

**TOWN OF WOODSTOCK
CONNECTICUT
SUBDIVISION REGULATIONS**



Original Effective date: August 25, 2005

Revised through:

Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

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CHAPTER I – ~~PURPOSE, TITLE AND AUTHORITY~~

GENERAL PROVISIONS

A. Authority and Purpose

These Regulations have been adopted by the Woodstock Planning and Zoning Commission pursuant to the authority granted in Chapter 126 of the General Statutes of the State of Connecticut. It is declared to be the policy of the Commission that as the subdivision of land is a major determinant of the future physical form of the Town, it should be carried out in a responsible manner in order to protect the public health and safety of its citizens, as well as the environment, natural resources, and character of the Town, and to further the goals of the Woodstock Plan of Conservation and Development. Accordingly, it is the purpose of these Regulations to insure that land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety; that proper provision is made for water supply, surface drainage and sanitary sewerage; that proper provision is made for protective flood control measures; that roads are arranged to provide safe intersection and are adequate for prospective traffic needs and provide access for emergency services; that open spaces for conservation, parks and playgrounds are provided; that provisions are made for soil erosion and sediment control; and that provisions are made for energy-efficient patterns of development and land use.

These regulations of the Planning and Zoning Commission shall be known as the “Subdivision Regulations of the Town of Woodstock, Connecticut,” which herein are called the “Regulations.”

B. Public and Private Provisions

- 1. These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, regulation, or other provision of law, or any easement, covenant, or other private agreement or legal relationship, and is not the purpose of these Regulations to intercede in, resolve, or arbitrate any private civil dispute. When these Regulations impose restrictions different from those imposed by any other statute, ordinance, or other requirement imposed by any level of government, whichever provisions are more restrictive or impose higher standards shall govern.**
- 2. These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction imposes duties and obligations more restrictive or standards that are higher than the requirements of these regulations, or the determinations of the Planning & Zoning Commission in approving a subdivision or in enforcing these regulations or the determinations made under these regulations, then the private provisions shall be operative and supplemental to these regulations and the determinations made under the regulations.**

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C. Enforcement, Violations, & Penalties

Upon the adoption of these Regulations, no person shall transfer, sell, lease, or agree to sell land, nor shall building permits be issued in a proposed subdivision until a plan for such subdivision has been approved by the Commission in accordance with these Regulations. All plans for the subdivision or resubdivision of land must be submitted to the Commission for approval. No lot resulting from the subdivision or resubdivision of any tract or parcel of land shall be sold or offered for sale or used for building development and no Certificate of Zoning Compliance (Zoning Permit) for any use, nor any building permit for the erection or enlargement of any building on such lot, shall be granted without the prior approval of the subdivision or resubdivision plan, or any amendment thereof, by the Commission, and the filing of the endorsed Final Approved Plan in the Office of the Town Clerk.

- a) No **Formal** Application of subdivision or resubdivision shall be approved by the Commission unless it shall conform to the Woodstock Zoning and Subdivision Regulations, shall be in harmony with the Woodstock Plan of Conservation and Development, and shall demonstrate compatibility with the Woodstock Plan of Open Space and Conservation.
- b) These Regulations shall be enforced by the Woodstock Planning and Zoning Commission or its designee, whose members are charged with the duty of preventing illegal subdivisions and securing compliance with requirements imposed by the Commission in granting subdivision approvals. ~~Any person, firm, or corporation making any subdivision of land without the Commission's approval shall be subject to penalties as provided for by Section 8-25 of the Connecticut General Statutes.~~ In accordance with Connecticut General Statutes Section 8-25, any person, firm, corporation, partnership or association making the subdivision or resubdivision of land without approval of the Commission, in addition to any other remedy by law, shall be liable to a fine of Five Hundred (\$500.00) Dollars for each lot sold or offered for sale. In the event that any developer shall violate these Regulations, or the conditions or requirements of any subdivision approved hereunder, the Commission may, following a public hearing with notice by certified mail to the violator, void, in whole or in part, any such subdivision approval, and may cause notice thereof to be filed in the Woodstock Land Records.

D. Adjacent Properties' Rights

All applications shall be prepared with the understanding that the proposed development shall not infringe upon the adjacent properties' rights of development.

E. Appeals

Any appeal of the Commission's decision or of a default decision by failure of the Commission to act upon an application during the timeframe required by statutes, must follow the provision of C.G.S 8-8, 8-30 g (if applicable), and other applicable statutes, all as may be amended.

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F. Severability

Should any portion of these Regulations be declared invalid, the validity of all other portions shall not be affected or impaired.

G. Revisions and Effective Date

These Regulations **and any subsequent amendments made** shall take effect ~~on May 20, 2017~~ **and at that at such time as established by the Commission, and** shall replace all previous Subdivision Regulations of the Town of Woodstock.

H. Amendments

These Regulations may be amended by the Commission in accordance with the procedures set forth in Section 8-25 of the Connecticut General Statutes.

I. Waivers

The Commission recognizes that each parcel of property is unique in location, dimensions, orientation, topography, etc., and the various factors in the design of subdivisions are variable with relation to each other and to the above characteristics of the property. Therefore, in accordance with Connecticut General Statutes Section 8-26, the Commission may in its discretion modify or waive, subject to appropriate conditions, such requirements as, in its judgment of the special circumstances and conditions, are not requisite to the interest of public health, safety and general welfare, provided, however, that no such waiver shall be granted that would significantly lessen the goals and objectives of Chapters V and VI of these Regulations. In considering a modification or waiver of these Regulations, the Commission may only approve such modification or waiver upon a finding that all of the following conditions are met:

1. Conditions exist on the subject property which are not generally applicable to other land in the Town;
2. Said conditions were not created by the property owner nor by his/her predecessor(s) in title, including the first legal split of the property;
3. The granting of the modification or waiver would be in harmony with the purpose and intent of these Regulations and the Woodstock Plan of Conservation and Development; and,
4. The granting of the modification or waiver would not have a significant adverse impact on adjacent properties' values, or the public health, safety, and welfare, and would not be in conflict of the recommendations of the Plan of Conservation and Development, as the same may be amended from time to time.
5. The modification or waiver would not allow an increased number of lots to be created than otherwise allowed by these Regulations and the Woodstock Zoning Regulations.

The Commission may request and consider the recommendations of the Town Planner and Legal Counsel before approving any modification or waiver of these Regulations.

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No modification or waiver of these Regulations shall be approved by the Commission for any subdivision for which a public hearing has not been held pursuant to **these Regulations Chapter III**.

Any request for modification or waiver under this Chapter shall be set forth in writing in the ~~Formal~~ Application, and, if granted, shall be noted on the Final Approved Plan with a reference to the lot(s) affected, and the Section of these Regulations modified or waived, and the extent or nature thereof. In granting or denying any request under this Chapter, the Commission shall state upon the record the reasons for such action.

In addition to the above requirements, any waiver granted under these Regulations shall require the affirmative vote of seven (7) voting members of the Commission for approval.

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CHAPTER II - DEFINITIONS

Certain terms and words used in these Regulations shall be interpreted and defined as set forth in the following Section. This list of definitions is applicable to all of Woodstock.

This list of definitions is applicable to all Planning and Zoning matters in Woodstock; some are specific to Zoning matters and others to Subdivision Applications.

1. Words used in the singular shall include the plural, and vice versa. Words used in the present tense shall include the future tense, and vice versa.
2. The word “shall” is mandatory and not discretionary. The word “may” is permissive.
3. The word “structure” shall include the word “building”.
4. The word “lot” shall include “piece”, “parcel”, “plot”, “plat”, “lot”, “site”, “property”, and “premises”.
5. The word “person” shall include a(n) “individual”, “limited liability company”, “LLC”, “partnership”, “firm”, “association”, “incorporated association”, “trust”, or “corporation”, or any other similar entity.
6. The words “zone”, “zoning district”, and “district” shall have the same meaning.
7. The phrase “these Regulations” shall refer to the entire Zoning and Subdivision Regulations or to any Section or Subsection.
8. The word “Commission” shall refer to the Woodstock Planning and Zoning Commission”.
9. **The words “Town Planner” shall refer to either a Planner employed by the Town of Woodstock, a Regional Planner contracted by the Town of Woodstock, or other designee.**
10. **The words “Zoning Enforcement/Planning Office” shall refer to the Town Hall Building Office of the Town of Woodstock.**
11. In the case of any difference of meaning between the text of a Regulation and any caption, illustration, or table, the text shall control.

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A

Accessory Apartment: A second dwelling unit, not to exceed the specified size in the standards for the applicable district, that is contained on the same lot as a single family residence and that is clearly subordinate to the main dwelling unit in terms of size and appearance.

Accessory Building, Structure, or Use: A building, structure, or use customarily incidental and subordinate in size and magnitude of use to the principal building, structure, or use and located on the same lot with such building, structure, or use. Accessory buildings, structures, or uses include, but are not limited to, garden shed or barn, guesthouse, private playhouse, private greenhouse, private swimming pool, home garden, nursery or greenhouse, outdoor retail sales, home occupation, residential accessory structure or use (garage, shed), solar energy system, temporary structure or use, tennis court, windmill, antenna (including dish or tower) and the like.

Access Point/Curb Cut: an opening along a curb line at which point vehicles may enter or leave a roadway

Access way: That portion of an interior (rear) lot extending from the street and providing width of the minimum lot frontage required under these Regulations. The width of the access way shall be measured in a direction parallel to the front lot line.

Acre: One acre shall be forty three thousand, five hundred and sixty (43,560) square feet.

Affordable Housing: Housing that is either financially assisted living or part of a set aside development, for the purpose of providing housing at a reduced cost, as defined by C.G.S. Chapter 126a, Section 8-30g, as may be amended.

Agriculture and Agricultural Uses: The terms "agriculture" and "agricultural uses" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended, which, as of the date of enactment of these Regulations, included cultivation of the soil, dairying, forestry, raising or harvesting of any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, furbearing animals; and aquaculture, as defined below; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations; the harvesting of mushrooms, the hatching of poultry, the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "aquaculture" means the farming of the waters of the state and the production

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of protein food, including oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farmlands.

Agricultural Easement: a conservation restriction whose primary purpose is to retain land exclusively in agricultural and related use.

Agricultural Production Purposes: Activities directly related to the production of agricultural commodities.

Antenna: A device used to receive or transmit electromagnetic waves. Examples include, but are not limited to whip, panel, and dish antennas.

Anti-tracking Pad: an area of stone underlain with filter fabric which is required to be installed at the entrance to all construction sites to minimize the off-site movement of soils by vehicles.

A Plan of Open Space and Conservation (APOSC): Document prepared by the Woodstock Conservation Commission, accepted by the Town of Woodstock on June 20, 2001, updated December 3, 2003, and as may be amended from time to time.

Applicant: Any person, firm, corporation, partnership, or other legally recognized entity who shall apply to the Commission for approval of a subdivision, either on the Applicant's own behalf or as an agent for one or more others. Same as "Subdivider."

~~Formal Application: The map, drawings, all supporting data and applicable fees presented as a complete and accepted legal Application for subdivision before the Commission, as required by Chapter IV of these Regulations and representing the formal Application for subdivision pursuant to Connecticut General Statutes 8-25.~~

Application: A request for approval of a specific subdivision plan, including an Application form as may be prescribed by the Commission, accompanied by all supporting information, documents, reports, and the like required by these Regulations.

Appraisal: an estimate or opinion of the value of real or personal property as determined by a person carrying the professional credential of Member, Appraisal Institute (MAI); a Senior Residential Appraiser (SRA); or equivalent

Aquifer: a geological formation, group of formations, or part of a formation capable of storing and yielding ground water to wells or springs.

Aquifer recharge area: The surface land or water area through which an aquifer is replenished.

As-Built: a site plan showing where the actual physical construction of a building or other improvement is on the property in relation to the boundary lines and may include factors such as height of the building after it has been built, for purposes of evaluation for compliance with the Regulations or an approved subdivision, resubdivision or Special Permit.

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Ash: bottom ash, air pollution control residue and other residuals of the combustion process

Average Daily Traffic (ADT) Count: a process by which engineers shall sample 3-7 days of traffic flow, based on the total daily traffic in both directions.

B

Banner: A piece of flexible material bearing a design, motto, slogan, etc. used as a sign.

Barn: a building primarily used for agricultural purposes and/or for the housing of agricultural or recreational livestock, as well as related materials such as feed and equipment

Bed and Breakfast: a dwelling, in which lodging and meals are offered or provided for compensation to one to twelve persons for limited periods of time not exceeding 30 consecutive days; the owner shall live on the property.

Berm: a mound or small linear hill constructed of earthen materials.

Best Management Practices (BMPs): A collection of preferred construction practices to minimize impact on the environment. These practices include those that require minimizing area of disturbance; erosion and sediment controls for the stabilization of disturbed soil, management of storm water, etc. More details are provided in the Connecticut Guidelines for Soil Erosion and Sediment Control and in the Connecticut Storm water Quality Manual by DEP as both may be amended.

Board of Selectmen: The Board of Selectmen of the Town of Woodstock.

Bond: A form of financial guarantee whereby sums of money are placed in escrow by the applicant, which may be used by the Town to complete and/or correct permitted activities provided the applicant does not complete and/or correct the permitted activities as approved.

~~Bonus Lot: A lot created pursuant CGS 8-2g and 8-2i as may be amended; a density bonus for creating Affordable Housing~~

Buffer/Screening: an area, used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances thereby preventing spillover onto another property. This area may consist of natural materials such as trees, hedges, bushes, shrubs, or other plant life in addition to fences, walls, berms or any combination thereof, and shall be of a sufficient mass as to make the buffer opaque or become opaque within twelve (12) months. This buffer/screen may be located within or partially within the minimum setback requirement. See also Vegetated Buffer.

Buildable Area, Contiguous: the undivided area free of wetlands and watercourses, steep slopes, or pre-existing restrictive easements or other Restricted Lands.

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Buildable Acreage, Gross: all land contained within a parcel, exclusive of wetlands and watercourses, steep slopes and pre-existing restrictive easements or other Restricted Land.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or things.

Building Height: shall be measured from the highest point of the foundation to the highest point of the roof. Ornamental or decorative features such as cupolas or weathervanes shall not be considered as part of this measurement.

C

Cape Cod Style Curbing: A low curb with a slope designed to be crossed easily

Campground: an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents and recreational vehicle equipment, which is primarily used for recreational purposes, and retains an open-air or natural character; one example of a Commercial Recreation Facility.

Cease and Desist order: written notification by the Commission or designee that an activity must be suspended in that it is viewed as harmful, or contrary to Regulations. The order is permanent or holds until a final determination of the legality of the activity has taken place.

Certificate of Zoning Compliance: A Certificate issued by the ZEO after an inspection to confirm that a structure or use is in compliance with the Zoning Regulations.

Change of Use: any use that substantially differs from the previous use of a building or land. A change in any use classification defined in these Regulations.

Church/House of Worship: a structure owned by a tax-exempt entity in which religious services are conducted

Cistern: a large receptacle for storing or reusing water which may be located below-grade, or on a rooftop or other area and may be for fire protection or for ecological uses.

Commercial Earth Excavation and/or Processing Operation: a business engaged in the removal and/or alteration of earth materials on site, including screening, washing and mixing with other approved materials for sale.

Commercial Recreation Facilities: Building and/or other facility designed and equipped for the conduct of sports and other customary leisure activities owned or operated by a for-profit entity.

Commercial Use: an occupation, employment, or enterprise that is carried on for profit.

Commission: The Planning and Zoning Commission of the Town of Woodstock, CT.

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Common Interest Ownership Association: real estate described in a declaration by which a person, by virtue of ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvements, services and other expenses related to the property, per CGS 47-67 as may be amended.

Common/Village Green (in a VGD): a grassy plot or lawn of various possible sizes, usually in a key position, set aside for public use, which may be “accessed by right” by local people for sports, relaxation and other pastimes; a reflection of the traditional Town Square.

Composting: A process of accelerated biological decomposition of organic material under controlled conditions.

Condominium: an estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a structure, (a unit or more than one unit); in addition, a separate interest in other portions of the real property may exist.

Conservation Commission: the Woodstock panel of advisors regarding matters related to development, conservation, and supervision and regulation of natural resources, including water resources, with specific duties and responsibilities as enumerated by CGS as may be amended.

Conservation Easement: A conservation restriction pursuant to Connecticut General Statute 47-42(a), stated in the form of an easement.

Conservation Land: Areas of Protected Open Space approved by the Commission under the provisions of the Woodstock Subdivision Regulations, including that portion of the Gross Buildable Acreage of a subdivision permanently and legally protected and dedicated to conservation, open space or agricultural purposes.

Contiguous Buildable Area: see Buildable Area, Contiguous

Copy: A blueprint, Photostat, litho print or other copy which reproduces exactly the data on the original drawing(s) from which it is made.

Cottage in a Seasonal Resort: A detached single unit structure, designated as part of an overall Seasonal Resort, made up of a room or group of rooms containing cooking, sleeping, bathing and sanitary facilities and that is not occupied between November 30 and March 31. As a requirement of this designation, water service to the unit shall be turned off during the same period.

Country Inn/Inn: a for-profit establishment which provides temporary lodging as well as dining and beverage service to travelers and other short-term patrons, in a structure which has previously served as a residence or an accessory structure thereto.

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Critical Watershed Land: Areas defined by possessing one or more of the following characteristics: land within 250 feet of a reservoir or public water supply diversion; land within 100 feet of a tributary stream; wetlands associated with tributary streams; land subject to stream overflow; and land with slopes 15% or greater without significant interception by wetlands, swales and natural depressions between the slope and the watercourse.

Cul-de-sac: A street having only one outlet to another road, and having a circular, elliptical, or similar turnaround at its terminus.

Curb cut /access point: an opening along a curb line at which point vehicles may enter or leave a roadway

D

Date of Receipt: the date of the next regularly scheduled meeting of the Commission immediately following the date of submission of the Complete Application, request, petition or appeal, or thirty-five (35) days from the date of submission, whichever is earlier if there is any conflict between this provision and the requirements of 8-7d of the General Statutes, the provisions of the General Statutes as amended shall prevail.

Day Care Center, Child: a facility which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week.

Day Care, Family: Any dwelling unit where nine (9) or fewer children not related by blood, adoption, or marriage to the person who resides in and maintains the home are received for care, protection, and guidance during only part of the twenty-four (24) hour day, on a regular basis, for a minimum of ten (10) hours per week, and that complies with the requirements of the State of Connecticut. Every family day care home shall have a Certificate of Occupancy.

Day Care Home, Group: a private family home which provides a state licensed program of supplementary care to not less than seven nor more than twelve related or unrelated children on a regular basis for a part of the twenty-four hours in one or more days in the week

Detention basin /dry detention pond: Storm water basin designed to capture temporarily hold, and gradually release a volume of storm water runoff to attenuate and delay storm water runoff peaks. Dry detention ponds provide water quantity control (peak flow control and stream channel protection) as opposed to water quality control and are frequently planted.

Developer: The person or other legally recognized entity primarily responsible for implementing the improvements proposed in the Final Approved Plan; may be the same as “Subdivider.”

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Development for Agricultural Purposes: Development exclusively for use as agricultural land, as that term is defined in Connecticut General Statutes Section 22-26bb.

Development Land: The portion of Gross Buildable Acreage that is deemed available for development after the delineation of Conservation Land boundaries as required by Chapter V and Chapter VI of these Regulations.

Development Review Checklist: the form used to review Subdivision/Resubdivision and Special Permit Applications for compatibility with A Plan of Open Space and Conservation and for evaluating possible impacts of a proposed development on other factors of importance to the citizens of Woodstock.

Digital Drawing / Media File: A digital record showing spatial details of a development. The information contained in the file shall conform to the Connecticut Grid System NAD 83 Datum; in either Autocad (.dwg), ESRI, or other compatible format.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Distribution Center: An establishment engaged in the receipt, storage, and distribution of goods, products, cargo, and materials, including transshipment by motor vehicles

Disturbed Area: An area where the natural vegetative ground cover is destroyed, moved or removed.

Driveway: A paved or unpaved access strip of land providing a vehicular connector between the public right-of-way and the parking space or garage of a private or public property.

Driveway approach: includes vehicle driveways, or any construction, removal, or alteration of grade or pitch within the taking lines of any Town Road.

Driveway apron: an area at the juncture of a driveway with a street entrance.

Driveway, Common: A driveway that serves between two (2) and five (5) lots.

Dwelling: A structure or portion thereof that is used exclusively for human habitation.

Dwelling, Multi-Family: A building used or designed as a home or residence for two (2) or more families living independently of each other, exclusive of accessory apartments as defined in these Regulations.

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Dwelling, Single-Family: A building designed for and occupied as a home or residence for not more than one family.

Dwelling Unit: Living quarters (including cooking space and at least one complete bathroom) designed for or used by one family. The term does not include recreational vehicles or seasonal cottages that are part of a seasonal resort.

E

Earth: topsoil, loam, sand, gravel, clay, peat, rock or stone or any natural inorganic or organic matter derived from the earth's surface or subsurface.

Earth Materials: Any mineral, rock, natural soil, or fill, or combinations of such materials.

Easement: a non-possessory right, established by deed or other legal means, of one party to use a designated portion of a second party's land for a specific, limited purpose.

Easement / Restriction, Conservation: A non-possessory interest in real property imposing limitations or affirmative obligations, the purpose of which include retaining or protecting natural, scenic, or open space values of real property; assuring its availability for agricultural, forest, recreational, or open space use, protecting natural resources; maintaining air or water quality.

Environmental Review Team (ERT): a group of professionals assembled by the Eastern Connecticut Resource Conservation and Development Council which, at the request of the Commission, provides multi-disciplinary, non-partisan, expert, and project-directed advice and recommendations in terms of environmental aspects regarding a proposed development.

Erosion: The detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice or gravity, including such processes as gravitational creep.

Erosion and Sediment Control Plan: a plan which sets forth measures to be undertaken for the control of erosion and sedimentation, to include, but not be limited to, drawings and descriptions sufficient in detail to establish clearly the location of areas to be stripped of vegetation and other proposed or unprotected areas; schedule of operations, including starting and completion dates for each major development phase, such as land clearing and grading, streets, sidewalks, utility and storm drainage installations, and the like; seeding, sodding or re-vegetation plans and specifications for all unprotected or un-vegetated areas; location and design of all structural sediment control measures, debris basins and the like; timing of all planned sediment control measures; and general information relating to the implementation and maintenance of the sediment control measures.

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Erosion & Sediment Controls: natural or man-made materials installed by the developer/contractor on-site prior to disturbance of the topsoil or as required by the ZEO to stabilize earth materials, to minimize the erosion of the topsoil or other earthen materials and to filter runoff to prevent deposition of sediment elsewhere. The Controls shall be installed and maintained according to the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as may be amended. These controls include but are not limited to: properly installed silt fence, staked hay bales, mulch, temporary and/or permanent vegetative plantings and anti-erosion mats, etc.

F

Family: Any number of individuals regularly living together as a single housekeeping unit and doing their cooking on the premises; as distinguished from a group occupying a boarding or rooming house or hotel.

Farm: A parcel of land used for agricultural activities.

Farm / Agricultural Building: a permanent structure, not limited in size on agricultural land designed, constructed, and used to house farm implements, feed, agricultural or recreational livestock, or agricultural produce or products grown or raised on the premises.

Farm Stand: Any temporary structure (i.e., a structure that can be easily removed when not in use) used exclusively for the display or sale of agricultural products.

Fence: any artificially-created barrier of any material or combination of materials erected to enclose or define an area.

Final Approved Plan: The map, drawings, and all supporting data as required by Chapter IV of these Regulations and as approved by the Commission, containing all modifications and revisions required by such approval, and ready for endorsement by the Commission and for filing with the Town Clerk pursuant to Connecticut General Statutes Section 8-25.

Finished Developed Area: That portion of a site subject to man-made change or improvements, including but not limited to landscaping, construction, building, enlargement or extension of buildings, utilities, parking areas, on-site traffic circulation areas/ driveways and impervious surfaces.

Fire Suppression System: a mechanical system designed and equipped to detect a fire, actuate an alarm and suppress or control a fire (usually in a multi-residential or non-residential structure)

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First Selectman: The First Selectman of the Town of Woodstock, Connecticut.

Fixture, Full Cut-Off: A luminaire or light fixture that does not allow any light dispersion or direct glare to shine above a 90-degree, horizontal position as designed.

Floating Zone: An unmapped zoning district where all the zone requirements are contained in the regulation and the zone is fixed on the map only after a zone change is approved.

Flood Hazard Area: Per CGS 8 – 2L as may be amended, the floodplain consisting of the floodway and the flood fringe area.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal water, and/or the unusual and rapid accumulation or runoff of surface waters from any source.

Floodlighting: Artificial light directed or diffused up or to the side so as to give an intense illumination over a rather large given area. (This term does not mean a single bulb, commonly referred to as a ‘floodlight’).

Floor area, Gross: the sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings, but excluding any space with a floor-to-ceiling height of less than six feet six inches.

Floor area, Net: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when these are used or intended to be used for human habitation or service to the public

Footcandle: A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

~~Formal Application: The map, drawings, all supporting data and applicable fees presented as a complete and accepted legal Application for subdivision before the Commission, as required by Chapter IV of these Regulations and representing the formal Application for subdivision pursuant to Connecticut General Statutes 8-25.~~

Fully Shielded Light: Any light fixture that allows control of light beams in any direction.

G

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Gas Station: Any lot, building or part thereof, used for the sale of vehicular fuels and accessories and which may include facilities for lubrication, washing and the servicing of vehicles as permitted by a limited repairers license as defined in Chapter 246 of the CGS as may be amended.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Geographic Information System (GIS): a computer generated mapping system for collecting, storing, analyzing, and integrating information about physical and man-made features on a map.

Grandfathering: In instances where legally existing uses would become nonconforming as a result of changes in the Zoning Regulations, a use or structure may be allowed to continue as a conforming use through special provisions of the Regulations.

Green Requirements: Those Regulations (open space, impervious surface limitations, screening and landscaping requirements) that mandate that the land have some vegetative cover versus some impervious manmade covering (buildings, asphalt, cement, etc.).

Greenway: a continuous tract of open space set aside for recreation and natural resource management purposes, particularly along Critical Watershed lands and the adjacent steep slopes

Gross Buildable Acreage: All land contained within a parcel, exclusive of state-defined inland wetlands and watercourses, and pre-existing conservation easements or other Restricted Land.

Guest house: A detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities and are not rented to the general public or otherwise used as a separate dwelling.

Guidelines for Soil Erosion and Sedimentation Control, 2002 Connecticut: a document (DEP Bulletin ISBN 0-942085-10-8) prepared and amended by the Connecticut Council on Soil and Water Conservation in cooperation with the Connecticut Department of **Energy &** Environmental Protection.

H

Historic District: a geographically defined area which, while not a zone identified on the Woodstock Zoning map, is seen as possessing a significant concentration or continuity of landmarks, improvements, or landscape features united by historic events or physical development, and which area has been designated as an historic district; the district may have

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within its boundaries noncontributing buildings and other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district. The Historic District Commission will be called upon for review of activity within its boundaries and to issue a Certificate of Appropriateness as per CGS as may be amended.

Home Occupation: the use of a property including a portion of a dwelling (or a building accessory thereto) for home-based business purposes by a resident of that dwelling.

Homeowner's Association: a formally constituted non-profit association or corporation made up of the property owners and/or residents of a fixed area which is responsible, through the sharing of costs, for owning, maintaining, and overseeing a common facility, common areas and open space

Horizontal Illuminance: The measurement of brightness from a light source usually measured in lumens, which is taken through a light meter's sensor at a horizontal position.

I

Illuminance, Horizontal: The measurement of brightness from a light source usually measured in lumens per square foot (footcandles), which is taken through a light meter's sensor at a horizontal position and varies with distance from the source.

Illuminate: to supply with or brighten with light; to cause an object to glow.

Illumination, Indirect: Illumination by reflected or diffused light.

Illumination, Internal: refers to the illumination of a sign by electronic means wholly contained within the sign.

Impervious / impermeable materials: any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. See Porous Materials, and Permeable Materials

Impervious Surfaces: surfaces covered with a layer of material that does not allow the infiltration of rainfall, including, pavement, sidewalks, driveways or other surfaces that may become impermeable over time due to compaction.

Improvement: Any alteration to the existing conditions of a parcel for the purpose of rendering the site more suitable for development and/or habitation. As used in these Regulations,

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improvements include but are not limited to construction and installation of roadways, curbs, gutters, utilities, street signs, monuments, shade trees, drainage facilities, permanent erosion and sedimentation control measures, structures, earth filling or removal, seeding and grading. See also Land Development Activities.

Indirect Light: Illumination by reflected or diffused light.

Inland Wetlands and Watercourses Agency (IWWA) or Agent: The municipal agency or authorized agent charged with implementing the Inland Wetlands and Watercourses Act (C.G.S. Sections 22a-36 through 22a-45) and Woodstock’s Ordinance Concerning Inland Wetlands and Watercourses.

Interior /Rear/Flag Lot: A lot having less than the minimum lot frontage required under these Regulations.

Internal Illumination: refers to the illumination of a sign by electronic means wholly contained within the sign.

J

Junk: dilapidated, scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, motor vehicles and parts thereof and other waste material that has been abandoned from its original use but which might be used again in its present or in a new form (as compared to trash).

Junkyard: As defined in CGS 13a-123c. as may be amended.

K

Kennel, Commercial: An establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold, all for a fee or other form of compensation.

Kennel, Private: The keeping, breeding, raising, showing or training of four or more dogs over six months of age for the personal enjoyment of the owner or occupant of the property.

L

Land Development Activities: Any man-made change or improvements to real estate, including but not limited to landscaping, construction, building, enlargement or extension of buildings,

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installation of utilities, parking areas, on-site traffic circulation areas/driveways, impervious surfaces, earth disturbance including grading, filling and excavation, installation of storm drainage and erosion and sediment control measures.

Landscaping: changing, rearranging or adding to the original vegetation or scenery of a property to produce an aesthetic or screening effect appropriate to the use to which the land is being put. It may include reshaping the land by grading, as well as preserving the original natural vegetation or adding vegetation.

Large Forest Block: An area of contiguous forest or woodland (including forested wetland areas) comprising 100 acres or more in area, which may be located on one or more parcels of land.

Lawfully Existing/Legally Existing: Existing in accordance with any and all laws at or prior to a specific point in time, as capable of being substantiated by written documentation, such as assessor's records, Building Permits, Certificates of Occupancy, or health permits.

Legal Counsel: The attorney or attorneys on retainer to the Town of Woodstock charged with providing legal assistance to the Commission.

Light Industrial/Manufacturing Uses: Any of the following uses: research laboratories; manufacturing, processing, packaging or assembly of components or goods; warehouses; distribution centers; plumbing, heating, electrical, mechanical and general contracting establishments; and truck and freight terminals; and associated offices

Lighting, Outdoor: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Lighting Plan: a plan showing the location, height above grade, type of illumination, type of fixture, the source of lumens, and the luminous area for each source of light proposed

Light Pollution: Stray or reflected light that is emitted into the atmosphere, beyond the 90-degree horizontal plane. Dust, vapor and other pollutants reflect this light causing unwanted skyglow.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

Limits of Clearing: The boundaries of that area of land where some trees and other vegetation are proposed to be cleared in conjunction with a proposed development or land use

Local Nonprofit Organization: a nonprofit corporation that exists solely to provide programs and services for the residents of Woodstock or persons seeking assistance from such organization

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located within the Town of Woodstock.

Loop Street: A street having only one outlet to another road that curves back to intersect with itself, and may include a designed one-way traffic pattern.

Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as permitted by law, to be separately owned, used, developed, or built upon.

Lot, Corner: A lot having frontage on two intersecting streets.

Lot Depth: The mean distance from the street line of the lot to its rear line measured in the average direction parallel to the side lines of the lot.

Lot Frontage: The length of the front lot line. In the case of corner lots, lot frontage shall be measured along both streets. For purposes of computing minimum lot frontage, the primary frontage must meet the minimum required.

Lot Line, Front: The line separating the lot from a public street right-of-way.

Lot Line, Side: Any property boundary line that is not a front lot line or rear lot line. Where two lot lines extending from the front lot line intersect, both shall be considered side lot lines. In the case of a corner lot, all lot lines extending from the front lot line shall be deemed to be side lot lines.

Lot Line, Rear: The property boundary line that extends from the side lot lines and is generally opposite (farthest from) the front lot line. Corner lots may have two side lot lines and no rear lot line.

Low Impact Development: a site design strategy intended to maintain or replicate predevelopment hydrology through includes a suite of landscaping and site design techniques especially including the use of small-scale controls integrated throughout the site to manage runoff as close to its source as possible

Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this Regulation, the lumen output values shall be the initial lumen output ratings of a lamp.

Lumens, Exit: The net light output from a luminaire (light fixture) as measured in Lumens (supplied by manufacturer).

Luminaire: A complete lighting unit consisting of a light source, pole, and all mounting brackets, if appropriate, and all necessary mechanical, electrical, and decorative parts.

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Luminaire, Height of: The vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

M

N

Nature Center: An educational facility where the public may study plant and animal life by direct observation.

NRCS Soil Survey Maps: soils studies conducted and data compiled by soils scientists in the Natural Resources Conservation Service, under the auspices of the US Dept. of Agriculture.

NDDH: Northeast District Department of Health

Natural Resource Inventory: a survey of existing natural elements, including land, water, air, plant and animal life, and the interrelationship of these elements.

Nonconforming Development Standard: The dimensions of a lot, or a building, structure, or other lot feature (such as, but not limited to, parking, lot coverage, green space, etc.) located on the lot that was lawful when established but no longer conforms to the requirements of the zone in which it is located as set forth in the Zoning Regulation, because of adoption of a zoning amendment. The term “nonconforming development standard” is a broad category and can apply to

1. A nonconforming lot,
2. A nonconforming structure, and
3. A nonconforming lot feature. There are particular considerations with regard to each type of development standards.

Nonconforming Use: A continuous use of land or a structure which is currently not a permitted use in the district in which it is located, but which either legally existed at the time these regulations were first established, or which was a permitted use under these Regulations prior to their being amended. A use which is permitted by variance shall be deemed to be a non-conforming use.

Nonresidential Use: Uses other than single family, and multiple family dwellings, including but not limited to industrial, commercial, municipal and institutional uses.

Notable Stone: a large stone deposited in place by glacial activity, or an outcrop.

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Nursery, Retail: an agricultural use and/or associated retail operation where the primary activity is growing, transplanting, storage, development of, and/or sale, either retail or wholesale, of flowers, plants, trees, or shrubs. This use may also include the sale of garden supplies, fertilizers and associated items.

O

Office, Business and Professional: space used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity; it may include space used for services to office workers.

Off-Seasonal Use: Use between November 30 through and including March 31 of the following calendar year.

Open Space: A generic term for areas of land generally without human-built structures, including land in its natural or undeveloped state, land used for agriculture, and courtyards, plazas, and parks. Depending on the context and usage “open space” may have a more narrow or specific meaning. Open space is not necessarily accessible to the public.

Open Space, Protected: Areas of legally protected or conserved land on which land development activities are prohibited, including Conservation Land approved by the Commission under the provisions of the Woodstock Subdivision Regulations.

Open Space, PA-490: Areas of land granted current use tax treatment under the Connecticut land use value assessment law, Public Act 63-490 (“PA-490”), Connecticut General Statutes Sections 12-107 and 12-504. These lands are not necessarily protected open space or accessible to the public.

Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Outdoor storage: the keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Outdoor wood-burning furnace: an accessory structure or appliance designed to be located outside living space ordinarily used for human habitation and designed to transfer or provide heat, via liquid or other means, through the burning of wood or solid waste, for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic swimming pool, hot tub or jacuzzi water. “Outdoor wood-burning furnace” does not include a fire pit, wood-fired barbecue or chiminea.

P

Parcel: a piece or area of land normally described and recorded with the block and lot numbers, by metes and bounds, by ownership, or in such a manner as to specifically identify the dimensions and boundaries.

Parking Space: A space for the parking of a motor vehicle within a public or private area.

Penal institutions: A prison, penitentiary, or correctional facility; a place in which individuals are physically confined or interned and usually deprived of a range of personal freedoms.

Permeable/Porous Paving Materials: materials which are alternatives to conventional pavement surfaces and that are designed to increase infiltration and reduce storm water runoff and pollutant loads. Alternative materials include modular concrete paving blocks, modular concrete or plastic lattice, cast-in-place concrete grids, and soil enhancement technologies. Stone, gravel and other low-tech materials can also be used as alternatives for low-traffic applications such as driveways, haul roads and access roads. Porous Pavement: similar to conventional asphalt or concrete but is formulated to have more void space for greater water passage through the material. See also Impervious/ Impermeable Materials/Surfaces.

Permitted Use: any use allowed in a zoning district and subject to the restrictions applicable to the zoning district.

Phase / Phased Development: a portion of a development, divided for construction purposes into cohesive sections, such that all buildings, clusters of buildings, and their supporting improvements are capable of complete and self-sufficient existence under these Regulations, without the completion of subsequent phases.

Plan and Profile: The drawing(s) depicting respectively the horizontal and vertical design for street construction and drainage, and containing all information required to be submitted for approval as part of an Application.

Plan of Conservation and Development (POCD): Document prepared by the Woodstock Planning and Zoning Commission that establishes goals and priorities for growth and preservation in the Town of Woodstock, updated in 2015 and as may be amended from time to time.

Plan of Open Space and Conservation, A (APOSC): a document prepared by the Woodstock Conservation Commission, as may be amended from time to time, delineating the conservation priorities of the Town of Woodstock.

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Preliminary Proposal: The preliminary map, drawing(s) and supporting data recommended by these Regulations, indicating the proposed layout of the subdivision.

Premises: A lot, plot or parcel of land including the buildings, structures and uses thereon.

Private Lane / Road: A street, road or other private way providing vehicular access which has not been accepted as a Town road. All maintenance, repair and legal liability for these roads are privately managed and not the responsibility of the Town.

Private Way: A lane, alley, discontinued street, abandoned street, farm road, woods road, historic cart path, trail or other unimproved way not generally providing vehicle access, excluding a Street or Private Road.

Purchase of Development Rights (PDR): the right to develop a property is severed from the ownership of the land when purchased for agriculture or conservation. This severance is a perpetual deed restriction required to be held up by future owners.

Q

Quarry: a place where stone is excavated for use or sale; excavation frequently involves blasting or cutting.

R

Rain Garden: functional landscape elements that consist of shallow depressions planted with a selection of species that can withstand both drought and flooded conditions whereby the runoff is pooled for a few hours while the garden serves as a filter to treat the water by the absorptive action of the plants and recharges the groundwater in the process.

Reclamation: the restoration to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by mining under a reclamation plan. This may include but is not limited to, grading and shaping of the land, the planting of trees and shrubs, the seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Regulations: The Subdivision Regulations, effective August 25, 2005, of the Town of Woodstock, Connecticut, including amendments thereto.

Residential Building Lot: Any parcel which, in conformity with these Regulations, contains or may contain a dwelling (and may also contain a permitted accessory apartment or home occupation), and which does not contain and has not been approved for a nonresidential use.

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Restricted Land: Property subject to a conservation easement; agricultural easement; conservation or preservation restrictions as defined by Connecticut General Statute 47-42(a); land legally dedicated for Open Space or land having other use restrictions legally limiting or preventing development.

Restoration: to bring the site to conditions similar to what existed prior to the operation or that will be compatible with what existed prior to the operation on the area of land affected by the earth and gravel operations under a Restoration Plan. This may include but is not limited to, grading and shaping of the land, planting of trees and shrubs, seeding of grasses, legumes, or crops for harvest, or the enhancement of wildlife and aquatic resources.

Restoration Plan: a plan which depicts how the project area will be restored, or altered for the productive use of the land, after the approved earth and gravel operation is complete.

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 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.

Retail Commercial Use: Activity involving the sale or rental of goods, merchandise, or related services to the direct consumer; including buying and selling in person and online, and may include the assembly of such goods which is incidental or subordinate to the selling activities.

Retail Warehouse / Manufacturer's Outlet: a retail use operating from within a warehouse as an accessory use to the principle warehouse use or from a manufacturing facility as an accessory use to the principle manufacturing use.

Ridge Line (building): the intersection of two roof surfaces forming the highest horizontal line of the roof

Right-of-Way: Any strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used by specific persons or the public for a specific purpose or purposes. "Right-of-way" includes any public ways.

S

Scenic Road, Woodstock: A town-approved road that has been given official scenic designation through the process detailed by Woodstock Town Ordinance, effective May 15, 1986 and as may be amended from time to time or similar designation by State or Federal agencies.

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Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

School Bus Shelter: a small, roofed structure, usually having three walls, located near a street and designed primarily for the protection and convenience of school bus passengers.

Seasonal Cottage Resort: A business consisting of a minimum of two-hundred and fifty (250) acres as part of a comprehensively planned and designed development operated by an identified management group. The seasonal cottage units may be occupied for a time period of up to seven (7) months between April 1 and November 30. Such a resort would also typically have associated guest amenities including, but not limited to, a community center, swimming pool facilities, convenience store and active and/or passive recreational facilities. The resort's management group would be responsible for operating and maintaining the complex, including providing year 'round maintenance and on-site security.

Seasonal Use: Use between April 1 through and including November 30 of the same calendar year.

Senior Residence Development (SRD): multi-family dwelling containing dwelling units *in which, each unit* is occupied by at least one person 55 years of age or older and none below the age of 16 years and in the case of municipal elderly housing by at least one person meeting the definition of "Elderly Persons" as set forth in Section 8-113a(m) of the Connecticut General Statutes as may from time to time be revised or amended.

Service Establishment: Any building or structure that is used for the performance of a lawful business or personal service,

Setback: The minimum required horizontal distance from any street line or lot line to the closest point of the building, structure or structural projection and measured in a straight line, most perpendicular to such street line or lot line.

Sign: any device or visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

Sign, Animated: any sign or part thereof that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation

Sign Area: the entire area within a contiguous perimeter, enclosing the extreme limits of sign display, including any frame, trim, molding or border, but not including the supporting structure. Curved, spherical, or any other shaped sign face shall be computed on the basis of the actual surface area. The calculation of a double-sided sign shall be the area of one face only. Double-faced signs shall be so constructed that the perimeters of both faces coincide and are parallel, and are not more than 24 inches apart.

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Sign, Awning/canopy: a sign painted, stamped, perforated, or stitched, or otherwise applied on the valance of an awning.

Sign, Billboard: A surface/sign whereon advertising matter of a commercial or non-commercial nature is set in view conspicuously and which advertising of the activity, the service rendered or the commodity sold does not apply to the premises or any use of the premises whereupon it is displayed or posted.

Sign, Bulletin Board: a sign that identifies an institution or organization on whose premises the sign is located and that contains the name of the organization as well as changeable announcements of events or activities at the institution

Sign, Directory: a business sign listing the tenants or occupants of a building along with their professions or business activities

Sign, Electronic Message Board: any sign that uses changing lights to form messages wherein the sequence of the messages and the rate of change is electronically programmed and can be modified by electronic process.

Sign Enhancement Features: any portion of a sign or structure intended to improve the physical appearance of a sign or to cause it appear larger in mass, including roofs, moldings, railroad ties, lattice, or other decorative features. For the purposes of these Regulations, all sign enhancement features will be included in the square foot calculation used to determine sign sizes and limitations.

Sign, Flashing: any sign which, by any method or manner of illumination either direct or indirect, flashes on or off, winks, or blinks with a variety of light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.

Sign, Illuminated (external): shielded light sources, which are mounted as to illuminate the face(s) of the sign.

Sign, Illuminated (internal): refers to the illumination of a sign by electronic means wholly contained within the sign.

Sign, Indirect Lighting: Illumination by reflected or diffused light.

Sign, Non-conforming: a sign lawfully erected prior to the adoption of the current Zoning Regulations that does not conform to the requirements of the current Regulations.

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Sign, Marquee: any sign made a part of a marquee and designed to have changeable copy, either manually or electronically

Signs, On-site Informational: a sign commonly associated with information and directions necessary or convenient for visitors coming on the property, including those which mark entrances and exits, parking areas, circulation areas, restrooms, and pickup/delivery areas.

Signs, Portable: any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including but not limited to signs to be transported on wheels, sandwich board signs, and signs on balloons or table umbrellas.

Sign, Private Sale or Event: a temporary sign advertising private sales of personal property, such as a home, garage sale, rummage sale, yard sale and similar events, or private not-for-profit events such as a picnic, carnival, bazaar, art show, craft show or holiday sales event

Sign, Roof-mounted: a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top edge or of the roof line of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

Sign, Scoreboard: material on which a large area is used to post a score and other details of an athletic activity, the space being so designed as to allow for advertising or messages by entities other than the home sports team.

Sign, Searchlight: any use of lighting intended to attract the general public by the waving or moving of beams of light

Sign, Vending Machine: any sign, display, or other graphic attached to or a part of a cash-operated or debit-card operated machine which dispenses food, beverages or other products

Sign, Window: a permanent sign that is painted or mounted onto a windowpane, or is hung directly inside a window solely for the purpose or effect of identifying any premises from the sidewalk or street; or a temporary sign advertising special sales, events or products

Site Plan: a physical plan showing the layout and design of the proposed use on a particular site together with the information the Regulations require for that use.

Slope: A measured vertical rise divided by a measured horizontal run.

Slope, Steep: A slope greater than 30% (thirty percent)

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Soil Erosion and Sedimentation: involves a three-stage process: detachment, transport and deposition. Soil erosion is the wearing away of the surface of the land by the action of wind, water, ice, gravity and by mechanical means. The detached soil particles are transported and deposited elsewhere resulting in sedimentation.

Special Flood Hazard Area: Any area indicated as flood prone on the Woodstock Special Flood Hazard Area map issued on November 1, 1984 by the Federal Emergency Management Agency, as may be amended from time to time, and on file at Town Hall.

Special Permit: a permit that, upon approval by the Commission, allows a property owner to put a property to a use which the Town Regulations expressly permit, under conditions specified in these Regulations.

Special Permit, Change of Use: applies to a change of use of a pre-existing non-residential use to another non-residential Special Permit use as defined by the Woodstock Zoning Regulations, but without alteration to the building/structure or parking lot.

Staff: town employees and designated contractual agents of the Town directly involved in the review, evaluation or processing of land use applications.

State Fee: as required under Connecticut PA 92-235 and amended by PA 03-06 and PA 04-144, and as may be further amended from time to time, a fee that shall be collected by the Town from any person, firm or corporation, other than a municipality, for any approval required by CGS Chapters 124 (Zoning), 126 (Municipal Planning Commission), 440 (Wetlands and Watercourses), or 444 (Coastal Management) as may be amended.

Steep Slope: A slope greater than 30% (thirty percent).

Storage Facility, Self: A building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time.

Storm water Pollution, Erosion & Sediment Control Plan: a plan which shows the control of storm water pollution, erosion and sedimentation during construction of a site and afterwards.

Street: Any public or private vehicular way, laid out and maintained in accordance with the laws of the State of Connecticut and the Regulations and ordinances of the Town, used for the travel of vehicles, which has been accepted at town meeting and actively maintained by the Town or has been approved by the Commission as part of an approved subdivision; including State vehicular ways; and the street Right-of-Way (whether improved or not).

Street, Arterial: A street that interconnects and links other arterial streets and distributes traffic to and from collector and other streets.

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Street, Collector: A street that collects traffic from local streets and connects with arterial streets.

Street, Local: A street that provides frontage for access to abutting lots and carries slow-speed traffic primarily having a destination or origin on the street itself.

Street, Loop: A local street that has as its only ingress and egress at two points in the same collector street.

Street Line: The limit of the street or highway right-of-way; however, where such street line has not been established, it is deemed for the purposes of these Regulations to be a line parallel to and 25 feet distant from the center line of the travelled way or existing pavement.

Street Width: The lateral dimension of the wearing or exposed surface of the roadway used by vehicular traffic.

Structure: Anything constructed, erected or assembled that requires a location on, above or below the ground, or attachment to something having location on the ground.

Student: An individual who is enrolled or has made application and been accepted at an accredited secondary school located in the town of Woodstock and who is taking at least three courses per semester and whose primary occupation is as a student.

Student Housing: An existing dwelling unit occupied by Students and school personnel employed by the school in which the Students are enrolled or have been accepted.

Subdivider: Same as “Applicant.”

Subdivision: As defined in CGS 8-18 and as may be amended. The division of a tract or parcel of land after the enactment of Woodstock Subdivision Regulations in August 31, 1965.

Subdivision, Minor: A residential subdivision that is comprised of one to four lots.

Subdivision, Major: A residential subdivision that is comprised of five or more lots.

Survey: Wherever, in these Regulations, references are made to types of surveys, e.g., Class A-2, C-1, or D, the classification definitions and standards of accuracy to be applied are the current definitions and standards adopted by the Connecticut Association of Land Surveyors, Inc. If any survey type or classification definition is eliminated from those definitions and standards, then the prevailing comparable survey type and classification definition shall apply.

T

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Terminus Street: A street which is either a Loop Street or a Cul-de-sac.

Total Parcel: A tract of land.

Town: The Town of Woodstock, CT

Town Clerk: The Clerk of the Town of Woodstock, CT.

Town Engineer: The licensed engineer or engineers on retainer to the Town of Woodstock charged with providing engineering assistance to the Commission.

Town Planner: The employee of the Town of Woodstock providing primary staff support to the Planning and Zoning Commission.

Transfer Site: A parcel specifically designated as the location for Conservation Land under the Conservation Land Transfer provisions of Chapter VI.

Trash enclosure: an accessory structure where trash containers or recycling material containers or other type of waste or refuse containers are placed or stored, customarily located near the roadway of a residence, and utilized while awaiting commercial trash pick-up.

U

Underground Utilities: Phone, cable and all other services provided by means of wires placed in a trench or underground vault/conduit, which shall connect the street services to the buildings and structures on a parcel

Uplighting: Any light source that distributes illumination above a 90-degree horizontal plane.

Use: The purpose or activity for which land or buildings are designed, arranged, intended or for which land or buildings are occupied or maintained.

Use, Conforming:

- 1) Any use that is permitted by and complies with all of the requirements of these Regulations, including but not limited to the requirement for a Zoning Permit, Site Plan Review, or Special Permit;
- 2) Any use or activity that has been issued a use variance by the Zoning Board of Appeals; and
- 3) Any use that was lawfully in existence on the effective date of these Regulations, and that is listed as a permitted use or Special Permit use within its respective Zoning District under Article V of these Regulations.

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Use, Nonconforming: Any use that does not meet the definition of a conforming use.

V

Vegetated Buffer: an area or strip of land designated as permanent undisturbed vegetation adjacent to a water body or other resource, building or structure, designed to protect resources from adjacent development during construction and after development by filtering pollutants from runoff, protecting water quality and temperature, providing wildlife habitat, screening structures and enhancing aesthetics, and in some situations, providing access for recreation.

Village Green Plan of Development: a site plan depicting the proposed activity within a Village Green Development, including the phases and construction details as listed in the application requirements

W

Waste: Solid waste, ash, refuse, and/or radioactive or hazardous waste, other than any Town of Woodstock solid waste disposal or transfer facility.

Watercourse: As defined in General Statutes Section 22a-38(16) as may be amended.

Water Table: the location beneath the ground where water-saturated rock or sediment is first encountered.

Wetlands: Land, including submerged land, as defined in this section, not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial and floodplain by the National Cooperative Soils Survey, as it may be amended from time to time, of the Natural Resources Conservation Service of the U.S. Department of Agriculture (USDA). Such areas may include filled, graded, or excavated sites which possess an aquic (saturated) soil moisture regime as defined by the USDA Cooperative Soil Survey.

Wildlife Sanctuary and/or Preserve: A reservation where animals including those that are considered exotic species as defined by the State of Connecticut, are sheltered and kept and may not be hunted or trapped.

Wireless Telecommunication Facility: The equipment and structures involved in receiving or transmitting electromagnetic waves associated with wireless telecommunication services.

Wireless Telecommunication Services: Services associated with the transmission and/or reception

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of wireless telecommunications. These services may include, but are not limited to cellular, personal communication services, specialized mobilized radio, and paging.

X

Y

Z

ZBA: Zoning Board of Appeals

ZEO: Zoning Enforcement Officer

Zoning Permit: A written approval from the ZEO or the Commission indicating an existing or proposed building, structure, or use is in compliance with these Regulations.

Zoning Regulations: The Zoning Regulations of the Town of Woodstock, Connecticut, which shall include the Zoning Map and all appendices

Zoo: A collection of wild animals, or a place where wild animals are kept for public showing, regardless of whether an admission fee is collected.

CHAPTER III – ~~APPLICATION AND REVIEW~~

CATEGORIES OF SUBDIVISION APPLICATIONS

Any proposal to change or divide a property that meets the statutory definition of a subdivision or resubdivision or changes a significant part of the application such as the boundary lines or an engineered feature of the development shall require an application to do so that shall be reviewed by the Planning & Zoning Commission. The types of applications shall include but may not be limited to: the standard subdivision or resubdivision; family transfer or fee in-lieu subdivision or resubdivision; a subdivision or resubdivision involving conservation land or fee-in-lieu of conservation land; a subdivision or resubdivision including a deed restricted affordable housing component; or a modification of an existing approved subdivision or resubdivision.

A. Subdivision

Defined by the Connecticut General Statutes 8-18, as may be amended, as: *the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.*

A Minor Subdivision is comprised of one (1) to four (4) lots.

A Major Subdivision is comprised of five (5) or more lots.

NOTE: Subdivision Regulations were first adopted in Woodstock on August 31, 1965.

B. Resubdivision

Defined by the Connecticut General Statutes 8-18, as may be amended, as: *a change in a map of an approved or recorded subdivision or resubdivision if such change*

(a) affects any street layout shown on such map,

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

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

NOTE: A public hearing is mandatory for all resubdivisions, per state statute.

C. Family Transfer

In accordance with the provisions of Connecticut General Statutes Section 8-25, where the transfer of all land in a subdivision of less than five (5) lots is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle, or first cousin of the property owner for no consideration, the Commission shall not require the provision of Conservation Land. Conveyance of this lot to any other person prior to ten (10) years from the date of subdivision approval shall require

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provision of such Conservation Land or payment of a fee in lieu of conservation land by the seller in accordance with the Woodstock Subdivision Regulations as the Woodstock Planning and Zoning Commission may determine in its sole discretion.

1. Post Approval Process for Family Transfer Subdivision or Resubdivision

- a. Any deed recorded in the land records of the Town shall incorporate the terms and language of the proposed deed submitted to the Commission.
2. If the Commission so determines there is a violation:
 - a. The Commission may, following a public hearing with notice by certified mail to the violator and to all recorded owners of lots in the subdivision, void, in whole or part, any subdivision approval, and may cause notice thereof to be filed in the Land Records of the Town or may take any other actions authorized by law including requiring dedication of Conservation Land or payment of a fee in-lieu of Conservation Land by the violator sufficient to meet the requirements of these Regulations ~~this Chapter~~.
 - b. The amount of any fee in lieu of Conservation Land shall be ten (10) percent of the fair market value of the lot or lots in violation, excluding the value of any existing buildings or structures, at the time **the family transfer subdivision was approved such notice is filed in the land records.**

D. Subdivision or Resubdivision with a Fee in-lieu of Conservation Land

As set forth in Section 8-25 of the Connecticut General Statutes, the Commission may authorize the Applicant to pay a fee to the Town, ~~or pay a combination of fee and land transfer to the Town~~ in lieu of the full requirement to provide Conservation Land ~~as set forth in Chapter V.~~

~~E. Conservation Land Transfer~~

~~Based on consultation with the Woodstock Conservation Commission, the Commission in its sole discretion may allow the subdivider to reduce the required on-site acreage of Conservation Land within the proposed subdivision in exchange for the provision by the subdivider of Conservation Land of equal or greater size on a Transfer Site located elsewhere in the Town of Woodstock.~~

- ~~1. The Applicant shall be responsible for all negotiations necessary to prepare the proposal for presentation to the Commission. The proposed transfer shall be on an acre for acre basis, e.g. if the Commission approves Conservation Land on a Transfer Site, the Commission will reduce the required acreage of Conservation Land on the parcel to be subdivided by an equivalent amount, and increase the Gross Buildable Acreage and the Maximum Lot Yield accordingly.~~
- ~~2. All other requirements concerning Conservation Land shall apply to the Transfer Site. No transfer of Conservation Land shall be approved by the Commission unless the Commission finds that the provision of Conservation Land on the Transfer Site rather than within the~~

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~~proposed subdivision better meets the Conservation Priorities of this Chapter and the goals of the Woodstock Plan of Conservation and Development.~~

E. Affordable Housing Subdivision or Resubdivision

Housing that is either financially assisted living or part of a set aside development, for the purpose of providing housing at a reduced cost, as defined by C.G.S. 8-30g, as may be amended.

1. Any appeal of the Commission's decision on an affordable housing application, if such appeal is allowed by C.G.S. 8-30g, as may be amended, shall follow all of the processes and requirements contained in C.G.S. 8-30g, as may be amended.

1. ~~Maximum Lot Yield Bonus for Affordable Housing~~

~~a. Definitions as used in this section:~~

- ~~i. "Affordable housing" means a dwelling to be sold subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income; and~~
- ~~ii. "Median income" means, after adjustments for family size, the area median income for the area in which the Town is located, as determined by the United States Department of Housing and Urban Development.~~

~~b. A Maximum Lot Yield bonus shall be allowed for subdivisions and resubdivisions that provide affordable housing up to 20% of units in proposed subdivisions. The Maximum Lot Yield may be increased by the Commission by one additional lot for each two new affordable housing units proposed by the Applicant, up to a maximum of ten percent (10%) of the total number of lots (as determined by the Maximum Lot Yield calculation) that would otherwise be allowed. Each additional lot created under provisions of this section shall be deemed a bonus lot ("Bonus Lot").~~

2. ~~Maximum Lot Yield Bonus for Accessory Apartments~~

~~a. As used in this section, "accessory apartment" means a separate dwelling unit that has a square footage that is not more than thirty per cent of the total square footage of the primary dwelling unit on a parcel up to a maximum of 1000 square feet.~~

~~b. A Maximum Lot Yield bonus shall be allowed for subdivisions that incorporate accessory apartments. The Maximum Lot Yield shall be increased by the Commission by one additional lot for each five (5) lots where the Applicant proposes to construct an accessory apartment. Each additional lot created under provisions of this section shall be deemed a bonus lot.~~

3. ~~Compliance~~

~~a. No Zoning Permit nor Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan as a bonus lot~~

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~~under the provisions of Section 1, Maximum Lot Yield Bonus for Affordable Housing and designated as Affordable Housing unless all deed covenants and restrictions required to comply with the provisions of this Chapter have been recorded on the Woodstock Land Records.~~

~~b. No Zoning Permit nor Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan as a bonus lot under the provisions of Section 2, Maximum Lot Yield Bonus for Accessory Apartments unless a Certificate of Occupancy has been issued for every accessory apartment shown on the Final Approved Plan.~~

F. Non-Residential Subdivision or Resubdivision

Lots created for commercial, industrial, or other non-residential uses.

G. Modification of an Approved Subdivision or Resubdivision

Does not create new lots, but modify the previously approved subdivision or resubdivision by moving the boundary line, merging lots, changing the approved design of an engineered feature of the development such as a road, steep driveway, drainage improvement or a change to a similar aspect of the development.

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Chapter IV – APPLICATION SUBMISSION REQUIREMENTS

~~1. Initial Document Requirements~~

~~The submission requirements for all Formal Applications for proposed subdivisions shall consist of the following documents, and shall be prepared in accordance with the drafting standards and all other requirements described below.~~

Part I All Applications: These requirements apply to all types of Subdivisions

A. Application Form

The Application ~~form~~ shall be completed **on** ~~in~~ the form available in the **Zoning Enforcement/**Planning Department Office at Woodstock Town Hall, **along with the fixed fees; any remaining reimbursable fees such as for engineering consultant review shall be paid within thirty (30) days of the Applicant's receipt of the bill.**

B. Supporting documents

1. Details that shall show on the subdivision plans:

- a. Maps and plans shall meet the requirements of Section 7-31 of the General Statutes of the State of Connecticut, as may be amended.**
- b. All maps and plans shall be clear and legible, and on sheets 24" by 36", or as otherwise requested by the Commission.**
- c. The maps shall be prepared and certified by a professional land surveyor and the plans shall be prepared and certified by a professional engineer, and they shall provide their names and certification information, as well as they shall sign and seal their respective drawings.**
- d. A survey of the property showing the existing and proposed boundaries subject to these regulations.**
- e. Overall boundary survey to at least a minimum standard of a stated accuracy of 0.01 and 20", according to ~~accepted~~ **current** standards for a "Class A-2 Transit Survey" as defined by the Connecticut Association of Land Surveyors, Inc. The survey shall be tied to the **current** Connecticut Plane Coordinate System ~~of 1983~~. **The Commission may accept less than a Class A-2 survey, but no less than a Class D survey, subject to the above-referenced standards, for large parcels not proposed for sale or development, or for the purpose of establishing the perimeter ownership boundary of a large parcel where a portion of the parcel is proposed for subdivision or resubdivision, in which case the portion of the parcel proposed for development shall be subject to a Class A-2 survey. Before accepting less than a Class A-2 survey, the Commission may obtain the advice of professional staff.****

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- f. Calculation and delineation of Total Parcel.
 - g. Existing and proposed lot lines, lot areas, and lot numbers.
 - h. Location of all proposed monuments and lot markers.
 - i. Location of proposed drainage swales, drainage easements, culverts, storm water and related management facilities.
 - j. Locations of existing and proposed utility easements.
 - k. A brief history of the parcel, including any changes that have taken place in ownership of the parcel from August 31, 1965 to the present and shall appear on the ~~Formal~~ Application as well as the subdivision plans.
 - l. A description of any existing deed restriction, covenant, easement, right-of-way, or similar encumbrance that runs with the land, including the identity of the dominant and servient estates, the volume and page of the Woodstock Land Records where the same are recorded, and the date upon which they will expire, if any.
 - m. Location of proposed trees and other major landscape features, ~~and locations of existing vegetation to be retained outside of Conservation Lands~~, including a line-of disturbance indication.
2. A copy of such deed restrictions, easements, covenants and declarations that are to be imposed upon the property to comply with the ~~Formal~~ Application as approved by the Commission. All such documents shall be in such form satisfactory to the Commission and its Legal Counsel.
 3. Development Review Checklist:
The Applicant shall complete the Woodstock Conservation Commission Development Review Checklist for assessment of compatibility of the proposed subdivision with A Plan of Open Space and Conservation, and shall submit the completed Checklist as an addendum to the subdivision Application materials.
 - 4. In addition to the listed requirements, if the uniqueness of the application or property so warrants it, the Commission reserves the right to require additional information regarding the nature of the property or the proposal.**

Part II - Development Proposals

A. Subdivisions with any type of development proposed (where applicable)

1. Additional supporting documents

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- a. **For projects with Public Improvements:** An engineer's estimate of cost of construction of all public improvements satisfactory to the Town Engineer, Town Planner, and the Commission;
- b. **An Erosion & Sediment Control Bond in an amount large enough to cover the cost of and installation of an anti-tracking pad, silt fence or staked hay bale sediment barrier, site restoration of disturbed area (topsoil, fertilizer, soil, seed, mulch, living plants and/or vegetation or suitable alternative) plus 15% contingency.**
- c. Any agreement made with the Connecticut Department of Transportation when a proposed street or storm drain **or other public improvement** joins with a state highway;
- d. A statement regarding the considerations that have been made to address solar access and energy-efficient design.
- e. Statements from the Town Engineer, Sewer Authority, and public utility companies as appropriate, approving public improvements and utilities;
- f. A report from the Northeast District Department of Health, regarding the adequacy of individual subsurface sewage disposal systems and water supply. ~~Such report shall contain the results of soil tests (including both percolation and deep hole tests for both primary and reserve leaching areas) which shall be performed under the supervision of the Northeast District Department of Health on each proposed building lot not having an approved sewage disposal system and any other information necessary for compliance with these Regulations.~~
- g. **Correspondence from the Fire Marshal as to whether or not a cistern is required, if a dry hydrant is available instead or if the applicant is proposing sprinklers.**
- h. ~~Where significant environmental impact may be involved, the Commission may request~~ A review of the Application by the Eastern Connecticut Environmental Review Team or other consultant **if** significant environmental impact may be involved **and** the Commission ~~may request~~ **requests a review.**

2. Additional details that shall show on the subdivision plans:

- a. Topography, the contour lines of which shall generally be at two-foot intervals, determined by photogrammetry (although 10-foot intervals are permissible beyond the parcel boundaries, interpolated from U.S.G.S. published maps). Slopes above 30% (thirty percent) should be clearly indicated and highlighted. Topography shall be prepared by a professional land surveyor or professional engineer confirmed by an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks. Watershed boundaries shall be identified.
- b. The name, certification information, and signature of a certified soil scientist whenever wetlands or watercourses exist within **one hundred twenty-five (125)** ~~one hundred fifty~~ feet of proposed building areas or additionally if the Commission determines that a soil scientist is needed to address requirements of these Regulations.

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- c. Location of all percolation tests, including all approved and failed test sites or pits and including an approved reserve site for each lot. All approved sites shall be clearly distinguished from failed sites.
- d. Layout of proposed septic systems, including but not limited to the tentative locations of septic leaching fields and reserve areas, showing the size and capacity of facilities.
- e. Layout of proposed water facilities including fire hydrants, storage tanks, wells, ponds and other water sources.
- f. Proposed building and driveway locations with associated grading information. All regrading and tree removal necessary to address driveway drainage and sightline issues shall be depicted. Length of sightline shall be shown using sightline criteria outlined in the most current Connecticut Department of Transportation Highway Design Manual, that exists or will be achieved for each existing and proposed driveway, and shall demonstrate that each driveway will not exceed a slope of fifteen (15) percent.
- g. All grading, fill and removal activity associated with a proposed subdivision, including but not limited to road construction, drainage, open space/recreation improvements, driveway, foundation, building and septic system construction. Where existing topography is proposed to be altered, the volumes of material to be removed from, or brought onto, the site; areas of proposed blasting, and the estimated volume thereof; the location at which excavated material being removed from the site will be deposited. The grading/fill/removal plan shall be prepared by a qualified professional engineer or professional surveyor registered in the State of Connecticut.
- h. Final Storm water Management and Erosion & Sedimentation Control Plan:

The Applicant shall submit as part of the **Formal** Application a complete Erosion and Sediment Control Plan in accordance with the requirements of the Connecticut General Statutes, the Woodstock Zoning Regulations and these Regulations, to be reviewed, and if acceptable, approved by the Commission upon the recommendation of the Town Planner and Town Engineer.
- i. An Improvements Construction Plan for public or private improvements, including all related specifications prepared by a registered professional engineer setting forth the precise nature and exact location of the improvements, all subject to approval of the Town Engineer. The Improvements Construction Plan shall contain the following information:
 - 1. Detailed plan and profile sheets for all proposed streets within the tract.
 - 2. Detailed plans and specifications for all electric utilities and street lights to be installed, together with the contract for street light installation.

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3. Detailed plans and specifications for any drainage and storm water management facilities.
 4. Detailed designs for all other public improvements.
- j. Any other certifications as required by any law or regulation, including approvals or waivers from any federal, state, regional, county, or local agency having jurisdiction over any matters related to the legal subdivision or land development. These agencies may include:
- Connecticut Department of Transportation,
 - Connecticut Department of **Energy &** Environmental Protection,
 - Connecticut Department of Public Utility Control,
 - U.S. Army Corps of Engineers,
 - Department of Agriculture,
 - Eastern Connecticut Conservation District,
 - Historic District Commission,
 - Woodstock Inland Wetlands Agency,
 - Woodstock Water Pollution Control Authority, and
 - Connecticut Office of State Archaeology.

B. Family Transfer (of up to 5 lots)

The requirements listed in Part I and applicable parts of Part II shall be included with the specific items listed below for Family Transfer Subdivisions.

1. The Plan of subdivision shall show sufficient contiguous undeveloped land so as to meet the requirements of these Regulations for provision of Conservation Land in the event the Commission determines, subsequent to the filing of the Final Approved Plan, that the claim of exemption from open space requirements under Connecticut General Statute § 8-25 was intended to be temporary or for the purpose of avoiding the Conservation Land requirements of these Regulations.
2. **The plan of subdivision shall contain the following language printed on the mylar:**

“This application claims an exemption from Conservation Land requirements under Connecticut General Statute §8-25, where “the open space requirements of this sections shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration.” If the Commission determines, subsequent to approval of the subdivision, that such transfers were intended to be temporary or for the purpose of evading the Conservation Land requirements of the Woodstock Subdivision Regulations, the Commission may void, in whole or in part, such subdivision approval and may cause notice thereof to be filed in

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the land records and may, in its sole discretion, require provision of Conservation Land or payment of a fee in lieu of Conservation Land by the violator sufficient to meet the requirements of the Woodstock Subdivision Regulations.”

3. The proposed deed for each lot, which shall include the following language:

“This lot was created by subdivision approved by the Woodstock Planning and Zoning Commission on [date] under a claim by the owner of an exemption from Conservation Land requirements of the Woodstock Subdivision Regulations under Connecticut General Statute §8-25, where “the open space requirements of this sections shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration.” Conveyance of this lot to any other person prior to ten (10) years from the date of subdivision approval shall require provision of such Conservation Land or payment of a fee in lieu of conservation land by the seller in accordance with the Woodstock Subdivision Regulations, as the Woodstock Planning and Zoning Commission may determine in its sole discretion.”

~~e. A copy of the proposed deed for each lot in the proposed subdivision or resubdivision shall be printed on the subdivision plans.~~

~~d. Such intended transfer shall be evidenced by covenants, restrictions, contracts, or other legally binding documents as the Commission may approve, which documents shall be filed with the Woodstock land records along with the Final Approved Plan.~~

~~i. The Applicant shall submit to the Commission a copy of the federal or state gift tax return demonstrating transfer of each lot in the subdivision for no consideration to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin of the current legal owner as required by Connecticut General Statute §8-25 within 180 days of the date the Final Approved Plan is recorded in the office of the Town Clerk.~~

d. The Commission ~~may~~ **shall** require the Applicant to submit a statement signed by the Applicant under penalty of false statement certifying that the proposed subdivision ~~or resubdivision~~ is not intended to be temporary or for the purpose of evading the Conservation Land requirements of the Woodstock Subdivision Regulations.

C. Minor Subdivision (1-4 lots)

The requirements listed in Part I and applicable parts of Part II shall be included for Minor Subdivision applications.

D. Major Subdivision (5+ lots)

For Standard Design, Conservation Design, and Fee-in-lieu of Conservation Land Subdivisions (except where noted), the requirements listed in Part I and applicable parts of Part II shall be included with the specific additional items listed below for a Major Subdivision.

1. Additional details that shall show on the subdivision plans:

a. Site Context Map

A map at a working scale of 1"=400' showing the location of the proposed subdivision within its neighborhood context of a 3000' radius shall be submitted. The features that shall be shown on the Site Context Maps include topography (from U.S.G.S. maps), inland wetlands and watercourses, floodplains, contiguous forest areas over one hundred acres, ridge lines, public roads, parcel boundaries with ownership of abutting properties noted, existing private streets and private ways, public land, and land protected for conservation or agricultural purposes, Critical Watershed Lands, and designated Historic Districts and notable historic and archeological sites and graves. Conditions beyond the parcel boundaries may be described on the basis of existing published data available from governmental agencies, and from aerial photographs. The Site Context Map shall identify the names of abutting property owners.

~~The Site Context Map shall include a layout showing future road and access potential of the abutting properties (including across streets) to reasonably ensure that future potential subdivision may be accomplished with appropriate access in accordance with these Regulations. Submission and review of such plan described in this paragraph shall not constitute approval of the future subdivision shown thereon.~~

b. Site Resource Assessment

A Site Resource Assessment shall be prepared to provide the developer and the municipality with a comprehensive analysis of existing conditions, both on the proposed development site and within 500 feet of the parcel boundaries. The following information shall be included in the Site Resource Assessment at a scale of 1"=200' or 1"=100':

- i. Topography, the contour lines of which shall generally be at two-foot intervals, determined by photogrammetry (although 10-foot intervals are permissible beyond the parcel boundaries, interpolated from U.S.G.S. published maps). Slopes above 30% (thirty percent) should be clearly indicated and highlighted. Topography shall be prepared by a professional land surveyor or professional engineer confirmed by an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official U.S.G.S. benchmarks. Watershed boundaries shall be identified.

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- ii. The location and delineation of ponds, streams, ditches, drains, and drainage swales, as well as the 100-year floodplains and all wetlands.
 - iii. General vegetative cover conditions on the property including cultivated land, meadow, pasture, old field, hedgerow, wetland and woodland canopy. Significant Natural Communities defined by the Connecticut Department of **Energy &** Environmental Protection shall be indicated.
 - iv. Areas with potential State and Federally-listed endangered, threatened or special concern species as per the current State and Federal Listed Species and Significant Natural Communities Map published by the Connecticut Geological and Natural History Survey of the Connecticut Department of **Energy &** Environmental Protection..
 - v. Soil series, types and phases, clearly identifying Prime Farmland and Farmland of Additional Statewide Importance as defined and mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for the county, including any accompanying data published for each soil relating to its suitability for septic system leaching.
 - vi. Significant geologic formations on the proposed development parcel, including major ledge and rock outcroppings and cliffs, as well as locations of Critical Watershed Lands.
 - vii. All existing man-made features including but not limited to public and private streets, private ways, cart paths, driveways, structures, foundations, walls, wells, drainage fields and swales, dumps, utilities, fire hydrants, and storm and sanitary sewers and septic systems.
 - viii. Structures and features listed on the National or State Register of Historic Places, or designated as a Historic Property by the Town, and known or suspect archeological sites or graves.
 - ix. Existing national, state or locally-designated scenic roads and byways.
 - x. All easements, rights-of-way, and other encumbrances of property which are or have been filed of record with the Town Clerk.
 - xi. Total acreage of the tract.
 - xii. A vertical aerial photograph current to within five years enlarged to a scale not less detailed than 1 inch = 400 feet, with the site boundaries clearly marked.
- c. Where the Applicant proposes to install the improvements in phases, a delineation of the proposed **phases sections** and a schedule within which ~~Applications of each phase section are is~~ expected to be **completed filed**.
- d. If the Commission so requests, one or more graphical renderings of the proposed development showing the subdivision with proposed improvements, buildings on

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all proposed building sites, and any proposed grading, clearing and landscaping as viewed from one or more adjacent streets.

E. Major Subdivision (5+ lots) utilizing a Standard Design

In addition to the requirements listed above for Parts I and applicable parts of Part II shall be included with the specific items listed below for a Major Subdivision Utilizing a Standard Design.

1. Additional supporting documents

- a. What kind of open space is proposed? Applicant shall include in the application Information as to the nature of the proposed open space including how it will be managed and what uses will be allowed on the open space.**
- b. Details on who will receive the open space and written evidence they accept: Home Owner's Association, Land Trust, Private Party or Municipality?**
- c. Complete copies of all proposed conservation or agricultural easement documents and a signed letter from the organization or entity, **if it is to be a Land Trust or the Municipality**, indicating acceptance and willingness to assume responsibility for management of such easement. **If the open space is to be owned by a Home Owner's Association or a private Party, the DRAFT easement identifying the party to own the land as well as the party to receive the easement shall be submitted as part of the application and shall be reviewed by the Commission and its Legal Counsel.**

2. Additional details that shall show on the subdivision plans:

- a. Subdivisions details table including Lot Yield Calculation table with allowed vs proposed number of lots, acreage of open space.**
- b. Location of open space.**
- c. To indicate conformance to the Site Design specifications, the Conservation Land requirements and all other applicable aspects of these Regulations, the name, signature, and seal of a landscape architect licensed by the State of Connecticut shall be provided with the ~~Formal~~ Application.

F. Major Subdivision (5+ lots) utilizing a Conservation Design

In addition to the requirements listed above for Parts I and applicable parts of Part II shall be included with the specific items listed below for a Major Subdivision Utilizing a Conservation Design.

1. To indicate conformance to the Site Design specifications, the Conservation Land requirements and all other applicable aspects of these Regulations, the name, signature, and seal of a landscape architect licensed by the State of Connecticut shall be provided with the ~~Formal~~ Application.

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2. Final Conservation Land Ownership and Management Plan

The Applicant shall submit a proposed Conservation Land Ownership and Management Plan based upon the requirements of **these Regulations** ~~Chapter VI~~ and including the following documents:

A map showing the precise boundaries, exact acreage, and proposed ownership of all proposed Conservation Land. All proposed conservation or agricultural easements shall also be indicated.

3. Complete copies of all proposed conservation or agricultural easement documents and a signed letter from the organization or entity indicating acceptance and willingness to assume responsibility for management of such easement.

The Conservation Land Ownership and Management Plan and all related documents shall be in form and substance acceptable to the Commission and its Legal Counsel.

G. Major Subdivision utilizing a Fee In-lieu of Conservation Land

In addition to the requirements listed above for Parts I and applicable parts of Part II shall be included with the specific items listed below for a Major Subdivision Utilizing a Fee In-Lieu of Conservation Land.

1. A written proposal detailing the proposed amount for the fee in-lieu of open space. Such fee, or combination of fee and the fair market of any land permanently dedicated as Conservation Land, shall be equal to not more than 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, with the cost of all appraisal fees and expenses borne by the Applicant. To employ the Fee in Lieu of Conservation Land option, the Applicant shall submit to the Commission a written proposal to pay a Fee in Lieu of providing Conservation land, along with a Member of Appraisal Institute (MAI), a Senior Residential Appraiser (SRA), or equivalent appraisal by a firm acceptable to the Commission.
2. A written proposal detailing how due to the subdivision size, population densities, existing open space in the neighborhood, topography, soils, or other characteristics are such that on-site Conservation Land is not as desirable as a fee-in-lieu of Conservation Land.
3. An appraisal of the subject property that has been prepared by a Member of Appraisal Institute (MAI), a Senior Residential Appraiser (SRA) or equivalent appraisal from a firm acceptable to the Commission.
4. If the Applicant chooses to pursue a combination of fee and land transfer to the Town in lieu of the full requirement to provide Conservation Land as required by the Regulations, a detailed explanation of what the nature of the land proposed for Conservation entails with a letter of acceptance from the Board of Selectman stating

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they are interested in the proposed Conservation Land.

H. Subdivisions Incorporating Affordable Housing

In addition to the requirements listed above for Parts I and applicable parts of Part II shall be included with the specific items listed below for Subdivisions Incorporating Affordable Housing.

- 1. Any person filing an affordable housing application shall follow all of the requirements contained in C.G.S. 8-30g, as may be amended.**
- 2. Any person filing an affordable housing application shall submit as part of the application an affordability plan which shall include all of the requirements as per C.G.S. 80-30g, as may be amended, and shall follow all of the regulations as adopted by the Commissioner of Housing, as may be amended.**
- 3. An applicant whose affordable housing application was denied by or approved with conditions by the Commission, may file a modified affordable housing application responding to some or all of the objections or restrictions articulated by the Commission, which shall be treated as an amendment to the original proposal, according to the provisions of C.G.S. 8-30 g, as may be amended.**

~~No Zoning Permit nor Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan as a bonus lot under the provisions of Section 1, Maximum Lot Yield Bonus for Affordable Housing and designated as Affordable Housing unless all deed covenants and restrictions required to comply with the provisions of this Chapter have been recorded on the Woodstock Land Records.~~

I. Subdivisions proposed for Non-residential Development

The Requirements for subdivisions including non-residential land uses include all the same requirements for any development, See Parts I and II with possible additional requirements depending on the number of lots and whether Conservation Land is included in the proposed development which will determine whether the application must provide the Minor or Major requirements.

Part III. Other Applications:

A. Boundary Line Adjustments of Lots in Previously Approved Subdivisions and Modifications of previous approvals

These applications shall include submittal of all items in Part I and II (only if development is proposed) as well as the following, where applicable:

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- 1. The proposed change or modification shall be shown on an updated version of the previously approved subdivision plans.**
- 2. The details as to how the boundaries are proposed to change, including area involved in the change.**
- 3. Details regarding how the previous approval is to be modified including whether this requires a redesign of any engineered feature of the development including but not limited to the drainage system or public improvement, etc..**
- 4. Proof of approval from other reviewing, regulating agencies such as Northeast District Department of Health, CT Department of Transportation, Woodstock Inland Wetlands & Watercourses Agency, etc.**
- 5. If the proposal requires a redesign of any public improvement, the plans must be submitted to the Highway Foreman and/or Fire Marshal depending on the nature of the improvement, for their input.**

B. Subdivisions where no development is proposed at the time of the application

The application shall include all applicable requirements from Part I, to be determined by the Town Planner.

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CHAPTER V – APPLICATION REVIEW, DECISION, AND POST-APPROVAL PROCESS

Section 1. Preliminary Review Process

To better facilitate the overall subdivision application and design process, **it is recommended the applicant and/or representative meet with the Town Planner and/or Commission to discuss the application prior to submittal** ~~it is strongly recommended that the following steps be followed.~~

a. Pre-Application Meeting

~~A meeting should be held between the Applicant, the site designer, and the Town Planner, to introduce the Applicant to the Regulations and procedures, to discuss the Applicant's objectives, and to coordinate site inspections, meetings and submissions as described below. Applicants should have a general idea of site conditions and development goals at this meeting, which may be held in conjunction with an informal site visit to review and discuss conservation and development objectives of the Town and the Applicant. The Commission strongly recommends relying on a Landscape Architect licensed by the State of Connecticut to design the site.~~

The applicant and/or applicant's representative may contact and meet with the Town Planner, Highway Foreman, Wetlands Agent, and/or Fire Marshal, depending on the nature and scale of the proposed subdivision. Additionally, the applicant can attend a Development Review meeting with the Conservation Commission for the purposes of their independent review. These discussions could help to ensure the proposal complies with the Regulations.

b. Preliminary ~~Proposal~~ Discussion

The applicant and/or representative may meet with the Commission as an informal opportunity to get feedback from the Commission regarding issues, concerns, or questions particular to a land parcel or site considered for development or other land use. Preliminary Discussion is recommended for Major Subdivisions, Non-Residential Subdivisions, Resubdivisions, and Affordable Housing Subdivisions.

- ~~Copies of a~~ **The applicant and/or representative submits a written description, Preliminary Proposal, a minimum Class D survey showing the preliminary lot layout with boundary lines of proposed lots with locations and dimensions, and any additional information available, meeting the requirements set forth below, should be submitted to the Town Planner at least ten (10) **calendar** days prior to the Commission meeting. at which the Preliminary Proposal is to be discussed. The Preliminary Proposal is a general diagram for the site, Conservation Lands, Streets, and Lots and should be based on the Site Context Map, Development Review Checklist and Site Resource Assessment, and developed in accordance with the Site Design process and Conservation Land Priorities, but does not represent a Formal Application to the Commission.**

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2. The Commission and the Town Planner ~~will should~~ review the **proposal Preliminary Proposal** to advise the Applicant of the proposal's consistency with these Regulations. ~~and may suggest modifications to improve its conformance. The review may also include preliminary input from relevant commissions and officials including but not limited to the Conservation Commission, Town Counsel, Town Engineer, Highway Foreman, Fire Marshall, Inland Wetlands Agency, and Building Official.~~
3. The Preliminary ~~Discussion Review Process~~ is voluntary. The Applicant, Town Planner, Commission, and other town officials shall not be in any way bound by any statement made during ~~such a Pre-Application Meeting or Preliminary Proposal Discussion~~ consideration. ~~it being acknowledged by~~ The Applicant **acknowledges** that the Commission's responses are preliminary, and that nothing herein shall limit the Commission's right to provide further modifications at any time prior to its Final Approval. There shall be no vote or other formal action ~~on~~ **during** any Preliminary ~~Proposal Discussion. other than referrals to other municipal, State, or Federal agencies or other commissions or consultants for review and comment if required by the Commission.~~

Section 2. **Formal** Application Submission and Review

- a. All Applicants for subdivision approval shall file for approval on a form provided by the Commission ("The Application"), and shall submit such additional information as required by these Regulations. Submission of an Application, including all applicable fees, ~~shall represent the Initial Formal Application under~~ **according to the** Connecticut General Statutes Sec.8-25; and ~~the Formal Application under~~ these Regulations shall constitute authorization for the Commission to enter upon the property to obtain additional information or to inspect proposed improvements.
- ~~b. It is the Applicant's responsibility to submit a complete Formal Application, and to demonstrate compliance with all criteria and requirements of these Regulations and, accordingly, the Applicant may submit such additional reports or information as may be required to satisfy that responsibility. Any Formal Application not completed in full, including submission of all required documentation and payment of required fees may be deemed incomplete by the Commission and may not be accepted or may be accepted and subsequently denied approval unless the Commission in its sole discretion waives one or more of the requirements of submission.~~
- b. It is the Applicant's responsibility to submit a complete Formal Application, according to the tiered Application Submittal Requirements list. The Applicant shall submit all items on Part A of the Requirements List and shall work with the Town Planner to determine which items on Part B of the Submittal Requirements List are applicable to this application, with the understanding that the Commission may make other determinations and instead require additional items from the list. The Applicant shall demonstrate compliance with all standards and requirements of these Regulations as well as pay the required fees. Written waiver requests are required for any applicable Requirement the Applicant wishes to have waived in accordance with these Regulations Chapter XII.**

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- c. The Commission shall hold a public hearing on any plan of resubdivision and on any plan of subdivision involving ~~four (4)~~ **five (5)** or more lots. The Commission may hold a public hearing on any subdivision involving less than ~~four (4)~~ **five (5)** lots if the Commission determines that the circumstances so warrant. Such hearing shall be held within such time as established by the Connecticut State Statutes. Notice of a hearing shall be published in a newspaper of general circulation in the Town at least twice at intervals of not less than two days, the first not more than fifteen nor less than ten days and the second not less than two days prior to the hearing and by sending a copy thereof ~~by certified mail~~ to the Applicant **and/or representative via post mail or email, as indicated in their application.**
- d. The Applicant shall notify all owners of property abutting the site of a proposed subdivision, and all owners of property within **five hundred feet (500')** ~~300'~~ of any portion of the property proposed for subdivision, and all holders of conservation easements on the subject or abutting properties. ~~If a parcel proposed for subdivision abuts a town designated scenic road, all owners of property with frontage on that road shall be notified.~~ Notification shall be sent by **certified mail, return receipt requested**, no later than seven (7) days after submission of ~~a~~ **Formal** an Application as defined in these Regulations. Notification shall state that the full Application is available for review in the Woodstock Zoning Enforcement/Planning Office, and that interested parties may contact the Woodstock Zoning Enforcement/Planning Office, Woodstock Building Department, ~~or Woodstock Town Clerk~~ for additional information, and shall state the address and telephone number for each office. Evidence of such notification in the form of a certificate of mailing shall be promptly filed with the Commission. ~~(Amendment effective June 15, 2007)~~
- e. The Commission may request or receive reports or recommendations from any officer, board, commission, or agency of the local, state or federal government, or an independent consultant, as it may reasonably require in order to evaluate compliance of the ~~Formal~~ Application with these Regulations.
- f. The Commission may perform an official Site Inspection, **as a Special Meeting** prior to or during the statutory review period on the ~~Formal~~ Application. The Commission and the Town Planner may extend invitations to appropriate town officials to participate in the Site Inspection.
- g. **For a fee-in-lieu of conservation land request by an applicant**, such authorization may be granted by the Commission only if it determines that conditions such as subdivision size, population densities, existing open space in the neighborhood, topography, soils, or other characteristics are such that on-site Conservation Land is not as desirable as a fee-in-lieu of Conservation Land. The Commission shall consult the Town Planner (or designee) and the Conservation Commission, but if a report on a ~~Conservation Land Transfer~~ proposal is not received by the close of the **Commission's deliberations or** Public Hearing, **as may be applicable**, then the Commission shall proceed without the Conservation Commission's input.

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- h. Upon receipt of all supporting information as required by these Regulations, the Commission may, at one or more regular or special public meetings, review the ~~Formal~~ Application and shall either approve, modify and approve, or **disapprove deny** any ~~Formal~~ Application within 65 days after the public hearing, or if no hearing is held, within 65 days following the official receipt thereof. The Applicant or an authorized representative should attend any public hearing. One or more extensions, as authorized by the Connecticut General Statutes, may be had with the consent of the Applicant, provided the total extension does not exceed 65 days.
- i. If the ~~Formal~~ Application is modified and approved, the Commission shall specify all modifications to be reflected on the Final Approved Plan to be endorsed by the Chairman of the Commission.
- j. If any proposed amendment or modification involves or includes any change in a property line, improvement or other physical feature shown on the approved ~~Formal~~ Application, the Applicant must submit **sixteen (16)** ~~four (4)~~ copies of a modified ~~Formal~~ Application. For each ~~Formal~~ Application, the Applicant shall also submit such additional information and documents as the Commission may require in order to evaluate the nature and purpose of the proposed modification or amendment. All provisions of the original approved ~~Formal~~ Application shall be complied with, except for modifications specifically approved by the Commission.
- k. Notice of a decision by the Commission shall be published in a newspaper of general circulation in the Town and a copy thereof sent to the Applicant by certified mail, under the signature of the authorized Commission staff in any written, printed, typewritten or stamped form, within 15 days after the decision has been rendered.
- l. If at any time the Applicant revises and resubmits ~~a Formal an~~ Application (unless such revision is a condition of the Commission's approval), it may be deemed a new Application **with all applicable requirements as detailed in these Regulations** ~~and shall not be accepted unless it is accompanied by the Applicant's written and executed agreement of a 65-day extension of the period required by these regulations for decision. No new Application fee shall be required for any revision submitted within six months of the first Formal Application.~~

Section 3. Conditions of **Formal** Application Approval

Approval of any ~~Formal~~ Application shall, in addition to any other applicable provisions of these Regulations, be subject to the following conditions:

- a. The Applicant shall execute a Subdivision Agreement in accordance with these Regulations **for all Applications that require Public Improvements**, verifying that the Applicant agrees to construct all required improvements and common amenities, and further verifying that the Applicant guarantees completion and maintenance of these improvements and amenities through a bond or escrow agreement acceptable to the Commission.
- b. The Applicant shall tender to the Town a warranty deed of dedication in a form satisfactory to the Commission and its Legal Counsel for streets and improvements thereto, including

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public improvements within the public right-of-way such as street paving, water mains, fire hydrants, storm sewers, inlets, pumping stations and other appurtenances within the public right-of-way (and/or easements on related improvements outside of the public right-of-way), after all streets and improvements to be dedicated to the Town are completed and are certified as being satisfactory by the Town Engineer.

- c. The Commission shall require that the Applicant provide a certificate from a duly licensed title insurance company certifying that the title to be conveyed is good and marketable, free of all liens and encumbrances, except utility easements, before any property is accepted by the Town.
- d. The Applicant shall execute a conservation easement or agricultural easement in perpetuity restricting the Conservation Land against further subdivision or development or improvement of any kind except as specifically allowed by these Regulations or other exceptions specifically allowed by the Commission in a form acceptable to the Commission and its Legal Counsel. A copy of such executed easement shall be provided to the Commission.
- ~~e. The Applicant also shall provide a letter or other written evidence from the proposed recipient of the easement stating that it is willing to accept such easement and assume responsibility for the management of Conservation Land as described in Chapter VI of these Regulations.~~
- e. The Applicant shall tender to the entity receiving the Conservation Land title in fee simple of all land that is required by the Commission in its approval of the **Formal** Application. The Applicant shall tender to the Town any land dedicated for the purposes of open space, parks or playgrounds pursuant to Connecticut General Statutes 8-25. The Commission shall require that the Applicant provide a certificate from a duly licensed title insurance company certifying that the title to be conveyed is good and marketable, free of all liens and encumbrances, except utility easements, before any property is accepted by the Town or other entity as applicable.
- f. The Applicant shall tender to the Town or its designee a warranty deed of dedication in a form satisfactory to the Commission and its Legal Counsel for any public or municipal right-of way for recreational, trail or other access required by the Commission in its approval of the **Formal** Application.
- g. The Applicant shall tender to the Commission, if the creation of a homeowners' association is required, all legal documents creating and empowering such association according to the requirements set forth in Chapter VI.
- h. For any subdivision approved pursuant to the "Family Transfer" provisions of Chapter VI, Section 6 of these Regulations, the Applicant shall submit the proposed deed for each lot to the Commission prior to endorsement of the Final Approved Plan by the Chairman or Secretary. Each recorded deed shall include the following language: "This lot was created by subdivision approved by the Woodstock Planning and Zoning Commission on [date] under a claim by the owner of an exemption from Conservation Land requirements of the Woodstock Subdivision Regulations under Connecticut General Statute §8-25, where "the open space requirements of this sections shall not apply if the transfer of all land in a subdivision of less

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than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration.” Conveyance of this lot to any other person prior to ten (10) years from the date of subdivision approval shall require provision of such Conservation Land or payment of a fee in lieu of conservation land by the seller in accordance with the Woodstock Subdivision Regulations, as the Woodstock Planning and Zoning Commission may determine in its sole discretion.” Any deed recorded in the land records of the Town shall incorporate the terms and language of the proposed deed submitted to the Commission. The Applicant shall submit to the Commission a copy of the federal or state gift tax return demonstrating transfer of each lot in the subdivision for no consideration to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin of the current legal owner as required by Connecticut General Statute §8-25 within 180 days of the date the Final Approved Plan is recorded in the office of the Town Clerk. ~~(Amendment effective June 16, 2007)~~

Section 4. Post-Approval Procedure

a. Endorsement of Final Approved Plan.

Following approval or modification and approval of a ~~Formal~~ Application, the Applicant shall provide to the **Zoning Enforcement**/Planning Department a Final Approved Plan on polyester film (mylar), which Plan shall incorporate any modifications of such approval, and shall be accompanied by any documents required by these Regulations, such as bonds, deeds, conservation and drainage easements, etc. The Final Approved Plan on mylar shall include, reproduced on the face thereof, a copy of the Commission’s decision to approve including any modifications made a part thereof.

The following signature box shall be the designated place for the Chairman’s signature, the date of signing and applicable details. This signature box shall be on each sheet of the plans to be filed on the land records. For applications with public improvements, “Subdivision Approval Expires on: _____” shall be added to the signature box, above the Chairman’s signature.

Subdivision Approval	
Application: # _____	
Approved on: _____	
_____	_____
Chairman or Secretary Signature	Date

b. Monumentation and Required Work

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All monumentation (with Surveyor's Certificate) and all required subdivision work shall be completed or bonded pursuant to the Commission's approval action prior to endorsement by the Commission Chairman. Upon determining that the Final Approved Plan properly incorporates all matters required by the Commission's decision and by these Regulations the Commission Chairman or other authorized official shall endorse the Commission's approval on the Final Approved Plan. Endorsed Final Approved Plans shall be returned to the Applicant in accordance with the provisions of section 8-25 of the State Statutes.

c. Filing of Final Approved Plan.

1. Provided the conditions of approval, endorsement, bonding and all other requirements have been satisfied, all Final Approved Plans, after endorsement by the Commission Chairman or Commission Secretary, shall be subsequently recorded by the Applicant (at the Applicant's cost) in the office of the Town Clerk within ninety (90) days of either (1) the expiration of the appeal period pursuant to Section 8-8 of the Connecticut State Statutes, or (2) in the case of an appeal, the termination of such appeal by dismissal, withdrawal or judgment in favor of the Applicant. The Commission or its authorized staff may grant up to two ninety (90)-day filing extensions, provided there are no revisions other than those required by the Commission's approval action.
2. Final Approved Plans also shall be submitted in digital form ArcView shapefile, NAD83 or compatible form acceptable to the Town (unless specifically waived by the Commission for smaller subdivisions of three lots or fewer where a digital form is not available) at the time of filing of the Final Approved Plan.

d. Lot Line Revision in Final Approved Plans

The revision of any lot line or lot lines shown in a subdivision plan that has been previously approved by the Commission shall be deemed to constitute a modification of the Final Approved Plan. Any and all such modifications must be reviewed and approved by the Commission.

e. Alteration of Final Approved Plan

If any part of the Final Approved Plan is altered, changed, erased or revised in any way after the Commission's approval is endorsed thereon, the entire Final Approved Plan approval shall be null and void. All revisions and modifications shall require the approval of the Commission and any alteration shall be so indicated on the Final Approved Plan. Failure to obtain necessary approvals shall be considered a violation of these regulations and pursued in accordance with municipal and State enforcement provisions.

f. Expiration

The expiration provisions of the Connecticut General Statutes (particularly Sections 8-26c

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and 8-26g) shall govern for all subdivision approvals. Except for subdivisions that qualify for longer approval periods pursuant to statutory provisions, all work associated with an approved subdivision shall be completed within five (5) years of the date of approval unless an extension is granted by the Commission pursuant to statutory provisions.

Section 5. Fee in Lieu of Conservation Land

Fees submitted ~~under this section~~ for **Fee in Lieu of Conservation Land** shall be deposited by the Town in the Open Space and Agricultural Land Acquisition Fund or its successor.

Section 6. Family Transfer

If the Commission so determines, the Commission may, following a public hearing with notice by certified mail to the violator and to all recorded owners of lots in the subdivision, void, in whole or part, any subdivision approval, and may cause notice thereof to be filed in the Land Records of the Town or may take any other actions authorized by law including requiring dedication of Conservation Land or payment of a fee in lieu of Conservation Land by the violator sufficient to meet the requirements of this Chapter. The amount of any fee in lieu of Conservation Land shall be ten (10) percent of the fair market value of the lot or lots in violation, excluding the value of any existing buildings or structures, at the time such notice is filed in the land records. ~~(Amendment effective June 16, 2007)~~

Section 7. Homeowner's Association

All private roads are to be maintained by a homeowner's association, and are to remain private in perpetuity subject to a legal agreement in form and substance acceptable to the Commission, which shall, at the Commission's discretion, be subject to review by the Town Counsel. If the documents establishing the homeowners' association are found acceptable by the Commission, the document shall be filed by the subdivider as part of the Final Approved Plan, in the Office of the Town Clerk. Appropriate easements shall be provided for travel, utilities, snow storage, maintenance, storm water drainage, and to accommodate any hammerhead turnaround and associated snow shelf. All private roads shall be identified on the subdivision plans.

Section 8. Notification Requirements

Each lot created or modified as part of a subdivision that is encumbered by a conservation easement shall incorporate in the deed appropriate language describing the easement and its conditions acceptable to the Commission and its Legal Counsel. No title to such lot shall be sold or transferred without incorporation of such language.

Each lot created or modified as part of a subdivision shall incorporate in the deed appropriate language acceptable to the Commission and its Legal Counsel, if any portion of such subdivision is encumbered by or adjacent to a parcel encumbered by an agricultural easement or by a conservation easement allowing agricultural operations. No title to such lot shall be sold or transferred without incorporation of such language.

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Section 9. Compliance

No Certificate of Zoning Compliance or Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan unless all required conservation easements, agricultural easements, rights-of-way and other legal documents required to comply with the Final Approved Plan have been recorded on the Woodstock Land Records, **and all required monumentations have been installed.**

~~No Certificate of Zoning Compliance or Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan unless all required boundary markers, pins and signs have been set as required by the Final Approved Plan.~~

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CHAPTER VI – DIMENSIONAL STANDARDS

Section 1. Site ~~Design~~ Layout Process

A. Subdivisions

Proposals for ~~all residential~~ subdivisions **and for residential** resubdivisions shall follow a design process as described below.

B. Maximum Lot Yield calculation:

~~According to the type of application (standard major subdivision, conservation design subdivision, or resubdivision), For each total parcel, the Maximum Lot Yield shall be calculated by taking the acreage of the total parcel , subtracting the acreage of wetlands, watercourses, and Restricted Land to determine the gross Buildable Acreage. This Gross Buildable Acreage shall be divided by the factor of 2.5 acres as set forth in the Zoning Regulations and dividing by a Density Factor to arrive at the Maximum Lot Yield. The Maximum Lot Yield may not be the actual number of lots realized due to constraints of the total parcel of land's features and characteristics, and other standards of the Zoning and Subdivision Regulations.~~

C. Conservation Land Calculation:

According to the type of application (standard major subdivision, conservation design subdivision, or resubdivision), a defined minimum acreage shall be set aside as permanently protected Conservation Land. This shall be calculated as a defined percentage of the total parcel. Conservation Land shall be delineated according to the Conservation Priorities of the Regulations, including but not limited to Chapters V and VI of the Subdivision Regulations. Conservation Land may be comprised of wetlands and/or steep slopes, but the percentage of the dedicated land in these categories shall be no greater than the percentage of the land in these categories in the total parcel. . Conservation land may include areas designated as sidewalks, roads, driveways, paved parking areas, infrastructure, and required front, side, and rear yards, if allowed by the Regulations only for purposes of use of the Conservation Land.

~~Conservation Land Calculation: A minimum of 50% of the Gross Buildable Acreage shall be set aside as permanently protected Conservation Land. Conservation Land shall be delineated according to the priorities of Chapter VI of these Regulations.~~

D. Development Land Calculation:

~~A maximum of 50% of the Gross Buildable Area shall be available for Development Land. Development Land shall constitute the remaining portion of the Gross Buildable Acreage~~ **Total Parcel** after delineation of the Conservation Land **and any remaining wetlands, watercourses, and Restricted Land.** The Development Land may be divided into no more

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lots than the number determined by the Maximum Lot Yield ~~except as allowed under the provisions of Chapter VIII, Affordable Housing and Accessory Apartments.~~

~~Alternative Small Parcel Calculation: In the case of the subdivision of a lot created prior to the effective date of these Regulations that is ten (10) acres or less, such parcels shall meet all other requirements of this Chapter V and these Regulations except that the Maximum Lot Yield shall be calculated by dividing the acreage of the Total Parcel by the factor of 2.5 without deduction of wetlands, watercourses, and Restricted Land.~~

~~Cumulative Conservation Land Measurement: Notwithstanding the foregoing, in no case shall the required amount of Conservation Land or other Open Space required by provisions of the Woodstock Subdivision Regulations (collectively, the "Conservation Land") on any parcel existing as of August 31, 1965 (an "Original Parcel") exceed a cumulative total of 50%. In the case of resubdivision of Original Parcels, the required acreage of Conservation Land shall be reduced by the previous required dedication of Conservation Land provided that such reduction shall be credited proportionately based on the acreage of each parcel proposed for resubdivision divided by the acreage of the Original Parcel from which it was subdivided.~~

E. Family Transfer

The Commission shall not require the provision of Conservation Land. The Plan of subdivision shall show sufficient contiguous undeveloped land so as to meet the requirements of these Regulations for provision of Conservation Land in the event the Commission determines, subsequent to the filing of the Final Approved Plan, that the claim of exemption from open space requirements under Connecticut General Statute 8-25 was intended to be temporary or for the purpose of avoiding the Conservation Land requirements of these Regulations.

F. Fee in Lieu of Conservation Land

As set forth in Section 8-25 of the Connecticut General Statutes, the Commission may authorize the Applicant to pay a fee to the Town, ~~or pay a combination of fee and land transfer to the Town~~ in lieu of the full requirement to provide Conservation Land ~~for a standard major subdivision, as set forth in Chapter V.~~

G. Land Development Based Upon Number of Proposed Lots

1. Minor Subdivision (1-4 lots)

- a. **There is no lot yield calculation, but each lot must have a minimum of 1.25 acres of buildable land.**
- b. **Calculation of the number of lots shall include any existing or developed land to be divided off into a separate lot or lots (e.g., a parcel of land is to be subdivided and has one existing house to be divided off into its own lot; therefore, no more than three additional building lots may be allowed on the Total Parcel).**
- c. **Conservation Land or Fee in Lieu of Conservation Land is not required.**

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2. Major Subdivision (5 or more lots)

Two options are allowed from which the applicant can choose.

a. Option #1(Standard Design)

- i. A Maximum Lot Yield Calculation is based upon a Density Factor of 2.5 acres. The Lot Yield is rounded to the nearest whole number (round down if a fraction of a whole number is 0.1-0.4 and round up if 0.5-0.9).**
- ii. Each lot must have a minimum of 1.25 acres of buildable land.**
- iii. 25% of the Gross Buildable Area shall be set aside for Conservation Land.**
- iv. A fee in lieu of conservation land set aside payment may be proposed by an applicant.**

EXAMPLE:

Below is an example of a hypothetical ~~50~~ **40**-acre subdivision using this calculation method:

Total Parcel	40 acres
Wetlands, Watercourses, and Restricted Land	10 acres (25% of Total Parcel)
Conservation Land 25%	10 acres
Maximum amount of Wetlands, Watercourses, and Restricted Land in Conservation Land	(25%) 2.5 acres
Other land required in Conservation Land	7.5 acres
Remaining Wetlands, Watercourses, and Restricted Land outside of Conservation Land	7.5 acres
Development Land	22.5 acres
Density Factor	2.5
Maximum Lot Yield	16 lots

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Total Parcel	50 acres
Wetlands, Watercourses, and Restricted Land	10 acres
Gross Buildable Acreage (GBA)	40 acres
Conservation Land (50% of GBA)	20 acres
Development Land (50% of GBA)	20 acres
Density Factor	2.5
Maximum Lot Yield	16 lots

b. Option #2 (Conservation Design)

- i. A Maximum Lot Yield Calculation is based upon a Density Factor of 1.25 acres. The Lot Yield is rounded to the nearest whole number (round down if a fraction of a whole number is 0.1-0.4 and round up if 0.5-0.9).**
- ii. Each lot must have a minimum of 1 acre of buildable land.**
- iii. 40% of the Gross Buildable Area shall be set aside for Conservation Land.**
- iv. A fee in lieu of conservation land set aside payment is not allowed.**

EXAMPLE:

Below is an example of a hypothetical 40-acre subdivision using this calculation method:

Total Parcel	40 acres
Wetlands, Watercourses, and Restricted Land	10 acres (25% of Total Parcel)
Conservation Land 40%	16 acres
Maximum amount of Wetlands, Watercourses, and Restricted Land in Conservation Land	(25%) 4 acres
Other land required in Conservation Land	6 acres
Remaining Wetlands, Watercourses, and Restricted Land outside of Conservation Land	4 acres
Development Land	18 acres
Density Factor	1.25
Maximum Lot Yield	32 lots

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H. Resubdivisions

- 1. Proposals for all new resubdivisions shall follow a design process as required above for a major subdivision, irrespective of the number of lots proposed by the Applicant.**
- 2. The required amount of Conservation Land on any parcel existing as of August, 1965 (an “Original Parcel”) shall not exceed a cumulative total of 50%. In the case of resubdivision of Original Parcels, the required acreage of Conservation Land shall be reduced by the previous required dedication of Conservation Land provided that such reduction shall be credited proportionately based on the acreage of each parcel proposed for resubdivision divided by the acreage of the Original Parcel from which it was subdivided.**

I. Modification of a Subdivision or Resubdivision

Conservation Land or Fee in Lieu of Conservation Land payment is not required.

Section 2. Conservation Land

A. Conservation Easement or Agricultural Easement Required

- 1. a development restriction prohibiting all future development, including construction of any improvement or structure on the parcel except as specifically allowed by these Regulations. Any proposal for development or construction needs to be provided to the ZEO (and to the Commission if so determined by the Commission) before development or construction can occur, so as to determine compliance with the provisions of the development restriction and with the Regulations.**
 - a. continued use of existing buildings and structures as agreed to by the Commission.**
 - b. expansion of existing buildings or structures or construction of new buildings or structures, if required for an allowed use (e.g., agriculture or recreation), up to a total of 1,000 square feet and not on a permanent foundation**
 - c. structures and improvements for storm drainage, sewage treatment, and water supply.**
- 2. a land use restriction prohibiting all future uses except as allowed by the following provisions. Any proposal for use needs to be provided to the Town ZEO (and to the Commission if so determined by the Commission) before development or construction can occur, so as to determine compliance with the provisions of the development restriction and with the Regulations.**
 - a. sustainable timber harvest using a timber management plan approved by a certified forester.**

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- b. domestic use of cut wood (not for sale or for commercial purposes).**
 - c. removal of unsafe trees.**
 - d. removal of invasive tree and vegetation species.**
 - e. removal of trees and/or vegetation at the edge of (still within the Conservation Land) or within the Conservation Land itself to open the Conservation land for agriculture, or to protect or improve wildlife habitats (requires a certified management plan).**
 - f. recreation (for examples, playing fields or walking trails).**
3. a right to inspect and enforce the development **and use** restrictions, and to enter the property for such purposes.
 4. a right to assess enforcement costs against the owner(s) of the land.

B. Contextual Priorities

As a guideline, the design of Development Land should be in a manner consistent with the Conservation Land priorities of Chapter ~~V VI~~ as follows:

1. Agricultural Land and Prime Agricultural Soils – Site design should avoid division of agricultural land and should minimize negative impacts on agriculture on and adjacent to the parcel. Structure and driveway locations should be located so as to be clustered at the edges of open fields, away from areas of existing agricultural activity on or adjacent to the parcel. Vegetated areas should be preserved where they buffer agricultural operations.
2. Streetscapes and Scenic Roads – Visual and scenic qualities on and along national, state or locally-designated scenic streets/**roads** and byways, and where scenic vistas or the aesthetic qualities of the streetscape contribute significantly to the rural character of the town.
3. Natural Diversity Habitat Areas – Lots should be configured and structures and disturbance located so as to provide reasonable protection for natural habitats and communities as described in the Site Resource Assessment.
4. Historic and Archaeological Resources - Historic and prehistoric structures, sites and features should be preserved.
5. Stone Walls – Subdivisions should be designed to preserve all existing stone walls **where practicable**. **Applicants are encouraged to reuse stone from** portions removed ~~shall be rebuilt~~ **to rebuild** elsewhere on the property, or used to enhance other existing walls on the property. **Wherever practicable**, stone walls fronting any existing public or private

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street shall be maintained intact. **Wherever practicable, stone walls or other natural and manmade features are encouraged to should** be used for lot boundary lines and proposed street right-of-way delineation.

6. Wetlands and Watercourses – In order to protect water quality and wildlife habitats, development and disturbance should be minimized within ~~75 feet of any wetland and 125 feet of any watercourse~~ **the Upland Review Area as defined** by ~~as required by~~ the Woodstock Inland Wetlands and Watercourses Commission. These provisions do not require the creation of an undisturbed buffer around any wetland or watercourse.
7. Large Forest Blocks – Contiguous, unfragmented areas of forest 100 acres or more in size have significant and unique conservation value. Development and site disturbance should be located as much as practicable to avoid or minimize the fragmentation or diminution of existing contiguous Large Forest Blocks on or adjacent to the parcel.
8. Trails – The integrity of existing cart paths, historic ways, discontinued and abandoned roads, and trails which can serve as connections to Conservation Land or adjacent parcels should be preserved.
9. Trees – Subdivisions should be designed to preserve healthy mature woodlands, specimen trees and groups of trees that significantly contribute to the aesthetic or natural character of the site and adjacent streets, including trees over twelve (12) inches d.b.h., woodlands and vegetated buffers along roadways, property lines, watercourses, and stone walls as buffers between adjacent properties and streets.

C. Conservation **Land** Priorities

The following resources, in the order of priority listed below, shall be incorporated into the Conservation Land to the maximum extent possible. These resources are important regarding the general sense of what the Commission looks at as to the planning of open space or a proposal for fee-in-lieu of open space in a conservation subdivision.

1. Agricultural Land and Prime Agricultural Soils – Areas of Prime Farmland or Farmland of Additional Statewide Importance, in order to maintain existing and future productive agricultural potential.
2. Streetscapes and Scenic Roads – Visual and scenic qualities on and along national, state or locally-designated scenic streets/**roads** and byways, and where scenic vistas or the aesthetic qualities of the streetscape contribute significantly to the rural character of the town.
3. Natural Diversity Habitat Areas – Significant natural communities and wildlife habitats, based on the Connecticut Department of **Energy &** Environmental Protection Natural Diversity Data Base or shown on the current State and Federal Listed Species and Significant Natural Communities Map published by the Connecticut Geological and Natural History Survey of the Connecticut Department of **Energy &** Environmental Protection.

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4. Historic and Archaeological Sites – Significant known or suspected historic and archaeological features and sites, including historic ways, foundations, earthworks, and graves.
5. Large Forest Blocks and Prime Forest Soils – The unfragmented preservation **or conservation** of contiguous large forest blocks 100 acres or more in size, whether located in whole or part on the parcel.
6. Trails and Recreational Access - Existing cart paths, historic ways, discontinued and abandoned roads, and trails; no trails in Conservation Land shall be designed to accommodate motor vehicles, with the exception of farm vehicles and vehicles required for maintenance.
7. Neighborhood Greens, Playing Fields and Playgrounds – At the discretion of the Commission, a neighborhood green of one half acre or more in size, and playing fields and playgrounds.

Notwithstanding the above, the prioritization of these resources may be modified for any particular site by the Commission if such modification better achieves the goals and objectives of these Regulations, or the Woodstock Plan of Conservation and Development. Where multiple priorities exist, the guidance provided in APOSC shall be considered.

D. Conservation Land Standards

1. Conservation Land shall be free of all Improvements except for historic structures and stone walls, necessary accessory buildings intended for agricultural purposes, recreational use of playing fields and playgrounds, or for storm drainage, sewage treatment or water supply. **For agricultural accessory buildings, the following provisions shall apply:**
 - a. **existing buildings are allowed. Existing buildings may be expanded so that the total area of the overall structure is either no more than one thousand (1,000) square feet for conservation land of at least five (5) acres or no more than one hundred (100) square feet for conservation land less than five (5) acres, and any expansion is not on a permanent foundation.**
 - b. **one (1) new building is allowed as follows:**
 - i. **no permanent foundation, and**
 - ii. **no more than one thousand (1,000) square feet for conservation land of at least five (5) acres or no more than one hundred (100) square feet for conservation land less than five (5) acres.**
2. No lot or portion thereof which is smaller than three acres, or which has a length-to-width ratio of greater than 3:1, or which is less than 200 feet in width in any direction or at any point, shall count toward the required acreage of Conservation Land, except a playground, neighborhood green, trail or right-of-way for access to Conservation Land or to protect riparian and scenic road buffers.
3. To the maximum extent practicable Conservation Land shall be a contiguous parcel, and shall be undivided by streets or driveways. Conservation Land shall be left in a natural

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state and shall not be graded or cleared except as **allowed by these Regulations required for agricultural use or approved recreational use**. Conservation Land shall not be used as a repository for debris.

4. Lots Required - All Conservation Land shall consist of separate and distinct lots, except that the Commission may approve Conservation Land on the same lot or lots containing Development Land under the following circumstances:
 - a. For subdivisions in which all lots are greater than ten (10) acres, up to 50% of Conservation Land may be located on **portions of building lots, that is**, Development Land.
 - b. For parcels existing on August 25, 2005 with total area of less than ten (10) acres, up to 100% of the required Conservation Land may be contained or located on ~~the~~ **portions of building lots, that is**, Development Land.

Conservation Land located ~~on~~ **portions of building lots, that is**, Development Land, shall be permanently protected by a conservation easement and shall comply with all other requirements of this Chapter.

5. Access Required - Conservation Land shall have access from a street, or shall abut Conservation Land or public land having such access. The Commission may require the subdivider to provide public access via a Right-Of-Way to or across all or a portion of the Conservation Land.
6. Boundary Lines - The boundary lines of all Conservation Lands shall be ~~set in the field and~~ marked **in the field** by permanent, readily-visible markers where such lines intersect any lot line, street or perimeter line within the proposed subdivision. Wherever they do not closely follow the boundary lines of a lot, the boundary lines of all conservation easements and agricultural easements shall be ~~set in the field and~~ marked **in the field** by permanent, readily-visible markers at intervals of no more than 200 feet.

E. Ownership and Dedication

Title to Conservation Land may be held or dedicated by conveyance in fee simple to any one or more of the following entities:

1. A person, corporation, or other legal entity acceptable to the Commission in its sole discretion.
2. A Homeowners Association - An association of all property owners within the proposed subdivision, and provisions for such transfer must be provided with the ~~Formal~~ Application and shall:
 - a. Establish a mandatory participation in a permanent association of property owners to maintain the Conservation Land, provided with any necessary legal power to assess all members for all maintenance, insurance, improvements, and all other necessary costs.
 - b. Be binding on all future property owners.

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- c. Provide for enforcement by the Town through appropriate legal action, including assessment for enforcement costs.
 - d. Comply with the Connecticut Common Interest Ownership Act (CIOA) and other relevant state laws and regulations.
 - e. Conform to any other requirements as deemed reasonably necessary by the Commission.
3. The Town of Woodstock - The Commission may require such dedication and transfer in fee simple of all or a portion of the Conservation Land to the Town for the provision of open spaces, parks, or playgrounds pursuant to Connecticut General Statute Section 8-25(a), provided **first and beforehand that** it is determined that the Town is willing to accept such land.
4. Other Governmental Agency, Non-profit Land Trust, or Non-profit Conservation Organization – Conservation Land may be transferred in fee simple to any government agency, land trust or other non-profit conservation organization acceptable to the Commission, whose primary purpose is **either** the preservation **or conservation of the land, or and** management of ~~conservation or~~ agricultural lands.

The final determination of the appropriate method(s) of meeting Conservation Land dedication requirements shall be made by the Commission after consultation with the Town Planner and the Conservation Commission guided by the expected maximum benefit to the Town.

Section 3. Lot Design Specifications

Lots shall be laid out in a manner generally consistent with specifications of this section.

- A. Lot Size and Configuration - The size of the lots shall be as required by the Zoning Regulations of the Town. Corner lots shall be of sufficient dimensions so that any structure placed thereon shall conform to the front building setback line on each street. All side lines of lots shall deviate no more than 20 degrees from perpendicular to straight street lines and radial to curved street lines. There shall not be any fragments of a lot or remainder of a subdivision area of less than the specified minimum lot area. No lot shall be created, regardless of size, which is rendered useless for building due to utility easement, rights-of-way, wetlands, watercourses, or topography. Such property shall be combined with adjacent lots or Conservation Land. The building setback lines shall conform to the requirements of the Zoning Regulations.

Interior (Rear or “Flag”) Lots, herein defined as lots with an access strip that provides road frontage that is less than the minimum frontage requirement of the Zoning Regulations and being primarily positioned behind another lot with adjacent frontage on the same road, shall not be allowed except as follows:

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1. For subdivision of a parcel of ten (10) acres or more, provided these lots are located at the rear corners of a cul-de-sac or loop road, or
 2. For subdivision of a parcel of less than ten (10) acres existing on August 25, 2005, provided there is no reasonable alternative for access allowing development of the site.
- B. Health Requirements and Larger Lots – Unless systems are located in common Conservation Land, in areas specifically designated by the Commission for this purpose, each lot shall have sufficient area to accommodate, where public facilities are not otherwise provided, a private water supply and a private subsurface sewage disposal system and reserve area adequate for a minimum four-bedroom residence. The Commission may require lots of larger size if needed to conform to State or local health requirements or if it is determined, based on a hydrogeologic analysis of the area, or other reliable data, that larger lots will help prevent detrimental impacts to existing or proposed water supply wells proximate to the subject subdivision. No lot shall be approved if found unsuitable for occupancy and building by reason of utility easements, unstable or adverse soil conditions, topography, water or flooding conditions, and/or public health concerns related to water supply and/or wastewater disposal; such lots shall be combined with another adjacent lot or Conservation Land.
- C. Lot Design:
1. The design of the lots and location of streets should be consistent with the existing topography and landscape.
 2. Lot lines should follow the configuration of building sites and streets in a logical and flexible manner.
 3. Lot lines should follow existing natural and man-made boundaries such as stone walls, tree lines and patterns of open fields.
 4. **Each lot shall have at minimum area for 2 all-weather parking spaces designed so that an automobile can enter the street from either space without having to move the other automobile.**
- D. Building Site Locations: Building site locations shall be identified within the designated Development Land. ~~Buildings shall be constructed in the location shown on the Final Approved Plan.~~ **For building lots of less than 1.0 acre, the house and septic system shall be built within 25’ of where shown on the approved subdivision plans. For larger lots, the house and septic system shall meet the minimum setbacks specified in the Zoning Regulations.**
- E. Building Locations – The orientation of individual building sites should be such as to maintain maximum natural topography and cover. **Ideally**, structures should be oriented in a rational and pleasing manner in relation to existing and proposed public and private streets. Buildings should be spaced and set back an approximately uniform distance from an existing or proposed public street or private road.

Section 4. Street Planning

Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

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- A. Proposed streets, roads and rights-of-way shall be planned in such a manner as to provide safe, functional, and convenient access to proposed building sites.
- B. Streets and roads should follow the contour of the land, with a location and grade which protects natural and manmade features, minimizes grading cuts and fills and provides a functional layout that promotes neighborhood compatibility and other conservation design objectives of these regulations.
- C. Street planning for new developments shall be done with the purpose of preserving rural street-scapes and their natural features and minimizing roadway cuts, especially on arterial or collector streets.
- D. Whenever possible, and with due consideration given to topography, streets shall be laid out with an east-west orientation, so as to facilitate the use of solar collectors on residential structures.
- E. Local streets shall provide a safe and convenient system for present and prospective traffic in the neighborhood around the subdivision and shall be planned where appropriate to provide for continuation of existing streets in adjoining areas and for projection into adjoining properties when subdivided.
- F. Proposed streets which may be projected into adjoining properties shall be carried to the boundary line.
- G. All streets and private roads in a subdivision shall have full access to or shall be a continuation of one or more State or Town highways.
- H. All dead-end streets shall terminate in cul-de-sac or loop.
- I. All private roads are to be maintained by a homeowner's association, and are to remain private in perpetuity subject to a legal agreement in form and substance acceptable to the Commission, which shall, at the Commission's discretion, be subject to review by the Town Counsel. If the documents establishing the homeowners' association are found acceptable by the Commission, the document shall be filed by the subdivider as part of the Final Approved Plan, in the Office of the Town Clerk. Appropriate easements shall be provided for travel, utilities, snow storage, maintenance, storm water drainage, and to accommodate any hammerhead turnaround and associated snow shelf. All private roads shall be identified on the subdivision plans.**

Location

~~Streets, driveways and utility corridors should adapt to existing contours, terrain, wetlands, watercourses, and other linear site features such as stone walls, significant tree lines, and the pattern of open fields in order to minimize disturbance of existing features; to minimize required cuts and fills to minimize the potential for erosion; to provide for a safe pattern of circulation, ingress, and egress to and from the building lots and the subdivision; and to retain the rural characteristics of the subdivision site. Streets, driveways and utility corridors shall use or share existing accesses and rights-of-way where feasible; follow existing contours to achieve angled ascents where practicable, and avoid areas of very steep slopes.~~

~~**Street Location:** With building site locations identified, Applicants shall delineate a street or driveway system to provide vehicular access to each lot in a manner conforming to the tract's natural topography and providing for a safe pattern of circulation, ingress and egress to and from the building lots and the subdivision. Streets shall minimize adverse impacts on the Conservation Land.~~

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Section 5. Right-of-way Width

- A. Street and private road right-of-way widths shall be in accordance with the specifications of these Regulations, with all streets and roads having a minimum right-of-way of at least 50 feet (See Table I in **Chapter VII**).
- B. When a subdivision abuts one side of any State or accepted Town street, the subdivider shall be required to dedicate one-half of the total right-of-way necessary to make said street conform to these Regulations; in addition, the subdivider may be required to dedicate the full right-of-way necessary to make horizontal and vertical adjustments to said street. Any such dedication shall be transferred to the Town by quit-claim deed or warranty deed, and shall be accompanied by a certification by the subdivider's attorney as to title and release or subordination of all liens and encumbrances.

Section 6. New Curb Cuts

~~The Applicant shall be entitled~~ A Curb Cut yield of 1 (one) per 200 (two hundred) ~~1000'~~ linear feet on each existing town or state road, but not less than a minimum of one Curb Cut per existing public street fronted by the parcel. **Curb Cuts can be spaced apart by distances less than or more than 200 (two hundred) feet, provided that no more than the maximum allowed Curb Cuts are proposed, except as allowed below. All Curb Cuts must allow for safe vehicular ingress and egress.** The Commission may approve additional curb cuts to an existing public street as part of the Final Approved Plan if:

- A. The provision of additional Curb Cuts to an existing public street produces a pattern of access and circulation that provides safer vehicular ingress and egress; and
- B. The provision of additional Curb Cuts to an existing public street produces a configuration of lots, Development Land and Conservation Land in the proposed subdivision that satisfies the requirements and intent of these Regulations in a superior manner.

Section 7. Driveways

- A. Driveway Access - Lots shall be laid out so that driveways have access to streets in the following order of priority: (1) local street; (2) collector street; (3) arterial street.
- B. Slope, Sightlines and Drainage: No proposed driveway shall exceed a slope of fifteen (15) percent. ~~, and all~~ **All** existing and proposed driveways shall be reconstructed, ~~or~~ improved as necessary, or designed and constructed, **in order** to prevent drainage problems or unsafe driveway sightlines along adjacent streets. ~~The Commission shall have the right to require a subdivider to construct any driveway with a slope of ten (10) percent or greater and necessary drainage and sightline work as part of the subdivision improvements.~~
- C. Common Driveways

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1. Common driveways serving more than one dwelling unit are encouraged. The Applicant shall demonstrate adequate snow shelf and driveway curb-cut separations at cul-de-sacs (public or private).
2. Common driveways may serve up to five dwelling units, and shall be paved with bituminous concrete or gravel to a minimum width of **eighteen sixteen** (~~18~~ 16) feet. Final design is site specific and subject to the recommendation of the Town Engineer. Bituminous concrete pavement is required where road grade is greater than or equal to 10%. The pavement cross section shall consist of : 1) 6" rolled gravel sub-base; 2) 4" compacted processed stone base; 3) ~~1-1/2"~~ **1"** compacted bituminous concrete Class I pavement binder course; and 4) ~~1-1/2"~~ **1"** compacted bituminous concrete Class II pavement finish course. The unpaved cross section shall consist of : 1) 8" rolled gravel sub-base; and 2) 4" compacted processed stone finish course.
3. Common Driveways can be maintained by **either** a homeowner's association **or by a maintenance agreement, between all properties to be accessed via the common driveway**, and are to remain private in perpetuity with documentation in a form acceptable to the Commission and its Legal Counsel. Appropriate easements shall be provided for ingress, egress, curb-cut separation, utilities, snow storage, and pull-off.

~~4. Common Driveways can be maintained via a maintenance agreement between all properties to be accessed via the common driveway and are to remain private in perpetuity with documentation in a form acceptable to the Commission and its Legal Counsel. Said agreement shall contain appropriate easements for ingress, egress, curb-cut separation, utilities, snow storage and pull-off.~~

D. Vehicle Ingress/Egress - To help ensure safe and appropriate ingress and egress to a site for all vehicles, including emergency vehicles, the following provisions shall apply for all driveways exceeding a length of three hundred (300) feet:

1. All driveways shall have a minimum travel width of twelve (12) feet plus minimum load-bearing shoulder widths of two (2) feet. All driveway curves shall have a minimum inside radius of twenty-five (25) feet;
2. Pull-off areas adjacent to all driveways shall be provided at average intervals of every three hundred (300) feet or as deemed necessary by the Commission, upon advice from the Fire Marshall and/or Town Engineer due to slope, sightline or other site characteristics. Pull-offs shall have a minimum load-bearing length of forty (40) feet and minimum width of ten (10) feet;

~~An adequately sized, located and surfaced turnaround area that will accommodate a fire truck shall be provided. Unless the following distance requirements are waived by the Commission due to specific site characteristics, the turnaround area shall be no closer than fifty (50) feet from a house site and no further than two hundred (200) feet from a house site and the turnaround shall be at least thirty (30) feet in length with two (2) foot wide, load-bearing shoulders.~~

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3. **A turnaround area shall be at least thirty (30) feet in length and 10 in width with two (2) foot wide, load-bearing shoulders and shall be between fifty (50) and two hundred (200) feet from a house site or the applicant shall provide a turnaround of these dimensions as close to the required distance as practicable. See example diagram.**

Section 8. Slopes:

Grading or earthmoving on all sloping lands of 15 percent or greater shall not result in earth cuts or fills whose highest vertical dimension exceeds six feet. Finished slopes of all cuts and fills shall be **no more than three feet (3) horizontal for each one (1) foot vertical, or as otherwise determined by the Commission to be** required to minimize disturbance of natural grades.

Section 9. Other

Where site conditions, topography, configuration of existing lots, roads, structures, rights-of-way, legal requirements, or other constraints preclude full compliance with this Chapter V, **the** applicant shall consult with the Town Planner to determine recommended priorities and potential site design alternatives. Where practicable, the Commission may alter the configuration and location of Conservation Land, Development Land, streets, lots, lot lines, and building sites for the purposes of better achieving the goals and objectives of these Regulations and the Woodstock Plan of Conservation and Development.

CHAPTER VII – ROAD, UTILITY AND CONSTRUCTION STANDARDS

Section 1. Construction Standards

- A. General: All standards contained within this section shall be considered minimum standards and may be increased by the Commission where soil conditions or other physical conditions so require, **as may be recommended by the Town Engineer**. Streets and related improvements shall be constructed in accordance with Standard Specifications for Roads, Bridges, and Incidental Construction (Form ~~812~~ **817**, latest revision) published by the Connecticut Department of Transportation, except as otherwise provided by these Regulations or other applicable Town ordinances or regulations. Upon completion of construction, the developer shall submit an "as-built" survey. In order to be accepted, all street slopes shall be within 95% of those specified on the approved plans.
- B. Inspection: All streets and other subdivision improvements proposed for dedication to the Town shall be made available for inspection by the **Town's Consulting Engineer and Highway Department Foreman**, ~~Board of Selectmen~~ or their designated agents. The inspector shall be notified in writing at least ~~two~~ **three (3)** working days in advance as to the date of the following stages of construction:
1. Completion of the street subgrade;
 2. Completion of drainage structures and pipe, prior to covering;
 3. Completion of the first layer of the subbase; and
 4. Beginning of construction of the wearing surface.
- None of these construction stages shall be undertaken until the previous stage has been inspected and approved.
- C. Graded Width: The Commission may require that streets be graded beyond the full width of the street up to the full width of the right-of-way based on the recommendation of the Town Engineer so as to create a storage area for snow, to improve sight distances, to provide drainage, to provide space for emergency parking, and to facilitate expansion of the street and other improvements. Should this grading be required, such slopes shall not exceed one **(1)** inch per **one (1)** foot ($1''/1'0'' = 10\%$) and shall be extended to the right-of-way line on either side of the street.
- D. Side Slopes: Slopes along the outside of the right-of-way line of streets in cut or fill shall not be steeper than three **(3)** feet horizontal for each **one (1)** foot vertical, except that rock cuts may have greater slopes where proper drainage is provided so that erosion will not result.
- E. Street Subgrade: A subgrade for all streets shall be constructed in accordance with the following minimum standards:
1. Ledge and boulders shall be removed to a depth of ~~12"~~ **eighteen (18) inches** below the base course **and refilled with gravel borrow**.
 2. Immediately in advance of depositing the subbase, the subgrade shall be brought to proper line, grade, and cross-section as shown on approved plans. Soft, spongy or yielding spots shall be entirely removed and the space refilled with **gravel borrow**

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~~suitable material~~ and thoroughly compacted by a **self-propelled** roller weighing at least ten tons.

- F. Sub-base: Sub-base material as specified in Section M.02.02 Subsection 1, of Connecticut Department of Transportation Form ~~811~~ **817**, latest revision, shall be spread to a minimum total depth of at least ~~9~~ **twelve (12)** inches after compaction. Construction methods shall be as specified in Section 2.12 of Connecticut Department of Transportation Form 811.
- G. Base Course: Processed stone meeting the requirements of Section M.02.02, Subsection 2, of Connecticut Department of Transportation Form ~~811~~ **817**, latest revision, shall be spread to a depth of at least ~~5 six~~ **(6)** inches after compaction by a **self-propelled** roller weighing at least ten **(10)** tons.
- H. ~~Wearing Surface Pavement~~: The ~~wearing surface street pavement~~ shall ~~be consist of~~ bituminous concrete constructed in two courses over the gravel base, ~~The bituminous concrete mixture shall consist of course aggregate, fine aggregate, mineral filler, and designated bitumen combined to meet the standards of Table I, Bituminous Concrete Mixtures, Class I, and meeting the standards of the~~ Connecticut Department of Transportation Form ~~811~~ **817**. The finished ~~wearing surface pavement~~ shall be at least four **(4)** inches thick, **consisting of two (2) inches of Class 1 binder and two (2) inches of Class 2 surface course**. Streets shall be constructed with a crown or cross pitch of 1/4 inch per ~~one~~ **(1)** foot of distance measured from the centerline to the edge of the pavement **(overall 2% pitch)**.
- I. Curbing: Curbing may be required by the Commission where necessary to ensure adequate drainage. Curbs shall be backed to their full height by solidly packed earth, a driveway or a sidewalk. Curbing shall be made of machine laid bituminous concrete and shall conform to the ~~design standards~~ **Zoning and Subdivision Regulations for Cape Cod curbing. Curbing shall be created monolithically with the creation of the street.** Where necessary, driveways shall be provided with a raised lip to prevent flooding. In no case will street drainage be allowed to ~~prevent~~ **cause** flooding. In no case will street drainage be allowed to collect and pond on private property without the proper easement and right-to-drain having been secured. Where curbing is not used, positive drainage shall be assured by use of drainage swales, culverts or other means.
- J. Private Roads: All private roads shall be built to the standards of **Town** public roads. The Commission, in its sole discretion, may approve a wearing surface for private roads that is gravel. If the Commission approves a gravel-wearing surface for a private road, it may require such additional construction standards for the road as it deems necessary, based on topography, drainage, soil conditions, and other related factors. Guidance on the design and construction of a gravel road may be found in "The Massachusetts Unpaved Roads BMP Manual, Winter 2001" ~~(copies may be obtained in the Planning Office)~~. The Commission, in its sole discretion, may require any private road to be paved. Bituminous concrete pavement shall be required wherever the road grade is greater than or equal to 6%, where a closed drainage system is deemed necessary by the Commission, or where curbing is deemed necessary by the Commission.

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Section 2. Street Intersection

- A. Where new streets or private roads are to be constructed, a subdivision shall have at least one street or private road intersecting with an existing Town street or State highway.
- B. No more than two (2) streets or roads shall intersect or meet at any one point and the center line of all streets entering an intersection shall pass through a single point (**no offset intersecting roads**).
- C. Local or collector street openings onto a major artery shall be, in general, at least 500 feet apart.
- D. The center line of alternate side streets shall not be closer than 150 feet, measured along the center line of the principal street.
- E. Except where impractical because of topography or other conditions, the center lines of streets and roads shall be at right angles to each other for at least 100 feet extending in each direction from the intersection of the center lines of said street or road.
- F. All proposed or future street line intersections shall be connected with an arc having a minimum radius of fifteen (15) feet.

Section 3. Terminus Street

- A. A terminus street is intended to provide residential areas with adequate vehicular access while maintaining privacy and minimizing traffic flow.
- B. A terminus street shall be designed as either a loop street or a cul-de-sac in accordance with standards of this Chapter.
- C. Whenever possible a terminus street shall be designed as a loop street rather than a cul-de-sac.
- D. A terminus street shall be considered to begin where it intersects with a through street.
- E. Loop Streets
 - 1. If a loop street is designed as a one-way boulevard with a vegetated **middle area** (median), **then** the paved width of the travel portion of the road shall be a minimum of ~~twelve (12)-sixteen (16)~~ **feet with a minimum right of way of forty (40) feet** and one-way signage ~~shall be~~ posted at the entrance to the loop.
 - 2. If adequate acreage and site conditions exist, the interior of the loop street may be used as a building site, **with the front side being on the loop street**.

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3. Use of the interior area of a loop street as a Neighborhood Green, Playing Field or Playground is encouraged.

F. Cul-de-sacs

See diagram.

1. A cul-de-sac shall not exceed 2,000 feet in length.
2. A cul-de-sac shall terminate in ~~a circular or elliptical~~ **an elongated** turnaround having a minimum right-of-way radius of 60 feet and a minimum radius of 50 feet. Right-of-way and paved roadway shall be enlarged where the turnaround joins the rest of the street by reverse curves of the same radii as the turnaround.
3. **No curbing shall be allowed in the snow stockpile area of a cul-de-sac, unless otherwise authorized by the Commission for purposes of drainage.**
4. An island shall be left in the center of the turnaround, provided: the radius of such island leaves a paved roadway at least 25 feet wide.
5. Utility poles are not allowed in the island.
6. Options for the island in the cul-de-sac:
 - a. Landscaping in the form of a rain garden planted with suitable, low-lying, non-invasive plants. The rain garden can be incorporated into the overall drainage system for any overflow.**
 - b. Where a rain garden is not practical due to the unique nature of the site, the island can be designed to work with the drainage system and incorporate low-lying, non-invasive plants for landscaping.**
 - ~~c. The island shall retain its existing vegetation and at least one large tree or be planted with Junipers Horizontalis var,~~
- ~~7. At the discretion of the Commission, the cul-de-sac may be sloped to drain to the island center, which shall then be designed as a rain garden to receive stormwater, with appropriate design and plantings.~~
7. Where a cul-de-sac does not extend to the boundaries of a tract, it shall be generally separated from such boundaries by a distance not less than the minimum lot depth prescribed by the Zoning Regulations in which the proposed subdivision is located.

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G. Temporary Cul-de-sac

1. A street designed as a temporary cul-de-sac shall terminate in a temporary turnaround as described above.
2. Only the area within such street that constitutes an extension of the normal street right-of-way shall be dedicated to the Town, but such dedicated area shall extend flush to the boundary of the tract proposed for subdivision. The area outside this normal width of street right-of-way, which is dedicated to the Town in the case of a permanent cul-de-sac, shall follow the ownership of the abutting lots, but the Town shall be given a right-of-way easement for such area. The additional, **defeasible** easement shall be temporary and shall terminate upon extension of the street. The developer who extends a street from a cul-de-sac shall be required to remove the existing pavement outside of the normal paved roadway width and to loam and seed the original turnaround area at his own expense.

Section 4. Temporary Turnaround

- A. Temporary turnarounds may be required where it can reasonably be expected that the street will continue onto adjoining land in the future or where a permanent cul-de-sac is shorter than allowed above and said street is likely to be extended to provide access to maximum lots or distance allowed.
- B. Temporary turnarounds shall be designed and constructed to Town specifications.
- C. Land for a temporary turnaround shall be provided in the form of ~~an~~ **a defeasible** easement to the Town, which shall contain a condition for automatic termination of the easement upon extension of the street.
- D. Pavement of the temporary turnaround shall be removed upon the termination of the easement and as a condition of the projection of the street into the adjoining property. The subdivider who provides the extension of the street shall remove the pavement for the temporary turnaround, and the same subdivider shall also improve the street in the area of the turnaround to meet specifications of the Town.

Section 5. Street Width

All roads shall be constructed to the widths and dimensions shown below in Table I. Such width may be increased by the Commission to accommodate safety standards for current or future traffic.

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TABLE I STREET DESIGN STANDARDS

	Arterial	Collector	Local	Private
Right-of-Way*	60'	60'	50'	50'
Minimum pavement width*	24'	24'	21' 20' *	21' 20' *
Maximum grade**	6%	6%	10%	10%
Minimum grade	1%	1%	1%	1%
Min. center line radius of curve	200'	200'	100'	100'
Minimum curve sight distance***	200'	200'	200'	200'
Min. tangent between curves****	200'	200'	100'	100'

NOTES:

~~*— 1. Collectors may be reduced by the Commission to 22' and local and private streets to 18' of pavement width if all lots fronting on such streets have at least 2 all-weather parking spaces designed so that an automobile can enter the street from either space without having to move the other automobile, unless the Commission finds that such reduced width is not in keeping with public safety, convenient travel, or the Woodstock Plan of Conservation and Development.~~

*** Refers to two-way streets. One-way loop streets shall have a minimum right of way of forty (40) feet and a minimum pavement width of sixteen (16) feet.**

** Grade within 50' of an intersection shall not exceed ~~4%~~ **3%** and within the intersection itself shall not exceed 1%.

*** Minimum curve sight distance on permanent cul-de-sacs shall be 100'.

**** Multiple curves without intervening tangents may be approved if center line radii are increased to the satisfaction of the Commission and Selectmen.

~~8. Existing Street Improvements~~

~~Whenever any subdivision is proposed for land fronting on or accessible only by an existing street or streets that do not meet the Town's current engineering standards and specifications, and the Commission determines that approval of the subdivision plan would be contrary to the public safety unless such street or streets were altered or improved along the frontage of the proposed subdivision or beyond the limits of the proposed subdivision, the Commission may disapprove such plan or may condition its approval upon completion of the improvements or alteration of such street or streets by and at the expense of the subdivider, or may disapprove such plan until the Town has completed such improvements. In making the above determination, the Commission shall take into account the width and degree of improvement of the street and its ability to handle the increased volumes of traffic which will be generated~~

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~~by the proposed subdivision, the ability of school buses and emergency vehicles to travel the street safely, the drainage conditions of the street and, generally, the ability of any vehicle to use the street safely.~~

Section 6. Street Names and Signs

A proposed street which joins or is in alignment with an existing street shall bear the same name. All proposed streets and private roads serving more than one lot shall have a name which does not duplicate or closely approximate in spelling or sound **like** existing street names in Woodstock or any adjoining city or town. One street name sign and supporting post shall be installed at all street intersections at the expense of the subdivider and shall conform to the standards of the Town.

Section 7. Street Lighting

When required by the Commission for public safety, the subdivider shall install street lights at all intersections, including intersections of new streets with existing streets. The subdivider shall be responsible for all operating and maintenance costs until the streets are accepted by the Town. Street lighting shall be installed in accordance with standards established by the Town. Lighting fixtures shall be selected so as to promote safe intersections while taking into account the goals of minimizing the amount of lighting, preventing undesirable illumination or glare above the site and preventing light spill (undesirable light that falls outside the area of intended illumination).

Section 8. Landscaping

The entrance to the new street or private road shall be landscaped to visually ease the transition from the existing street. The subdivider shall incorporate existing natural vegetation, stone walls and other features to the maximum extent possible in such landscaping. The new street or private road shall only be cleared of existing vegetation to provide for safety, drainage, construction, snow shelf and utilities.

Section 9. Street Trees

All new street trees shall be selected by the project landscape architect based on existing trees, soil conditions, site characteristics, street design, and architecture and tree durability. Where appropriate based on site and neighborhood characteristics, native tree species shall be considered. All new streets and private roads shall incorporate existing or proposed street trees in accordance with the following standards:

- A. Where possible, after consideration of other regulatory provisions, specimen trees and groups of trees that contribute to scenery and/or help protect significant manmade and natural features shall be preserved within the street right-of-way.
- B. Existing or proposed trees shall be retained or planted on each side of a new street at an average interval of every forty (40) feet or as deemed appropriate by the Commission,

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based on site characteristics, **provided that trees are no closer to the paved edge of the street than two (2) feet from the farthest point of the street right of way while still planting the tree within the right of way. See Diagram.** In addition, at least one large tree shall be planted or retained in the center island of every cul-de-sac, **provided that trees are no closer to the paved edge of the street than two (2) feet from the farthest point of the street right of way while still planting the tree within the right of way. Trees in a cul-de-sac do not have to be retained or planted if a rain garden option is used.**

- C. All new street trees shall be located a minimum of twenty-five (25) feet from any existing or proposed septic system or septic reserve area.
- D. At time of planting, small trees shall be in the twelve (12) to eighteen (18) foot height range **and** medium to tall trees shall ~~have a 2.5–3 inch minimum caliper~~ **shall be in the twenty (20) to twenty-eight (28) foot height range.**
- E. Planting details for all street trees shall be included on the subdivision plans.
- F. Non-native invasive and potentially invasive plant species listed by the Connecticut Invasive Plants Council in accordance with Connecticut General Statutes Section 22a-281a et seq. shall not be allowed nor included in any plantings.
- G. Planting of native, deciduous species is strongly encouraged.
- H. The plan for street tree preservation and planting shall be prepared by and signed, dated, and sealed by a landscape architect licensed by the State of Connecticut.

Section 10. Street Dedication

Approval of a Final Approved Plan shall not be deemed to constitute or affect an acceptance of any street by the Town. However, the filing of a Final Approved Plan shall constitute an irrevocable offer of dedication by the owner of the land to the Town.

Section 11. Monument and Lot Marker Specifications

- A. Monuments shall be set at corners and angles of all streets, at all points of curvature and all points of tangency of curved streets, with accurate reference to some existing permanent monument or marker. Monuments shall be concrete (or equivalent suitable to the Commission, not less than four (4) inches square and four (4) feet long with brass or copper plug or drill holes with cross marking the center of the four (4) inch square, above proposed grades.
- B. All lots shall have iron pins at all corners and other control points on all lot lines installed before endorsement of the final map. Markers indicating lot boundaries may be iron pipe one (1) inch inside diameter, four (4) feet long, driven three (3) feet into the ground.

Section 12. Sidewalks

Sidewalks may be required by the Commission, at its sole discretion, in all subdivisions within or proximate to commercial areas or traditional village centers; in locations proximate to schools, playgrounds, parks and other public facilities; and in areas along or proximate to Town-designated walkway or bicycle priority routes. In determining the need for sidewalks, the Commission shall review the location of the proposed subdivision and its relationship to commercial areas, traditional village centers, school sites, playground areas and other public areas.

Section 13. Utilities

All utility lines shall be located underground in all subdivisions, **unless the Commission determines that** ~~The Commission may waive this requirement where~~ safe underground installation is not feasible because of soil or water conditions, or other natural or physical manmade condition. ~~(Amendment effective June 15, 2007)~~

Section 14. Site Preparation and Cleanup

- A. Pre-Application Clearing or Disturbance: No clearing or earth disturbance (except for soil analysis for proposed sewage disposal systems) shall be permitted on a site before approval of final plans. Determination of sight distance clearances along roadways shall be made graphically and not by clearing on-site prior to final plan approval.
- B. Protection of Vegetation from Mechanical Injury. Where earthwork, grading, or construction activities will take place in or adjacent to significant vegetation or site features, the limit of disturbance shall be delineated and such vegetation protected through installation of temporary fencing or other approved measures. Such fencing or other delineation shall be installed prior to commencing of and shall be maintained throughout the period of construction activity.
- C. Protection of Vegetation from Grading Change and Excavation. Grade changes and excavation to occur at any location of the property shall not result in an alteration to soil or drainage conditions which would adversely affect existing vegetation to be retained following site disturbance, unless adequate provisions are made to protect such vegetation and its root systems. When digging trenches for utility lines or similar uses, disturbances to the root zones of all woody vegetation shall be minimized. All stumps shall be removed from the site and disposed of properly.
- D. Protection of Topsoil. Topsoil removal from the site shall be the minimum amount required for construction purposes. **To minimize environmental impact, if suitable, topsoil removed from the site should first be used to stabilize the site or to provide the required fill to complete the site work shall not before it is to be removed from the site.** ~~Town or sold and may only be used to provide topsoil to another development site in Woodstock where needed.~~ Topsoil ~~removed shall to~~ be redistributed **around the site and shall be** stabilized as quickly as possible following the establishment of required grades for a project or project phase. All exposed earth surfaces shall be reseeded and

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stabilized. At least six inches (6") depth of topsoil shall be provided to cleared areas around each building site.

Chapter VIII - WATER SUPPLY

Every proposed lot must be suitable for the installation of an adequate water supply consisting of a drilled well, artesian well or community water supply. Where evidence before the Commission indicates that water supply may not be adequate, whether because of poor quality, insufficient quantity or other reason, the Developer may be required to submit additional information demonstrating the adequacy, quality and quantity of the proposed water supply. Such information shall be submitted to the Northeast District Department of Health, the Town Planner, Town Engineer, and/or other independent consultant designated by the Commission for review and comment. The Commission may also require the installation of test wells in one or more locations prior to issuing approval of any ~~Formal~~ Application.

A. SANITARY WASTE DISPOSAL

1. All lots requiring an individual septic system for sewage disposal shall not be considered for approval by the Commission until the lot has been approved by the Northeast District Department of Health as suitable for a system designed for a minimum of a four-bedroom residence. Percolation tests, soil reports, and the relevant Northeast District Department of Health report must be submitted with the ~~Formal~~ Application. The Commission may require additional information in Applications, including, but not limited to, a permeability analysis and/or renovation analysis of bacteria, phosphates, or other pollutants, and any additional review by its designated independent consultants.
2. It is the responsibility of the Applicant to contact the Northeast District Department of Health to ensure that the soil conditions and lot area are adequate to permit the installation and operation of an individual sewage disposal system. The Applicant shall provide the necessary equipment and labor for the making of any and all tests required by the Northeast District Department of Health and/or any independent consultants designated by the Commission. The Commission may approve the Application subject to conditions, determined by the Northeast District Department of Health or recommended by the Town's designated consultants. When Northeast District Department of Health approval is given subject to conditions, such conditions shall be noted on the record map.
3. A minimum of one (1) deep observation hole and percolation test shall be performed in each proposed primary, and in each proposed reserve, septic system area indicated on the subdivision plans.

B. TECHNICAL REPORTS

1. In addition to approval from the Northeast District Department of Health, the Applicant shall obtain from a licensed sanitary or civil engineer a written report or reports as to the general feasibility of the proposed water supply and the proposed drainage plan and sewage disposal in the area to be subdivided, and provide such report(s) to the Commission. The Commission may require the Applicant to perform additional seepage or other tests and, may request such other information as it deems advisable to evaluate compliance with these Regulations.

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2. A report from the Northeast District Department of Health or their respective designees indicating compliance with the Public Health Code for each and every lot depicted upon the ~~Formal~~ Application; or, if the Applicant proposes to utilize a community sewerage system, as defined in Connecticut General Statutes Section 7-245, a report from the Woodstock Water Pollution Control Authority indicating that all requirements including those set forth in Connecticut General Statutes Section 7-246f have been satisfied.

- ~~3. Where significant environmental impact may be involved, the Commission may request a review of the Application by the Eastern Connecticut Environmental Review Team or other consultant.~~

C. WATER TANKS

The Applicant shall make provision for the installation of underground water ~~cisterns tanks~~ at scales, **types**, and locations appropriate to provide for adequate on-site water supply for firefighting, **as determined by the review and recommendations of the Fire Marshall, Chief of the Fire Department in the district in which the parcel is to be developed, and the Town Engineer**. In general, the Applicant shall follow the guidelines of the NFPA 1141 (National Fire Protection Association Standards for Fire Protection in Planned Building Groups), 2003 Edition, and as may be amended from time to time, and shall provide for an underground cistern of a minimum size of 10,000 gallons.

~~Specific size, type, and location of fire protection components shall be subject to the recommendations of the Town Engineer, Fire Marshall, and Chief of the Fire Department in the district in which the parcel is to be subdivided, and confirmed by the Commission.~~

CHAPTER IX - STORM WATER, AND EROSION & SEDIMENT CONTROL POLLUTION

1. Applicability

An ~~Formal~~ Application for subdivision or resubdivision shall meet the pollution control requirements of this Chapter. An ~~Formal~~ Application shall include a complete Storm Water Pollution Control Plan that satisfactorily prevents pollution caused by soil erosion and sedimentation during and after construction and storm water pollution caused by use of the site after construction is completed. The Applicant and Developer shall ensure that adequate storm water pollution control and erosion and sedimentation control measures, structures and practices are an integral part of each Plan of Subdivision and are fully constructed, implemented and maintained during and after development.

2. Storm Water Pollution Control Requirements

A subdivision or resubdivision shall be designed so as to comply with and adhere to all of the following:

- a. The guiding principles and design techniques of The Connecticut Department of Environmental Protection 2004 Connecticut Storm Water Quality Manual, as may be amended from time to time, (hereinafter referred to as “The Connecticut Storm water Quality Manual”);
- b. The requirements of the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as may be amended from time to time;
- c. The requirements of The Connecticut Department of **Energy &** Environmental Protection General Permit for the Discharge of Storm Water and Dewatering Wastewaters from Construction Activities, as may be amended from time to time, including development and implementation of the “Storm Water Pollution Control Plan” required under the General Permit;
- d. The requirements and standards of this Chapter; and,
- e. All other applicable Federal, State and local regulations and requirements.

3. Storm Water Pollution Control Standards

A subdivision or resubdivision shall be designed so as to meet the following standards for storm water pollution control:

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- a. Preserve pre-development site hydrology (i.e., runoff, infiltration, interception, evapotranspiration, groundwater recharge, and stream baseflow) to the extent possible;
- b. After construction has been completed and the site is permanently stabilized, reduce the average annual total suspended solids loadings by eighty (80) percent. For high quality receiving waters and sites with the highest potential for significant pollutant loadings, reduce post-development pollutant loadings so that average annual post-development loadings do not exceed pre-development loadings (i.e.: no net increase)
- c. Preserve and protect wetlands, stream buffers, natural drainage systems and other natural features that provide water quality and quantity benefits;
- d. Manage runoff velocity and volume in a manner that has minimal impact on the physical and biological character of existing drainage systems and prevents increases in downstream flooding/streambank erosion;
- e. Prevent pollutants from entering receiving waters and wetlands in amounts that exceed the systems' natural ability to assimilate the pollutants and provide the desired functions; and,
- f. Seek multi-objective benefits (i.e., flood control, water quality, recreation, aesthetics, habitat) from storm water control measures.

4. Storm Water Pollution Control

a. Site Planning and Design Standards

Effective site planning and design techniques shall be incorporated in the proposed plan of subdivision or resubdivision to the maximum extent possible as the primary method to meet the Storm Water Pollution Control Standards of this Chapter. The Low Impact Development Management Practices of Section 4.4 of The Connecticut Storm Water Quality Manual shall be incorporated whenever feasible.

b. Storm Water Treatment Practices

Where site planning and design techniques will be insufficient to meet the Storm Water Pollution Control Standards, or it is not feasible to use Low Impact Development Management Practices, the Proposed Plan of Subdivision or Resubdivision shall incorporate storm water treatment practices as described in Chapter 6 of The Connecticut Storm Water Quality Manual sufficient to meet the Storm Water Pollution Control Standards. Whenever such storm water treatment practices are required, storm water wetlands, infiltration practices, and water quality swales shall be preferred. Storm water ponds and detention basins shall be avoided whenever possible and shall be designed, when necessary, to minimize size and number. Storm water ponds and detention basins shall be located and designed to avoid or minimize adverse impacts to adjacent properties, existing or proposed streets, conservation lands, and parks and playgrounds. Storm water ponds and detention

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basins shall be screened by appropriate earthen or vegetated buffers where desirable in the judgment of the Commission.

c. Inspection, Maintenance and Repair of Storm Water Treatment Facilities

The Storm Water Pollution Control Plan shall specify the manner by which all improvements, structures or facilities designed or intended for storm water treatment will be maintained in good working order, and shall specify the person(s) responsible for inspection, maintenance and repair. The Commission may require that regular reports be submitted to the Town Engineer or other party designated by the Commission concerning such inspection, maintenance and repair. The Commission may require that a bond be posted with the Town to ensure that necessary maintenance and repairs are performed. The Commission may require that inspection, maintenance and repair be the responsibility of a homeowners association. The Commission may further require that if a responsible party fails to conduct any necessary inspection, maintenance or repair action, the Town or its designee shall have the authority to accomplish such inspection, maintenance or repair and shall assess the costs of such action against the homeowners association or against the owners of lots within the subdivision.

All improvements, structures or facilities designed or intended for storm water treatment shall be accessible for inspection. Where such improvements, structures or facilities are not located on public land or within a public right-of-way an easement shall be granted in favor of the Town for inspection, maintenance and repair of all improvements, structures and facilities.

d. Authority of the Commission

All improvements, structures or facilities designed or intended for storm water treatment, including storm water ponds and detention basins, shall be designed and located in a manner the Commission deems consistent with these Regulations. The Commission may modify or deny ~~an Formal~~ Application if it finds that the proposed plan will not meet the Storm Water Pollution Control Standards or the requirements of these Regulations.

5. Soil Erosion and Sediment Control

~~An Formal~~ Application for subdivision or resubdivision shall include or incorporate a Soil Erosion and Sediment Control Plan. The Soil Erosion and Sediment Control Plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and to reduce the danger from storm water runoff on the proposed site based on the best available technology and the principles, methods and practices of the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended from time to time.

a. General Requirements for Erosion Control

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The terms and phrases used herein refer to specifications contained in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. Such Erosion and Sediment Control Plan and supporting narrative shall consist of:

- i. Property lines, wetlands, stream courses, topography, and all proposed roads and other improvements shall be shown on the plan described in these Regulations.
- ii. Locations of areas to be stripped of vegetation and other exposed or unexposed areas including soil types.
- iii. The proposed area alterations and a schedule of operations to include starting and completion dates for major development phases, such as land clearing and grading, street, sidewalk and storm sewer installation, and sediment control measures.
- iv. Sequence of grading and construction activities.
- v. Sequence for installation and/or application, of erosion and sediment control measures.
- vi. Sequence for final stabilization of project site.
- vii. Location and design details for all erosion and sediment control measures and storm water management facilities including structures such as diversions, waterways, grade stabilization structures, debris, etc.
- viii. The operation and maintenance program for the proposed erosion and sediment control measures and storm water management facilities.
- ix. All other requirements as contained in the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as may be amended from time to time.

b. Minimum Acceptable Standards

Plans for soil erosion and sediment control shall be developed in accordance with these Regulations using the principles as outlined in Chapters 3 and 4 of the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended. A Soil Erosion and Sediment Control Plan shall only be certified by the Commission for a development that (1) minimizes erosion and sedimentation during construction; (2) is stabilized and protected from erosion when completed; and, (3) does not cause off-site erosion or sedimentation. The minimum standards for individual measures shall be those in the 2002 Connecticut Guidelines for Soil and Erosion Control, as amended.

c. Issuance or Denial of Certification

The Commission shall either certify that the Soil Erosion and Sediment Control Plan, as filed, complies with the requirements and standards of this Chapter and the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as amended, or shall deny certification when

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the Plan does not comply with such Regulations and Guidelines. The Commission shall deny an **Formal** Application if it denies certification of the Soil Erosion and Sediment Control Plan. Approval of a Final Approved Plan of Subdivision or Resubdivision by the Commission after review and evaluation of the Soil Erosion and Sediment Control Plan shall be deemed to be certification of such Plan as required by C.G.S. Sec. 22a-329.

d. Conditions Relating to Soil Erosion and Sediment Control

The Commission may refer these plans to the Eastern Connecticut Conservation District or other agency or person for consultive technical assistance.

Measures to be taken to control soil erosion and sedimentation, if required, shall be described and provided for in the Final Approved Plan. The estimated cost of accomplishing such measures may be covered in a Soil Erosion and Sediment Control Bond provided by the Applicant and acceptable to the Commission.

e. Inspection

Inspection may be made by the Commission or its designated agent to ensure compliance with the certified Plan and to verify that control measures and facilities have been properly performed or installed according to the certified Plan and are being properly operated and maintained.

6. Special Flood Hazard Areas

- a. The Commission shall review subdivision proposals to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal is in a designated flood-prone area, i.e., within Zone A on the Woodstock Flood Hazard Boundary Map, any such proposal shall be reviewed to assure that all such proposals are consistent with the need to minimize flood damage within the flood prone areas; all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; adequate drainage is provided to reduce exposure to flood hazards; and all such proposals are in accordance with the requirements of the Town of Woodstock Flood Damage Prevention Ordinance, adopted at Town Meeting, October 25, 1984.
- b. All subdivision proposals which are situated within Zone A on the Woodstock Flood Hazard Boundary Map, shall include within such Application base flood elevation data.
- c. In the absence of base flood elevation data which may be furnished by the Federal Insurance Administrator, the Commission shall with the assistance of the Applicant obtain, review, and reasonably utilize any base flood elevation data from a Federal, State or other source, until such other data has been provided by the Administrator, as criteria for meeting the provisions of the preceding paragraph.

~~CHAPTER VIII – AFFORDABLE HOUSING AND ACCESSORY APARTMENTS~~

~~1. Maximum Lot Yield Bonus for Affordable Housing~~

~~a. Definitions as used in this section:~~

- ~~i. “Affordable housing” means a dwelling to be sold subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income; and~~
- ~~ii. “Median income” means, after adjustments for family size, the area median income for the area in which the Town is located, as determined by the United States Department of Housing and Urban Development.~~

- ~~b. A Maximum Lot Yield bonus shall be allowed for subdivisions and resubdivisions that provide affordable housing up to 20% of units in proposed subdivisions. The Maximum Lot Yield may be increased by the Commission by one additional lot for each two new affordable housing units proposed by the Applicant, up to a maximum of ten percent (10%) of the total number of lots (as determined by the Maximum Lot Yield calculation) that would otherwise be allowed. Each additional lot created under provisions of this section shall be deemed a bonus lot (“Bonus Lot”).~~

~~2. Maximum Lot Yield Bonus for Accessory Apartments~~

- ~~a. As used in this section, “accessory apartment” means a separate dwelling unit that has a square footage that is not more than thirty per cent of the total square footage of the primary dwelling unit on a parcel up to a maximum of 1000 square feet.~~
- ~~b. A Maximum Lot Yield bonus shall be allowed for subdivisions that incorporate accessory apartments. The Maximum Lot Yield shall be increased by the Commission by one additional lot for each five (5) lots where the Applicant proposes to construct an accessory apartment. Each additional lot created under provisions of this section shall be deemed a bonus lot.~~

~~3. Compliance~~

- ~~a. No Zoning Permit nor Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan as a bonus lot under the provisions of Section 1, Maximum Lot Yield Bonus for Affordable Housing and designated as Affordable Housing unless all deed covenants and restrictions required to comply with the provisions of this Chapter have been recorded on the Woodstock Land Records.~~
- ~~b. No Zoning Permit nor Certificate of Occupancy may be issued by the Town for any building on any lot approved or altered pursuant to the Final Approved Plan as a~~

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~~bonus lot under the provisions of Section 2, Maximum Lot Yield Bonus for Accessory Apartments unless a Certificate of Occupancy has been issued for every accessory apartment shown on the Final Approved Plan.~~

CHAPTER ~~IX~~ ~~X~~ – INSURANCE AND BONDS

A formal application for subdivision or resubdivision shall meet the Bonding requirements of the Zoning Regulations, Article VI, Town-wide Regulations.

1. INSURANCE

The Developer shall file with the Commission a certificate providing evidence of the existence of an insurance policy with general liability limits as required below. This policy shall be in effect for the length of the Performance Bond and shall be extended in conformance with any extension of the Performance and Maintenance Bond.

The policy shall insure the Town and the Developer against all claims for damage or injury to persons or property that may arise from the construction, installation, or maintenance, or lack thereof, of any subdivision improvements, or from any operations in the development or completion of the subdivision, including but not limited to clearing, removal of vegetation, grading, excavating, filling, inspection, testing, well installation, sediment and erosion control measures, and road construction and improvement. The policy shall have the following limits:

Property Damage (including automobile)

Each Accident: Not less than \$2 million

Bodily Injury (including automobile)

Each Person: Not less than \$2 million

Each Accident: Not less than \$2 million

2. BONDING

- a. **Completion:** The Commission may, with the advice of the Town Engineer and Town Planner, prescribe the extent to which and manner in which the required improvements, including but not limited to streets, utilities, drainage, erosion control measures, landscaping, markers and services, be provided in connection with any subdivision plan prior to final approval of the plan. The Commission may require that all or a specified portion of such work and installations be completed prior to the filing of the subdivision on the Land Records.
- b. **Performance Bond:** In lieu of completion of all or part of the required improvements, the Commission may require the Developer to file with the Town a Performance Bond of sufficient amount, as prepared by the Developer and approved by the Town Engineer, to secure to the Town the actual cost of construction and installation of such improvements. The period within which required improvements shall cover the full construction and installation period for the final improvements, and shall be subject to the approval of the Commission. The Performance Bond shall be ~~submitted and approved prior to the filing of the subdivision on the land records.~~ **posted at any time prior to the completion of the construction and installation of any public improvements. Bonds for erosion and sedimentation control controls shall be submitted prior to the commencement of any**

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improvements. No lot shall be transferred to a buyer before any required financial guarantee is submitted or before the public improvements and utilities are completed to the reasonable satisfaction of the Commission or its agent.

- c. **Bond Amount:** The amount of a Performance Bond as established by the Commission shall reflect:
1. The construction cost of all required improvements, including storm drainage system, roads and pavements, sidewalks and curbs, trees, grading, setting of monuments, and any other requirements made as a condition for subdivision approval or depicted on the endorsed Final Approved Plan, Plan and Profile, and Erosion and Sedimentation Control Plan.
 2. Costs for the Town to advertise and award a contract for construction of the improvements or site restoration.
 3. Costs shall be projected to a point at the end of the improvements construction period. Any extension of the term of the Performance Bond may result in an adjustment as to the Bond total.
 4. The total estimated cost of the Performance Bond shall also include a 20% addition to cover contingencies and engineering and 10% per year inflation factor.
 5. Where a subdivision is to be developed in phases, the developer may petition the Commission in writing for permission to post a Performance Bond covering the costs itemized in paragraphs (c) 1 through 4 above, related to those improvements and utilities located within or required to serve one or more phases rather than for the entire development. Similar permission shall be obtained by the developer prior to commencing development of any or all additional phases. Where the developer bonds in phases as authorized in this paragraph, no improvement, as that term is defined in these Regulations, shall be commenced in any phase for which no Bond has been posted.
- d. **Form of Bond:** All Bonds required under this section shall be in the form of a certified check payable to the town; a savings passbook; an irrevocable sight draft letter of credit from a bank chartered to do business in Connecticut; or a certificate of deposit in the name of the Town to be held in escrow by the Town, together with a letter from the Developer stating that the Bond is being provided in accordance with the approved site plan and may be drawn against by the Town, if necessary, all in form and substance acceptable to the Commission and its Legal Counsel.

If at any time, the Bond required by this Section shall not be in effect for incomplete or unaccepted public improvements, the Commission may file a caveat on the Land Records warning potential purchasers of such fact.

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- e. **Term:** The term of any Performance Bond proposed by the developer should be approximately 150% of the proposed period of development. The developer shall be entitled to complete all required subdivision improvements within the time allowed by state law, provided the developer continuously maintains the Performance Bond, or a substitute Performance Bond acceptable to and approved by the Commission in accordance with these Regulations, for the full duration of such time. If, at any time, the Performance Bond lapses, is terminated or withdrawn, or ceases to be effective or in force, regardless of whether the developer is responsible for such circumstances, the subdivision approval shall lapse and become null and void except as provided hereafter. Within 60 days prior to the date of any such lapse, termination, withdrawal, or cessation of the effectiveness of any such Performance Bond, the developer may submit to the Commission a written request for approval of a substitute Performance Bond. The Commission may deny such request if it determines that such proposed substitute Performance Bond does not provide adequate security for the timely completion of all required subdivision improvements and utilities or if it determines that the developer has failed to comply with any terms or conditions of the subdivision approval or any of these Regulations. The Commission may also approve the provision of a substitute Performance Bond different in form and amount than that requested by the developer. In the event the Commission approves the provision of a substitute Performance Bond, the developer shall be allowed 30 days following the date of such approval to submit the substitute Performance Bond. The Commission may, upon the developer's written request, extend the time within such substitute Performance Bond may be provided by no more than an additional 30 days. If the developer fails to provide the substitute Bond within such period of 30-60 days, or if the developer fails to submit a written request for approval of a substitute Bond within the time set for above, the subdivision approval shall become immediately and irrevocably null and void. Nothing in this section will prevent or prohibit subsequent subdivision of the property.

- f. **Separate Sediment and Erosion Control Bond:** Measures and facilities specified on the approved Soil Erosion and Sediment Control Plan shall be guaranteed by a separate performance Bond (the "Erosion and Sediment Control Bond") **which shall be posted prior to the commencement of any construction or installation.** In the event the Developer fails to maintain proper sedimentation and erosion controls on the subdivision site, the Bond required under this section may be used by the Town to stabilize eroding areas, remove sediment, and otherwise correct sedimentation and erosion problems on site at the sole discretion of the Commission or its designated agent.

- g. **Default:** In the event the subdivision approval terminates or lapses before all required subdivision improvements and utilities have been completed, the Commission may, in its discretion, and subject to any contrary provisions of state law, use the funds available in the Performance Bond and/or Sedimentation and Erosion Control Bond at its option to complete improvements or restore all or any portion of the site to a natural condition. The Commission shall not make any decision to use a Bond for restoration without obtaining an estimate for the costs of both restoration and completion of all required improvements and utilities from the Town Engineer or a similarly qualified consultant.

3. APPLICATION OF BONDS

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The Commission may call any Bond and apply the proceeds of such Bond to the construction and installation of required subdivision improvements and utilities or the restoration of the site in any of the following circumstances:

- a. If the Commission has called the Bond under this section, and the expiration or termination date of the Bond is subsequently extended for a period of no less than one (1) additional year, or a replacement Bond of equivalent or greater amount is subsequently provided with terms and conditions, and in a form satisfactory to the Commission, the Commission shall have the option of proceeding to complete any portion of the required subdivision improvements and utilities under the original Bond or accepting the extended or replacement Bond in lieu of completing such improvements.
- b. The Commission may call the Bond at any time within sixty (60) days before the date, as it may have been extended, on which the approval of the subdivision is scheduled to expire under any applicable provision of state or local law if any portion of the required subdivision improvements or utilities has not been completed.
- c. The Commission may call the Bond at any time to complete any portion of the required improvements or utilities the Commission deems reasonably necessary to serve any lots within the subdivision that have been sold or otherwise conveyed.

ANY PERSON WHO SUBMITS AN APPLICATION FOR FINAL APPROVAL OF A SUBDIVISION BASED UPON THE PROVISION OF A BOND IN LIEU OF THE COMPLETION OF ALL REQUIRED IMPROVEMENTS AND UTILITIES SHALL BE DEEMED TO HAVE READ, UNDERSTOOD AND ACCEPTED ALL OF THE FOREGOING TERMS. THE COMMISSION SHALL NOT ISSUE ANY FINAL APPROVAL OF A SUBDIVISION APPLICATION BASED UPON THE PROVISION OF A BOND UNLESS THE APPLICANT AGREES TO ABIDE BY THE FOREGOING PROVISIONS.

4. BOND RELEASE

- a. Application for the release of any Bond upon completion of all required improvements shall include the submission of properly scaled as-built drawings, which shall include all changes in the plans as authorized by the Commission during the course of construction. The as-built drawings shall be signed and sealed by a Connecticut Registered Land Surveyor licensed in the State of Connecticut.
- b. Prior to the release of the Performance Bond the developer shall present a Maintenance Bond equal to ten (10%) percent of the full amount (i.e., the highest amount set by the Commission before any subsequent reductions) of the Performance Bond. The Maintenance Bond shall be for a period of fourteen (14) months and shall guarantee the improvements installed against defects in materials or workmanship, or damage caused to the improvements by any construction activity in the subdivision. The fourteen-month period shall commence upon the effective date of the acceptance of any road or other public improvements by the Town. The Developer shall repair all defects in construction or operation of required improvements

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occurring during the period covered by the Maintenance Bond. The Developer's failure to perform needed repairs within thirty (30) days when so requested by the Commission or their designate may result in the Town's undertaking the repairs and billing the Developer for the cost of repair and/or applying funds from the Maintenance Bond to correct the condition.

- c. Upon submission of a written report from the Town Engineer, which shall be reviewed by the Town Planner, that all or a certain specified stage in the construction of improvements has been satisfactorily completed, the Developer may request that the Commission reduce any outstanding Bond to reflect the cost of construction of the remaining improvements. **Within sixty five (65) days of a request to release all or a portion of such bond, the Commission shall either (1) release the security or a part thereof or (2) provide a written explanation of the additional improvements that must be completed before the bond or portion thereof may be released.** The Commission shall grant no more than three (3) such reductions per phase prior to the final release of Bonds, and the Commission shall refuse such reductions if it finds the construction of any improvements in violation of any provision of these Regulations or the plans, terms, or conditions for any subdivision approved hereunder.

5. AGREEMENT FOR INSTALLATION OF IMPROVEMENTS

An Application for approval of a subdivision plan that involves the construction or installation of public improvements shall constitute an agreement by the Applicant to be personally responsible for the completion of any portions of the improvements the Commission may deem necessary to serve any lots that may be conveyed following approval of the plan. The Commission's ability to call a Bond or other surety pursuant to CT General Statute Section 8-26c (c) shall not prevent the Commission from enforcing the personal responsibility of the Applicant to complete the necessary improvements.

6. CERTIFICATE OF ZONING COMPLIANCE

Before any Certificate of Occupancy may be issued for any building in such subdivision on a lot that fronts on a subdivision road that has not been accepted by the Town as a public road, the developer must complete such road, in accordance with all applicable specifications, up to the farther side line of such lot plus an additional distance that shall be provided for emergency vehicles to turn around, to a stage in construction at which only final surfacing of the road remains to be done before completion of the road. The foregoing condition shall not apply to street trees, sidewalks, or other types of road-related improvements not required for vehicular travel, but shall apply to the installation of street name signs to facilitate the provision of emergency services. The balance of the work on such road, and all other public improvements, must also be bonded in accordance with the provisions of these Regulations. In addition, water supplies and effluent disposal systems shall be operational and accepted by the appropriate Town or State agencies prior to the issuance of a Certificate of Zoning Compliance allowing the occupancy of a dwelling on any lot.

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LIST OF AMENDMENT CHANGES

Amend Chapter XI. Storm water and Erosion & Sedimentation Control (revised chapter)

Amended: December 15, 2005

Effective: December 20, 2005

Amend Chapter III. Application and Review, Section 2. Formal Application Submission and Review, subsection d. (revised subsection)

Effective: June 16, 2006

Amend Chapter III. Application and Review, Section 2. Formal Application Submission and Review, subsection d. (revised subsection)

Amended: April 19, 2007

Effective: June 15, 2007

Amend Chapter VII. Road, Utility and Construction Standards (revised title)

Amend Chapter VII. Road, Utility and Construction Standards, Section 16 (new subsection)

Amended: April 19, 2007

Effective: June 15, 2007

Amend Chapter III. Application and Review, Section 3. Conditions of Formal Application Approval, subsection g. (new subsection)

Amended: May 17, 2007

Effective: June 16, 2007

Amend Chapter IV. Submission Requirements, Section 1, Initial Document Requirements, subsection e. Formal Application, number 26. (new subsection)

Amended: May 17, 2007

Effective: June 16, 2007

Amend Chapter VI. Conservation Land, Section 6. Family Transfer (revised section)

Amended: May 17, 2007

Effective: June 16, 2007

Amend Chapter XI. Storm water Pollution (revised title)

Amend Chapter XI. Storm water Pollution (revised chapter)

Amended: May 17, 2007

Effective: June 16, 2007

Updated printing to include all amendments to date

Approved March 20, 2008

Amend Chapter XII Miscellaneous Provisions Section 1. Waivers

“shall” changed to “may”

Amended: May 16, 2013

Effective: June 15, 2013

Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, ~~strikeouts~~ are proposed deletions.

Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

Amend Chapter XII Miscellaneous Provisions

Section 1 Waivers (corrective amendment)

Amended: July 18, 2013

Effective: August 17, 2013

Amend Chapter VI Conservation Land

Section 7. Fee in Lieu of Conservation Land

Amended: January 2016

Effective: March 1, 2016

Amend Chapter III Section 2.c

re: when to hold a public hearing

Amended: January 21, 2016

Effective: March 1, 2016

Amend Ch. I.a) Purpose, re: shall be in harmony

Ch. II Definitions - several revisions and new definitions

Ch. IV Submission Requirements, 1.c.1. - slope

Ch. V 3.b – ridgelines; 4.c.3.c & d – common driveways; 4.d – slope

Ch. VI 2 a & g – conservation priorities

Amended: April 20, 2017

Effective: May 20, 2017

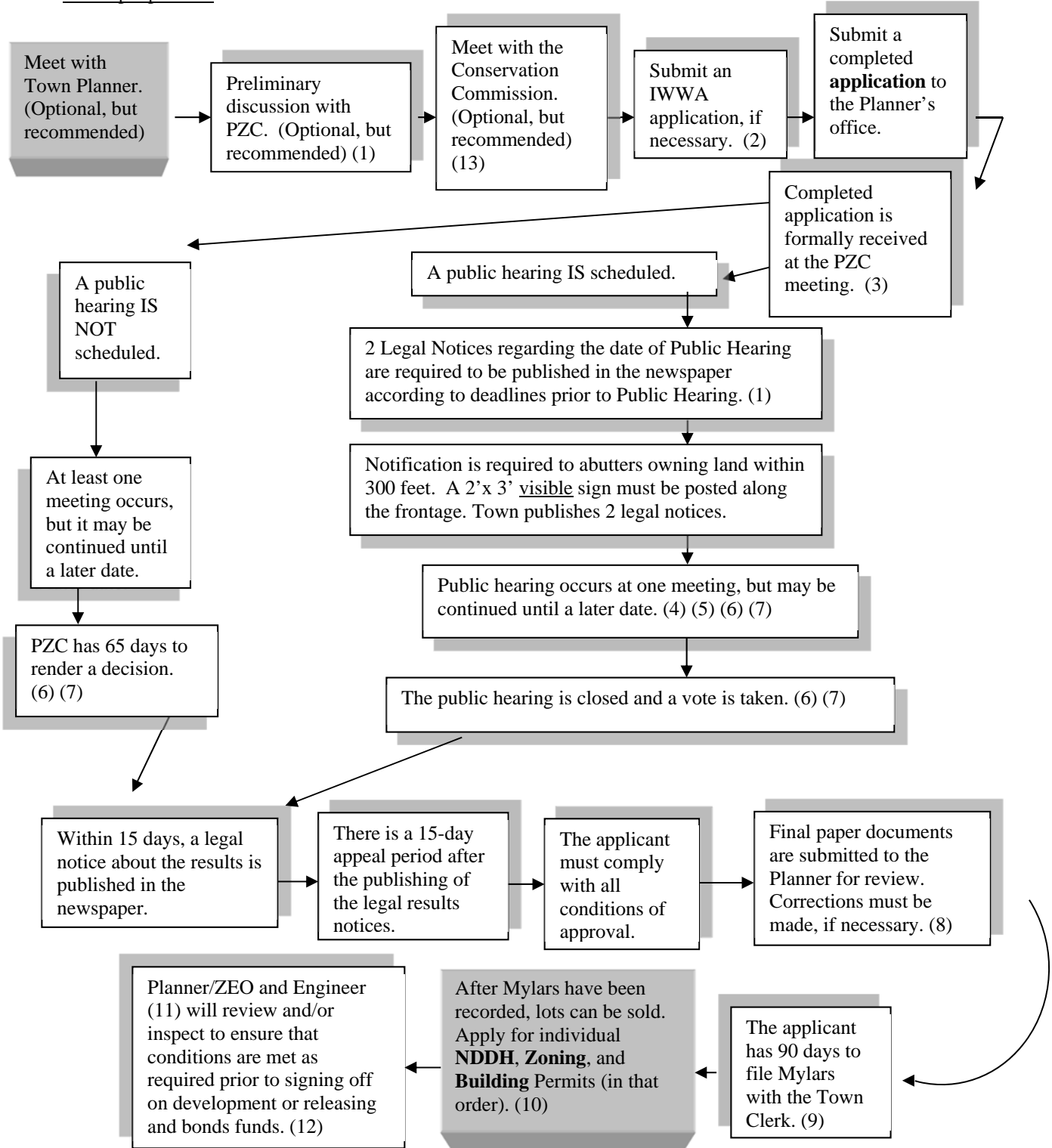
Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

Public Hearing to be held on: Oct

Subdivision Application Time Line

Please note: PZC holds regular meetings on the third Thursday of each month. Your complete application must be submitted by **Wednesday Monday in the week prior to the meeting.**

This list is meant to be a guide for the PZC application process. You still may need other applicable local, state, or municipal permits.



Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.

Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

~~Related notes continue on~~ **Continued from** the ~~next~~ **prior** page.

This diagram was created by Delia P. Fev. AICP Town Planner / ZEO Town of Woodstock. CT	
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Last revised 8/26/08	
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Subdivision Application Time Line Notes

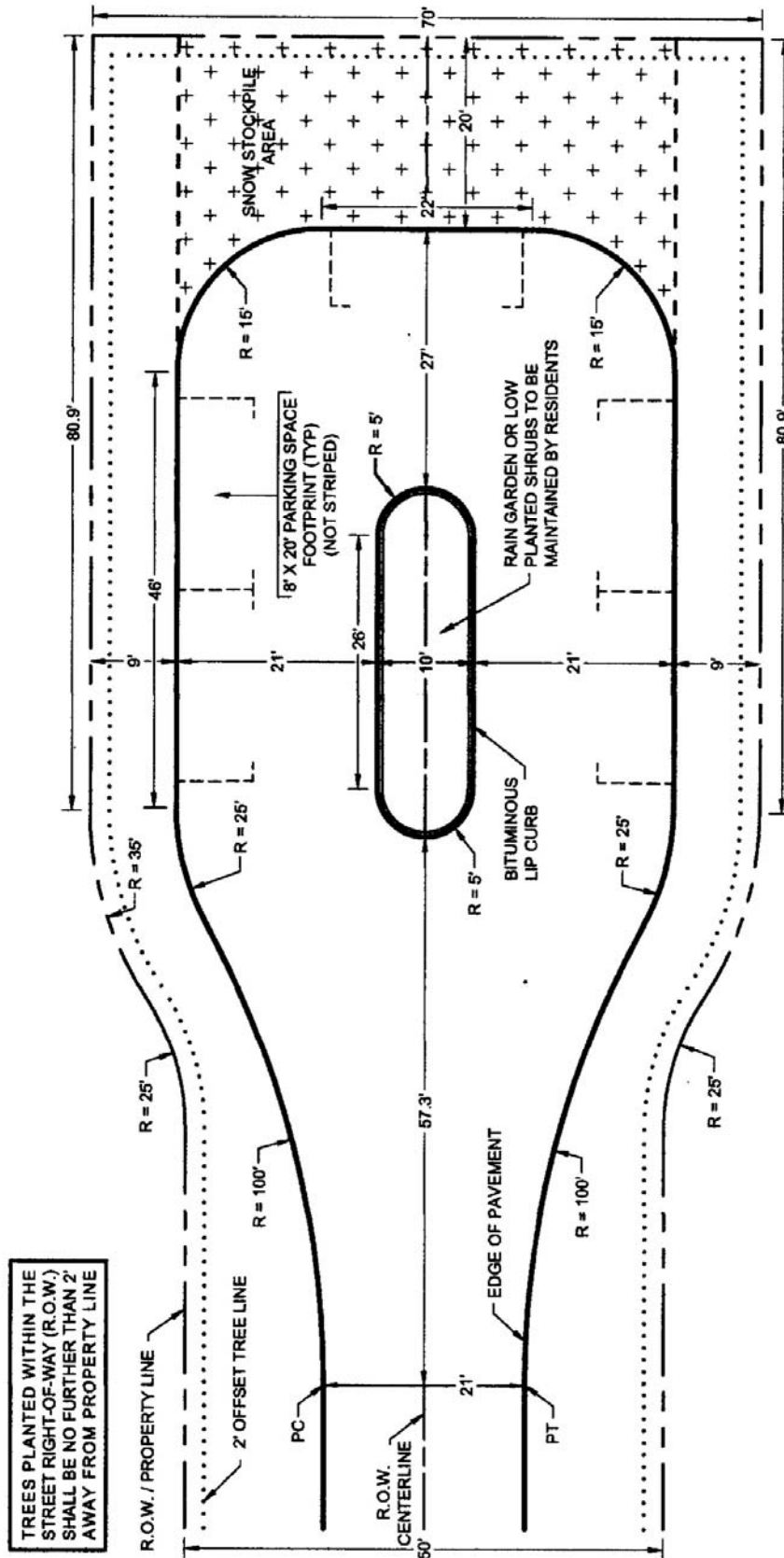
- (1) The public is invited to participate in a site walk, if one has been scheduled.
- (2) An IWWA application must be submitted *prior to* or *on the same day* as a Subdivision application before PZC.
- (3) The “date of receipt” is deemed to be the *earlier* of (i) the day of the next regularly scheduled meeting of PZC after the day the application is submitted; or (ii) 35 days after the application is submitted.
- (4) Public Hearing must commence within 65 days after original receipt by PZC, and must be completed within 35 days.
- (5) If a hearing is held, the decision is rendered within 65 days after the completion of the hearing. If hearing is not held, the decision is rendered within 65 days after the “date of receipt.”
- (6) The applicant may consent to extend the time frame for any of the steps, but the total of all extensions together cannot exceed 65 days.
- (7) A special extension of time may apply if an IWWA decision is pending for same project. The decision must be made by the *later* of 1) the normal time period of time allowed under the zoning or planning statutes, including any extension granted by the applicant; or 2) 35 days after the IWWA decision.
- (8) Final documents include, but are not limited to, final subdivision plans, easements, etc.
- (9) Two 90-day extensions are possible with permission from PZC.
- (10) Note: There is a 5-year period to do public improvements, although extensions (requiring PZC approval) are allowed.
- (11) If necessary, developer must schedule inspections with the Town Engineer.
- (12) There is a process for release of bond money. Speak to Planner for details.
- (13) The Conservation Commission is advisory to PZC.

Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, ~~strikeouts~~ are proposed deletions.

Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

Diagram of a Cul-de-Sac

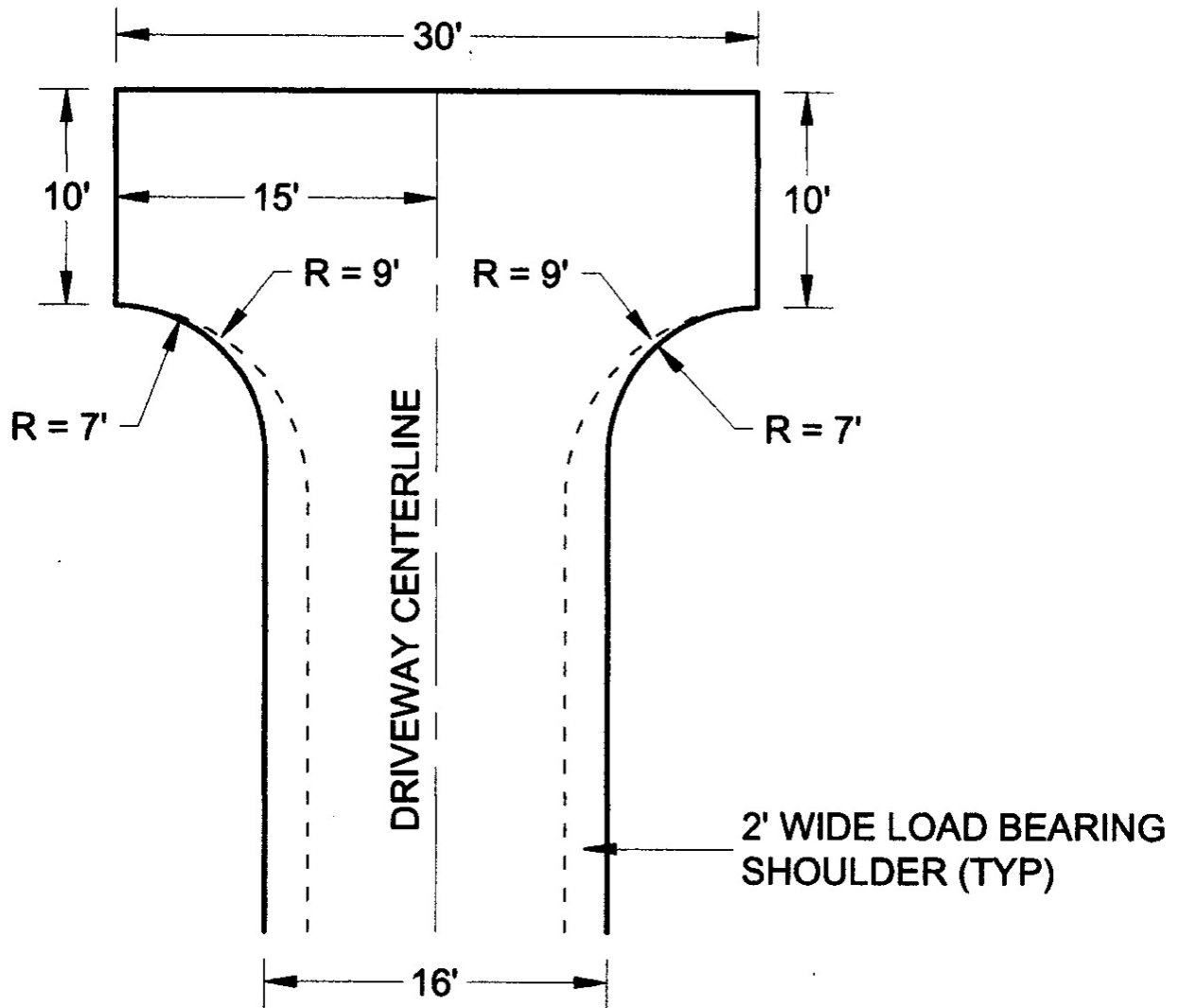
Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.
 Public Hearing to be held on: October 18, 2018 at 7:45 p.m.



ELONGATED CUL-DE-SAC TURN AROUND DETAIL
 (NOT TO SCALE)

Proposed DRAFT Text Amendment: **Bold red** text is proposed new language, **strikeouts** are proposed deletions.
Public Hearing to be held on: October 18, 2018 at 7:45 p.m.

Example Diagram of a Common Driveway Turn Around



DRIVEWAY TURNAROUND DETAIL
(NOT TO SCALE)