

SECTION 4.

ROADS

- (a)** Except as provided below, all procedures, standards, specifications and regulations contained in the Road Construction Ordinance as accepted and amended by the Town of Sherman area hereby incorporated and made part of these regulations.
- (1) The conditions stated in Section 7(f)(1) of these regulations as to the performance guaranty constitute the satisfactory conditions required under Section VII of the Road Construction Ordinance.
 - (2) In case of conflict as to a performance guaranty for the construction of roads between these regulations and the Road Construction Ordinance, the latter will prevail.
 - (3) Existing Street Improvements: Whenever any subdivision is proposed for land abutting or accessible only by an existing unimproved or unpaved street and the Commission shall determine that approval of the subdivision plan would endanger the public safety unless such street was altered or improved beyond the limits of the proposed subdivision, the Commission may disapprove such plan or may condition its approval upon completion of the improvements or alteration on such street by and at the expense of the subdivider, or may disapprove such plan until the Board of Selectmen has recommended and the Town has authorized expenditures for such improvements.
- (b)** Any road that serves three or more lots within a subdivision shall be constructed according to the requirements of the Road Construction Ordinance of the Town of Sherman, except as provided elsewhere in this section.
- (c)** The Commission may permit the traveled portion of a subdivision road to be 20 feet in width, provided; either that all lots within the subdivision are five acres or larger or that the subdivision contains 20 or fewer lots: and provided further that the road meets all other requirements, except width of traveled portion, of the Road Construction Ordinance of the Town of Sherman, as certified by the Board of Selectmen.
- (d)** A private accessway that serves no more than two lots may not be required to be constructed in accordance with Subsection (b) above, provided that such accessway shall have a minimum right-of-way width of 50 feet, of which each lot served shall own a width of at least 25 feet. No part of the area of such an accessway shall be considered as part of the required minimum acreage of a lot. A private accessway serving two lots, as described herein, may not abut any other accessway serving any other lot.
- (e)** A private accessway not constructed in accordance with Subsection (b) above may serve six or fewer lots within a subdivision, provided; that no lot is less than five (5) five acres;

that the average size of the lots is at least ten (10) acres, and that any such accessway meets the following criteria:

- (1) The right-of-way shall not be less than fifty (50) feet in width.
- (2) An additional seven-and-one half (7 ½) foot wide utility easement shall be reserved along all lot front lines.
- (3) The traveled portion of such accessway shall be at least sixteen (16) feet in width, from the shoulder to the outer edge of the opposite shoulder.
- (4) An approved subgrade shall be provided, its depth being dependent on bringing roadway area to grade.
- (5) Upon the prepared subgrade, a two-course gravel base, a minimum of twelve (12) inches thick, shall be built with materials and construction methods as required by Section 4.13 of the Standard Specifications for roads, bridges, and incidental construction, Connecticut State Highway Department, entitled “Traffic Bound Gravel Surface”. Twenty-four (24) inches of gravel base shall be required where roadway is being constructed through rock cut.
- (6) A surface course of sized or processed gravel of not less than two (2) inches after compaction shall be provided.
- (7) All accessways shall be bounded on either side by suitable gutters or curbs, constructed of the same material as the roadway, or of other material as the Board of Selectmen may require. Shoulders on either side of the traveled portion of all accessways shall be free of rocks, boulders and stumps, and all disturbed areas graded and seeded except where, in the opinion of the Board of Selectmen, or its duly appointed representative, this requirement is not feasible.
- (8) All accessways shall be so graded that the crown or center thereof shall not be less than three (3), nor more than four (4) inches higher than the outer edge of the roadway.
- (9) No roadway shall have a grade less than one (1) percent or have a grade in excess of ten (10) percent.
- (10) Horizontal and vertical sight line distances and minimum curve radii shall be subject to the approval of the Board of Selectmen.
- (11) No roadway shall have adjoining slopes greater than three (3) to one (1), (i.e. three feet horizontal for each foot vertical), except in rock cut, where the slopes shall be determined by consultation with the Board of Selectmen.

- (12) All accessway culverts, underdrains, curtain drains, and storm sewers shall be of a size and type determined by a qualified Professional Engineer, but in not case shall culvert pipes be less than fifteen (15) inches in diameter, and underdrains and curtain drains shall be no less than six (6) inches in diameter. Pipe material shall be approved by the Board of Selectmen or their agent, and shall be installed in accordance with sound engineering practice. Sufficient pipe shall be installed within any subdivision to carry existing watercourses and to drain the proposed accessways.
- (13) All drainage structures such as manholes, catch basins, and headwalls shall be built in accordance with Standard Details. Where structures of special design, such as retaining walls, bridges, or box culverts, are required, they shall be designed by a qualified Professional Engineer and shall be submitted to the Board of Selectmen for approval. Where, in the opinion of the Board of Selectmen, it is necessary to connect into the drainage system of an existing Town road, such connection shall be done in a manner prescribed by the Board of Selectmen or its duly authorized agent.
- (14) When, in the opinion of the Board of Selectmen or its agent, guard railing is necessary to protect the traveling public, the subdivider shall install same as directed.
- (15) An accessway shall be equipped at all intersections with street signs.
- (16) No dead-end accessway shall be considered unless a turnaround approved by the Board of Selectmen is provided within a right of way of not less than one-hundred (100) feet in diameter. The construction of all dead-end accessways shall conform in every detail to all provisions of this section that apply to through streets and roadways.
- (17) In the event of any question as to the interpretations of specifications or of the Standard Details required by this regulations, the minimum standard specifications of the Connecticut State Highway Department prevailing at the time of offering of said land for roadway purposes shall govern.
- (18) Upon approval of the proposed subdivision by the Planning and Zoning Commission, applicant shall file with the Board of Selectmen cash or a bond in the amount equal to 100% of the estimated costs of accessways and improvements, and with surety and conditions satisfactory to it, securing to the Town of actual construction and installation of the accessway and improvements thereto. All or any part of said bond shall be paid over to the Town of Sherman in the event that said accessway is not completed with a period of time to be specified by the Board of Selectmen, or, in the event of noncompliance with the provisions of this regulation, provided however, that no greater amount shall be paid over to said Town than is necessary to complete or correct the construction of such road and that such completion or correction is performed by the said

Town of Sherman or its agent. Said security may be in cash or by a bond, issued by a recognized indemnity company satisfactory to the Board of Selectmen.

- (19) The “Standard Details” of the Connecticut State Highway Department referred to throughout this section are incorporated into and hereby made a part of this section.
 - (20) The subdivider shall incorporate commission –approved covenants in the deeds to all lots served by the accessway, obliging the grantee, his heirs, successors and assigns to share proportionately, with all other lot owners serviced by the accessway, in the ownership, maintenance, repair, subsequent improvements and related costs of such accessway, and further requiring that they participate in a property owners’ association that shall be solely responsible for these obligations unless and until the accessway is constructed to the requirements of Section 4 at the expense of the property owners association. These same covenants shall be printed on the final map filed with the Town Clerk.
 - (21) The subdivision map shall contain the following notations: “A twenty (20) foot drainage easement is hereby reserved along each side of all lines for the maintenance and repair of accessways shown on this map.”
- (f)** A private accessway not constructed in accordance with Subsection (b) above may serve seven or more lots within a subdivision, provided;: that no lot is less than five (5) acres; that the average size of the lots is at least ten (10) acres; and that the accessway meets the criteria established in Section 4 (e) 1) through 21), inclusive. The Commission shall require, prior to its consideration, a report from the Board of Selectmen on the suitability of the proposed accessway for emergency vehicles for anticipated levels of normal vehicular traffic. As a result of the report, the Commission may require that such accessway be built to a greater width than provided in Section 4 (e), and may require that the road surface be composed in whole or in part of bituminous concrete placed in accordance with the standards of Subsection (b) above.
- (g)** Any private accessway constructed under Section (e) or (f) above shall be maintained and repaired either by a homeowners’ association to which all lot owners within the subdivision shall belong, or according to a legally binding arrangement under which all lot owners shall contribute to such maintenance and repair. A subdivision plan including such an accessway shall include documents granting each lot owner the right to pass and repass over such accessway, and establishing the nature of the obligation of lot owners to maintain and repair such accessway.