

**GOSHEN PLANNING AND ZONING
COMMISSION
GOSHEN, CONNECTICUT**

SUBDIVISION REGULATIONS

Effective December 1, 1969
Revised through November 27, 2011
TABLE OF CONTENTS

	<u>Page</u>
SECTION I Purpose	3
SECTION II Definitions	4
SECTION III General Provisions	6
SECTION IV Procedures	7
SECTION V Subdivision Plan Requirements	15
SECTION VI Erosion & Sedimentation Plan	20
SECTION VII Sanitary Requirements	23
SECTION VIII Open Space & Recreation Areas	25
SECTION IX Subdivision Improvements	30
SECTION X Street Regulations	31
SECTION XI Solar Access	41
SECTION XII Conservation Development	43
SECTION XIII Enforcement, Separability & Amendments	45
APPENDIX A Permanent Cul-de-sac	46
APPENDIX B Vegetated Channel	47
APPENDIX C Construction Entrance	48
APPENDIX D Concrete Curb	49
APPENDIX E1-E3 Energy Dissipator	50
APPENDIX F Sidewalk Detail	53
APPENDIX G Typical Roadway Section	54
APPENDIX H Typical Roadway Section – Wetlands Crossing	55

SECTION I - Purpose

The Town of Goshen, through the Planning Commission, for the purpose of providing for orderly growth and to establish proper standards for the designs of subdivisions and construction of streets and other improvements, has adopted the following regulations in accordance with Section 8-25 of the General Statutes of the State of Connecticut.

The Planning commission may approve or disapprove a subdivision after applying these regulations to reasonably protect the rights of individuals, property values, public health, public safety and public welfare and after considering the following:

1. Land to be subdivided shall be suitable for building purposes without danger to health or the public safety, without causing water or air pollution, excessive noise, or other menace;
2. Proper provision shall be made for water, drainage, sewerage disposal, fire protection and other appropriate utility services;
3. Proper provision shall be made for protection of surface and ground water. In areas subject to flooding, proper provision shall be made for protective flood control measures;
4. Proposed streets shall be located in accordance with the Town road system as recommended in the Town Plan of Conservation and Development. Existing and proposed streets and related improvements shall be of such width, grade, location and design as to provide safe and convenient system for present and prospective traffic (see SECTION X);
5. Proper provision shall be made for the conservation of natural, historical and cultural resources and the preservation of open space, stream belts, agricultural lands and recreation areas as identified in the Goshen Open Space Plan, and in the Town Plan of Conservation and Development, as amended;
 6. Proper provision shall be made to control soil erosion and sedimentation of wetlands and water bodies;
7. Provision shall be made to permit land to be developed in an energy efficient pattern, accommodating solar and other renewable forms of energy;
8. Proper provision shall be made for securing the construction of required improvements and utilities.

SECTION II - Definitions

1. SUBDIVISION. The division of a tract or parcel of land into three or more parts or lots for the purpose whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.
 2. RESUBDIVISION. A change in a map of an approved or recorded subdivision as defined above, if such change:
 - A. Affects any street layout on such map;
 - B. Affects any area reserved thereon for public use;
 - C. Diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots thereon have been conveyed after the approval or recording of such map
3. TOWN. The Town of Goshen, Connecticut.
4. COMMISSION. The Goshen Planning and Zoning Commission.
5. SUBDIVIDER. An applicant for approval of a subdivision, or resubdivision plan, who shall be the owner of record of the premises to be subdivided or resubdivided, or who shall have a legal or equitable interest therein, at the time of the application for approval of such plan.

6. STREET. Avenue, boulevard, road, lane, highway or any other thoroughfare which provides a principal means of access to property, which is improved to allow the safe movement of traffic, and which will handle storm water drainage adequately.
7. ACCEPTED STREET. A street which has become public by virtue of dedication to and formal acceptance by the Town of Goshen.
 8. RESIDENTIAL STREET. A street or road used primarily for access to abutting property.
9. COLLECTOR STREET. A street or road which carries traffic from residential streets to primary streets and arterial highways, including the principal entrances to developments and streets for circulation within such developments.
 10. PRIMARY STREET. A street or road used primarily for heavy volumes of traffic or high vehicle speeds.
11. PUBLIC OPEN SPACE. Any land proposed for public acceptance for open space, park or playground purposes in a location approved by the Planning & Zoning Commission.
12. WALKWAY. A sidewalk, path, trail or any other easement which provides for the movement of pedestrian or other non-motorized traffic.
13. DEAD END STREET – PERMANENT. A street having only one intersection with another street and having a turn-around entirely surrounded on its frontage with separate lots.
14. DEAD END STREET – TEMPORARY. A street having one intersection with another street and designed to be extended into adjoining undeveloped land, with a temporary turn-around.
15. STREET PROFILES. A plan-profile of new streets, showing existing grades and new street profiles, cross-sections, center line data, vertical curves, and drainage and utilities data, coordinated by stations, together with such additional information as may be required.
16. BUILDING. Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals or materials.
17. STRUCTURE. A structure is anything constructed or erected which requires location on the ground or attached to something having a location on the ground.
18. DEVELOPMENT. Includes all physical improvements or changes to the topography of the land made after the effective date of these Regulations for the purposes of subdivision.

SECTION III - General Provisions

1. No person, firm or corporation shall make a subdivision of land, or sell or offer for sale lots from a subdivision or begin any development until a plan for such subdivision has been approved by the Commission and has been filed or recorded by the Town Clerk as provided for in Section IV.2.D of the Regulations. No building permits shall be issued by the Building Official prior to such filing, and prior to approval of the base course of access street(s) by the Selectmen, if applicable.
2. No development that is or might become necessary to comply with these Regulations when or if an application for subdivision or resubdivision approval is submitted shall be undertaken on any land that is not the subject of a then-valid (pursuant to Section IV.2.D) subdivision or resubdivision plan on file in the offices of the Town Clerk, except as may be required in order to prepare an application to be submitted to the Goshen Planning and Zoning Commission, or the Goshen Inland Wetlands Commission.
3. No subdivision plan shall be filed or recorded by the Town Clerk until its approval by the Commission is indicated upon the plan as prescribed in Section IV.2.D(1) of these Regulations, and any recording of a subdivision plan without such approval shall be void.
4. Every subdivider shall be required to follow these Regulations and shall be familiar with them and with other proposed and existing developments in the vicinity of his proposal before preparing a subdivision plan.

5. Any land to be subdivided shall be of such character that it can be used for building purposes without danger to health and safety. Land subject to flooding shall not be put to any use which will aggravate flood hazard conditions.
6. Each subdivision plan shall provide for proper and effective means for ensuring adequate storm water drainage, surface water drainage, sanitary sewage disposal, fire hydrants, fire ponds and dry hydrants, utilities, water supply for uses of the lot, curbs, walkways and any other improvements, in amounts and locations considered necessary by the Commission to protect health, safety and general welfare. The Commission may require dedication of land by easement or in fee simple as it deems necessary to satisfy this requirement.
7. Due regard shall be given to the preservation and enhancement of natural features such as scenic points, ridge lines, large trees and natural cover and contours of the land and other community assets.
8. The subdivision plan shall conform to the Goshen Zoning Regulations as adopted by the Commission pursuant to Chapter 124 of the Connecticut General Statutes, and to the Goshen Plan of Development as adopted by the Commission in accordance with Section 8-23 of the Statutes, as amended.
9. Each lot shall be laid out so that a square with 200 feet on each side will fit within the lot, exclusive of the areas designated as inland wetlands by the Goshen Inland Wetlands Commission, pursuant to Sec. 22a-36 et seq. of the Connecticut General Statutes.

SECTION IV - Procedures

1. **ADVANCE DISCUSSION.** The Commission recommends but does not require for subdivisions involving one or more new streets or an appreciable number of lots or any unusual planning or design problems, that an advance discussion be held with the Commission or its agent at a public meeting prior to the submission of an application for subdivision approval.

The purpose of the Advance Discussion is to facilitate exchanges of views by the Commission members and property owners as to the best methods for using land, consistent with these and other local, state, and federal regulations and laws. Frequently an informal consideration will save the Commission and a subdivider time and expense by signaling some areas of the Commission's potential concerns at a stage in the preparation of an application when changes can more readily and economically be made.

An Advance Discussion is not a substitute for a formal application, and neither a subdivider nor the Commission is bound by the comments made during an Advance Discussion. Binding decisions can only be made by the Commission after a formal Application is submitted to it (see Section IV.2).

Neither an application form nor any other maps or fees should be submitted as part of an Advance Discussion. If one is, it will be treated as part of a formal application, which will be evaluated by the Commission following the procedures in Section IV.2.

A. Improving the Subdivision Process & Procedures

THE APPLICANT IS TO PREPARE, PRIOR TO FORMAL APPLICATION AND PREPARATION OF THE SUBDIVISION MAP AND SITE DEVELOPMENT PLAN, PRELIMINARY MAPPING INCLUDING AN EXISTING RESOURCES AND SITE ANALYSIS MAP DEVELOPMENT SKETCH PLAN:

Preliminary Mapping – Existing Resources and Site Analysis Map

- (1) Prepared by a Landscape Architect to identify significant natural, historic and cultural features.
 - (2) Drawn to a scale of 1" = or 100' or 200'.
- (3) Shows the location of natural features and development patterns within ½ mile
 - (4) Inland wetlands soils, water courses, vernal pools and Flood plains.
 - (5) Steep slopes greater than 25%
- (6) Location of specimen trees and other noteworthy trees or tree groups.
 - (7) Unusual geological formations
- (8) In absence of sewer availability indicate soils suitable for septic systems.
 - (9) Farmland soils.

Development Sketch Plan

- (1) Sets out the overall concept for the subdivision showing areas of proposed development and areas of proposed conservation.
- (2) Overlays the Existing Resources and Site Analysis map.
- (3) Occurs before more detailed engineered plans are prepared.
- (4) Using this plan a Site Visit with Staff and/or Inland Wetlands and Planning and Zoning Commissions occurs.
- (5) After the open space areas to be preserved are located, the next step is to locate house locations, then roadways and infrastructure.
- (6) Homes are positioned to take maximum advantage of protected land, greenways, farmlands, playing fields or forest land.

APPLICANT ENCOURAGED TO MEET WITH STAFF AND THE INLAND WETLANDS AND PLANNING AND ZONING COMMISSION ON A PRELIMINARY BASIS TO DISCUSS THE EXISTING RESOURCES AND SITE ANALYSIS MAP AND SKETCH PLAN OVERLAY PRIOR TO SUBMISSION OF FORMAL APPLICATIONS.

Benefits:

- (1) Open Space/Conservation Areas can be planned first rather than last.
- (2) Developer can design the development around significant natural, historic and cultural features.
- (3) Open space areas are better able to be linked with adjoining areas of open space.
- (4) The development pattern of the surrounding neighborhood can be considered in designing the proposed subdivision.
- (5) The use of the Existing Resources and Site Analysis Map and Sketch Plan will save on overall Engineering costs reducing the need for numerous revisions prior to Inland Wetlands and Planning and Zoning Approval. Early communication with the Commission and staff will improve the subdivision process saving time and money for the developer.
- (6) Goshen ends up with a better subdivision and the developer with an easier to market product.

2. APPLICATION PROCEDURE.

A. Application.

The subdivider shall submit to the Commission or its authorized agent an application consisting of the following documents. An application that does not include documents required by subsections 1-6, 9, 10 and 11 of this section and, if applicable, by subsections 7-8, shall be considered incomplete and may be rejected by the Commission for that reason.

- (1) A written application, completed in full on forms especially provided by the Commission, signed by the subdivider or his lawful agent, and if the subdivider is other than the owner of the land, signed by the owner of the land or his lawful agent.
- (2) A fee as established by Title 48, a Town Ordinance effective 6/15/87 and as amended (see APPENDIX B). For an application which has been withdrawn and resubmitted within one year, the Commission may by vote determine not to charge a fee.
 - (3) A sanitary report in triplicate as required by Section VII of these Regulations.
- (4) All applications shall be submitted to the Goshen Inland Wetlands Commission not later than the day the application is submitted to the Planning Commission.
- (5) Six (6) copies of the proposed plan for the development of the property showing all information required by Section V of these Regulations. Additional copy(ies) shall be provided by the subdivider to neighboring municipalities where required by P.A. 87-307, and the subdivider shall certify to the Town as part of his application that this notification requirement has been satisfied.
 - (6) An Erosion and Sediment Control Plan as required by Section VI of these Regulations.
- (7) If water is to be supplied by a water company by means of a community water supply system as defined in Section 16-262M of the Connecticut General Statutes, a certificate of public convenience and necessity as required by that section.
- (8) Copies of all other applications filed with local, state or federal commissions or agencies in connection with the proposed development, and any disposition of those applications. If such an application is made subsequent to the filing of a subdivision or subdivision application with the Planning & Zoning Commission and prior to its decision on the subdivision or resubdivision application; or if any decision is made on an application submitted to such other commission or agency during that period, the subdivider shall forward a copy of such application or decision to the Planning & Zoning Commission immediately.

- (9) An agreement signed by the subdivider, and by the owner of the land if other than the applicant, granting to officials and agents of the town and of the Commission permission to enter onto any part of the land that is the subject of the application for the purposes of inspection and, in the event of the failure of the subdivider to make required improvements, in order to make such improvements.
- (10) Written permission from the holder(s) of all existing rights-of-way or easements affected by the proposed subdivision granting the use of such rights-of-way or easements; or a written declaration by the subdivider that no rights-of-way or easements apply.
- (11) A statement evaluating the proposal in the light of each of the factors in Section XI, Solar Access, herein.

B. Procedure for Submitting and Considering Applications

- (1) Any application submitted to the Commission or its authorized agent at least one day prior to a regularly scheduled meeting shall be received by the Planning & Zoning Commission. If the Commission concludes the application is incomplete, it may vote to disapprove the application for that reason.
- (2) The Commission may hold a public hearing on a proposed subdivision plan if, in its judgment, the specific circumstances require such action. No plan of a resubdivision shall be acted upon without a public hearing. If a public hearing is held, it shall commence within sixty-five (65) days of the receipt of the application by the Commission, and shall be completed within thirty-five (35) days thereafter unless extension has been granted in accordance with Chapter 126 of the General Statutes of the State of Connecticut. Due notice of the public hearing shall be given in accordance with Chapter 126 of the General Statutes of the State of Connecticut.
- (3) The Commission shall approve, modify and approve, or disapprove the application within sixty-five (65) days of its receipt by the Planning Commission, or within sixty-five (65) days of the completion of a public hearing held on the application unless the subdivider requests in writing and is granted an extension of this period. The total period for any extensions may not exceed one additional sixty-five (65) day period, except that, the Commission shall not be required to make a decision on an application prior to 35 days after receipt of the decision of the Inland Wetlands Commission, if time for a decision by the Commission would elapse prior to the 35th day after the Wetlands Commission decision. The Commission shall state the reasons for its decision. Notice of the Commission's decision shall be given as required by Chapter 126 of the Connecticut General Statutes.
- (4) At least ten (10) days prior to the public hearing the applicant shall send a notice of the public hearing to persons who own land that is adjacent to the land that is subject of the hearing. The proof of mailing shall be evidenced by a certificate of mailing and the person who owns the land shall be the owner indicated on the property tax map or on the last completed grand list as of the date such notice is mailed. The notice shall indicate the reason for the hearing, hearing date, time and location of the hearing. Evidence of mailing shall be presented to the Planning and Zoning Commission at or before the public hearing.

C. Decision.

- (1) The Commission shall not approve an application unless it finds that the application, maps, plans, and accompanying documents, certificates and data conform to the requirements and standards of these Regulations. In granting approval the Commission may attach such conditions that it deems necessary to modify the subdivision map, plans, or documents and to preserve the purpose and intent of these Regulations. If the Commission does not approve the subdivision or resubdivision application and all the accompanying maps, plans, certificates and documents, it may modify and approve or disapprove the application or any accompanying item. In approving, modifying and disapproving an application or accompanying item, the Commission shall state in its records any conditions of approval, any modifications required, and the grounds for its action. Within fifteen (15) days of its action, the Commission shall give notice of its decision by publication in a newspaper of general circulation in the town and by notifying the applicant by certified mail.
 - (2) In the event that any proposed construction lies within or will affect the use or maintenance of an existing Town street, no work shall commence until the subdivider provides satisfactory evidence that he has procured Workman's Compensation and Contractor's Liability Insurance in amounts and with carriers acceptable to the Board of Selectmen with the Town named as an insured. The insurance specified above shall include no less than the following:
 - a) Public Liability limits of \$1,000,000/\$1,000,000 aggregate.
 - b) Property Damage limits of \$500,000/\$500,000 aggregate including blasting and underground damage (XCU) resulting from the use of mechanical equipment, on work covered by this document.
 - c) Coverage with respect to all subcontractors doing any part of the work covered by the Permit.
 - d) If the policy is changed or cancelled during the policy period, the policy shall provide that written notice will be given to the First Selectman of the Town of Goshen at least fifteen (15) days before the effective date of such change or cancellation.
- No application shall be approved by the Commission until it has received the following documents as specified in the applicable sections of these Regulations:

- a) Slope rights easements, where required by Section X.1.A (13).
- b) Drainage easements, where required by Section X.1.C (3)

(4) No application shall be approved by the Commission without consideration of the recommendations made:

- a) by the town engineer of construction and grading plans;
- b) by the town fire marshal of all aspects of the application as may affect fire safety; and
- c) by the traffic authority of all aspects of the application as may affect traffic safety.

(5) The Commission may waive certain requirements in these Regulations by a three-quarters vote of all the members of the Commission in cases where conditions exist which affect the subject land and are not generally applicable to other land in the area and provided that no waiver shall be granted which would have a significant adverse effect on adjacent property or on the public health and safety. No downward waiver of street width requirements shall be granted. The Commission shall state its reasons for granting the waiver in the record. No waiver shall be granted with less than four (4) votes in favor of such a waiver.

D. Endorsement and Filing of Final Plan

- (1) After an application has been approved by the Commission, the subdivider shall prepare a Final Plan for endorsement by the Chairperson or Secretary of the Commission prior to filing with the Town Clerk. Said Final Plan shall include all required revisions and modifications and all information as required in Section V of these Regulations except topographic contours, and shall include a signature block with the words "Approved by the Goshen Planning Commission: and with spaces for a signatures of the Commission chairman or secretary, the date of approval of the application, and the expiration date of the approval as provided for in Section IV.2.D (4) of the Regulations. The subdivider shall submit the Final Plan on polyester film (mylar) at least 0.003" (inches) thick, with sheet size 24" by 36". Two (2) copies or prints shall also be submitted.
- (2) No Final Plan shall be endorsed until written easements and/or deeds shall have been submitted to the Commission in a form satisfactory to the Town Council, which shall describe the land involved and privileges of the town:
 - a) in any open spaces or parks and playgrounds to be dedicated to the town or donated to a land trust or similarly qualified organization as provided for in Section VIII of these regulations; and such land must be donated to be kept as open space, parks or playgrounds in perpetuity; and
 - b) in any easements for sanitary sewers public rights of way, storm drainage, and water courses draining existing or proposed public street as may be required by the Commissions.
- (3) The Final Plan approved by the Commission, or any plan approved by virtue of the failure of the Commission to act within the period specified in these Regulations, shall be filed or recorded in the office of the Town Clerk within ninety (90) days following its approval by the Commission, unless the Commission extends the time for filing. Any extension shall not be longer than for two additional ninety (90) day periods. Any plan filed or recorded after the expiration of the said period shall be null and void. Fees and expenses of filing and recording shall be borne by the subdivider.
 - The approval of the application shall automatically expire and be null and void if all work in connection with the application has not been completed within five (5) years from the date of the approval or an extension granted of up to five (5) years. "Work" includes all physical improvements required by the approved plan, other than the staking out of lots, and includes but is not limited to the construction of roads, storm drainage facilities and water and sewer lines, the setting aside of open space and recreation areas, installation of telephone and electric services, planting of trees and other structures. No additional lots or parcels of land included within the application shall be conveyed thereafter by the subdivider.
 - Conditional Approval Plan, Procedure in Lieu of Completion of Public Improvements and Utilities:

The Planning and Zoning Commission may allow applicants to file a conditional approval subdivision plan on the Goshen Land Records without completing the required public improvements and utilities provided all the following conditions are met:

- a) The applicant shall place on the conditional approval subdivision plan that is filed on the Goshen Land Records the following note:

"No individual lots shall be sold or transferred until the required public improvements and utilities are completed and approved by the Town and until the required deeds and easements are accepted by the Town."

 - The applicant shall record a deed restriction document in the Goshen Land Records, in format acceptable to the Commission, reiterating the note described in Section IV D (5) (a) above. This document is to be signed by the Commission Chairperson or Secretary and the applicant.

- After all required public improvements and utilities are completed and approved by the Town and all the required deeds and easements are approved by the Town, the applicant shall file a revised subdivision plan without the note described in Section IV D (5) (a) above. This revised plan shall be signed by the Commission Chairperson or Secretary.

d) "Approved by the Town" does not expressly or implicitly mean "acceptance by the Town." Approval by the Town is granted upon inspection of the improvements and a determination that those improvements satisfy the requirements as set forth by the "as built" plan provided to the First Selectman. "Acceptance by the Town" can only be attained by an action of the Town at a Town Meeting pronouncing that the improvement is for public use and maintenance. New roads shall have a sign indicating that the road is a "private road" until it is accepted by the Town as a Town Road.

- Renewal of Conditional Plan Approval:

Any such conditional plan approval shall lapse five (5) years from the date it is granted, provided the applicant may apply for and the Commission may, in its discretion, grant a renewal of such conditional approval for an additional period of five (5) years at the end of any five (5) year period, except that the Commission may provide for a shorter period of conditional approval or renewal of such approval. Any person, firm or corporation who, prior to such final approval, sells or offers for sale any lot subdivided pursuant to a conditional approval, shall be fined not more than one thousand dollars for each lot sold or offered for sale, as provided in Section 8.25 of the Connecticut General Statutes.

- Certificate of Compliance:

Before the Commission endorses any subdivision map to permit filing with the Town Clerk, the Commission may request the applicant to present a statement, signed and sealed by an engineer licensed to practice in the State of Connecticut, certifying that such engineer has inspected all of the required construction work and all of the required public improvements have been completed in accordance with plans and specifications as approved.

(8) Inspection Fees:

The Town shall provide for inspection of required subdivision public improvements and utilities during construction and insure their satisfactory completion. The subdivider shall pay to the Town an inspection fee up to five (5) percent of the estimated cost of the construction as determined by the Town Engineer upon approval of the subdivision. No grading permits shall be issued until all fees are paid. If the Town Engineer finds at any time throughout construction that any of the required improvements have not been constructed in accordance with the Town's standards and specifications, the subdivider shall be responsible for completing, replacing or repairing the improvements.

- (9) A certification shall be provided by the subdivider's land surveyor, licensed to practice in the State of Connecticut, certifying the installation and precise location of monument by noting such monuments and their location on the final plan filed or recorded with the Town Clerk and by signing said plan.
- (10) The subdivider's land surveyor or engineer, licensed to practice in the State of Connecticut, shall provide an updating of the final plan filed or recorded with the Town Clerk, showing all improvements required to be shown on the final plan in their as-built form and location. The engineer or surveyor shall certify, by his signature and seal placed on said plan, as to the accuracy of said final as-built plan and that such plan is in accordance with the final plan as approved and endorsed by the Commission.

SECTION V - SUBDIVISION PLAN REQUIREMENTS

1. The maps and plans required by these regulations shall be prepared by a professional engineer or land surveyor licensed to practice in the State of Connecticut, and shall be signed and sealed by him. Each shall include the name of the subdivision (which shall not have been previously used in the Town of Goshen nor be so similar to a previously used name as to cause confusion), the date of the preparation of the map or plan, the scale, and north point.

2. SUBDIVISION MAP.

- A. The subdivision map shall meet the accuracy standards for an "A-2" survey as specified in the "Code of Recommended Practice for Standards of Accuracy of Survey and Maps," approved by the State Board of Registration for Professional Engineers and Land Surveyors of the State of Connecticut. The Commission may accept a Class 'D' Survey, per the above-referenced code, large parcels not proposed for sale or development or to establish the perimeter ownership boundary of a large tract where a portion of the tract is proposed for subdivision and is subject to an "A-2" survey.
- B. The following information, where applicable, shall be shown on the subdivision map, drawn on a scale of 1" = 100' on sheets 24" x 36":
- (1) Name of the subdivision (if any). The name should not duplicate, or be similar to, the name of any previous subdivision in the Town.
 - (2) Name of the owner of the land to be subdivided.
 - (3) Name of the applicant if different from the owner.
 - (4) Scale of map.
 - (5) Date of original preparation and dates of all revisions.
 - (6) North arrow.
 - (7) Total area of subdivision.
 - (8) Total area of proposed open space.
 - (9) Area of each proposed lot.
 - (10) Existing and proposed lot lines and boundaries including lot numbers, dimensions and bearings.
 - (11) Existing and proposed streets.
 - (12) Names for proposed streets.
 - (13) Boundaries of inland wetlands, regulated areas and watercourses as defined by the Goshen Inland Wetlands Commission.
 - (14) Floodplains as defined by the federal government.
 - (15) Ponds, lakes and streams and their direction of flow.
 - (16) Dimensions and bearings of all existing and proposed easements including information on the purpose of the easement (e.g. utilities, conservation, open space, right of way, etc.) and the proposed owner of the easement.
 - (17) Existing structures and notes indicating their preservation or removal.
 - (18) Zoning district(s).
 - (19) Town boundaries, if applicable.
 - (20) Existing and proposed monuments and pins.
 - (21) Location map at a scale not to exceed 1 inch equals 1,000 feet showing the proposed streets and lots in relation to the surrounding streets within 500 feet of the proposed subdivision. The location map shall locate the water resources in the area, indicate the local watershed area and note whether the property is located within a public water supply watershed.
 - (22) Note indicating how the subdivision is to be provided with water and sanitary services.
 - (23) Dimensions on all lines are to be to the hundredth of a foot.

(24) All bearings or deflection angles, tangent distances and radius of all arcs.

(25) State plane coordinates at not less than four points on the subdivision perimeter.

(26) Certification by a surveyor that the map(s) meet the standards of a Class A-2 survey.

(27) Approval block for Chairperson's signature and the expiration date.

3. LOCATION MAP. A location map at a scale of 1" = 2,000' showing the location of the subdivision in relation to existing streets and roads in the town.
4. INDEX MAP. If the proposed subdivision is of such size that more than one sheet is required for the final subdivision map, an index map showing the entire subdivision with lots, lot numbers, streets, street names, and delineation of areas covered by each sheet.
5. STREET PROFILES. Each subdivision that requires street improvements shall be accompanied by street profiles showing the following information at scales 1" = 100' horizontal and 1" = 4' vertical, drawn on 24" by 36" sheets of polyester film (mylar) at least .003 ' thick:
 - A. Existing and proposed grades at the center line and at both street lines, width of pavement, rate of slope, curve data, elevations of control points and of fifty-foot stations, and dimensions in accurate figures.
 - B. Typical cross-section of the streets with paving, shoulders, curbs, ditches and walkways in such detail as may be required by the Commission to evaluate compliance with these Regulations and other applicable town ordinances and regulations.
 - C. Connections to existing streets.
 - D. Depth, invert, slope and size of all pipes, ditches, culverts, manholes, catch basins, headwalls, water courses, water mains, sanitary sewers and other structures and underground utilities.
 - E. Sidewalks and curbs.
 - F. Detail drawings of any bridges, box culverts, deep manholes and other special structures including those required by Section VI of these Regulations, Erosion and Sediment Control Plan.
6. SITE ANALYSIS PLAN. A site analysis plan shall be submitted for each application, which shall show the following information on maps drawn to a scale of not less than 1" = 100'. The purpose of the site analysis plan is to enable the Commission to evaluate the impact of the proposed subdivision on the land that is the subject of the application, on neighboring parcels, and on the natural and cultural resources and features of the area.
 - A. Name of the subdivision (if any). The name should not duplicate, or be similar to, the name of any previous subdivision in the Town.
 - B. Name of the owner of the land to be subdivided.
 - C. Name of the applicant if different from the owner.
 - D. Scale of map.
 - E. Date of original preparation and dates of all revisions.
 - F. The A-2 survey on which the site plan is based.
 - G. North arrow.
 - H. Existing and proposed lot lines and boundaries including lot numbers.
 - I. Existing and proposed streets.

- J. Names for proposed streets.
- K. Boundaries of inland wetlands, regulated areas and watercourses as defined by the Goshen Inland Wetlands Commission.
 - L. Floodplains as defined by the federal government.
 - M. Ponds, lakes and streams and their direction of flow.
 - N. Farmland soils as defined by the Northwest Conservation District.
- O. Location of all existing and proposed easements including information on the purpose of the easement (e.g. utilities, conservation, open space, right of way, etc.) and the proposed owner of the easement.
 - P. Existing structures and notes indicating their preservation or removal.
 - Q. Zoning district(s).
 - R. Town boundaries, if applicable.
- S. Existing and proposed contour lines at an interval of not more than 2 feet unless otherwise allowed by the Commission. The source of the topographic information shall be given.
 - T. Location of utility poles.
- U. Location of existing and proposed utilities for water, sanitary, and storm water drainage. This is to include manholes, catch basins, headwalls, detention areas, pumping stations and all related facilities.
 - V. Building limit lines for each lot.
 - W. Proposed driveways for each lot.
 - X. Boundaries of wooded areas.
- Y. Location of specimen trees within the area to be disturbed or affected by construction activities.
 - Z. Sight lines for existing and proposed streets.
 - AA. Location of historic and archeological sites and stone walls.
 - BB. Location of existing and proposed electrical, cable, telephone, and natural gas lines.
 - CC. Slopes of greater than 20%.
 - DD. Location of existing and proposed street lights, height of poles, and type of lighting.
 - EE. Plans shall be sealed by a professional engineer.
- FF. The Commission may require the subdivider to submit a written report from a qualified expert evaluating the impact of the proposed development on each of the resources shown on the site analysis plan, on the objectives of the Goshen Subdivision Regulations, and on the standards in Section VIII of these Regulations.

SECTION VI - Erosion and Sedimentation Control Plan

1. DEFINITIONS

- A. "Certification" means approval by the Goshen Planning Commission or the Litchfield County Conservation District (hereinafter "the District") that a soil erosion and sediment plan complies with the applicable requirements of these regulations as designated by the Goshen Planning Commission.
- B. "Disturbed area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
 - C. "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
 - D. "Inspection" means the periodic review of sediment and erosion control measures shown on the certified plan.
- E. "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
 - F. "Soil" means any unconsolidated mineral or organic material of any origin.
- G. "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map narrative.

2. INFORMATION AND REQUIREMENTS. A soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Mapped information as required below shall be shown separately or as a part of the subdivision plan and street profile plan. Said plan shall contain, but not be limited to:

- A. A narrative describing the:
 - (1) development project;
 - (2) time schedule for:
 - a) all major construction activities indicating the anticipated start and completion of development;
 - b) creating and stabilizing disturbed areas;
 - c) grading operations;
 - d) applying erosion and sediment control measures and facilities onto the land.
 - (3) design criteria, construction details, detailed installation/application procedures and maintenance programs;
 - (4) soil erosion and sediment control measures.
- B. A site plan to reveal:
 - (1) existing and proposed topography;
 - (2) in disturbed areas, topography contours shall be shown at two (2) foot intervals based upon a field survey;
 - (3) proposed site alteration and disturbed areas including cleared, excavated, filled or graded areas;
 - (4) location of and other detailed information concerning erosion and sediment control measures and facilities.

3. MINIMUM ACCEPTABLE STANDARDS.

- A. Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the principles as outlined in Chapter 3 and 4 of the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation.
- B. The minimum standards for individual measures are those in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended. The Commission may grant exceptions when requested by the subdivider if technically sound reasons are presented.
- C. The appropriate method from the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended, shall be used in determining peak flow rates and volumes of runoff unless an alternative method is approved by the Commission.

4. ISSUANCE OR DENIAL CERTIFICATION.

- A. The Goshen Planning Commission may refer soil erosion and sediment control plans to the Litchfield County Conservation District. The Commission or the District shall either certify that the soil erosion and sediment control plan complies with the requirements and objectives of this regulation or deny certification when the development proposal does not comply with these regulations. The District shall complete its review for certification within thirty (30) days of the receipt of the plan. Failure of the District to notify the Commission of the results of the certification review within thirty (30) days of receipt of the plan shall be taken as neither acceptance nor rejection of the plan, in which case the Commission shall itself certify or deny certification of the plan.
- B. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under chapters 124 or 126 of the General Statutes.

5. CONDITIONS RELATING TO SOIL EROSION AND SEDIMENT CONTROL.

- A. Planned soil erosion and sediment control measures and facilities shall be installed as scheduled according to the certified plan. The Planning Commission may require a performance guarantee as set forth in Section XII of these Regulations to ensure completion of erosion and sediment control measures.
- B. All control measures and facilities shall be maintained in effective condition to ensure the compliance of the certified plan.

6. INSPECTION.

- A. Inspection by the Commission or its authorized agent during development shall ensure compliance with the certified plan and that control measures and facilities are properly performed, installed and maintained.

SECTION VII - Sanitary Requirements

- 1. Where on-site sewage disposal systems are proposed, the subdivision plan shall be accompanied by a Sanitary Report in triplicate prepared by a professional engineer registered to practice in the State of Connecticut. The report shall demonstrate the feasibility of the ground for sub-surface disposal of septic tank effluent. The report shall deal with the entire tract discussing the following points.
 - A. General nature and development of surrounding area shown on map with explanatory text.
 - B. Topography and natural drainage pattern, including references to SCS soils map with specific references to on-site sewage disposal limitations.
 - C. Sub-surface conditions as shown sub-surface investigation, including soil absorption characteristics, ground water level conditions, ledge rock, and general nature of soil.

- D. General description of type of development contemplated noting type of dwelling units and structures, number of families per structure, and number of bedrooms per dwelling unit.
 - E. Detailed description of proposed sewage disposal facilities, indicated sizes for various conditions, materials to be used, and general layout of pattern to be used, etc.
 - F. Special precautions that may be necessary to provide proper functioning of the proposed disposal systems.
 - G. Flood heights of any streams, brooks, rivers, lakes or ponds on or near the subdivision. Flood heights shall be based upon a 100 year frequency storm.
2. The report shall contain test results and engineering evaluation of test results based on an extensive sub-surface investigation.
- A. The technical standards shall be in accordance with commonly accepted standards and procedures with particular reference to the Sanitary Code of the State of Connecticut, State of Connecticut Technical Standards for Sub-Surface Sewerage Disposal Systems, and the Design Manual for Sub-Surface Sewerage Disposal Systems and Sub-Division Requirements for Engineers of the Torrington Area Health District and other requirements of the Torrington Area Health District.
3. The report shall contain a statement by the Engineer that, in his professional opinion, the area is suitable for the installation of individual sanitary sewage disposal systems of the general type and size described in his report. Any reservations or special conditions considered necessary by the Engineer shall be repeated in this portion of the report and shall be filed in the land records relating to the parcel by the subdivider prior to obtaining the signature of the Commission Chairman on the approved map.
 4. The sanitary report shall be a well- written, comprehensive and documented study, meeting all of the above requirements. If, in the opinion of the Planning & Zoning Commission, the sanitary report is incomplete as to the required information, additional information sufficient to correct the deficiencies of the report may be required.
 5. The Planning & Zoning Commission shall submit the report to the public health authority for review before acting upon it.

SECTION VIII - Open Space and Recreation Areas (Revised effective 3/4/95)

1. Definitions

For the purpose of this Section VIII, the term "Open Space" shall be defined as follows:

- A. Open Space: "Open Space" includes, but shall not be limited to: land left in its natural, undisturbed state; protected agricultural land; land areas and facilities for non-commercial, non-profit recreation; and similar land areas for wildlife habitat protection, passive and active recreation, groundwater recharge, scenic or historic preservation, and the like.

2. Basis for Requirement for Open Space

The Commission may require the dedication of appropriately located and sized Open Space in any proposed subdivision involving land located in:

- A. Areas recommended for Open Space in the 2007 "Plan of Conservation and Development for the Town of Goshen" (hereinafter the "Town Plan"), adopted by the Commission pursuant to Chapter 126, Section 8-23 of the Connecticut General Statutes, or
 - B. Areas recommended for Open Space in the 1984 "Goshen Open Space Plan", or
- C. Areas recommended for Open Space in other studies or reports on Open Space in Goshen as may be accepted by vote of the Planning and Zoning Commission, or
- D. Areas recommended for Open Space to the Planning and Zoning Commission by the Goshen Recreation Commission or by the Goshen Conservation Commission.

3. Size of Open Space Area

Where the Commission determines that Open Space is appropriate, the size of the required area shall be determined by the Commission based upon the site's value and importance based upon Section 2 Above. The Commission shall also consider the total area and number of lots in the subdivision. The area of the required Open Space shall not exceed 15% of the total land area of the subdivision.

In determining the total land to be reserved as Open Space, the Commission may consider not only the tract or tracts of land to be immediately subdivided, but also any other adjacent tract or tracts owned, controlled or under agreement to buy or option to buy by the subdivider.

Areas to be reserved as Open Space land shall be shown on the subdivision map.

4. Ownership and Method of Protection of Open Space

The ownership and method of protection of Open Space shall be determined after considering, among other things, the specific characteristics and functions of the Open Space, the need for public access and use and the scope of the subdivision proposal.

Open Space land shall be permanently protected by a conservation easement preventing further development and/or by the transfer of fee interest. Where Open Space is proposed to be left in its natural state, the Commission generally prefers the land be protected by a qualified private, non-profit land trust.

The Beneficiary of an easement, or the recipient of a fee interest, may be, as determined by the Commission in its sole discretion, a suitable non-profit organization such as the Goshen Land Trust, the Town of Goshen, an association of all the property owners within the land subject to the application, or another organization approved by Commission.

In determining the appropriate ownership and method of protection of Open Space and/or whether to require Open Space in locations different from those proposed, the Commission shall consider the following factors:

- (i) The ownership of any existing Open Space on adjacent properties and the proximity to non-adjacent Open Space which might reasonably interconnect with the proposed Open Space in the future;
- (ii) The proposed use of the Open Space for active or passive uses, and the extent of maintenance, supervision, or management required;
 - (iii) The potential benefits which the Open Space might provide to residents of the Town;
 - (iv) The size, shape, topography and character of the Open Space;
 - (v) The recommendation of the documents or Commissions cited in Section 2 above;
- (vi) The reports or recommendations which are requested by the Commission and received in a timely manner for consideration in the decision on the proposed subdivision plan from Town Boards or Commissions and other agencies, including but not limited to, the Board of Selectmen, the Inland Wetlands Commission, the Conservation Commission, the Recreation Commission, the Litchfield Hills Council of Elected Officials, and the Litchfield County Soil and Water Conservation District.

5. Alteration of Open Space

Any excavation, filling, re-grading or other alteration of Open Space; any construction or expansion of any building, structure, or other improvements thereon; or any paving or surfacing of Open Space subsequent to the date of approval of the Subdivision, other than work required by the subdivision plans as approved, shall require an amendment to the Subdivision approval granted in accordance with the applicable Section of these Regulations. Alterations to the Open Space which are permitted but not required by the terms of the Open Space deed or easement shall be permitted without amendment to the Subdivision approval.

6. Evidence of Acceptance

Either during the application process or prior to endorsement of the subdivision plan, the applicant shall provide written evidence from the entity proposed to protect the Open Space stating that it is willing to accept ownership of and responsibility for the preservation and maintenance of the Open Space.

7. Required Provisions

Regardless of the method of ownership of the Open Space, the instrument of conveyance must include provisions satisfactory in form and substance to the Commission to ensure the Open Space is dedicated to its intended purpose in perpetuity.

8. Recording

At the time the approved Subdivision Plan is filed, the applicant shall record on the Goshen Land Records all legal documents required relating to protection of the Open Space.

9. Boundary Lines

The boundary lines of all Open Space areas shall be set in the field and marked by permanent, surveyor's pins. Such pins shall be set where Open Space boundary lines intersect any lot line, road or perimeter line within the proposed Subdivision and at such other points as may be required by the Commission to ensure identification in the field.

10. Referrals

The Commission may refer for review any subdivision plan and proposal for Open Space to the Conservation Commission, Recreation Commission, Litchfield County Soil and Water Conservation District, or any other appropriate agency. The Commission shall refer to the Board of Selectmen any proposal under which the Town would acquire a property interest in the Open Space.

11. Condition of Open Space Land

Where required by the Commission, Open Space areas shall be suitable for construction of an accessway or roadway suitable for the safe pedestrian and/or vehicle traffic.

Land to be provided as Open Space for the purpose of conservation and protection of wildlife and natural or scenic resources shall typically be left in its natural state.

Except for improvement or maintenance as may be expressly permitted by the Commission, Open Space areas shall not be graded, cleared or used as a repository for brush, stumps, earth, building materials, or debris.

The Commission need not accept land composed entirely or substantially of inland wetlands in satisfaction of the requirements of this Section. It may, however, accept such land where it determines it has special habitat, flood storage, or other environmental value.

12. Bonding

To ensure proper construction of a required improvement, the Commission shall require the subdivider to post a performance bond, letter of credit, or other suitable security in an amount and with terms acceptable to the Commission.

13. Property Owners' Association

The Commission may approve the ownership and maintenance of Open Space by an association of property owners. Such ownership shall be in accordance with the standards and requirements established by the Commission to include but not limited to the following:

- A. Creation of the association prior to the sale of any lot.
- B. Mandatory membership in the association by all original lot owners and any subsequent owner; Non-amendable bylaws or other restrictions which require the association to maintain land reserved for Open Space and recreation purposes, with power to assess all members for all necessary costs.
- C. Provisions which will be perpetual and binding on all future property owners, and will not be affected by any change in land use.
- D. The association shall have the power to assess and collect from each lot owner a specified share of, and where necessary, provide reserves for, the costs associated with maintenance, repair, upkeep, and insurance of the Open Space.
- E. Any deed of conveyance shall contain language providing the association with the right to obtain reimbursement for all costs it reasonably incurs, including attorney's fees, in any action to enforce its rights against any lot owner, in which the association is the prevailing party.
- F. Association documents shall provide that if maintenance or preservation of the Open Space no longer complies with the provisions of the document, the Town may take all necessary action to assure compliance and assess against the association all costs incurred by the Town for such purpose.

Any conservation easement or other Open Space covenants or restrictions shall be subject to the approval of the Commission in form and content. After approval by the Commission's attorney and the Commission, said document shall be filed by the subdivider in the office of the Town Clerk.

14. Payment of Fee in Lieu of Open Space

In accordance with Connecticut General Statutes 8-25, as amended by Public Act 90-239, Section 1, the Commission may authorize the applicant to pay a fee to the Town of Goshen and transfer land to the Town of Goshen in lieu of the provision of Open Space otherwise required by these regulations.

Such authorization for payment of a fee in lieu of the provision of Open Space may be granted by the Commission only after the Town of Goshen has authorized establishment of a dedicated fund to receive such fees and where the Goshen Board of Selectmen have approved a plan or policy identifying areas recommended for acquisition or improvement as Open Space or for recreational use.

The Commission may require a payment in lieu of Open Space where:

1. The Commission determines, pursuant to Section 2 above, that the dedication of Open Space in the subdivision is not required, and
2. A payment of a fee in lieu of Open Space would benefit the Open Space and/or recreation needs of the Town of Goshen.

In the event that a fee in lieu of Open Space is required by the Commission, such fee shall be equal to not more than ten (10) percent of the fair market value of 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 subdivider. A fraction of such payment, the numerator of which is one and the denominator of which is the number of approved lots in the subdivision, shall be made at the time of the sale of each approved lot in the subdivision and placed in a fund.

Such fund shall be used solely for the purpose of preserving Open Space, including the acquisition of land or the improvement of land for Open Space or recreational purposes.

The fee in lieu of Open Space payment obligation shall be clearly noted on the approved record subdivision map for each lot in the approved subdivision. The form content of said statement shall be as provided by the Commission.

SECTION IX – Subdivision Improvements

1. Proposed streets shall be laid out to conform to existing and proposed streets in the adopted Plan of Development, if any, and shall provide for proper connection to or continuation of principal existing street adjacent to the subdivision. Streets shall be laid out so as to provide adequate access to adjoining undeveloped land.
2. A common driveway approved by Special Permit in accordance with Article II Section 270.3 of the Zoning Regulations shall serve not more than five rear lots and two frontage lots.
3. Any street proposed for public acceptance by the Town of Goshen shall receive the written approval of the Board of Selectmen before it shall be open to the public.

4. Maintenance Requirements:

The subdivider shall maintain all improvements and provide for snow removal on streets and sidewalks, if required, until acceptance of said improvements by the Town.

5. Lot corners shall be marked with iron or copper pins, or with concrete monuments.
6. The Selectmen (or the Planning & Zoning Commission, where appropriate), or their authorized agent, shall have free access to the construction work at all times and shall be authorized to take material samples, corings and other tests and other tests as deemed necessary to determine compliance with the standards of these regulations. They may require the subdivider at his own expense to have such tests made and certified by a professional engineer licensed by the State of Connecticut. The subdivider shall give the Planning & Zoning Commission the same notifications of the commencement of work as is required to be given to the Selectmen by the Goshen Street Construction and Acceptance Ordinance.

SECTION X - Street Regulations

revised 9/1/04

1. STREET SPECIFICATIONS

A. Planning and Design

The planning and design of Town streets shall be in accordance with Table I and the following items:

(1) Safe Access

Safe and convenient motor vehicle access to every building site, with minimal disruption of the natural environment, shall be required in all plans.

(2) Layout of New Streets

Proposed streets shall be in harmony with existing and proposed thoroughfares shown on the adopted Town Plan of Development, including proposed realignments, and their layout and design shall be determined in each case by the Planning Commission.

Streets shall be planned to provide a convenient system for prospective traffic needs, and to safely accommodate fire-fighting, school bus, snow removal and service vehicles.

Proposed residential streets shall be planned to discourage through traffic to provide safe and convenient system for present and prospective traffic in the area surrounding the proposed subdivision. Proposed residential streets shall be planned to provide for continuation of existing streets in adjoining areas with an alignment in accordance with the standards provided herein and for proper projection into adjoining properties yet to be subdivided. However, on existing and/or proposed residential streets, new side street connections shall be kept to a minimum.

The Commission may require proposed streets to connect with adjacent streets on undeveloped property where it deems such connection desirable for safety or adequate future access.

Only existing State or Town maintained streets, or streets built to Town Standards, shall be used as the means of traffic access to a subdivision.

(3) Existing Streets

Where an existing street is to provide frontage for new lots or access to a new street, the portion of the street fronting the subdivision, or giving access to a subdivision, shall be brought to sufficient conformity with all standards of these Regulations. The subdivider will be required to dedicate to the Town land sufficient to satisfy the street right-of-way width requirement.

Where a subdivision fronts on any road which has a right-of-way width, a curve or an intersection that fails to meet the standards specified in these regulations, the subdivider shall deed to the Town additional land for right-of-way sufficient to correct the deficiency in accordance with these standards.

(4) Dead-End Street System

A permanent dead-end street system may be permitted where the Planning Commission determines that future access and circulation needs will not require interconnecting streets, and street continuity is not feasible for reasons of topography, wetlands, or other site conditions. Such a dead-end street system shall be limited to one of the following:

- a) A cul-de-sac street terminating in a circular turnaround, and not exceeding 1000 feet in length and serving no more than 10 lots.
- b) A loop street, not exceeding 3000 feet in length, enclosing an area at least 600 feet in depth everywhere served by a single connecting residential collector street not over 750 feet in length, unless waived by the Planning Commission for reasons of topography.

No dead-end street shall be laid out from another dead-end street system.

(5) Temporary Dead-End Streets

A temporary dead-end street may be permitted where future extension of the street would be feasible and desirable, considering topography, site conditions and potential availability of adjacent land for development, the eventual extension will complete a safe connection at another point in the public road system.

Temporary dead-end streets shall:

- a) be limited to a constructed total length of 2000 feet,
- b) serve no more than twenty-five (25) lots,
- c) terminate in a temporary circular turnaround (see Appendix A),
- d) provide a monumental right-of-way and a dedication to the Town of the land required for any future street extension as determined by the Planning Commission, and
- e) be of an appropriate class for the permanent intended use.

Plans incorporating turnarounds for temporary dead-end streets shall provide, by appropriate notes, for the following:

- a) dedication of the required right-of-way for future street extension;
- b) a statement that the turnaround will be removed when the street is extended;
- c) delineation of the resulting street and right-of-way boundary lines when the street is extended and the turnaround is removed;
- d) delineation of the required setback lines for the street when extended, using current setback requirements, and
- e) a statement that the excess area beyond that required for the extended paved street will be topsoiled and seeded by the future subdivider at his expense. No buildings shall be located forward of the setback lines delineated for an extended street under subsection 5(d) of this section.

(6) Circular Turnarounds

All dead-end streets, both permanent and temporary, shall terminate in a circular turnaround ("Reverse P" cul-de-sac) with minimum right of way radius of seventy-two (72) feet. Maximum roadway gradient within the turnaround shall be six percent (6%), with a minimum gradient of two percent (2%). Drainage is to be provided pursuant to Section X.1.c. (see APPENDIX A.)

(7) Intersections

Street intersections shall conform with the following items and tables:

- a) A minimum separation distance of 500 feet from other intersecting streets shall be maintained on the same side of the connecting roadway, unless the same is not feasible because of topography, natural conditions, visibility factors or available frontage in which case the Commission shall specify conditions or control to ensure traffic safety.
- b) A minimum unobstructed sight-line distance along each intersecting street equal to 250 feet on town roads and preferably equal to the safe stopping distance of vehicles traveling at the 85 percentile speed.
- c) A centerline angle of horizontal intersection as close to ninety (90) degrees as possible, for at least 50 feet from the intersected travel way; where the perpendicular intersection is not possible because of topography or ownership limitations the angle shall not be less than 60 degrees.
- d) Maximum travel way gradient at centerline, for all new intersecting streets, of three percent (3%) for a distance of fifty feet (5) back from the pavement line of the street intersected by the new street.
- e) A rounding of the right-of-way at each corner of the intersection to a minimum radius of twenty-five (25) feet, with sight-line easements as necessary, and a pavement radius of 15 feet.

(8) Curbing (See APPENDIX D)

Precast concrete curbing, concrete curbing poured in place, or granite curbing shall be used under the following conditions:

- a) wherever sidewalks are used
- b) road gradient exceeds a 7% grade
- c) road fills over 5 feet high
- d) all non-residential areas except as waived by the Planning Commission.
- e) where required by the Planning Commission

(9) Sidewalks

Sidewalks shall be provided for under the following conditions:

- a) within one half mile of public schools and non-public schools specified by the Planning Commission
- b) retail areas
- c) public bus stops
- d) within 500 feet of public parks
- e) where required by the Planning Commission

(10) Guide Rails

Guide rails shall be used:

- a) where the proposed center line is four feet or higher over the surrounding ground and the side slope is 4:1 (horizontal to vertical or greater)
- b) where water bodies over 3 feet deep are located along the shoulder
- c) at bright abutments, utility poles, and other fixed obstructions as required by the Planning Commission.

(11) Pavement Location

The centerline of pavement shall normally be in the center of the right-of-way, except where modified to preserve natural features (trees, stone walls, ledge, streams, etc.) or to minimize conflicts with existing property uses.

(12) Driveways

Driveways serving all lots and building sites shall have a maximum travel way gradient of twelve percent (12%). Where necessary, the Commission may approve a driveway design, as part of a lot development plan, with travel gradient up to fifteen percent (15%) for not more than one hundred feet in length. Driveways in subdivisions with grade over ten percent (10%) shall be paved with bituminous concrete.

Driveway intersections with the frontage road shall be planned for safety, considering adequate sight-line distances and the nature and volume of traffic. Approved intersection locations shall be shown in the final subdivision and construction plans.

A construction entrance (anti-tracking pad) as shown in APPENDIX C shall be installed by the subdivider prior to the start of construction on any lot that abuts an existing or approved public street.

Driveway entrances shall be paved from the edge of the street travelway to the property line or 15 feet, whichever is wider.

(13) Grading

Maximum earth slopes shall not exceed 2 to 1 (2 feet horizontal to 1 foot vertical).

Cut or fill slopes which extend into property not owned by the applicant will not be allowed without written permission of the adjacent landowner, granting slope rights to the Town in a form approved by the Town Counsel. Such slope rights must be obtained by the applicant prior to approval of the subdivision application.

If the difference in grade at the property line exceeds three (3) feet, then a retaining wall with a guide rail top is required.

B. Street Construction (see APPENDIX G & H)

Street construction methods and materials shall conform to the Connecticut Department of Transportation Form 814A (or the latest copy thereof), to Table 1, of these Regulations, and to the following conditions:

- (1) The street right-of-way shall be staked out prior to beginning any construction work.
- (2) Line and grade stakes shall be spaced not more than fifty (50) feet apart. On horizontal curves, the stakes shall be spaced not more than twenty-five (25) feet apart. A construction entrance (anti-tracking pad) as shown in APPENDIX E shall be installed by the subdivider prior to the start of any construction of a subdivision street at the intersection(s) of that street with an existing public road. Erosion and sediment control measures pursuant to an approved Erosion and Sedimentation Control Plan as set forth in these Regulations shall be installed and maintained to function properly throughout the period of construction until all disturbed areas have been stabilized.
- (3) Top soil shall be stripped and stockpiled for future use on the site, as directed or approved by the Commission or its agent, and shall not be removed from the site without approval of the Commission or its agent.
- (4) The subgrade is that earthwork which is overlaid by the subbase. The fill or borrow material used for the subgrade will be subject to the approval of the Selectman. It shall be deposited in layers not to exceed twelve (12") inches in depth and rolled to compaction by a roller weighing not less than ten (10) tons until each layer is thoroughly consolidated, for the entire area of construction. Compaction tests shall be performed on the subgrade by an independent testing lab paid for by the applicant. All material shall be impacted to 95% standard proctor density. In cases of fill three feet (3") deep or greater, compaction tests may be required throughout. The number of tests and their locations shall be determined by the Commission or its agent.

- (5) After the subgrade is complete, the Commission or its agent shall inspect the street and a final determination shall be made for the use and location of underdrains. If groundwater is encountered at an elevation of one foot (1') or less below the subgrade, excavation for the subgrade shall be extended an additional eight inches (8"). The space so provided shall be backfilled and compacted with granular fill materials required for the base course. The intent is to increase the depth of the base course from twelve inches (12") to twenty inches (20") in such areas.

All underdrains shall be installed and backfilled sufficiently to drain the street effectively before placement of the base course will be permitted.

- (6) On embankments, the subbase shall extend across the full width of the embankment to provide lateral drainage.
- (7) The subbase shall be eight (8") of compacted processed aggregate. The processed aggregate shall be in conformance with Section M.02 latest edition of the Form 814A latest edition, except that the coarse aggregate must consist of broken stone and not gravel. It shall be rolled up to consolidation by a roller weighing not less than ten (10) tons (Refer to (4) testing and compaction requirements). Construction methods shall be in accordance with the Connecticut State Highway specifications, Form 814A or latest edition.
- (8) All underground utilities, including sanitary sewer laterals where applicable, shall be installed prior to the street base, and be located so that future connections will not require excavation of the pavement or digging in the street.
- (9) All new streets shall have a two inch (2") surface course constructed of dense bituminous concrete in accordance with Connecticut State Highway Specifications, Form 814 A latest edition. The thickness of the Class 1 Binder course shall be two (2") inches after compaction by a roller weighing not less than ten (10) tons. Both courses shall be laid by an approved paving machine at a minimum temperature of 250 degrees Fahrenheit. All contact surfaces of catch basins and manholes shall be painted with a thin coat of hot asphalt cement just before the pavement mixture is placed against them.
- (10) All disturbed earth surfaces beyond the edge of paving shall receive 3 inches of loam, fertilizer and grass seed. The grass shall be maintained until firmly established. All excess construction materials, stumps, brush, boulders, etc., shall be removed from the site at the completion of work.
- (11) Three (3) as-built prints shall be submitted to the town upon completion of the work to document revisions and additions. A final mylar as-built and as-built profiles shall be submitted before final Town acceptance of the road.
- (12) Monuments shall be set on all right-of-way lines of streets, at all intersections, angle points and points of curvature. There shall be a clear foresight and backlight to adjacent monuments on the right-of-way line or lines on which a monument is set. Monuments shall be at least 36" inches long and shall be at least 4" square.

The monuments shall be of granite or of concrete with a center reinforcing rod of a type approved by the Selectman. The monuments shall not set before the final wearing course has been completed nor shall they be set while frost is in the ground. They shall be set so that the top is three inches above the finished grade and they shall be so set and tamped as to prevent shifting. The subdivider's surveyor shall certify that the location of all monuments is accurate to A-2 survey standards before acceptance of the street by the Town at a Town Meeting.

- (13) Street signs shall identify both intersecting streets and shall conform to the Town's Standards and shall be installed by the subdivider.

C. Street Drainage

- (1) Storm drainage systems shall be designed by a qualified Professional Civil Engineer, licensed by the State of Connecticut, and reviewed and approved by the Planning Commission or its agent.
- (2) The following average storm return frequencies shall be used for drainage designs:
- 10 year - all enclosed drainage within roads, from catch basins to outlets, etc.
 - 25 year - all thru culverts under roadways, for streams, and swales and ditches.
 - 100 year - all bridges, any culvert which carries a major waterway which is subject to seasonal flooding, or which is part of a watershed of more than 1 square mile, or which is otherwise designated by the Selectmen; and all cross culverts on dead-end streets.

- (3) The discharge of all storm water shall be into suitable streams or rivers or into Town drains of adequate capacity. Streets and driveways shall be designed so that there will be no discharge of storm drainage to the travel surface of an existing or proposed street, nor into the immediate area of a water supply well or sewage system. Surface drainage shall not be permitted to discharge directly from one lot onto another whether within or without the subdivision except as part of an established watercourse, unless the subdivider has obtained proper drainage easements which must be submitted to the Commission prior to the endorsement of the Final Plan as required by Section IV.2.D of these Regulations. The minimum drainage easement width is 20 feet. Where the Town engineer determines that the existing watercourse or Town storm drain system relied upon in the proposed subdivision plan is inadequate, it shall be the responsibility of the subdivider to upgrade the facility at no cost to the Town, and no application may be approved prior to the submission to the Commission of plans that satisfactorily provide for the upgrading.
- (4) Where a new project has frontage on an existing road, sufficient improvements shall be made by the subdivider in the said road to ensure proper channeling of gutter flows, and existing drainage deficiencies shall be corrected to control erosion, flooding and other hazards.
- (5) The Rational Method may be used to design drainage systems serving watersheds of less than 50 acres, except where detention basins are required. The Soil Conservation Service hydrology methods (TR-55, TR20) or other similar methods shall be used for watersheds of over 50 acres and all detention basins. Watersheds over 100 acres shall be designed by TR20 or similar method.
- (6) The minimum size of storm drains shall be 15 inches in diameter. The minimum size of culverts shall be 18 inches in diameter. All culverts shall have a flared end or headwall at the inlet and outlet. Storm drain pipes shall be designed to flow without surcharge for the specified storm frequency, using the Manning Equation. The maximum distance between manholes or catch basins shall be 200 feet. The minimum slope of pipe shall be 0.3 percent. All discharges shall have splash pools or other end treatment sufficient to prevent erosion. An example of a splash pool design is shown in APPENDIX E1, E2 & E3.
- (7) The size of culverts shall be determined in accordance with the Federal Highway Administration Hydraulic Engineering Circular No. 5 and the Connecticut D.O.T. Drainage Manual. Both inlet and outlet control should be checked. Headwater calculations shall be performed to indicate that over-topping of roadway, driveway or embankment shall not occur.
- (8) The maximum distance between catch basins on curbed streets shall be 200 feet. Double catch basins with curbs must be provided at all sag vertical curves. Catch basins shall also be provided to serve intersections, turnarounds, and high pedestrian use areas as determined by the Planning Commission. All catch basins shall have two foot sediment sumps.
- (9) Open channels may be permitted at the discretion of the Planning Commission. The size of the waterway shall be sufficient in size to convey the peak discharge of a design storm with a twenty-five (25) year return-frequency, except for large watersheds exceeding 50 acres which require greater flows. The channel shall be suitably stabilized against erosion. The side slopes shall be moderately sloped, not steeper than two feet horizontal to one foot vertical (2:1) and be topsoiled and seeded or otherwise stabilized as indicated on approved plans.
 - (10) All drainage and culvert pipes shall have 30 inches of cover, except where waived by the Planning Commission.
- (11) The allowable headwater at culverts shall be 18 inches below the road crown, except that it shall not inundate upstream private property without proper land rights.
- (12) All channels, riprap, siltation basins, and related soil erosion control measures shall be designed in accordance with the Connecticut Guidelines for Soil Erosion and Sediment Control (2002), as amended.
- (13) Easements shall also be provided, in locations deemed proper by the Commission or the Town Engineer, for storm water pipes, water mains, or other utility lines that may need to be installed now or in the future.

**Residential Subdivision Streets
Design Guidelines
Table 1**

Design Element	Residential Street	Collector Street
Number of Homes Up to 50	Up to 50	More than 50
Average Daily Traffic (vpd)	Up to 500	More than 500
Right of way Width (ft)	66	66
Pavement Width (ft)	22	26
Sidewalk Location	Note 1 (below)	Note 1 (below)
Design Speed (mph)	30	35
Stopping Sight Distance (ft)	200	250
Grade (%)		
Minimum	0.05	0.5
Maximum	10	10
Minimum Curve Radius (ft)		
Normal Crown	300	450
Superelev (.04 ft/ft)	DNA	345
Crown	3/8" per ft.	3/8" per ft.
Min. Pavement Structure (in)	see detail sheet	
Bituminous Concrete		
Base Course, Processed Agg		
Subbase, Rolled Gravel		
Driveways		
Minimum Width (ft)	10	10
Radius (ft)	5	5
Maximum Grade (%)	12	12
Paved apron	see detail sheet	

NOTES:

1. SIDEWALKS. Where sidewalks are to be installed, as determined by the Planning Commission, they shall be constructed of Portland cement concrete or other surface approved by the Planning Commission (see detail sheet)
2. UTILITIES. All utilities shall be installed underground.
3. STREET TREES. When deemed necessary by the Commission, street trees shall be planted along both side of the street no more than fifty (50) feet apart.

Trees suitable to Goshen are recommended, such as the following:

Maples - Sugar Maple, Red Maple
Oak - Pin Oak, Red Oak, White Oak
Ash - White Ash
Beech - American Beech
Pine - White Pine, Scotch Pine
Hemlock
Black Locust
Tamarack

Other Species may be planted with the prior approval of the Commission. Street trees shall be at least two and one-half (2 1/2) inches in caliper, five feet tall at branching height. Street trees shall be planted in the grass area, three (3) feet in from the edge of the right-of-way.

SECTION XI - Solar Access

1. Subdividers shall establish in their applications that, in the preparation of the subdivision plan, they have considered the use of passive solar energy techniques which would not significantly increase the cost of the housing to the buyer after considering tax credits, subsidies and exemptions. Passive solar techniques mean site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural cooling during the cooling season. These techniques shall include, but not be limited to:

A. House Orientation:

Orient houses so that the long axis is an east-west direction with a possible 10 degree variation to the northwest and possible 25 degree variation to the southwest. This creates the most favorable conditions for large roofs and walls to receive solar radiation.

B. Street and Lot Layout:

Where the topography and soil/ledge conditions permit, and where there would be no adverse impact on sedimentation and erosion control, orient new streets so that they run in an east-west direction, within 30 degrees of true east. Alternatively, streets may be oriented north-south with 30 degrees of true north. Other street orientations are less desirable because they encourage house orientations that do not provide the most favorable conditions for solar access.

Wherever possible, orient lot lines so they run east-west or north-south, to provide the best opportunity for orienting houses toward the sun. Site each house as close to the north lot line as possible to increase yard space for better control of shading. Provide solar access for each lot to at least one of the following: roof, wall, or open space on the lot.

C. Vegetation:

To protect as much existing vegetation as possible and still allow for solar access, place buildings in locations that protect and ensure long life to the youngest and healthiest trees, bushes and plants.

Planting plans for new developments shall be submitted which ensure that no new vegetation such as street trees denies new building solar access. A shadow plan shall be included for new vegetation identifying location, species and shadow area at maturity. Landscaping should be designed to facilitate the use of solar collectors and otherwise increase solar heat gain or shade protection as appropriate.

D. Natural and Man-made Topographical Features:

Maximize the number of home sites on south-facing slopes.

Where soil and topographic conditions permit, plan and locate primary and reserve leaching fields to the south of a proposed house site if such locations would enhance solar access to the south wall as a result of tree removal and regrading required for installation of the septic system.

Locate proposed houses to avoid shadows cast by other buildings, vegetation and natural and manmade topographical features wherever practical.

E. Protection of Solar Access Within the Development:

The subdivider shall submit an analysis that evaluates each lot within the subdivision to determine whether adequate protection of solar access can be ensured. At the discretion of the Commission, the subdivider may be required to include solar easements or restrictive covenants for this purpose with the deeds of lots in the subdivision.

SECTION XII - Conservation Development

1. Purpose

It is the purpose of this section to permit variations in residential subdivision design which would not otherwise be possible; permit flexible site design so the development may be constructed in harmony with and preserve natural site features and Goshen's farmlands; and permit residential developments which are sensitive to parcel configuration, topography, natural features, and the surrounding neighborhood.

A subdivider may therefore elect to present a Conservation Development form of subdivision, whereby single family detached dwellings are grouped closely together to achieve the purposes stated above. The Commission may approve such subdivision if it meets the requirements of this Section and all applicable Sections of the Goshen Zoning Regulations.

2. Permitted Zones

Conservation Developments are allowed in the RA-1, RA-2, and RA-5 Zones where the parcel has sufficient acreage.

3. Applicability of Subdivision & Zoning Regulations

- A. An application for a Conservation Development shall include, in addition to the information required by these Regulations, the information required as part of a Site Plan Review by the Goshen Zoning Regulations.
- B. Where there is a conflict between a provision of this section and other regulations, the provisions of this section, unless waived by the Commission shall apply. The public open space provision, Section VIII shall not apply to Conservation Developments.

4. Land Use and Site Development Requirements

A. Density – Gross density shall not exceed that set forth in the Zoning Regulations.

B. Landscaping – An appropriate landscaping shall be required in sensitive areas at the discretion of the Commission.

The Commission may require suitable landscaping within a Conservation Development to ensure privacy of individual residential units.

- C. In a Conservation Development, at least 50% of the subdivision area shall be open space, preferably in one contiguous parcel, which shall be conveyed to the Town of Goshen, a homeowner's association, the Goshen Land Trust, or to a similar non-profit organization concerned with the preservation of Connecticut's land in its natural state. No more than 50% of the required open space shall be classified as inland wetlands soils or watercourses, subject to easements for utilities or purposes unrelated to recreation or preservation of open space, or have slopes greater than 25%.
- D. Streets – All streets within the development shall be public. All streets shall be built to the structural specifications of the Subdivision Regulations of the Town of Goshen.
- E. Water – A water supply which satisfies and has met the requirements of the Torrington Area Health District and appropriate state agencies where applicable is required.
- F. Sewage - A sewage disposal system including a community septic system, which satisfies and has met the requirements of the Torrington Area Health District and appropriate state agencies where applicable, is required.
- G. Other Utilities – All other utilities shall be underground.
- H. Maintenance – In Conservation Development, the applicant shall present sufficient information to the Commission to demonstrate that adequate provisions have been made for the sustained maintenance of the streets utility systems and open space.
- I. Goshen Open Space Plan – No construction shall occur in areas designated in the Goshen Open Space Plan as Farmland Resources unless there is no feasible alternative, so that even if these lands are not currently used for active farming, it will be possible to convert them to farming use in the future.

No construction shall occur in areas designated in the Goshen Open Space Plan as Priority Open Space Areas.

5. Criteria for Approval.

In evaluating whether an application for a Conservation Development will achieve the stated purposes of that alternative, the Commission shall at a minimum consider the following factors of the proposed development:

- A. Buildings should be sited so the vistas are preserved, and visibility of the development from public streets be minimized. This can be achieved by taking advantage of the topography and/or existing vegetation and/or by avoiding building on ridge tops, in farmlands, or in other priority open space areas.

The general bulk and design features of the buildings and the materials used to face them should be compatible with surrounding buildings and with specific features of the surrounding natural environment.

- B. Stone walls and specimen trees should be retained, and incorporated into the subdivision layout if possible.

SECTION XIII - Enforcement, Separability and Amendments

1. The Commission or its agent is hereby designated as the enforcing officer of these Regulations.
2. These Regulations may be amended, changed or repealed in accordance with the General Statutes of the State of Connecticut.
3. Invalidity of one provision shall not invalidate any other provision.
4. Appeals may be made in accordance with Sections 8-28 and 8-30 of Chapter 126 of the Connecticut State Statutes as amended.

APPENDIX A - PERMANENT CUL-DE-SAC

APPENDIX B - VEGETATED CHANNEL

APPENDIX C - CONSTRUCTION ENTRANCE

APPENDIX D - CONCRETE CURB

APPENDIX E1 - ENERGY DISSIPATOR

APPENDIX E2 - ENERGY DISSIPATOR, CONT.

APPENDIX E3 - ENERGY DISSIPATOR, CONT.

APPENDIX F - SIDEWALK DETAIL

APPENDIX G - TYPICAL ROADWAY SECTION

APPENDIX H - TYPICAL ROADWAY SECTION – WETLANDS CROSSING