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MEMORANDUM

TO: Al Voegele, Town Manager
FROM: Sarah Hadd, Director 
DATE: April 6, 2011
RE: Subdivision Regulation Amendments (S6)
CC: Colchester Planning Commission

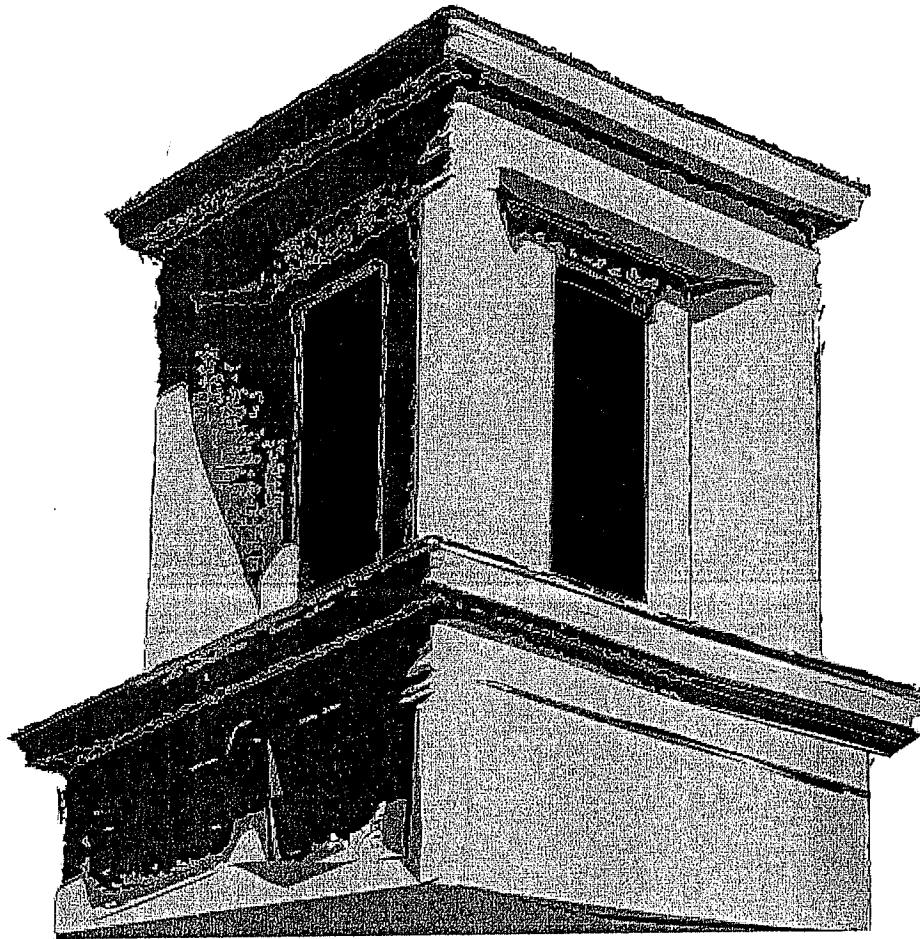
Please find attached Supplement 6 as approved by the Planning Commission on April 5, 2011. These changes were brought about as a result to changes in the Fire Regulations (Chapter 7) realign the Subdivision Regulations with the adopted Fire Regulations and Public Works Specifications and Standards. The Commission respectfully requests the Select Board hold a first reading on the supplement. Here is a summary of the proposed changes:

1. Modify Section 310 Streets subsection A. to reference Chapter 14 for pedestrian protection devices.
2. Strike "Board and" from Section 310B.
3. Add new Section 310E to address new private roads with future development potential.
4. Delete "a cul de sac or by" from Section 310J.
5. Add new Section 310L to state that a new public road shall not have its principal access from a private road.
6. Modify Section 313 Storm Drainage & Erosion Control to strike all and reference Chapter 14.

As of this date, no one has spoken against the proposed changes. Should you or the Board have any questions or concerns, please do not hesitate to call upon myself or the Commission. Thank you for your consideration. If there are any other issues or questions that come up, please let me know and I will be happy to help.

TOWN OF COLCHESTER, VERMONT

SUBDIVISION REGULATIONS



DRAFT SUPPLEMENT 6

1/21/11

subdivider shall be required to provide such pumping and other facilities as may be necessary.

B. On-Site Septic. The subdivider shall be responsible for installing septic facilities in accordance with Chapter Eight of the Colchester Code of Ordinances.

SECTION 309 SITE PRESERVATION AND LANDSCAPING

A. Existing Features. The preservation of site amenities, such as trees, brooks or drainage-ways, historic sites, and other features that are an asset to the site and/or community, shall be affected insofar as possible through harmonious design and appropriate construction methods. Wetlands, streams, waterbodies, Floodplains, and associated buffers as well as all features identified on the Colchester Overlay Districts Map shall be delineated and clearly marked with stakes and flagging or temporary fencing before and during the excavation and construction phases of a subdivision. These lands shall not be disturbed during construction.

B. Natural Cover. Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cut and fill, and retain, insofar as possible, the natural contours, limit storm water runoff, and conserve the natural cover and soil. No topsoil, sand or gravel shall be removed from the subdivision for any other purpose than to meet construction needs of that particular subdivision or to meet the requirements of Zoning Regulations.

C. Landscaping. Subdivisions shall be adequately screened from view of adjacent roads and neighborhoods. A sufficient mixture of deciduous and coniferous trees shall be provided. The Development Review Board may waive the buffer and screening requirement if the Development Review Board determines that a buffer would not be consistent with the Town Comprehensive Plan, Official Map, or Zoning Regulations.

SECTION 310 STREETS

Roadways and associated improvements, such as but not limited to signage, shall be required to service subdivisions as specified in Chapter Fourteen of the Colchester Code of Ordinances (Public Works Standards) and Official Map. Roadways shall include but shall not be limited to: street trees, sidewalks, paths, street lighting, stormwater infrastructure, fire hydrants, etc.

A. *Arrangement* - The arrangement of streets in the subdivision shall provide for the continuation of streets of adjoining subdivisions and for proper projection of streets through adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and construction or extension presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. To this end, the use of a grid or block pattern for streets is encouraged. Streets in mixed-use growth centers should encourage an emphasis on pedestrian and bicycle traffic while providing accommodation for vehicular traffic. Bicycle paths may connect mixed-use growth centers with other neighboring areas. ~~Pedestrian protection devices such as bulb-out and midblock crosswalks should be encouraged within mixed-use growth centers.~~ **Pedestrian protection devices as provided by roadway geometry, signage, pavement markings, etc., should be encouraged to the extent permissible**

under the Colchester Code of Ordinances, Chapter 14, or as otherwise approved by the Department of Public Works.

B. *Topography* - Streets shall be logically related to the topography so as to produce usable lots, reasonable grades, and safe intersection in appropriate relation to the proposed use of the land to be served by such streets. Adequate provisions shall be made to control the drainage of each street by an adequate storm water system, subject to the approval of the Board and Town Engineer.

C. *Street Names* - All streets shall be named in accordance with the requirements of Chapter 17 of the Colchester Code of Ordinances. The subdivider may recommend proposed names to the Development Review Board. The Board, in consultation with the designated E911 coordinator, shall designate a name for a proposed road as part of its approval process. Streets shall be identified by the name on the proposed plat.

D. Design and layout of cul-de-sacs shall provide for possible future streets and extensions to other subdivisions or other properties not yet subdivided. Where provisions are made for the continuation of a street beyond the cul-de-sac for future road development, the land outside the normal street right-of-way may revert to the abutting property owners at such time as the street is continued beyond the cul-de-sac.

E. Where a private drive or road is proposed that has the potential to serve more than four units, provisions shall be made to accommodate for appropriate right-of-way and the drive or road so designed so as to facilitate the drive/road conversion to the appropriate public road standards as codified in Chapter Fourteen of the Colchester Code of Ordinances.

F. Where a subdivision borders an existing narrow road (below standards set herein) or when the Official Map or Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the subdivider may be required to show areas for widening or realigning such roads on the Plat, marked "Reserved for Road Realignment (or Widening) Purposes". It shall be mandatory to indicate such reservation on the Plat when a proposed widening or realignment is shown on the Official Map. Land reserved for such purposes shall not be counted in satisfying setback or yard or area requirements of the Zoning Regulations but shall be included to satisfy density requirements.

G. Residential streets shall be so laid out that their use by through traffic will be discouraged.

H. Where a subdivision abuts or contains an existing or proposed arterial or collector street, the Board may require marginal access streets (street parallel to arterial or collector street providing access to adjacent lots), reverse frontage (that is frontage on a street other than the existing or proposed arterial or collector street) with screen planting contained in a non-access reservation along the rear property line, or such other treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

I. Where a tract is subdivided into lots at least twice as large as the minimum size required in the zoning district in which a subdivision is located, the Board may require that streets and lots be laid out so to permit future development in accordance with the requirements contained in these Regulations.

J. The approval of the Subdivision Plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any street, easement, offer of dedication, recreation area, or open space shown on such Subdivision Plat.

K. The number of dwelling units served by ~~a cul-de-sac~~ or by a system of streets sharing a common single access to a public street or road shall not exceed fifty (50) units.

L. In no case shall a new public road be permitted where its principal access is from a private road unless that private road is upgraded to a public road in conformance with the Town of Colchester Code of Ordinance Chapter 14, Public Works Specifications and Standards roadway design standards as amended from time to time and duly accepted by the Colchester Select Board.

SECTION 311 PEDESTRIAN ACCESS

Permanent Pedestrian easements, up to twenty feet (20') in width, may be required in order to facilitate pedestrian circulation within the subdivision, access to adjoining neighborhoods, public property, or community focal points such, but not limited to: parks, schools, shopping centers, centers of employment, and community recreation facilities, etc.

SECTION 312 UTILITIES

All utilities shall be underground. The subdivider shall coordinate subdivision design with the utility companies to insure adequate and suitable areas for underground installation, both for the proposed subdivision and areas adjacent to the subdivision. Easements of sufficient width shall be provided in locations acceptable to the Town Engineer, so as to serve both the proposed subdivision and existing and anticipated development outside the subdivision.

SECTION 313 STORM DRAINAGE & EROSION CONTROL

~~Until such time as All development shall be in conformance with Chapter Fourteen of the Colchester Code of Ordinances (Public Works Specifications and Standards) is amended to include specifications pertaining to stormwater facility design and erosion control standards, the "Vermont Stormwater Manual" and the "Vermont Erosion Control Handbook" with addendums shall be used to supplement the Chapter Fourteen of the Colchester Code of Ordinances for compliance as stated herein.~~

~~A. Drainage Structure to Accommodate Potential Development Upstream. Culverts or other drainage facilities shall, in each case, be large enough to accommodate potential run-off from the entire upstream drainage area, whether inside or outside the subdivision. The Board shall approve the design and size of facilities based on anticipated run-off under conditions of total potential development. The subdivider's engineer shall provide such information as the Board deems necessary to the determination of the adequacy of the facilities.~~

~~B. Responsibility for Drainage Downstream. The subdivider's engineer shall provide such information as the Board deems necessary to determine the effect of the subdivision on the existing downstream drainage facilities outside of the area of the subdivision. Where the Board anticipates that the additional run-off incident to the development of the subdivision will overload an existing downstream drainage facility so that there will be damage to private property or an increase in the expenditure of public funds, the Board~~

~~shall not approve the subdivision until the subdivider agrees to the improvements, whether on or off site, deemed necessary by the Town.~~

SECTION 314 EXCAVATION AND GRADING

All excavating and filling required for construction of public improvements shall be as specified within Chapter Fourteen of the Colchester Code of Ordinances (Public Works Standards). All streets shall be graded from property line to property line to approved grade and cross section. The entire area of work shall be brought to the required lines and grades by excavation or filling. Excavation material, if suitable, may be used in making embankments and in filling low areas. A minimum of four (4) inches of topsoil shall be provided to cover finished slopes.

A. Fill. No stumps, wood, roots, other fibrous materials or refuse shall be used as fill. In those locations where the alignment crosses swamp or marsh land, or other similar soil that is incapable of withstanding expected loads, such inadequate soil shall be entirely removed and replaced with adequate material. The materials so removed shall not be placed in embankment, but may be used in flattening embankment slopes or for filling lot spots outside the road section. The Board may require the developer to submit evidence of boring and/or other soil investigations to determine the depth, composition and stability of the subgrade within the road section.

B. Embankments. Embankments shall be formed of suitable and acceptable excavated materials and brought to the required lines and grades. The materials for embankment shall be placed in successive horizontal layers not exceeding six (6) inches in depth extending across the entire fill area. They shall be spread by an earthmover or other acceptable method, and shall be thoroughly compacted. Where embankments are made of rock, the rock shall be so deposited that all voids are filled with earth and in such a way that the compaction specified above may be secured.

C. Subgrade. Upon completion of filling and excavating, the subgrade shall be formed to the required grade and contour, and the entire surface again rolled as specified above. High spots shall be removed and low spots filled with the acceptable material and the process of leveling and rolling continued until no further depression results.

D. Side Slopes. Side slopes in embankment ditches shall not exceed one (1) foot vertically for at least each two (2) feet horizontally. Surplus material resulting from excavation of the road cross section may be used to flatten slopes of embankment so that they ascend one (1) foot vertically for at least two (2) feet horizontally. Side slopes in excavation rock shall not exceed six (6) feet vertically for at least each one (1) foot horizontally. Where rock cuts have a face higher than ten (10) feet vertically, a three (3) foot berm shall be provided at each ten (10) foot level above the grade at the edge of the pavement. Side slopes shall not be graded so as to extend beyond the limits of the road right-of-way onto land not part of the subdivision unless a suitable slope easement has been properly established and granted by the affected property owner.

SECTION 315 OUTDOOR LIGHTING

Illumination of areas such as streets, sidewalks, private ways, parking areas, loading and unloading areas, principal entryways and/or other locations, shall be provided in accordance with Chapter Fourteen of the Colchester Code of Ordinances (Public Works Standards) and the