting data under Section 8.2.

2. Street and Lot Layout: Street patterns and lot lines generally determine building orientation. Where no topographic constraints exist, streets shall have east/west orientation to the greatest extent possible, preferably within 30 degrees of the east/west axis. Where this orientation is not possible or desirable, side lot lines adjacent to intercardinally positioned streets are encouraged to be placed as close as possible to the north/south axis (see sketch below).
3. Vegetation: Trees can serve as valuable tools in conserving energy in residential buildings. If existing plant materials serve as wind barriers at the north or northwest of homes, they should be retained. Street trees should be planted by type and location to avoid conflict with a building's southern exposure.
4. Natural and Man-made Topographical Features: Adequate solar orientation is dependent upon the slope of the land. When open space is part of a subdivision proposal, consideration should be given to placing this area on north-facing slopes, not conducive to good solar access. Consideration should be given to the placement of lots on south facing slopes, favorable to good solar access.
5. Protection of Solar Access within the Development: For the information of the future lot owner, areas should be shown on each lot where tree removal would be necessary to provide solar access for the building's south-facing wall. Lots with major yard areas to the south of the building are encouraged, as these are under the owner's control. Where necessary, the placement of solar easements on lots is encouraged.

Note: Passive Solar Design Definitions

1. Passive solar energy techniques: Site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season, and minimize heat gain and provide for natural ventilation during the cooling season.
2. Solar access: The access to unobstructed direct sunlight required by a solar collector for its efficient operation, generally determined as having the south walls of a building receiving uninterrupted sunlight between the hours of 9:00 A.M. and 3:00 P.M. on December 21.
3. Building orientation: The relationship of a building's longest axis to the north/south compass point.

**6.12 Driveways** *(Note: This section was added 6-1-2006 and amended effective 11-10-2008.)*

For the purposes of this section, a driveway shall be defined as any area used for vehicular ingress or egress to any building, structure, use, or lot, or any area used for outdoor parking of vehicles. No driveway shall be constructed, reconstructed, or resurfaced, without a permit issued by the Town of Windsor Locks Building Department. Any creation or relocation of a curb cut or any work required within a Town street right-of-way shall also require a permit from the Town of Windsor Locks Department of Public Works. Driveways shall conform to the following standards:

A. Location: Driveway entrances to a street (curb cuts) shall be located so as to provide maximum visibility and safety to the general public. No obstructions will be permitted near a driveway, which interfere with the visibility of the driveway to those using the driveway or those passing by. The Town Engineer may require a sight line plan stamped by a licensed land surveyor and professional engineer to demonstrate adequate intersection sight distance (ISD) is provided by a proposed driveway.

No driveway shall be located within 10 feet of a property line, except where it crosses a property line at its entrance. In zones where detached garages (accessory structures) are permitted closer than 10 feet to a sideline, the driveway setback may be reduced to match the setback of an existing or proposed detached garage. Driveway openings shall be located as far from intersections as possible and the nearest edge of the driveway shall be no closer than 25 feet from the nearest intersecting street right-of-way line. This requirement shall also apply to rights-of-way designated for future roadways. Driveways shall be located on the street frontage with the lowest traffic volume wherever possible.

B. Construction: Driveway shall be at least 10 feet in width and no more than 30 feet in width, unless otherwise approved by the Town Engineer. Driveways shall be paved for at least the first 10 feet beyond the edge of street pavement. The first 10 feet beyond the street right-of-way line shall be no greater than 5% grade. The next 10 feet shall serve as a grade transition to a maximum grade of 15% for paved driveways and 10% for unpaved driveways. The driveway pavement section shall include a minimum of 2" compacted bituminous concrete pavement on 6" processed aggregate base. All materials shall conform to the Connecticut Department of Transportation Standard Roadway Specifications, Form 816 as amended. Other materials may be approved by the Town Engineer.

C. Drainage: Generally, driveways shall be graded to direct runoff away from abutting properties. The applicant must demonstrate that the proposed driveway runoff will not adversely impact downstream properties. Driveways shall be graded so as to prevent runoff from the Town right-of-way draining onto private property. Drainage culverts may be required to convey runoff under the driveway. Culverts shall be a minimum of 15 inches in

diameter unless otherwise approved by the Town Engineer. The driveway or access shall be designed so as not to interfere with the function of existing culverts or drainage systems.

**SECTION VII**

**PRE-APPLICATION SCRUTINY**

1. A pre-application review of a proposed subdivision plan by the Commission may be requested by an applicant in order to ascertain if the street layout, or any other proposal meets with the requirements of these regulations or to ask for consideration of any variation of a requirement.
2. An applicant may confer with any member of the staff of the Town of Windsor Locks with regard to any requirement of these regulations before the preparation of subdivision plans.
3. The submission of pre-application plans to the Commission shall not constitute an application for subdivision approval, and review of pre-application plans by the Commission shall not constitute action on any subdivision application.
4. Plans to be considered informally under this section shall be submitted at least thirty days before a formal application is made to the Commission.



## SECTION VIII

## FORM AND CONTENTS OF PLAN OF SUBDIVISION

**8.1** No plan of subdivision shall be approved unless it is drawn in ink on sheets of permanent transparent drafting material not larger than 24 inches by 36 inches and to a scale of one inch equals forty feet (deviation of scale only with Commission approval). Prior to filing the plan of subdivision, the owner shall file four (4) copies reproduced by blue and white print or similar process, and one transparency. In addition, one reproducible print showing the location of each house with first floor elevation shown, front door, and driveway shall be submitted, and after house numbers have been assigned, the required number of black and white prints shall be furnished to the Commission. The Subdivision Plan shall contain the following statement: *“The Subdivision Regulations of the Town of Windsor Locks are a part of this plan and approval of this plan is contingent on completion of all the requirements of said Subdivision Regulations, except for such waivers or modifications made in writing by the Planning and Zoning Commission, and attached hereto”* together with the following information:

1. Name of record owner of land.
2. Name of subdivision, if any, and subdivider.
3. Certificate of registered professional engineer and/or land surveyor who shall furnish a “Traverse Sheet” of the original traverse or boundary survey of the development. Said traverse sheet shall include the necessary data for each course of the traverse and the error of closure and survey accuracy. The survey accuracy of the traverse or boundary survey is 1 in 10,000 or better, and shall conform to Class A-1 Transit Survey as set forth in the Code of Connecticut Technical Council, Inc., dated January, 1945.
4. North point, scale of map and date.
5. Boundary lines of subdivision and accurate distances and bearings.
6. Names of abutting property holders.
7. Layouts of lots, showing accurate dimensions, angles, building lines, and zone or zones, and location of any monuments or markers to be placed at corners or angles of all lots. Dimensions or lots on curved streets shall be given in arc lengths.
8. Accurate location and descriptions of monuments to be placed at corners and angles of all streets, at all points of curvature, and points of tangency of curved streets, with accurate reference to some existing recognized governmental monument or marker.

9. Layout of existing streets, and proposed street rights-of-way, easements and rights-of-way for utilities, sewers and drainage, either on or off site, open spaces reserved for parks, playgrounds, or other common or public uses. Bearings and dimensions shall be accurate and shall include arc length, radius, and central angle of all curves.
10. A key map at a scale of one inch equals 800 feet locating the subdivision within the surrounding street system.
11. All elevations as shown on subdivision plans and road profiles shall be based on U.S. Coast and Geodetic Survey datum. The location and description of at least two Bench Marks shall be noted on the 40 scale plan of the development.

**8.2** In addition to the above, the following shall be submitted as a part of the "Subdivision Plan" as separate maps and/or supporting data:

1. Proposed future subdivisions, and statements of conditions of land as to suitability for business, residential and industrial development.
2. At least one test hole per acre, or more if there appears to be considerable variation in subsurface conditions, shall be dug to determine soil conditions for drainage. Seepage tests, made in accordance with the procedure recommended by the State Department of Environmental Protection will be required in areas served by subsurface sewage disposal systems. The statement of a registered professional engineer showing results of these tests, and soil conditions, shall be attached.
3. All sanitary and drainage plans shall have the written approval of the Water Pollution Control Authority and the Town Engineer. The location of all existing and proposed sanitary and storm water sewers, catch basins, manholes, bridges, and culverts. Invert elevations of all drainage structures shall be shown.
4. Methods of proposed sanitary sewerage, methods of storm water drainage into existing sewers or into existing natural watercourses, methods of supplying water.
5. Methods of dedication of proposed easements, rights-of-way, and open spaces which may be required in Section V.
6. Road profiles, showing accurate existing and finished grades, together with detailed road construction plans, including details of any drainage structures, specifications as to materials and such other information as the Commission may require. All construction plans shall be plotted to a scale of one inch equals 40 feet. Profiles shall be plotted to a horizontal scale of one inch equals 40 feet and a vertical scale of one inch equals four feet.

7. Contours, in sufficient detail to show general topography, watercourses, and drains. In general, contours shall be shown at no less than four foot intervals, but in case of relatively level land the Commission may require contours at two foot intervals. If grading of lots is to be carried out by the applicant, finished grades shall be shown.
8. All required utilities shall be installed without cost to the town and a statement by the utility company to this effect shall be filed with the Commission together with the Plan of Subdivision.
9. Approved plan for Erosion and Sediment Control.
10. Approved plan of the Windsor Locks Inland Wetlands and Watercourses Agency.
11. Report of the North Central Connecticut Health District concerning septic systems and/or wells if proposed.
12. Hydrant locations as approved by the Windsor Locks Fire Chief.
13. Passive solar information.
14. In all special flood hazard areas 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 provide adequate drainage to reduce exposure to flood hazards; and
  - D. Base flood elevation shall be provided for all subdivision proposals and other proposed development which are five acres or fifty lots, which ever is less, and are located in Flood Zone A.

(Note: This subparagraph 14 was added on 2-1-1993.)

- 8.3** Index Map. If more than one sheet is required to show the entire subdivision, one print on a stable tracing material and four prints of a map showing the entire street system at a scale of one inch equals 100 feet shall also be submitted.
- 8.4** Resubdivision - Necessity to provide information. All plans of resubdivision shall include sufficient information to enable the recorded original subdivision plan to be identified in the Town records. Requirements and procedures of subdivision shall normally be followed for all resubdivisions.
- 8.5** Master Development Sketch. Where all land proposed for development or land under option or owned by the applicant is not included in the proposal, a master development sketch shall accompany the original submission. This sketch, at a scale of not less than one inch to 100 feet, shall show proposed rights-of-way and lot layout. Additional information may be required by the Commission where any part of the subdivision would be affected by the development of another part. Sections in proposed order of development should be labeled with Roman Numerals and each

section shall be applied for and processed individually.

Where vacant land abuts a proposed development and such land is not owned by or under option to the applicant, then the applicant shall consider possible street connections to such vacant land for future development. Such connections should be considered during the Pre-Application stage. If an applicant elects not to take advantage of the Pre-Application process or does not provide information concerning possible future street connections, then the Commission may require submission of additional information concerning the development of the applicant's property as it may affect abutters.

**SECTION IX**

**PROCEDURE FOR APPROVAL OF SUBDIVISION, PUBLIC HEARING**

The Commission may hold a public hearing regarding any subdivision proposal if, in its judgement, the specific circumstances require such action. No plan of resubdivision shall be approved by the Commission without a public hearing. Hearings and decisions shall be in accordance with CGS 8-26. A copy of the notice of public hearing shall be sent by certified mail to the applicant and by mail to owners of land which is adjacent to land which is the subject of the hearing, not less than ten (10) days before the hearing. A copy of the subdivision proposal or plan of resubdivision shall be on file at the Office of the Town Clerk not less than ten (10) days before the hearing.

Application for approval of a plan of subdivision shall be made in writing on a form furnished by the Commission and shall be filed at its office.

Following the hearing, the Commission may approve, approve with modification, or disapprove the proposal. If the Commission disapproves the plan, it shall state the grounds for such disapproval in its minutes.

The Commission shall endorse a certificate of approval of any plan of subdivision approved by the Commission.

Failure of the Commission to render a decision on a plan of subdivision within sixty-five (65) days after the date of filing where no hearing is held or 65 days after completion of a hearing, unless extended by the applicant, shall constitute an approval of the plan and a certificate of approval shall be endorsed thereon by the Secretary of the Commission upon demand.

After final action on any subdivision application, the Commission shall publish a notice of decision and shall notify the applicant by certified mail.



**SECTION X**

**FILING IN OFFICE OF TOWN CLERK**

In accordance with Section 8-25 CGS, as amended, any plan of subdivision shall, upon approval, or when taken as approved by reason of failure of the Commission to act, be filed or recorded by the applicant in the office of the Town Clerk within 90 days of the expiration of the appeal period under CGS 8-8 and any plan not so filed or recorded within the prescribed time shall become null and void, except that the Commission may extend the time for filing for two additional periods of 90 days and the plan shall remain valid until the expiration of such extended time. (Note: this paragraph was amended on 8-1-95.)

**SECTION XI**

**EXPIRATION OF SUBDIVISION APPROVAL**

All work in a subdivision, except as provided in CGS 8-26g, shall be completed within five years of the approval of the plan for such subdivision; the Commission's endorsement of approval on the plan shall state the date on which such five year period expires. Failure to complete all work within such five year period shall result in automatic expiration of the approval of the plan provided the Commission shall file on the land records, notice of such expiration on the plan on file in the office of the Town Clerk. Conditions as stated in CGS 8-26c shall apply.

**SECTION XII**

**REQUIREMENTS FOR IMPROVEMENTS, UTILITIES, BONDS**

**12.1** Before final or conditional approval of a subdivision is granted by the Commission, an estimate of all costs for street improvements, storm sewers, sidewalks, utilities, fire hydrants, street lights, traffic signs, street signs, trees, monuments and pins and all improvements in the subdivision construction plan, shall be approved by the Town Engineer and submitted to the Commission. Detailed and accurate estimates shall be prepared by the developer's Connecticut licensed professional engineer.

A developer may request a conditional approval of a subdivision for up to 24 months, that the Commission may renew at its discretion, for a like period. Such approval shall be conditioned on the actual construction, maintenance and installation of improvements and utilities shown on the

construction plan. Upon completion of all improvements, or partial completion of improvements and provision of an approved performance bond for the balance of improvements, the Commission shall cause a final approval to be endorsed on the subdivision plan. During a period of conditional approval no lots may be offered for sale or sold and no building permits shall be issued.

Final approval of a subdivision plan shall not be granted until all improvements are completed or a performance bond, approved as to form and surety by the Town Attorney, shall be submitted to the Commission, for filing with the Town Treasurer, in an amount to cover all uncompleted improvements.

Where a bond is provided to cover only a portion of improvements, said bond shall be in an amount of not less than one-third (1/3) of the total cost of all public improvements.

In the case of water mains, electric lines or other utilities to be installed by a public utility corporation or municipal department, a statement from such utility corporation or municipal department that the work will be completed within a reasonable time and at no expense to the Town of Windsor Locks will be accepted in lieu of a bond or cash deposit as required above.

- 12.2** Where substantial bond amounts are required, a developer may request up to two (2) reductions in the bond, but the total reductions shall not reduce the bond to less than one-third (1/3) of the total construction cost of all public improvements. Reductions shall only be granted if the Commission is satisfied by documentation of work completed and cost estimates for the balance of construction are acceptable. Verification by the Town Engineer as to satisfactory completion of improvements and remaining costs is required.
- 12.3** The Commission shall conduct periodic reviews of outstanding bonds in order to determine the status of each project and may, at its discretion, require a developer to increase the bond amount. Such determination shall take place after review and verification of such need by the Town Engineer.
- 12.4** If the Commission at any time determines that the Town is in danger of not being assured of proper completion of subdivision improvements without expense to the Town, then the Commission may initiate action that will place the Town in an assured position to satisfactorily complete all planned improvements.
- 12.5** At the time that a developer requests a release of bond, the developer shall also:
1. Request acceptance of any streets, easements, open space or other improvements that are a part of the subdivision or resubdivision;
  2. Submit deeds or other documents for streets, easements, open spaces or other improvements;
  3. Submit "As Built" drawings of all improvements; and

4. Submit a Maintenance Bond in an amount equal to ten (10) percent of the total construction cost for public improvements. Said bond shall be written to expire two (2) years from the date of acceptance of streets and/or other bonded public improvements to insure the Town against any defects which become apparent during that period.

**12.6** The Town shall not release any bond until the Board of Selectmen and the Commission shall have received from the Town Engineer, certification that all work to be performed by the developer under the bond has been completed in substantial compliance with the final plan of subdivision or resubdivision, as approved by the Commission and to any specifications made a part of such plan.

**12.7** Where a bond is required and no streets or other public improvements subject to acceptance by a Town Meeting are involved, a developer may petition the Commission for release of such bond following verification by the Town Engineer that all bonded improvements have been satisfactorily completed.

**SECTION XIII**

(Note: Section XIII was amended on 8-1-95.)

**FEEES**

**13.1** In accordance with Section 8-26 CGS, as amended, the Commission has established the following:

- |   |   |
|---|---|
| a. Subdivision/Resubdivision Application                        | \$400.00 minimum fee                                  |
| Standard Application Fee  | \$150.00 plus \$50.00 per building lot                |
| b. Application for Reapproval of a Subdivision/Resubdivision    | \$100.00  |
| c. Modification of prior approval for Subdivision/Resubdivision | \$50.00 per revised lot                               |
| d. New road construction  | \$1.00 per lineal foot in addition to application fee |

**13.2** No final plan shall be endorsed for filing:

1. Until all fees have been paid or, in the case of fees required under Section 5.8, arrangements have been made for payments to coincide with the sale of each lot;
2. Until either improvements have been completed or a bond has been submitted and approved by the Commission as required by these Regulations.

**SECTION XIV**

**AMENDMENT AND REPEAL OF REGULATIONS**

- 14.1** The requirements of the foregoing Regulations may be modified when, in the opinion of the Commission, specific circumstances surrounding a subdivision, or conditions of the land in such subdivision, indicate that such modification will better carry out the purposes and intent of these Regulations. (Reference Section 3.6).
- 14.2** These Regulations may be amended from time to time by the Commission in accordance with the provisions of Title 8 of the Connecticut General Statutes as the same may be amended from time to time.
- 14.3** If any provision of these Regulations shall be held to be invalid by a decree or decision of any court of competent jurisdiction, such decree or decision shall not affect or impair the validity of any other section of these Regulations.
- 14.4** Any Subdivision Regulations heretofore adopted which are inconsistent herewith are hereby repealed.

Effective: August 1, 1995



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