

Hartland Requirements For Subdivision Plans

TOWN OF HARTLAND
East Hartland, CT 06027

Scott Eisenlohr, Land Use Administrator

Reviewed by S. Eisenlohr 8/8/07



PLANNING AND ZONING COMMISSION
TOWN OF HARTLAND, CONNECTICUT
EAST HARTLAND, CONNECTICUT 06027

REQUIREMENTS FOR THE APPROVAL OF SUBDIVISION PLANS
IN THE TOWN OF HARTLAND, CONNECTICUT,
AS AMENDED

ARTICLE I - GENERAL

Purpose

In order to assure that certain procedures in the subdivision of land will be in conformance with the best utilization of such land, and will continue to improve the general economy and health of the Town of Hartland, the need for uniform and intelligent subdivision control is apparent. Determination of such need has resulted in the preparation of regulations designed to best fit the purposes of the Planning and Zoning Commission of the Town of Hartland. Therefore, pursuant to the authority to adopt regulations governing the subdivision of land as set forth in Chapter 126 of the Connecticut General Statutes, revision of 1958 as amended, the Hartland Planning and Zoning Commission adopts the following regulations.

Section I - 1 Definitions

- A. "Commission" shall mean the Planning and Zoning Commission of the Town of Hartland.
- B. "Subdivision" shall mean 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, and includes re-subdivision, as defined by statute.
- C. "Re-subdivision" shall mean a change in a map of an approved or recorded subdivision if such change
 - (a) affects any street layout shown on such map,
 - (b) affects any area reserved thereon for public use or,

(c)diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.

- D. "Street" shall mean and include any right-of-way dedicated and accepted for public travel, and any right-of-way recorded in the Land Records of the Town of Hartland, which is used or to be used for public access to (a)any lot of record or (b)any lot sold or set apart in accordance with the Zoning Regulations and amendments thereto.
- E. "Reserve Strip" shall mean and include areas for which future public use is intended for street connections and for street or pedestrian ways giving access to land dedicated to public use.
- F. "Engineer" shall mean one who utilizes the knowledge of the physical sciences, the understanding and interpretation of geological and topographical data, and the results of soil and flow tests in order to design and construct roadways, utilities and structures upon the land in such a way that the community is best served, and who shall be a registered professional engineer of the State of Connecticut.
- G. "Soil Map" shall mean the officially adopted soil classification map of the Town of Hartland, issued by the Hartford County Soil and Water Conservation District, and based upon soil survey maps of the Soil Conservation Service of the United States Department of Agriculture, and such soil survey maps shall be used by the Commission as a standard in determining land use, and in construing and applying these regulations.
- H. "Proposed Plan" shall mean the drawing indicating the proposed layout of the subdivision which may be submitted to the Commission, at the option of the applicant as provided below, for its consideration.
- I. "The Subdivision Plan" shall mean the map, drawing or chart on which the plan of the subdivision is presented to the Commission for approval, and which, if approved, will be filed on record in the office of the Town Clerk of the Town of Hartland.

- J. "Dead-end Street" shall mean any street described in paragraph D of this Section which is used for access to any current lot of record, and which presently provides only one means of ingress or egress.

Section I - 2 General Requirements

- A. Before preparing an application for subdivision, it is recommended that the subdivider shall be familiar with the provisions of these Regulations, and the Zoning Regulations and Map of the Town of Hartland.
- B. The land to be subdivided shall be of such character that it can be used for building purposes without danger to health, environment or to the public safety. Proper provision shall be made for water, drainage, erosion, sedimentation control and sewage, and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, proper provision shall be made for protective flood control measures. Proposed streets shall be in harmony with existing or proposed principal thoroughfares shown in the plan of development as described in Section 8-23 of the General Statutes, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs. The Commission may provide open spaces for parks and playgrounds when, in places deemed proper by the Commission, they are shown on the subdivision plan.
- C. The proposed Subdivision shall conform to the requirements of the Zoning Regulations.
- D. Land of such geophysical nature that, in its present state, presents serious difficulties for development due to the danger to public health, environment or safety, can be acceptably subdivided only with strict conformity to the design standards and specifications contained in these Regulations. Subdivision plans which are not in conformity with these criteria cannot be approved.

- E. The design of roads, both horizontal and vertical alignment; drainage systems, including the design and location of structures and pipes; sanitary sewer systems; sewage disposal systems and water supply distribution constitute professional engineering, and as such shall be sealed by a registered professional engineer. A land surveyor's seal or an architect's seal is not acceptable for this phase of land subdivision work. The phase of land subdivision which relates to topography maps and the delineation of the boundary lines of the outside perimeter as well as the interior lots and streets constitute land surveying within the meaning of the statute and, as such, shall be sealed by a registered land surveyor. A professional engineer's seal is not acceptable. All plans submitted under these Regulations shall be prepared by the appropriate person registered in the State of Connecticut.
- F. Land subject to the following conditions shall not be subdivided for residential purposes unless the conditions stated below are remedied to the satisfaction of the Commission, by submitted plans. Said plans must be approved by any State regulatory agencies having jurisdiction.
1. Land prone to flooding.
 2. Land unsuitable for sanitary disposal by reason of soil character or inability to contain septic tanks or leaching fields in accordance with the specifications and design standards set forth in the Public Health Code of the State of the State of Connecticut.
- G. No subdivision shall be considered unless the application is accompanied by a report of a professional engineer licensed by the State of Connecticut, for lots in the subdivision of percolation tests and test pits as defined under Section I-5, paragraph (7) of these regulations.

When applicable, the Board of Selectmen shall approve all engineering and construction requirements in lieu of actual construction of street and other improvements.

- H. Where the land is topographically unsuited for building by reason of being heavily irregular, or by being alongside a stream subject to flooding, or for any other reason, the area should be set aside for use as a playground or park. Street trees, selection of which shall be approved by a competent landscape architect or by a municipal official whose duties include supervision of street trees, shall be incorporated into the plans and planted as construction of the subdivision progresses.

Section I - 3 Procedure

- A. Whenever any subdivision is proposed, and before any contract or offer for the sale of such subdivision or any part thereof shall have been negotiated, and before any permit for the erection of a structure shall be granted, the subdividing owner shall apply in writing, using the form prescribed, to the Commission for approval of such subdivision. Any owner making a subdivision without the approval of the Commission shall be fined not more than two hundred dollars for each lot sold, offered for sale or so subdivided.
- B. A proposed plan, as described in Section I-4, may, at the option of the applicant, be presented to the Commission by the owner or his authorized agent at any regular meeting of the Commission for discussion purposes to enable the applicant to be aware of the requirements of the Commission prior to the drafting of the Subdivision Plan.

The presentation of the proposed plan is at the option of the applicant and is not required by these regulations, and no decision shall be made by the Commission thereon.

- C. It is recommended that in all cases, an owner wishing to subdivide first communicate with the Hartford County Soil and Water Conservation District in order to determine the soil characteristics of the parcel in question, and in order to be advised of recommended development procedure to ensure adequate environmental protection. It is further recommended that if the applicant decides to submit the proposed plan,

(optional under Section I-4 hereof), he also submit a written report of the Hartford County Soil and Water Conservation District delineating its findings and recommendations with respect to the parcel in question, as well as a soil classification overlay, percolation tests and test pit results (if taken) of said parcel, evaluated by the Hartford County Soil and Water Conservation District, all based upon soil survey maps of the Soil Conservation Service of the United States Department of Agriculture.

- D. The Subdivision Plan, as described in Section I-5, shall be presented to the Commission by the owner or his authorized agent. The date of receipt thereof shall be the date of the next regularly scheduled meeting of the Commission, or thirty-five (35) days from the date of the application, whichever is sooner. The plan shall be accompanied by the required fee. If the applicant has not previously submitted a written report of the Hartford County Soil and Water Conservation District delineating its findings and recommendations with respect to the parcel in question, he shall submit to the Commission, with his subdivision plan under Section I-5 hereof, a written report of the Hartford County Soil and Water Conservation District delineating its findings and recommendations as well as a soil classification overlay of the parcel in question, and percolation tests and test pit results evaluated by the Hartford County Soil and Water Conservation District, all based upon soil survey maps of the Soil Conservation Service of the United States Department of Agriculture.

The Commission may hold a public hearing regarding any proposal if, in its judgment, the specific circumstances require such action. No plan of re-subdivision shall be acted upon by the Commission without a public hearing. Notice of the public hearing shall be given by publication in a newspaper having substantial circulation in the town, at least twice, at intervals of not less than two (2) days, the first not more than fifteen (15) days, nor less than ten (10) days, and the last not less than two (2) days prior to such hearing, and addressed by registered or certified mail to the applicant.

- E. The Commission shall then within sixty-five (65) days from the date of hearing thereon, or if no hearing is held, within sixty-five (65) days from the date of submission of the plan, approve, modify and approve or disapprove any subdivision application, maps and plans submitted therewith. Notice of the decision of the Commission shall be published in a newspaper having a substantial circulation in the town and sent by certified mail to the applicant by the Secretary of the Commission within fifteen (15) days after such decision has been rendered. Failure of the Commission to act thereon shall be considered as approval, and a certificate to that effect shall be issued by the Commission on demand, provided an extension of time not to exceed a further period of sixty-five (65) days may be had with the consent of the applicant. The grounds for its action shall be stated in the records of the Commission.

Approval of the plan, if granted, shall be endorsed by the Chairman or the Secretary of the Commission on a mylar and two (2) additional copies of the plan to be provided by the applicant.

- F. The approved mylar copy and one other approved copy shall be delivered to the applicant, the other approved copy shall be retained by the Town Clerk of Hartland. Upon failure of the applicant to file such plan within ninety (90) days following its approval by the Commission, or within ninety (90) days of the date upon which such plan is taken as approved by reason of the failure of the Commission to act, such plan shall become null and void. However, the Commission may extend the time for such filing for two additional periods of ninety (90) days, and such plan shall remain valid until the expiration of such extended time.
- G. Before approval of the Subdivision Plan, a bond shall be filed in an amount and with sureties and conditions satisfactory to the Commission and to the Town attorney, sufficient to cover the cost of construction of streets, conditioned upon the actual construction and completion of such streets in accordance with these regulations and within two (2) years of the date of the bond.

- H. No transfer, sale or agreement to sell shall be made of any land in a proposed subdivision until the plan of such subdivision shall be finally approved by the Commission as shown by entry of approval of the plan by the Chairman or Secretary of the Commission, and until the plan has been recorded or filed in the office of the Town Clerk.
- I. All applications for subdivision or re-subdivision shall be accompanied by a minimum fee of seventy-five (\$75.00) dollars for each application or a fee of ten (\$10.00) dollars per lot for each lot indicated on the subdivision or re-subdivision plan, whichever is greater, the fee payable to the Town of Hartland.

Section I - 4 Proposed Plan (*Optional Only*)

- A. The Proposed Plan may be drawn on paper with pencil on a scale of not more than one hundred (100) feet per inch. This plan must show:
 - 1. Location and boundaries of the subdivision; name of owner(s) of record, applicant and designer; name of all abutting owner(s).
 - 2. Lot numbers, lines, dimensions, areas and building lines.
 - 3. When two (2) or more lots are indicated, contours at intervals of ten (10) feet should be drawn.
 - 4. Lines, widths and grades on existing and proposed streets. For proposed street(s), a plan and profile is to be submitted on a scale of one inch equals forty (40) feet horizontally, and one inch equals four (4) feet vertically, with elevations at twenty-five (25) foot stations, accurate bearings, curve data and distances, connections to existing streets and storm drainage construction.
 - 5. Proposals for water supply, sanitary sewage disposal, storm drainage, water courses and water areas within the subdivision.
 - 6. Proposals for control of erosion and sedimentation.
 - 7. Parcel(s) of land proposed to be dedicated for public use and any conditions of such dedication.

8. Easements and public areas within the subdivision and on abutting land within two hundred (200) feet.

Section I - 5 The Subdivision Plan

- A. The Plan submitted for approval shall be clearly and legibly drawn. The size of the sheets shall be 24 inches in height by 36 inches in width, including a one inch ruled margin line on the right, the top and the bottom, and a two inch ruled margin along the left side. In the event that the size of the final plan shall be so great as to render it impractical to be contained on one sheet, as many sheets of the required size as necessary may be used, provided that the continued portions are matched by means of a match mark.
- B. The drawing shall be at a scale of not more than 100 feet to the inch and show:
 1. The name of the subdivision, its location and boundaries with azimuths and lengths, all dimensions being shown in feet and in decimals of feet, date, scale and north arrow.
 2. Name of owner(s) of record, applicant, designer and names of all abutting owners.
 3. Lot numbers, lines, dimensions in feet and decimals of feet, areas in square feet and building lines.
 4. When two or more lots are indicated, contours at intervals of ten (10) feet must be drawn.
 5. Lines, widths and grades on existing and proposed streets. For proposed street(s), a plan and profile is to be submitted on a scale of one inch equals 40 feet horizontally, and one inch equals 4 feet vertically, with elevations at 25 foot stations, accurate bearings, curve data and distances, connections to existing street(s) and storm drainage construction.
 6. Seal of a professional engineer or land surveyor registered by the State of Connecticut, and certification as being substantially correct.
 7. Proposals for water supply, sanitary sewage disposal and storm drainage. For each lot, one

percolation test done to a depth of thirty-six (36) inches at the approximate location and elevation of the proposed leaching system, and a test pit done to a depth of seven (7) feet on each lot on which the percolation test time for the absorption rate of one inch in depth is greater than thirty (30) minutes, and on which the soil maps indicate that the location is severe or very severe for on-site septic disposal systems. For these lots, the Commission requires that a health report acceptable to the Town Director of Health or the State Board of Health shall be submitted, indicating the acceptability of each lot for on-site sewage disposal systems. On all other lots, test pits shall be uniformly located over the entire subdivision at the rate of one test pit for every five (5) building lots to determine evidence of ledge, ground water or other unsuitable soils.

8. All proposed surface drainage, stream structures and erosion and sediment control measures shall be shown and shall be as reviewed and endorsed by the Hartford County Soil and Water Conservation District, and shall be designed with reference to the manual "Erosion and Sedimentation Control Manual for Hartford County, Connecticut-Hartford County Soil and Water Conservation District assisted by the US Department of Agriculture, Soil Conservation Service". The Applicant shall agree, in writing, to carry out the proposed measures shown on the plan.
9. Location of water sources and water areas, reserved areas and areas to be dedicated to public use, and any conditions of such dedication and areas, title to which is reserved by the applicant.
10. Permanent reference monuments, to be placed at all street corners and angles in street lines, and wherever, in the opinion of the Board of Selectmen, such monuments are necessary to properly determine the location of the street(s).
11. Proposals for location and types of any sidewalks, curbs, manholes and utility standards.
12. Proposals for the exact location, design and construction of all streets, to be in accordance with the specifications set forth in Section I-6A-1, below, and more specifically described in the

Minimum Standards for Roads in Hartland, Connecticut, as approved by the Board of Selectmen of the Town of Hartland, and as in effect at the time that the Planning and Zoning Commission Receives the subdivision plan.

- C. A deed description of the land to be dedicated for street purposes to the Town of Hartland.

Section I - 6 Streets

- A. Private streets, meaning streets not already dedicated and accepted for public travel by the State of Connecticut or by the Town of Hartland, shall be constructed according to Town of Hartland specifications for Town of Hartland streets as promulgated by the Board of Selectmen of the Town of Hartland and in effect at the time that the Planning and Zoning Commission receives the subdivision plan, including specifications for width, maximum and minimum grades, curvature, construction methods, type of road material to be used, and the design and construction of any sidewalks, curbs and gutters. Notwithstanding the foregoing, the following requirements shall apply to private streets:
 - 1. Streets in cut or fill shall be provided with side slopes not steeper than two (2) feet horizontal to one (1) foot vertical. Street grades shall not be less than one percent (1%) and not more than ten percent (10%). Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic. At all changes in grades a vertical curve shall be provided, and the minimum length of vertical curve required shall be that which will provide a minimum non-passing, stopping sight distance of two hundred (200) feet. The latest criteria of the American Association of State Highway Officials shall be used in designing vertical curves. The horizontal design of streets shall be that the roadway centerline tangents shall be connected with a horizontal curve with a minimum radius of two hundred and twenty-five (225) feet, and a minimum tangent distance between

reverse horizontal curves of one hundred (100) feet shall be provided. Except where impracticable because of topography or other conditions, all streets shall join each other so that for a distance of at least one hundred (100) feet before joining the street is at right angles or radial to the street it joins, and the vertical pavement slope averages no more than three percent (3%) . No streets shall intersect or meet at an angle of less than sixty (60) degrees or more than one hundred and twenty (120) degrees.

2. Arrangement of streets shall provide for the continuation of the principal streets in adjoining subdivision, or for their proper projection when adjoining property is not subdivided. Permanent dead-end streets shall not exceed 1200 feet in length and shall be equipped with a turn-around roadway with a minimum radius of forty-five (45) feet for the outside curb at the closed end. Such turn-around roadway shall include a right of way with a minimum width of fifty (50) feet, measured from the outside curb at the closed end and continuing to an adjoining property line. All street block lengths shall not be less than eight hundred and eighty (880) feet and shall not exceed twelve hundred (1200) feet, and the distance between streets shall not be less than four hundred (400) feet.
 - a. Promise of such conformance shall be indicated on the applicant's subdivision plan and profiles. The applicant shall, upon completion of the construction of private streets, promptly cause to be delivered and addressed to the Commission, a written certification signed by a certified professional engineer licensed to do business in the State of Connecticut, dated, and bearing the engineer's seal, and certifying that said private streets have been constructed in all respects in accordance with the terms, provisions and requirements of this Section I-6-A, including Section I-6-A-1 and A-2 above.

- B. The Commission may, by a three-quarters vote of all members of the Commission, waive the requirements set forth in that portion of the Minimum Standards for Roads in Hartland, Connecticut, pertaining to road finish surface, in effect at the time the Planning and Zoning Commission receives the subdivision plan, and substitute therefor, an alternative surface deemed acceptable by the Commission, if all the following criteria are met:
1. Evidence satisfactory to the Commission is presented that specific conditions exist, whereby the requirements for a bituminous concrete finish surface would adversely affect the subject land, and that such conditions are not generally applicable to other land in the Town of Hartland.
 2. A proposal and plan for an alternative finish surface acceptable to the Commission is presented.
 3. Such waiver will not be granted in the case of any dead-end street longer than six hundred (600) feet at the time the Planning and Zoning Commission receives the proposal and plan referred to in 2, above.
 4. Such waiver will not be granted in the case of a subdivision or re-subdivision of more than three (3) lots.
 5. Such waiver will not have a significant adverse effect on adjacent property or on public health and safety.
 6. Such waiver will not adversely affect good traffic circulation or future street planning of the town.
 7. All other road construction standards and Zoning and Subdivision Requirements of the Town of Hartland, Connecticut are met in full.
- a. In the event waiver is granted by the Commission in accordance with this Section I-6-B, any street or road constructed in accordance with such waiver shall be designated as a private road. Such street or road may not subsequently be accepted by the Town of Hartland as a town road unless it shall first have satisfied the requirements of Section I-6, including the requirements pertaining to road finish surface in

effect at the time the original subdivision plan was accepted by the Commission.

- C. Prevailing engineering standards shall, in all cases, govern the design of sanitary and storm sewer systems and the structures related to them. Promise of such conformance shall be indicated on the applicant's subdivision plan and profiles.
- D. No street shall be accepted by the Town until after its approval by the Commission and until it has been properly graded and approved in a manner satisfactory to the Board of Selectmen, until its acceptance has been approved, by vote, at a town meeting, and until a deed designating the land to be dedicated to the Town has been accepted by the Board of Selectmen.
- E. No subdivision shall be approved if proposed streets are not in harmony with existing or proposed principal thoroughfares shown in the plan of development of the Town of Hartland, especially in regard to safe intersections with such thoroughfares, and if the proposed streets are not so arranged and of such width as to provide an adequate and convenient system for present and prospective traffic needs. No subdivision shall be approved if any driveway or driveways leading therefrom to any existing state highway of Town of Hartland street, or to any other street, would present a traffic hazard.

Section I - 7 Water Supply

- A. A water supply of at least 20,000 gallons shall be required for any subdivision of five (5) or more lots, or re-subdivision which will increase the total number of lots in the subdivision to five (5) or more. Subdivisions of under five (5) lots are not required to provide a water supply, but are encouraged to make an effort to be provide for firefighting protection in some way.
- B. Any water supply must be accessible and able to function year round. All water supplies must provide a fire department connection four and one half inch (4

1/2) National Fire Thread with cap, approximately eight (8) feet from the curb or road shoulder where no curb exists.

C. If the water supply is to be provided by way of an underground tank, the following specifications apply:

1. The water tank and site shall be deeded to the town, and shall be parallel to, and in addition to, the minimum street right-of-way.
2. The top of the installed tank shall be four (4) feet below the level of the surrounding grade. It shall be located parallel to the road with a thirty (30) inch manhole cover, twelve (12) inches below ground level in the center of the tank. The tank should be plastic or fiberglass, installed as to the manufacturer's guidelines. The tank shall comply with the installation sheet issued by the town, current at the date of installation.
3. Upon acceptance of the installation by the Fire Marshal, First Selectman and the Fire Chief, the town will assume full ownership of the installation, with full responsibility for all future maintenance and upkeep.

D. If the water supply is to be provided by means of an open pond, the following specifications apply:

1. A right-of-way, recorded on the land records, shall be provided to the town and the fire department in perpetuity to use and maintain the installation. This right-of-way shall be for fire protection and maintenance purposes only.
2. The subdivider or re-subdivider shall provide an agreement acceptable to the Town Attorney by which the subdivider or re-subdivider and all owners of all properties within the subdivision shall hold the Town of Hartland harmless from and indemnify the Town of Hartland from any liability for persons injured, or lives lost, due to the presence of the open pond, except for persons using or maintaining the installation for fire protection purposes.
3. If the installation is to be fenced, access to the installation through the fence is to be provided so that its ability to be used is not compromised.

4. If the fire department connection is to be installed at roadside, all piping from the pond to the connection shall be buried at least four (4) feet below grade.
 5. If the department connection is to be installed at pond side, an access road suitable for year round use shall be provided to allow a standard size Class A pumper to drive within eight (8) feet of the connection. All piping to the connection shall be buried at least four (4) feet below grade.
 6. The water supply installation shall comply with the installation sheet issued by the town, current at the time of installation.
 7. Upon acceptance of the installation by the Fire Marshal, First Selectman and Fire Chief, the town assumes full responsibility for future maintenance and upkeep of the installation. Where the installation uses an access road to the fire department connection, the town is responsible for snow removal of said access road.
- E. The intention of this regulation is that no lot in the proposed subdivision will be over one thousand (1000) feet from a water supply installation. If lots in the subdivision are over one thousand (1000) feet from a water supply, additional installations may be required.
- F. In the case of subdivisions where the developer shall be offering finished homes for sale, the water supply installation must be completed and accepted by the town before any home construction may begin.
- G. In the case of subdivisions where the developer intends to offer only building sites for sale, the water supply installation must be completed and accepted by the town before any lots may be sold.
- H. In the case of subdivisions developed in phases, the water supply requirements pertaining to each phase must be addressed prior to the development of each phase.

**Section I - 8 Amendment to Subdivision Regulations to
Require Reservation of Open Space**

In accordance with Sections 8-25 and 8-26, as amended, of the Connecticut General Statutes, the "Requirements for Approval of Subdivision Plans in the Town of Hartland, Connecticut," as amended and revised and declared effective December 1, 1998, (the "Regulations"), are hereby further amended as follows:

- A. The Commission may require that land be reserved for parks, recreation, open space or conservation in those places deemed proper by the Commission. Each reservation shall be of suitable size, dimension, topography and general character for the particular purpose envisioned by the Commission. A maximum of ten percent (10%) of the total tract proposed for subdivision may be required as open space and shall be so designated on the Subdivision Plan. At the discretion of the Commission, open space areas shall be owned and managed in one or more of the following ways:
1. Deeded to the Town of Hartland;
 2. Deeded to a nonprofit land conservation trust as found acceptable by the Commission and subject to a conservation easement in favor of the Town of Hartland;
 3. Deeded to the lot owners of the subdivision such that each lot owner possesses an undivided interest in the designated open space area and is jointly and severally responsible for payment of taxes and maintenance of the designated open space area and subject to a conservation easement in favor of the Town of Hartland; or
 4. Held in ownership by individual lot owners as part of their lots and subject to a conservation easement in favor of the Town of Hartland.
- B. In lieu of providing such open space land as may be required by Section 8(A) of these regulations, an applicant, with the approval of the Commission, may provide a cash payment or a combination of cash payment and land reserved for open space. Lands offered for open space may be located off the subject property. All cash payments shall be submitted to the Town of Hartland, while land reserved for open space shall be

owned and managed at the discretion of the Commission in one or more of the ways set forth in Section 8(A). Such cash payment or combination of payment and the fair market value of the land offered (as calculated prior to the approval of the subdivision) shall be equal to ten percent (10%) of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the Commission and the applicant. The appraisal shall be completed prior to the filing of the approved Subdivision Plan in the office of the Town Clerk. The cost of such appraisal shall be shared equally between the applicant and the Town of Hartland. The Town's share of the appraisal cost shall be deducted from the cash payment paid by the applicant. [Or, the applicant can pay the entire fee.]

A fraction of such payment, the numerator of which is one and the denominator of which is a the number of approved building lots in the subdivision, shall be made no later than at the time of sale of each approved building lots in the subdivision. Fees collected under this section shall be deposited in a municipal fund which shall be used for the purpose of preserving open space of for acquiring additional land for open space or for recreational or agricultural purposes.

- C. The provisions of this Section 8 shall not apply where all land in a subdivision containing less than five(5) parcels is transferred to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration; or if the subdivision is to contain affordable housing, as defined in Section 8-39a of the Connecticut General Statutes, equal to twenty percent (20%) or more of the total housing units to be constructed in such subdivision.

Section I - 9 Effective Date

The effective date of these regulations, as amended and revised herein, shall be December 1, 1998.

Cartland Planning & Zoning hearing February 28, 2005
Effective 3/31/05

Subdivision fees changes

1. Application Fee – The Application Fee shall accompany all applications for subdivision and re-subdivision. The Fee is calculated as follows:

\$300 up to three lots (including any remaining parcel which is counted as a lot for purpose of calculating the fee)

\$100 each additional lot

The application shall be considered incomplete unless accompanied by the Application Fee.
2. Hearing Fee – Whenever a public hearing is held on any application, a Hearing Fee will be assessed to the applicant. The Fee is due within 30 days of the scheduling of the hearing. The Hearing Fee is \$300.
3. Fee for Professional Review – Whenever the Commission determines that professional services are required for its proper review of an application, a reasonable fee for those services shall be assessed to the applicant. No permit shall issue unless all assessed fees are paid.

Zoning Regulation Section II-4

As stated: “No building containing a residential use shall be erected, altered, enlarged, or maintained in the rear of any building on the same lot, and no building shall be erected, enlarged, or maintained in front of a building containing residential use, except as expressly limited in Article IV hereafter” is being deleted from the Zoning Regulations.

Zoning Regulation Section IV – 1-13

10. A fee of Three Hundred Dollars (\$300.00) must accompany the application.

Hartland Planning & Zoning hearing February 28, 2005
Effective 3/31/05

Zoning Regulation Section VII-3

Zoning Board of Appeals B-2 will be changed as follows: "All applications and appeals shall be made on the application form that may be obtained from the Secretary of the Zoning Board of Appeals. The applicant shall supply, under oath, all the information required by this form. When dimensions are involved, it should be accompanied by a certified drawing or map made to scale, on which the present status and the proposed changes or alternations are indicated. The form shall be accompanied by a fee of Three Hundred Dollars (\$300), payable to the Town of Hartland, to cover the cost of advertising and processing."

Add to Subdivision Regulations:

No subdivision shall be approved unless the area to be subdivided shall have frontage on and access from an existing public street which is located with the boundary of the Town of Hartland which is suitably improved and paved or shall have frontage on a street shown upon a map approved by the Commission and recorded in the Town Clerk's office. Such street or highway must be suitably improved as required by the appropriate regulations and specifications or be secured by a performance bond. Proposed streets shall be in harmony with existing or proposed arterial streets, as shown on the Town Comprehensive Plan of Development, especially with regard to safe intersections with such thoroughfares.

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TOWN OF HARTLAND ZONING REGULATIONS

EFFECTIVE MARCH 5, 2002

Section IV - 1-3 (B)

Not more than five (5) swine may be kept, bred, raised, or sold as principal or incidental use to a farm.

Section I-1-(D) of the Subdivision Regulations is hereby deleted in its entirety and the following substituted in lieu therefore:

"Street" shall mean, for purposes of these subdivision regulations, any private street and any public street, as further defined herein. "Public street" shall mean any street already dedicated and accepted for public travel (i) by the State of Connecticut General Statutes or (ii) by the Town of Hartland pursuant to procedures substantially similar to those set forth in Section I-6-(D) hereof or by legislative action of the Town of Hartland. "Private street" shall mean any street that is not a public street, including any right of way recorded in the Land Records of the Town of Hartland which is used or to be used for public access to (a) any lot of record or (b) any lot sold or set apart in accordance with the Zoning Regulations and amendments thereto.

Section I-6(A) of the Subdivision Regulations is hereby amended by deleting in its entirety the first clause set off between commas in the first sentence together with said commas, so that said sentence shall begin "Private streets shall be constructed according to the Town of Hartland specifications..."

Section I-6(D) of the Subdivision Regulations is hereby amended by inserting the word "private" before the word "street" in the first sentence thereof.

Section I-6(E) of the Subdivision Regulations is hereby amended by deleting the word "of" after the phrase "any existing state highway" in the last sentence and substituting the word "or" in lieu thereof.