

**SUBDIVISION / RESUBDIVISION
APPLICATION PACKET
EASTON, CONNECTICUT**

Dear Applicant:

This Subdivision/Resubdivision Application Packet has been compiled to help you, the applicant, comply with the Subdivision Regulations and obtain a timely decision on your proposal.

It is the purpose of the Subdivision Regulations to promote with the creates efficiency and economy the coordinated development of the Town of Easton and to promote the public health, safety and general welfare and prosperity of the people of the Town of Easton and to conserve the natural beauties of the Town as a residential and farming community.

In Easton, the subdivision applications are expedited through the Planning and Zoning Commission. State Statutes require that an application receive a decision within sixty-five days of its receipt by the Commission, and frequently in the case of a subdivision, it must be held within sixty-five days of receipt of the application and a decision made within sixty-five days of the close of the hearing.

Because of the increasing demands on Commission and staff time for process and review, the stated process must be adhered to strictly. The Commission can no longer accept additional supporting data from the applicant after the application has been accepted. You will receive a decision on the application based on the initial record you submit with the application. Upon request you may obtain a copy of department comments prior to the public hearing.

If the application is believed to be deficient for any reason, e.g., incomplete application form, failure to provide notices for adjacent property owners, omitted site plan data, it may be denied by the Commission. Applicant can consent to extend time frame for any of the steps, but the total of all extensions together cannot exceed 65 days.

The enclosed items are designed to act as a detailed resource for your use throughout the application process. The packet includes the required forms and checklists as well as directions to obtain supplemental forms and data, as required by the Planning and Zoning Commission. If you have additional questions after reading this packet, the Commission staff is available to help you Tuesday through Friday, 10:00AM to 2:00PM. Please make a note of these times and call the Commission staff at 268-6291 in Town Hall to make an appointment.

Required Items

1. Fee: This application must be submitted with a fee as set by ordinance.
2. Application: To avoid delays and/or possible denial this application must be completed in its entirety.
3. Subdivision Plans and Maps: Ten copies of all required subdivision plans and maps as required by the Planning and Zoning Commission.
4. Documents: Ten copies of all other documents as required by the Planning and Zoning Commission.
5. Legal Notice: notice of Public Hearing to adjacent property owners to be submitted at Public Hearing in the form of certified mail receipts; a list must be compiled and addressed envelopes and certified receipts must be submitted with the completed application with the required postage fee.

SUBDIVISION/RESUBDIVISION APPLICATION PROCEDURE

A. APPLICATION

1. Submission

Applications may be submitted to the Planning and Zoning Commission office in Town Hall from 10:00AM - 2:00PM Tuesday through Friday.

2. Review for Necessary Items

The application will be reviewed for necessary items by the Commission and staff during the period between submission and the next regularly scheduled meeting. The Commission staff will determine and notify the applicant whether the application is complete in accordance with Section V and VI of the Subdivision Regulations. These requirements are outlined in the list of required items provided in this packet.

3. If it is determined that an Inland Wetland Permit is required the applicant should begin that process immediately. A required Inland Wetland Permit must be obtained prior to approval of the subdivision application by the Planning and Zoning Commission.

B. REVIEW

1. After the completed application has been received the Commission has sixty-five (65) days in which to hold the public hearing. During this time the application is reviewed by Commission staff, Town departments, and adjoining towns and Regional Planning Agencies, as required.

2. Revisions and Corrections to Application

An accepted application must be completed, including revisions and corrections of minor deficiencies, thirty (30) days prior to the Public Hearing. This affords the public and Commission members the opportunity to inspect the proposal prior to the Public Hearing.

3. Comments and Extensions

The applicant may obtain a copy of review comments prior to the public hearing upon request at the Commission office, Also, the sixty-five (65) day time period in which to hold a public hearing after application receipt may be extended by the applicant up to an additional sixty-five (65) days.

C. NOTICE OF PUBLIC HEARING

1. Notice to surrounding Property Owners

The applicant must give notice of the Public Hearing to surrounding property owners, including owners across the street from the site, by certified mail. The applicant must supply envelopes and certified receipts which become part of the record of the public hearing; legal notice is mailed out by the Planning and Zoning Commission. The fee for mailing is computed by multiplying the number of surrounding property owners times the required mailing fee (regular postage plus certified fee and return receipt requested fee).

2. Notice to Applicant

The Planning and Zoning Commission will notify the applicant of the public hearing date, time and place.

3. The Planning and Zoning Commission is responsible for publication of the legal notice in the newspaper, and for notification of any other parties, as required.

D. PUBLIC HEARING

1. Applicant Responsibilities

The applicant is required to give a formal presentation of the proposal at the beginning of public hearing. Also, receipts of certified letters for notification of surrounding property owners are entered into the record.

2. Review Comments

All comments from Commission members, town departments, other towns and Regional Planning Agencies shall be presented at public hearing and entered into the record.

3. If an Inland Wetland Permit is required, the granted permit along with any attached conditions must be entered into the records. If the Inland Wetland Permit has not been granted, an extension of up to thirty-five (35) days may be granted by the Planning and Zoning Commission.
4. Deadlines and Extension

The public hearing must be completed with thirty-five (35) days. If it is reconvened, proper public notice must be published. The applicant may extend the time for a public hearing; the applicant can consent to extend time frames for any of the steps, but the total of all extensions together cannot exceed 65 days.

E. DECISION

1. Approval and Approval with Modifications

If the plan is approved, or approved with modifications, several conditions must be met:

- a. A final subdivision map, complete with all modifications, and related documents must be submitted for review by the Commission. After verification of compliance with the terms of approval the subdivision plan will be signed by the Planning and Zoning Commission Chairman.
- b. Such documents required by the approval may include easements, deeds, maintenance covenants for common driveways and appraisals for fee-in-lieu of open space.
- c. If required, a cash performance bond must be set and posted with the Town by the applicant before filing of the subdivision map.
- d. The final subdivision map and related documents must be recorded with the Town Clerk within 90 days after the time for taking the appeal has expired. The appeal period extends for 15 days after publication in the newspaper in the notice of approval.

2. Disapproval

If the plan is disapproved, the Commission must state the reasons for disapproval in the Minutes of the meeting.

3. Notice

Notice of the decision will be published in the newspaper within fifteen (15) days of the decision date. In addition, the applicant will be notified of the decision by certified letter.

4. Deadline and Extension

A decision on the application must be made within sixty-five (65) days of the close of the public hearing. An extension of the decision period for an additional sixty-five (65) days may be granted, but the total of all extensions together cannot exceed 65 days.

F. APPEAL

The applicant and other aggrieved parties may appeal the decision to the Superior Court within fifteen (15) days of publication of the decision in accordance with Section 8-28 of the Connecticut General Statutes.

G. BOND

1. Amount Set

Before a subdivision plan may be filed with the Town Clerk a cash bond must be posted by the applicant to insure completion. The amount of the bond will be established by the Planning and Zoning Commission on advice by the town Engineer.

2. Type of Bond

The bond is to be submitted in the form of a properly certified bank check payable to the Town of Easton.

H. Release of Bond

The bond may be released by the Planning and Zoning Commission on certification by the Town Engineer that all required subdivision improvement have been completed in compliance with the approved subdivision plan. During the course of construction a partial release of the surety may be granted by the Commission for satisfactory completion of an appropriate portion of the required work, certified by the Town Engineer. In most instances, the Commission will release 90% of the bond surety and retain 10% of the bond surety for a period of one year to assure the proper condition of the work twelve months after installation.

SUBDIVISION/RESUBDIVISION APPLICATION PACKET
EASTON, CONNECTICUT

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APPLICATION FOR SUBDIVISION OR RESUBDIVISION
 PLANNING & ZONING COMMISSION
 Easton, CT

Title of Subdivision (Resubdivision) _____
 File No. _____

The undersigned requests approval by the Planning and Zoning Commission of Easton, Connecticut, of the subdivision or resubdivision described below, in accordance with Section 8-26, as amended, of the General Statutes of Connecticut, and the Subdivision Regulations of the said Commission in effect on this date. The attached check list will be used by the Commission to determine if application is complete. Applicant to supply all information indicated below.

Title of Subdivision _____

Location _____

Owner of Record: Name _____
 Address _____
 Name _____
 Address _____
 Name _____
 Address _____

Proposed Subdivider(s)*: Name _____
 Address _____
 Name _____
 Address _____
 Name _____
 Address _____

*All parties having 10% or larger interest to be listed. If more space needed, attach a separate sheet and check here.

A. DRAWINGS SUMMITTED

Drawing No.	Title	Date (latest revision)
-----	-----	-----
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SECTION VIII
APPLICATION FOR SUBDIVISION OR RESUBDIVISION

(cont'd)

B. LAND & LOT DATA

Total land area this tract (acres): _____

Is this tract the result of a subdivision
made subsequent to March 6, 1948? _____

Number of proposed lot: _____

Are there wetlands on this tract? _____

Is there a proposal for open space?
(attach if applicable) _____

Is there a proposed new Town Road? _____

If so, number of linear feet: _____

Proposed Time period for completion: _____

C. OTHER DOCUMENTS SUBMITTED

Identification

Date Shown

Identification	Date Shown
-----	-----
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
-----	-----

The applicant understands that this application is to be considered complete only when a subdivision plan and all other documents and information required by Sections V and VI of the Subdivision Regulations have been submitted.

Applicant and owner authorize the Planning & Zoning Commission to enter the property proposed for subdivision or resubdivision in accordance with the provisions of Section VII-g of the Subdivision Regulations.

Applicant warrants the truth of all statements contained herein and in all supporting documents according to the best of his knowledge and belief.

Applicant

Owner

By: _____

Authorized Agent

Address

Date Telephone

Submission of the following acknowledged:

- / / This application, completed as required.
- / / All drawings listed by Applicant, with copies as required.
- / / Test pit and percolation test data.
- / / Statement on Utilization of Solar Energy.
- / / Drainage easements as per IV-j(3), if applicable.
- / / Statement on Applicability of Flood Plain Management Regulations.
- / / Articles of Association for Neighborhood Association, if applicable.
- / / Statement on Jurisdiction of State DEP or Army Corps of Engineers
- / / Storm drainage calculations as per III k(1).
- / / Drainage analysis map and computations if required.
- / / SESC Plan.
- / / Names, addresses, envelopes per VI c (9).
- / / Open Space Site Improvement Plan, if required.
- / / Authorization for Access.
- / / Detailed cost estimate.
- / / All other documents listed by Applicant, with copies required.
- / / Application fee in amount of \$_____.
- / / Statement on applicability of Inland Wetland Regulations.

By: _____ Date: _____
 For the P & Z Commission

Date Application received by Commission: _____

By: _____

Title: _____

STATEMENT OF UTILIZATION OF SOLAR ENERGY
PLANNING & ZONING COMMISSION
EASTON, CT

Subdivision (Resubdivision) Title: _____

File No.: _____ Location: _____

Please state in what way the applicant has facilitated or considered the facilitation of passive solar energy techniques which would not significantly increase the cost of housing to the house buyer, after tax credits, subsidies and exemptions. For the purposes of this statement, passive solar techniques mean those site design techniques which during the heating season maximize solar heat gain and storage of heat within a building. During the warmer months, these techniques minimize heat gain and provide for natural ventilation. Site techniques shall include but not be limited to:

- (1) Alignment of streets along an east-west axis;
- (2) Alignment of lot lines along a north-south axis;
- (3) Orientation of structures so that the longest side faces south;
- (4) Location of septic systems on the south side of structure to help insure an area free of accessory structures and major vegetation;
- (5) Maintenance of a "solar setback" zone keyed to the percent grade and orientation of the slope, and
- (6) Location of required open space and parking areas on the south side of structure.

Favorable action on the application of which this statement is a part requires demonstration to the Commission that consideration has been given to the various techniques listed above, using the attachment to this statement. For each technique considered, show the approach or alternate approaches studied, the specific site limitations, and cost considerations. Attach additional sheets as necessary.

Attachment to STATEMENT OF UTILIZATION OF SOLAR ENERGY

1. Streets: _____

2. Lot Lines: _____

3. Orientation: _____

4. Septic Systems: _____

5. Solar Setback: _____

6. Open Space & Parking: _____

Applicant's Name: _____

Date: _____ Signature: _____

AGREEMENT TO COMPLETE
SUBDIVISION IMPROVEMENTS

WHEREAS, on the _____ day of _____ 20 ____, the Planning and Zoning Commission (the "Commission") of the Town of Easton, Connecticut (the "Town"), approved a plan for the subdivision or resubdivision of land in said Town (the "Approved Subdivision Plan"), which land is shown on a map entitled _____ dated _____, last revised _____, Scale 1" = _____ prepared by _____ subject to the conditions that the person or persons subdividing or resubdividing such land (the "Subdivider"): (1) file with the Commission, for the benefit of the Town, a cash bond, (the "Bond") in form and substance satisfactory to the Commission, in the amount of \$_____ securing to the Town the actual completion of certain work, installations and improvements required by the Commission, as shown in the Approved Subdivision Plan, within _____ years from the date of endorsement of the Subdivision Plan (the "Effective Date"), or such longer period as the Commission may approve in writing; (2) enter into this Agreement; and (3) dedicate to the Town all proposed streets within said subdivision upon completion thereof.

WHEREAS, _____ of _____ is the Subdivider of said premises; and

WHEREAS, the Subdivider has filed with the Commission a Cash Bond in the form of a check, Check # (s) _____ from _____ in the amount of \$_____ and on the _____ day of _____ 20 ____, the Commission endorsed the Subdivision Plan.

NOW THEREFORE, in consideration of the foregoing and the promises and covenants herein contained the Subdivider for itself, its successors and assigns and the Commission agree as follows:

1. The Subdivider hereby agrees to complete within _____ years from the Effective Date, or such longer period as the Commission may approve in writing, certain work, installations and improvements required by the Commission as shown in the Approved Subdivision Plan all in accordance with said Plan, the subdivision regulations, zoning regulations, road regulations and ordinances of the Town to the satisfaction of the Commission.
2. No alteration, change or variation to such required work, installations or improvements shall be made without the prior written consent of the Commission.

3. The Subdivider agrees to pay promptly for all materials furnished and labor supplied or performed in connection with the aforesaid work, installations and improvements.
4. The Subdivider agrees to guarantee all new streets, together with all appurtenances thereto, located within said subdivision for a period of five (5) years after acceptance thereof by the Town, which guarantee shall be included in and made a part of the deeds of conveyance from the Subdivider to the Town of said streets by the incorporation of the following language:

The said grantor does for itself, its successors and assigns, covenants with the said grantee, its successors and assigns, for the period of five (5) years from the date of this deed that the aforesaid streets are free from all defects in workmanship and materials and have been constructed in accordance with the provisions of the pertinent ordinance(s) of the Town of Easton relating to the construction of such streets. This covenant shall expire five (5) years from the date of this deed.

5. The consent of the Commission to any alteration, change or variation in any required work, installations or improvements, or any extension of time for the completion thereof granted by the Commission, or any forbearance on the part of the Commission to the Subdivider, shall not in any way release the Subdivider, its successors or assigns from any obligations hereunder.
6. The Subdivider hereby agrees that each and every failure to comply with all terms of this Agreement, and any notice to the Commission that it does not intend to or cannot comply with all terms of this Agreement shall constitute a default hereunder. In the event of any default hereunder, the Town may declare the said Bond forfeited by written notice to the Subdivider by certified or registered mail return receipt requested. In the event that the Subdivider fails to remedy such default within ten (10) days after delivery of such notice, the Town may (1) collect and deposit the proceeds of the Bond in its accounts, and (2) provide for such work, installations and improvements out of the proceeds of such Bond and the Commission may declare the Approved Subdivision Plan terminated and record a Notice of Termination on the Town's Land Records. If such default is caused by notice to the Commission that the Subdivider does not intend to or cannot comply with the terms of this Agreement, the Subdivider may remedy the same only by posting additional security with the Commission within such ten (10) day period. In no event shall the Town be required to perform any such work or incur any expense therefore before collecting, depositing and applying the proceeds of the Bond as aforesaid.

7. The Commission agrees that upon the satisfactory completion of said work, installations and improvements as required by this Agreement and the submission of all deeds, easements and other instruments required by the Approved Subdivision Plan in form and substance satisfactory to the Commission, it shall recommend to the Board of Selectmen that the streets within said subdivision be accepted by the Town of Easton, provided, however, that the Bond shall not be released until: (1) the Town Engineer has certified completion of the public utilities and all improvements in accordance with the requirements shown in the record subdivision plan to the First Selectman, (2) the street or streets have been legally accepted by the Town, and (3) all required as-built drawings have been received and found satisfactory by the Commission.

8. In the event that the Subdivider sells, transfers, or otherwise conveys all of the land being subdivided prior to completion of said work, installations and improvements, the Subdivider shall not be released from its obligations hereunder nor shall the Subdivider's bond be released unless and until all such required work, installations and improvements are completed or a new bond is posted.

9. This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, representatives and assigns.

IN WITNESS WHEREOF, the parties have hereunto caused to be set their hands and seals this _____ day of _____ 20 ____.

Signed, Sealed and Delivered
in the Presence of :

By:

PLANNING AND ZONING
COMMISSION OF THE TOWN
OF EASTON

By:

Its:

RECEIVED FOR RECORD _____ 20_____

at _____ m. Attest _____

Easton Town Clerk

Agreement to Maintain Subdivision Improvements

WHEREAS, on _____ the Planning and Zoning Commission (the "Commission") of the Town of Easton, Connecticut (the "Town"), recommended the acceptance by the Town of _____, Easton, Connecticut a road which was constructed by _____ (the "Subdivider") in accordance with a plan for the subdivision of land in said town (the "Plan"), which land is shown on a map entitled " _____ " prepared for _____ by _____, CT.", record map number _____.

WHEREAS, on _____ the Commission recommended a Maintenance Bond in the amount of \$ _____ for a term of one (1) year from the date of acceptance of _____ by the Board of Selectman; and

WHEREAS, the Subdivider has filed with the Town a Bond in the total amount of \$ _____ in cash which shall be deposited, held, and distributed by the Town in accordance with its bond policies;

NOW THEREFORE, in consideration of the foregoing and the promises and covenants herein contained the Subdivider for itself, its successors and assigns and the Commission agree as follows:

1. The Subdivider hereby agrees to insure the proper performance and seasoning of _____ and the installations and improvements required by the Approved Subdivision Plan.
2. The Subdivider agrees to pay promptly for all materials furnished and labor supplied or performed in connection with the aforesaid work, installations and improvements.
3. The Subdivider agrees to guarantee all new streets, together with all appurtenances thereto, located within said subdivision for a period of five (5) years after acceptance thereof by the Town, which guarantee shall be included in _____ and made part of the deeds of conveyance from the Subdivider to the Town of said streets by the incorporation of the following language:

The said grantor does for itself, its successors and assigns, covenant with the said grantee, its successors and assigns, for the period of five (5) years from the date of the acceptance of _____ that the aforesaid streets are free from all defects in workmanship and materials and have been constructed in accordance with the provisions of the pertinent ordinance(s) of the Town of Easton relating to the construction of such streets. This covenant shall expire five (5) years from the date of acceptance of _____.

4. The Subdivider agrees that each and every failure to comply with all terms of this Agreement, and any notice to the Commission that it does not intend to or cannot comply with all terms of this Agreement or any failure to respond to a written request of the Commission within ten (10) days shall constitute a default hereunder. In the event of any default hereunder, the Town may declare the said Bond forfeited by written notice to the Subdivider by certified or registered mail return receipt requested. In the event that the Subdivider fails to remedy such default within ten (10) days after delivery of such notice, the Town may (1) collect and deposit the proceeds of the Bond in its accounts, and (2) provide for such work, installations and improvements out of the proceeds of such Bond and the Commission may declare the Approved Subdivision Plan terminated and record a Notice of Termination on the Town's Land Records. If such default is caused by notice to the Commission that the Subdivider does not intend to or cannot comply with the terms of this Agreement, the Subdivider may remedy same only by posting additional security with the Commission within the ten (10) day grace period. In no event shall the town be required to perform any such work or incur any expense therefore before collecting, depositing and applying the proceeds of the Bond as aforesaid.

5. The subdivider's bond shall be released upon certification to the Commission by the Town Engineer that said _____ has _____ properly performed and seasoned for a period of one (1) year as aforesaid.

6. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, representatives and assigns.

IN WITNESS WHEREOF, the parties have hereunto caused to be set their hands and seal this _____ day of _____, 20__ .

Signed, Sealed and Delivered
in the presence of:

By:

Its'
Duly Authorized

Planning and Zoning Commission
of the Town of Easton

By:

Its' Chairman

Attachment to Application For Subdivision or Resubdivision

**APPLICATION
FOR
DETERMINATION OF WETLAND IMPACT**

Note: Connecticut General Statutes require that the applicant for a subdivision or Resubdivision which involves land regulated as wetland or watercourse shall submit an application to the Town Inland Wetlands & Watercourses Agency, not later than the date of submission of the Subdivision application to the Planning and Zoning omission, to determine the impact of the proposed activity on wetlands and watercourses on or adjacent to the property (CGS 8-26)

To: Inland Wetlands & Watercourses Agency,
Town of Easton Conservation Commission

Date: _____

Location of Property: _____

Owner(s) of Record: (Name) _____

(Address) _____

(Telephone/FAX/E-MAIL) _____

Applicant(s): (Name) _____

(Address) _____

(Telephone/FAX/E-MAIL) _____

Title of Subdivision or Resubdivision (Application Must Include Application Form and

Drawings 1,2, 3 and 6 of the Proposed Plans _____

A written statement from the Conservation Commission (IWWC) regarding potential wetland/watercourse impacts and the applicability of the Inland Wetlands & Watercourses Regulations to the proposed development must be submitted to the Planning and Zoning Commission for the subdivision application to be considered complete.

AGREEMENT FOR SELECTION OF APPRAISER

In accordance with General Statutes § 8-25 and Section X.-10 of the Easton Subdivision Regulations, when a payment of a fee in lieu of a requirement to provide open space is a condition of subdivision approval the fair market value of the property prior to the approval shall be determined by an appraiser jointly selected by the Commission and the applicant.

Subdivision Application # _____

Street address of subdivision property _____

Name of Applicant _____

Date of Commission approval letter _____

Total area of land being subdivided _____ acres

The cost of this appraisal will be shared equally by the applicant and the Town of Easton. Final appraisal value shall be based on the pre-development value of the entire subdivision tract excluding all buildings and improvements.

Jointly agreed appraiser: _____

Address: _____

CT Registration: _____

Amount of annual fee: \$ _____

For the applicant _____ / date _____

() owner () agent

For the Commission _____ / date _____

chairman

Year 2014 Adopted Schedule
EASTON PLANNING & ZONING COMMISSION
225 CENTER ROAD
EASTON, CT., 06612

November 25, 2013

W. Derek Buckley
Town Clerk-Town of Easton
225 Center Road
Easton, Ct. 06612

Dear Mr. Buckley:

This letter is to inform you that the Planning and Zoning Commission of the Town of Easton at its regular meeting of November 25, 2013 adopted the following calendar for its regularly scheduled meetings for the year 2014. Meetings are scheduled for the second and fourth Mondays of the month **at 7:00 p.m.** except as noted below. All meetings will be in Conference Room A of the Easton Town Hall unless over-capacity attendance is anticipated, in which case the alternative location will be posted at the Town Hall.

Jan. 13, 2014 *	July 14, 2014 *
Jan. 27,	July 28,
Feb. 10,	Aug. 11,
Feb. 24,	Aug. 25,
Mar. 10,	Sept. 8,
Mar. 24,	Sept. 22,
Apr. 21, * (April 14th is Passover)	Oct. 20,* (October 13th is Columbus Day)
Apr. 28,	Oct. 27,
May 12,	Nov.17, (November 10th is Veterans' Day)
May 19, (May 26th is Memorial Day)	Nov.24,
June 9,	Dec. 8,
June 30,	Dec.15,

*** The above noted meetings are reserved for the Commission's discussion of planning issues. Applications and other routine matters will not be scheduled for these meetings unless an emergency or legal deadline for decision intervenes.**

If this schedule changes for any reason you will be given the proper notice within the given time period as in compliance with the Freedom of Information Act.

Thank you for your kindness in posting this information.
Very truly yours,

PLANNING AND ZONING COMMISSION

Robert Maquat, Chairman

RM/ma

cc: Selectmen, Town Engineer, Commission members, Receptionist, ZEO, press, daybook