

SECTION 7.

PROCEDURE

(a) Submission of an informal plan

Prior to the submission of a format application for subdivision, subdividers are encouraged to submit an informal plan and to meet in advisory consultation with the Commission. It is the position of the Commission that an informal plan and consultation enables the Commission to assist an applicant by responding to inquiries and proposals, and by indicating topics of possible future concern.

- (1) The submission of an informal plan does not constitute an application for subdivision. No fee shall be paid by the applicant with such submission. No decision shall be rendered by the Commission on such submission. The advisory consultation shall in no way prejudice that right of a subdivider to subsequently apply for a subdivision, nor the right of the commission to approve or deny such application.
- (1) An informal plan shall include a map or plan prepared according to Section 6(a) of these regulations. Other documents required for a formal subdivision plan may also be submitted for the Commission's comments at this time.

(b) Formal application

- (1) An application to the Sherman Inland Wetlands & Watercourses Commission shall be accepted in lieu of the report cited in Section 6(h), provided that the application to said Wetlands Commission is dated not later than the date of the subdivision application to the Commission, and provided that the Commission shall not approve the application unless the report cited in Section 6(h) has been received.
- (2) A subdivision application may be accepted, and a public hearing scheduled, even though the Commission finds that minor clerical revisions are required in certain of the application documents, provided that such revisions shall be completed and made part of the file available for public scrutiny at least one week prior to the date of the public hearing.

(c) Site Inspection

The site of any proposed subdivision shall be inspected prior to approval by one or more members of the Commission, or its agent.

- (1) Notice of any public hearing shall be provided by mail and by publication, in the form and within the time limits provided by state statutes.

(e) Decision

The Commission shall approve, modify and approve, or disapprove any subdivision application within the time limits provided by state statute. Notification of Commission action shall be made by mail and by publication, in accordance with state statute.

(f) Effectiveness

Within 90 days after Commission approval, the subdivider shall present that final subdivision plan to the Town Clerk for filing in the town records. The Commission may grant a reasonable extension of this time limit, not to exceed 90 days. Any approval given by the Commission shall be void if such final plan is not presented for filing within the time provided. The Commission shall signify its final approval by the signature on the plan of the Chairman or the Secretary of the Commission, and shall permit the plan to be recorded, provided that:

- (1) No approval of a plan of subdivision by the Commission shall be deemed final until the subdivider has completed all road and other improvements as required by Section 4 of these regulations, or alternatively, has filed with the Town a bond in an amount equal to 100% of the costs of roads and improvements and with surety and conditions satisfactory to it, securing to the Town the actual construction and installation of such improvements to the road and that portion of driveways within the road lines, drainage, sewer and water supply and any other improvements required by the Commission, within the period specified in the bond. Such bond shall not be released until the developer's professional engineer has certified completion of the public utilities and improvements in substantial accordance with the requirements, and the road or roads have been legally approved by the Town, and deeds covering land to be used for public purposes, easements and right-of-way over property to remain in private ownership, and rights to drain onto or across private property are submitted in a form satisfactory to the Town Counsel, and a maintenance guarantee in the form of a performance bond to the Town of Sherman in an amount equal to 10% of the cost of roads and improvements is filed with the Selectmen. The maintenance guaranty shall be held by the Town of Sherman for a period of one year or until the developer corrects any defects in construction occurring during the year following acceptance of the improvements by the Town.
- (2) Any conditions imposed by the Commission at the time of its approval have been properly reflected in the final plan, and no other, unapproved changes have been made in the plan.
- (3) All recording fees shall have been paid by the subdivision.

- (4) All required subdivision corner monuments, lot corner markers, easement boundary markers, and other required reference points shall have been placed on the site by the subdivider.

SECTION 8.

STANDARDS FOR REFERENCE AND MEASUREMENT

- (a)** Permanent reference points shall be indicated. They shall be set at all corners of the boundaries of the tract to be subdivided, and on one side of the highway at all angle points in road line, intersecting highways, at the beginning and end of all curves, and at such intermediate points as may be required by the Commission.
- (b)** Monuments shall be of stone or reinforced concrete, not less than 4 inches square and 30 inches long, with a brass or copper plug or drill hole or cross marking point of measurements. If ledge is found within 4 inches of grade surface and such ledge is of sturdy consistency, a disk should be set in a drill hole and held in with concrete. If the ledge is more than 4 inches but less than 30 inches from grade surface, the monument should be broken off and the reinforcing rods driven into solid ledge and held by concrete. The monuments should be set after the construction of the road.
- (c)** All lot corners shall be marked by iron pipes, 30 inches in length.
- (d)** All points of intersection between lot lines and the boundary lines of easements granted land trusts and conservation organizations shall be marked by monuments as described above.
- (e)** All tapes shall be calibrated to government standards and proper correction made for sag and temperature.
- (f)** Surveying and mapping should agree with Class A-2 survey in accordance with the Code of Connecticut Technical Council, Inc. In addition to the requirements of the Connecticut Technical Code, all points other than controls should have an accuracy of one part in 5,000. It is suggested that subdivisions be surveyed on N.O.S. (C.G.S.) datum and some of the coordinates be listed on final map.

SECTION 9.

VALIDITY

- (a)** These regulations shall take effect on May 16, 1977.
- (b)** If any section, subsection, sentence, clause, phrase, or portion of these regulations is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.
- (c)** Any and all subdivision regulations for the Town of Sherman in effect on or at any time prior to the effective date of these regulations are hereby repealed, except as follows:
- (1) Any lot on a subdivision map filed with the Town Clerk prior to the enactment of zoning regulations in May, 1937, and any other lot on a subdivision map that conformed to the Zoning and Subdivision Regulations at the time of its filing, shall constitute a legal building lot, provided that any development activity on said lot shall meet the requirements of the Sanitary Code of Sherman and the Sherman Inland Wetlands and Watercourses Commission that are in force at the time such development activity commences.
- (d)** The Commission may amend these regulations in the manner provided by statute.