

9/1/72

SUBDIVISION REGULATIONS
for the
CITY OF MIDDLETOWN, CONNECTICUT
adopted by the
COMMISSION ON THE CITY PLAN
November 27, 1941

AMENDMENTS

1. April 6, 1955
2. July 1, 1963
3. April 22, 1970
4. September 1, 1970
5. May 1, 1972
6. September 1, 1972

TEXT AMENDMENT TO THE ZONING CODE AND SUBDIVISION REGULATIONS
OF THE CITY OF MIDDLETOWN

ADOPTED AT THE CITY PLAN AND ZONING COMMISSION MEETING HELD
APRIL 26, 1972, WITH EFFECTIVE DATE OF MAY 1, 1972.

ZONING CODE SECTION 10

GENERAL PROVISIONS

Item 10.10

SUBDIVISION REGULATIONS

A-PROCEDURAL MATTERS

Section 1 of A

DELETE: all existing references
to time sequences for
applications, notices,
hearings and decisions.

ADD: "All applications, notices,
hearings and decisions
shall be dealt with in
accordance with the General
Statutes."

A Public Hearing concerning the Amendment was held April 12,
1972. Legal notices of the hearing appeared in The Middletown
Press on April 1 and April 8, 1972.

Legal notice of the Commissions' decision to adopt the Amend-
ment appeared in The Middletown Press on April 29, 1972.

Pursuant to Section 12 of an act authorizing the City of Middletown to provide for City Planning, the following regulations governing the subdivision of land within the City of Middletown are hereby adopted and hereafter no land within the City of Middletown shall be subdivided except in accordance herewith.

REGULATIONS

For the purpose of clarity these regulations are divided into several parts, each of which is a part of the regulations, with equal bearing one on the other.

A - PROCEDURAL MATTERS

Section 1A. The owners of any land in Middletown proposing to subdivide the same shall file a preliminary plat thereof accompanied by a written application for its approval with the Commission at least two weeks prior to any regular meeting of said Commission. Said application need not be in any particular form but said preliminary plat shall be prepared in accordance with the requirements of these regulations. Such plat shall not be considered as filed until submitted in accordance with the requirements hereof.

Section 2A. If the Commission shall tentatively approve of the layout shown in said preliminary plat or any substantial part of it, it shall refer the plat to the Department of Public Works and the Board of Health. Said departments shall return said preliminary plat with a report of their respective approval or disapproval or recommendations for modifications to meet the requirements of their regulations and the law.

Section 3A. The Commission shall promptly notify the owners of any disapproval or required modifications, with the reasons therefor, and the owners shall thereupon make such alterations in said plat as will carry out the minimum requirements of said Boards and Commission. Where it can be shown that there are extraordinary hardships in the way of complete compliance with these regulations, the Commission shall have the power to vary the requirements so that substantial justice may be done and public interest secured, provided, however, that no such variation shall have the effect of reducing the traffic capacity of any thoroughfare or secondary thoroughfare below that shown on the City or Regional Plan. If said owners shall fail to make such required alterations in said preliminary plat as will carry out the minimum requirements of said Boards and Commission within sixty days of said notification without lawful excuse or extension of time by the Commission, then said preliminary plat shall be regarded as withdrawn and the Commission shall so notify the owners.

Section 4A. If said preliminary plat is approved by said Boards or if the same is modified so as to meet the requirements of said Boards and Commission, then the Commission shall approve of said plat in whole or in part.

Section 5A. Upon the final approval of said preliminary plat in whole or in part by the Commission, the owners shall be promptly advised of the action of said Commission and shall make such additions to said approved preliminary plat as are required by these regulations to constitute the final plat, one copy of which shall then be properly certified and delivered to the owner for filing in the Office of the Town Clerk according to law.

B - PRELIMINARY PLAT

Section 1B. The preliminary plat shall be drawn to the scale of one (1) inch equal to one hundred (100) feet or less and shall show:

- (a) The proposed name of the subdivision.
- (b) Magnetic north point, scale and date.
- (c) The names and addresses of the subdividers and of the engineer or surveyor.
- (d) The tract designation and other description according to the real estate records of the Town Clerk.
- (e) The boundary line (accurate in scale) of the tract to be subdivided.
- (f) Contours with intervals of five (5) feet or less referred to City datum.
- (g) The name of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
- (h) The location, widths, and names of all existing or platted streets, other public ways within or adjacent to the tract, existing permanent buildings, railroad rights of ways and other important features such as political subdivisions, corporation lines and school boundaries. Whenever a tract to be subdivided embraces any part of a thoroughfare, secondary thoroughfare, boulevard or parkway so designated on the City Plan, such part of such proposed public way shall be platted by the subdivider in the location and of the width indicated on the City Plan.
- (i) Existing sewers, water mains, culverts or other underground structures within the tract and adjacent thereto with pipe sizes, grades and location indicated.
- (j) All parcels of land to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose or limitations, if any.
- (k) The layout, names and widths of proposed streets, alleys and easements.
- (l) The profile of each proposed street with tentative grades.

- (m) The cross-section of proposed streets showing the width of roadways, location and width of sidewalks and the construction of same together with the location and size of utility mains.
- (n) A plan and profile of proposed sanitary and storm water sewers with grades and pipe sizes indicated, and a plan of the proposed water distribution system showing pipe sizes and the location of valves and fire hydrants.
- (o) The layout, numbers, and approximate dimensions of proposed lots.
- (p) The Preliminary Plat shall contain the following statements:
 - 1) Any lot sold or transferred will have a minimum width and area, substantially the same as those of the platted lots and only one principal building will be permitted on any such lot, and that the deed of transfer shall include references in feet and hundredths to an official permanent monument not more than five hundred (500) feet distant from said lot and in existence before record of said transfer.
 - 2) The time within which any road, street or alley shown on said preliminary plat and adjunctory or necessary to any lot shall be constructed in proposed form from said lot to an existing street or thoroughfare from the date of sale or transfer of said lot.
 - 3) The time within which any water line, sewer or other facility shown on said preliminary plat and adjunctory or necessary to any lot shall be constructed in proposed form to said lot from the date of sale or transfer of said lot.
 - 4) The time within which any other improvement shown on said preliminary plat not necessary or adjunctory to any single lot but pertaining to said subdivision as a whole shall be constructed in proposed form.
 - 5) The statement that approval of said final plat may be revoked by the Commission and said final plat be withdrawn from the file of the Town Clerk should any or all of the above covenants and agreements as stated in subsections 2, 3, and 4 and shown on said plat not be fulfilled.

Section 2B. When the owners contemplate subdivision into lots, each of which is greater than two (2) acres in area, then the requirements of section 1B may be disregarded* and the Preliminary Plat shall show:

- (a) The proposed name of the subdivision.
- (b) Magnetic north point, scale and date.
- (c) The names and addresses of the subdividers and of the engineers or surveyor.
- (d) The tract designation and other description according to the real estate records of the Town Clerk.
- (e) The approximate boundary line of the tract to be subdivided.
- (f) The names of adjacent subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
- (g) The location, widths, and names of all existing or platted streets, or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights of way and other important features such as political subdivisions, corporation lines and school boundaries. Whenever a tract to be subdivided embraces any part of a thoroughfare, secondary thoroughfare, boulevard or parkway so designated on the City Plan, such part of such proposed public way shall be platted by the subdivider in the location and of the width indicated on the City Plan.
- (h) Existing sewers, water mains, culverts or other underground structures within the tract and adjacent thereto with pipe sizes and locations indicated.
- (i) All parcels of land to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose or limitations, if any.
- (j) The layout, names, and widths of proposed streets, alleys and easements.
- (k) Tentative grades of proposed streets.
- (l) The layout; numbers and approximate dimensions of proposed lots.
- (m) The statement that any lot transferred will not be less than five (5) acres in extent.

*The Commission reserves the right to require representation under the regular form of requirements Section 1B and in such case the date of application shall be that of the request for representation.

C - REQUIREMENTS

Section 1C. The street layout shall be in conformity with a plan for the most advantageous development of the bordering area. All proposed streets shall be in alignment with existing, planned, or platted streets with which they are to connect.

- (a) The street layout shall include minor streets on considerable continuity approximately parallel to and on each side of each main thoroughfare, boulevard or parkway.

- (b) Wherever the proposed subdivision contains or is adjacent to a railroad right of way, or superhighway, provision shall be made for a street approximately parallel to and on each side of such right of way at a distance suitable for the appropriate use of the land between such streets and such right of way. Such distance shall be determined with due consideration of the minimum distance required for approach grades to future grade separation.
- (c) Proposed streets shall be adjusted to the contour or the land so as to produce usable lots and streets of reasonable gradient.
- (d) Certain proposed streets shall be extended to the boundary line of the tract to be subdivided sufficiently to provide for normal circulation of traffic within the vicinity.
- (e) Wherever there exists a dedicated or platted half-street or alley adjacent to the tract to be subdivided, the other half shall be platted.
- (f) Alleys will be required in all business and industrial districts.

Section 2C. The width of blocks shall be sufficient to allow two tiers of lots of appropriate depth.

Section 3C. Blocks shall not exceed one thousand (1,000) feet in length and dead-end streets eight hundred (800) feet.

Section 4C. The following table and associated general notes shall apply to the items enumerated:

(NEXT PAGE)

4C STANDARDS FOR A HIERARCHY OF VEHICULAR STREETS, PEDESTRIAN WALKS, AND RELATED ITEMS

CATEGORY (name)	LINKAGE (areas connected)	TRAVEL LANES	NO. OF LANES	PARKING LANE	PEDESTRIAN WALKS	R.O.W	GRADE min/max	OTHER FACTORS
1 INTERSTATE	Major centers of population	12 ft. wide	varies 4 min.	none	none	varies	½% 3%	No access to adjacent land opposite flows of traffic separated, right turns only
2 ARTERIAL	Large traffic generating areas	12 ft. wide	varies 4 min.	none	none	varies	¼% 5%	No direct access to adjacent land, left turns only at certain channelized locations.
3 COLLECTOR	Local traffic generating areas	12 ft. wide	varies 2 min.	none	5 ft. sidewalk	varies with no. of lanes	¼% 7%	Left turns only at certain channelized locations. Sidewalks to be owned by City.
4 LOCAL	Individual sites, parking lots, or circular loops	11 ft. wide	2 min.	none except certain residential streets	4 ft. walk	varies with location of parking and walks	¼% 10%	Specific application determined by Commission based on development proposal. Walk ownership, if non-side, negotiated with developer.
5 CIRCULAR LOOP	Individual residential sites	11 ft. wide	1+ 9 ft. parking lane	yes required	4 ft. walk	varies with location of walk	¼% 10%	One-way. 80 d.u max, or as approved by Commission. Walks as per local street.
6 OFF-STREET PARKING LOOP	Building entrance with vehicle in parking position	11 ft. wide 9'X20'	1 or 2	yes	4 ft. walk, parking to build-	varies	¼% 10%	Off-street spaces as required by Code, plus one added space for residential use of 1 or 2 family d.u.

4C. GENERAL NOTES:

- 4C.1 Every lot and building group site shall abut a vehicular street which meets the standards of, and is offered for dedication as, a public street.
- 4C.2 All materials and details of design and construction not otherwise herein noted for vehicular streets and/or pedestrian walks shall meet specifications and requirements of the Public Works Department.
- 4C.3 Curb, or other pavement border acceptable to the Commission, shall be required at the edge of all paved areas. Border material dimensions shall be in addition to lane widths.

4C.4 Right-of-way

- a) Proposed developments along existing streets shall continue the established right-of-way or if the right-of-way is not established it shall be established as sixty (60) feet. In such event 30 ft. on each side of the street centerline shall be offered for dedication to the City.
- b) Establishment of right-of-way widths for hierarchy categories, 1-interstate, 2-arterial, and 3-collector, will not include participation by developers.
- c) Establishment of right-of-way widths for hierarchy categories, 4-local, and 5-circular loop shall include sufficient width to contain travel lanes and shoulders plus sidewalk and parking spaces when these elements are required to be or, if permitted, are selected to be included in the right-of-way.

Sidewalks, when included in the right-of-way, shall be located one foot from property lines.

Shoulder widths shall be a minimum of four (4) feet when adjacent to a travel lane and five (5) feet when adjacent to both a travel lane and a parking lane. Border material dimensions may be included in shoulder widths.

- 4C.5 At locations where turning movements are designed to occur all street right-of-ways shall include additional width for vehicular storage, deceleration, and acceleration lanes.
- 4C.6 All non-continuous, or dead end, streets shall terminate in a turning circle with a minimum R.O.W. radius of fifty (50) feet. Other street terminations may be approved by the Commission instead of a turning circle.

4C.7 Perpendicular or angle parking may be proposed for use on non-continuous, or dead end, streets following dimensional requirements for off-street parking lots. Acceptance of such arrangement shall be solely at the descretion of the Commission

4C.8 All signs, lights and other fixtures proposed, or required in association with vehicular streets and/or pedestrian walks shall be provided and installed by the developer after approval by the Commission and other city agencies.

(Sections 5C through 11C were incorporated in Section 4C in the amendment of September 1, 1970.)

Section 12C. Intersections:

- (a) At street and alley intersections, property line corners shall be rounded by an arc, the minimum radius of which shall be ten (10) feet and five (5) feet respectively. In business districts a chord may be substituted for such an arc.
- (b) Street curb intersections shall be rounded by radii of fifteen (15) feet.
- (c) The foregoing radii shall be increased when the smallest angle of intersection is less than sixty (60) degrees.

Section 13C. The size, shape and orientation of lots shall be appropriate for the location for the proposed subdivision and for the type of development contemplated and shall conform to the following:

- (a) Lots for residential use shall conform to the Zoning Regulations as regards areas and minimum widths.
- (b) Every lot shall abut on a street.
- (c) Side lot lines should be approximately at right angles to the street line on which the lot faces.

Section 14C. Water lines:

- (a) Where a public water main is reasonably accessible, the subdivider shall show a connection with such water main and provisions for a water connection for each lot
- (b) Where a public water main is not reasonably accessible, the subdivider shall show the proposed water supply and distribution system.

Section 15C. Sewers:

- (a) Where a public sanitary sewer is reasonably accessible, the subdivider shall connect with such sanitary sewer and provide a connection for each lot.
- (b) Where a public sanitary sewer is not reasonably accessible, the subdivider shall provide for the disposal of sanitary sewerage by a type of treatment to be approved by the Board of Health.

Section 16C. Open Spaces other than Streets:

- (a) Due consideration should be given to the allocation of suitable areas for schools, parks and playgrounds to be dedicated for public use or reserved for the common use of all property owners within the proposed subdivision by covenants in the deeds. In the interest of the public welfare, at least five (5) percent of the area of every subdivision, exclusive of streets, should be set aside for recreational purposes and such reservation for open spaces shall be combined wherever possible with similar reservations in adjoining tracts.

Section 17C. Easements at least ten (10) feet wide, five (5) feet on each side of rear or side lot lines, shall be provided for utilities where necessary.

Section 18C. The proposed name of the subdivision and proposed street names shall not duplicate or too closely approximate, phonetically, the name of any other subdivision or street in the City of Middletown.

AMENDMENT TO SECTION 10.09 OF THE ZONING CODE AND SECTION 19C OF THE SUBDIVISION REGULATIONS OF THE CITY OF MIDDLETOWN, CONN.

Z.C. 10.09 ENVIRONMENTAL RESPONSIBILITY
S.D.R. 19C

Z.C. 10.09.01 All developers, contractors, and builders involved
S.D.R. 19C (a) in any capacity of construction, whether public or private shall be responsible and liable for correcting erosion damage to contiguous property, roads, streets, drainage systems, and natural waterways whether caused directly, or indirectly, by their operations.

Z.C. 10.09.02 To prevent or minimize such erosion damages the
S.D.R. 19C (b) following requirements shall be followed:
1. Sites, one (1) acre or larger, where stripped of vegetation during site preparation and construction, shall be sown with a cover crop of vegetation in sufficient time to prevent erosion during the winter months.
2. Where necessary to assure that all waters leaving the site during site preparation, construction, and after completion of the project are free of soil, silt, and pollutants indigenous to the project site, the construction of de-silting basins shall be required. The Commission may, at its discretion, request the technical advice of the U.S.D.A., Soil Conservation Service, or Civil Engineers concerning the feasibility of and type of erosion control structures and de-silting methods applicable to particular sites.

Z.C. 10.09.03 All developers, contractors, and builders involved
S.D.R. 19C (c) in any capacity of construction, whether public or private for all uses including residential, business, and industrial shall be required to provide air pollution control devices on equipment as approved by the Health Department.

Adopted at the March 25, 1970 meeting of the Commission on the City Plan and Zoning effective date established as April 22, 1970.

A Public Hearing on this Amendment was held March 11, 1970.

Legal Notices of the Public Hearing appeared in the Middletown Press on February 28 and March 7, 1970.

Legal Notice of the Decisions to adopt this Amendment appeared in the Middletown Press on March 28, 1970.

TEXT AMENDMENT TO THE ZONING CODE AND SUBDIVISION REGULATIONS
TO THE CITY OF MIDDLETOWN, CONNECTICUT

ADOPTED AT THE CITY PLAN AND ZONING COMMISSION MEETING HELD
AUGUST 23, 1972, WITH EFFECTIVE DATE OF SEPTEMBER 1, 1972.

ZONING CODE SECTION 12
add new item 12.12

SUPPLEMENTARY PROVISIONS

SUBDIVISION REGULATIONS
add new Section 20C

C - REQUIREMENTS

"Pedestrian Walks

Sidewalks, or other Commission approved system of pedestrian walks, are required for all development involving new streets and for development associated with existing streets within one mile of an existing school or officially designated future school site. Mile measurement to be along most direct street to school site."

A Public Hearing concerning the Amendment was held August 9, 1972. Legal notices of the hearing appeared in The Middletown Press on July 29 and August 5, 1972.

Legal notice of the Commissions' decision to adopt the Amendment appeared in The Middletown Press on August 26, 1972.

SECTION C - 1

IMPROVEMENTS (adopted April 6, 1955)

The following improvements shall be installed by the subdivider at his expense in accordance with the following minimum requirements and regulations:

(Section C-1-1 and C-1-2 were incorporated in Section 4C in the amendment of September 1, 1970.)

Section C-1-3. A street storm water sewer or drainage system shall be installed and extended to the nearest City connection or to the nearest natural drainage outlet, all in accordance to City Regulations and as approved by the Board of Public Works.

Section C-1-4. Where a public sanitary sewer system is accessible, as determined by the Sewer Commission, all necessary mains and laterals for connection from the individual lots to the public system shall be installed and connected with the public system in accordance with City Regulations and as approved by the Sewer Commission.

Where such public system is not accessible, as determined above, sewage disposal shall be provided for on an individual lot basis in accordance with City Regulations and as approved by the Board of Health.

Where a public sanitary sewer system is not accessible, as determined above, and the subdivider desires to connect to such system, or is required by the Board of Health to so connect, such extension of the public system as may be necessary to provide a connection with the subdivision shall be installed at the expense of the subdivider, all in accordance with the City Regulations and as approved by Sewer Commission.

Section C-1-5. Where a public water system is accessible, as determined by the Water Commission, all necessary water mains and lines to provide water connections for each lot shall be installed and connected to the public water system in accordance with City Regulations and as approved by the Water Commission.

Where a public water system is not accessible, as determined above, the subdivider shall provide a continuous supply of water for each individual lot on an individual lot basis, in accordance with City standards and as approved by the Board of Health.

Where a public water system is not accessible, as determined above, and the subdivider desires or is required by the Board of Health to connect to a public system, such extension of the public system as may be necessary by the connection with the subdivision shall be installed at the expense of the subdivider.

Section c-1-6. Boundstones and markers shall be placed in accordance with City Regulations and as approved by the Board of Public Works.

Section C-1-7. Where connection is to be made to a public water system, fire hydrants shall be installed in accordance with City Regulations and as approved by the Water Commission.

Section C-1-8. Streets shall be named and street signs installed in accordance with the Regulations of the Common Council Street Naming Committee.

D - FINAL PLAT

Section 1D. Final Plat: The Final Plat shall be submitted to the Commission in the form of an original tracing on tracing cloth, together with six (6) white print copies. Four (4) of these will be transmitted by the Commission to the Common Council, which will refer one print each to the Department of Public Works, Board of Health, and the Tax Assessor.

Section 2D. The Final Plat shall be drawn to the same scale and requirements as the preliminary plat and in addition shall show:

- (a) The boundary lines with accurate distances and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract.
- (b) True bearings and distances to the nearest established street lines or official monuments, which shall be accurately tied to the lines of the subdivision by distances and bearings.
- (c) An accurate location of the subdivision in reference to the real estate records of the Town Clerk.
- (d) The exact layout including:
 - 1) Street and alley names.
 - 2) The length of all arcs, radii, internal angles, points of curvature, length and bearings of the tangents.
 - 3) All easements for rights of way provided for public services or utilities and any limitations of the easements.
 - 4) All lot numbers and lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines.
- (e) The accurate location, material and approximate size of all monuments.
- (f) The accurate outline of all property which is offered for public use with the purpose indicated thereupon, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.

- (g) Setback building lines.
- (h) Private restrictions.
 - 1) Boundaries of each type of restriction.
 - 2) Other private restrictions for each definitely restricted section of the subdivision.
- (i) Certification of any application filed with the Common Council for sewers and water extensions required under these regulations signed by the Clerk of the Common Council.
- (j) Certification by a registered professional engineer or surveyor to the effect that the plan represents a survey made by him and that all the monuments shown thereupon actually exist, and that their location, size and material are correctly shown.

Section 3D. The requirements of Section 1D and 2D may be disregarded when the Preliminary Plat has been submitted under the requirements of Section 2B. In such case, the approved Preliminary Plat may be considered as the Final Plat and certified in accordance with the requirements of Section 5A.