

**SECTION 1.**

**AUTHORITY AND PURPOSES**

Pursuant to Chapter 126 of the General Statutes of the State of Connecticut, Revision of 1958 as amended, the Town of Sherman hereby adopts the following regulations for the subdivision of land. The purpose of these regulations shall be:

- (a)** To provide for the orderly growth of the Town in keeping with the Comprehensive Plan of said Town.
- (b)** To provide for the integration of subdivided land into the land surrounding it.
- (c)** To insure and regulate the layout of roads in accordance with sound engineering principles.
- (d)** To insure that land so subdivided may be used without danger to health and public safety.
- (e)** To control the layout of lots.
- (f)** Control the placement of utilities.
- (g)** To insure that all such growth shall be sensitive to and shall preserve features of natural beauty, interest, and ecological value.
- (h)** To insure that land is developed in an energy efficient pattern with consideration given to Section 8-25(b) of the Connecticut General Statutes.

**SECTION 2.**

**DEFINITIONS**

The definitions and standards for the general construction of language contained in Article VI of the Zoning Regulations of the Town of Sherman are hereby incorporated into these regulations. Where ever these regulations make reference to the Soil Erosion and Sediment Control Regulations for Land Development or the Inland Wetlands & Watercourses Regulations of the town, the definitions contained in those regulations shall apply. In addition, the following definitions shall apply:

**Subdivision**

The division, into three or more lots, of a parcel or tract of land that is not part of any previously approved subdivision plan filed in the land records of the Town of Sherman, provided that the purpose of the division is the immediate or future sale or building development of the lots thus created. The division of a parcel of land for municipal, conservation or agricultural purposes shall not be considered a subdivision.

**Resubdivision**

The division, into two or more lots, of a lot or parcel of land that is part of a previously approved subdivision plan filed in the land records of the Town of Sherman. Also, the revision of a previously approved and filed subdivision plan, if such revision creates a new lot or affects any road or area reserved for public use.

**Subdivider**

The owner of record of any land to be subdivided or resubdivided.

**Open Space**

Land within a subdivision that is not part of any lot, road or accessway, and that is set aside by deed or easement to remain perpetually free of residential or commercial development.

**SECTION 3.**

**GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND**

**( a ) Effectiveness of subdivision**

No subdivision of land shall be made, and no land in any subdivision shall be sold, leased, or offered for sale or lease, until a plan prepared in accordance with the requirements of these regulations has been approved by the Commission and filed in the Office of the Town Clerk. The Town Clerk shall not accept a subdivision plan for filing or recording unless the signed approval of the Commission is shown on the plan. Any plan filed or recorded after the effective date of these regulations without such approval shall be void.

**( b ) Applicability to resubdivisions**

Unless otherwise provided, all requirements of these regulations applicable to subdivisions shall apply equally to resubdivisions.

**( c ) Requirements for subdivision lots**

Each lot within a subdivision shall meet the requirements of the Zoning Regulations of the Town of Sherman that pertain to the zone within which the subdivision is located. These requirements include, but are not limited to, minimum lot size, lot dimensions, and road frontage. No lot shall be approved that does not have the access to a road required by the Zoning Regulations. The Commission may require a road plan to provide connection to adjoining roads, in being or projected, if it finds such connection will improve traffic flow or safety in the area.

**( d ) Certification of professional engineer**

Any subdivision plan must contain a written statement from a professional engineer licensed in the State of Connecticut either upon the final subdivision map or in a report appended thereto, certifying that, after physical inspection of the site and appropriate testing, he has determined:

- ( 1 ) That each lot shown on the subdivision plan has acceptable site for a private water supply system and a private sewage disposal system, as required by the Sanitary Code of the Town of Sherman; and that each lot has been given a percolation test and a deep pit test in the approximate area of the proposed sewage disposal system, said tests having been conducted in accordance with the procedures and standards of the Sanitary Code of the Town of Sherman; and
- ( 2 ) That in lots contiguous to brooks, rivers, bodies of water and other areas subject to flooding, adequate provisions have been made for drainage and flood control;

that neither sewage disposal systems nor other development activities upon such lots will introduce pollutants into such brooks, rivers, or bodies of water to a degree that violates applicable state law or Connecticut Department of Environmental Protection regulations; and that if any portion of the proposed subdivision lies within a flood plain designated by federal or state regulation, the applicable portions of such regulation have been met.

**( e ) Storm water drainage**

A subdivision plan shall contain a system for storm water drainage in any location where development activity might otherwise create a condition of accelerated erosion, as defined by the Soil Erosion and Sediment Control Regulations of the Town of Sherman. No wetland or watercourse shall be altered or obstructed for this purpose without the approval of the Sherman Inland Wetlands & Watercourses Commission. In a subdivision plan, the Commission may require culverts and other storm drainage installations, and also easements necessary for the effective functioning of storm drainage systems.

**( f ) Lots greater than minimum size**

In circumstances where lots of the minimum size permitted in a zone by the Zoning Regulations of the Town of Sherman do not satisfy the sewage disposal or storm drainage requirements of these and other regulations of the Town, the Commission may require lots of a larger size sufficient to ensure satisfaction of those regulations.

**( g ) Utilities**

All electric, telephone, cable television and other utility lines and cables shall be placed underground and buried. Utility structures serving a subdivision that require above-ground placement, such as water tanks, pumping stations, community television antennae, and satellite dishes, may be constructed only if approved by the Commission, which may require as a condition of approval that they be inconspicuously placed and screened from view.

( 1 ) The Commission may waive the requirement of this subsection, following the procedures and standards set forth in state statutes, if it finds that compliance is not possible as a result of specific topographic conditions contained within the subject property, or if such placement would violate other state or town regulations.

**( h ) Roadside parking**

In areas where steep terrain or other difficult conditions may render roads temporarily impassible, the Commission may require that a subdivision provide up to two parking spaces per dwelling unit off the traveled portion of any road.

**(i) Entrances to subdivisions**

Each entrance to a subdivision may be marked by a single sign that meets the standards of the Zoning Regulations of the Town of Sherman. Any further entrance treatment, including gates, walls, fences, flagpoles, or lodges, requires the approval of the Commission, which shall approve only those installations that are compatible with the rural character of the Town.

**(i) Scenic features**

The Commission may require that a subdivision plan provide protection for specific scenic features other than through their placement within designated open space. Individual scenic features to be protected in this fashion shall each occupy less than 10,000 square feet of land area, and shall have been determined by the Commission to have natural or historical importance to the Town. Such features may include, but are not limited to, old stone walls or farm structures, waterfalls, trees or stands of trees, and rocky peaks or outcrops.

**(k) Soil erosion and sediment control plan**

A soil erosion and sediment control plan shall be submitted with any subdivision application when the surface area to be disturbed within the subdivision cumulatively exceeds one-half acre, or when such a plan is otherwise required by the Soil Erosion and Sediment Control Regulations for Land Development of the Town of Sherman.

**(l) Incorporation of other regulations**

All subdivision applications must conform to the requirements of the following regulations, which are incorporated by reference into these regulations: Zoning Regulations of the Town of Sherman; Building Code of the Town of Sherman; Soil Erosion and Sediment Control Regulations for Land Development of the Town of Sherman; An Ordinance Governing the Construction of Driveways Intersecting Town Highways in the Town of Sherman; and An Ordinance Establishing Procedures, Standards, Specifications and Regulations for the Construction of Road in the Town of Sherman.

**(m)** In order to reduce any negative impacts of farming on residential areas, new subdivisions that abut existing farms shall establish a setback of at least 100' between the boundary shared with the farm(s) and any structures within the sub-division. A screen of trees or other vegetation, or appropriate fencing, shall be put in place in the buffer area to further reduce the impact.