

Section 7.04 Site Plan

Plot plans shall be drawn to scale and shall show: (i) the total area of the lot and the area of each and every accessway, inland wetland and watercourse; (ii) the amount of street frontage; (iii) the locations of all existing and proposed buildings, structures, wells and subsurface sewage disposal systems; and (iv) the distances of all proposed wells and subsurface sewage disposal systems from all property boundaries. The Commission or its agent may require the plot plan to be drawn by a professional surveyor and/or engineer and may further require that the plot plan be drawn to any level of accuracy the building official determines is reasonably necessary to confirm that the proposed uses will comply with these regulations.

~~Notwithstanding the above, site plans associated with excavations shall be governed by Appendix A.~~

- A. **INTENT:** A Site Plan is intended to provide the Commission with information necessary to determine that the proposed activity is in compliance with all applicable requirements of these Regulations. It is also intended to provide the Commission with information that will enable it to determine that the proposed buildings and uses are arranged in a manner that enhances the health, safety and welfare of the citizens of Sterling and shall be of such character as to harmonize with the neighborhood, to accomplish a transition in character between the areas of unlike character, to protect property values in the neighborhood, to preserve and protect natural resources and the appearance and beauty of the community and to avoid undue traffic congestion.
- B. **APPLICABILITY:** A Site Plan shall be submitted with any application for a zoning permit except as provide below.
1. Notwithstanding the foregoing, an application for a Single-Family Residence in any district, or a permitted residential accessory structure and use when not part of a subdivision ~~or ARHOD~~, may be submitted, to the Zoning Enforcement Officer together with such information as he or she may require (e.g., a Plot Plan), and may be approved by the Zoning Enforcement Officer.
- C. **PROCEDURES FOR SUBMISSION, RECEIPT, DECISIONS AND RECORDING**
1. **Submission and Receipt.** A Site Plan shall be submitted to the Zoning Enforcement Officer for receipt by the Commission.
 - a. An applicant shall submit six (6) copies of a Site Plan as prescribed in this section.
 - b. All materials that are submitted, or required to be submitted, in connection with any application requiring a site plan, including all fees, must be submitted and made available for Public Inspection no later than ten (10) working days before the scheduled meeting where the Planning and Zoning Commission will receive the application (official date of receipt).
 2. **Decision.** The procedures specified in the Connecticut General Statutes shall govern the processing of such application except as otherwise provided in these Regulations.
 3. **Recording.** The Site Plan shall, upon approval by the Commission, be recorded by the applicant in the office of the Town Clerk of Sterling, and any plan not so recorded within ninety (90) days following its approval, or within ninety (90) days of the date upon which said plan is taken as approved by reason of the failure of the Commission to act, shall become null and void. The applicant may request two (2) additional ninety (90) day extensions. The request for an extension must be filed in time to be considered by the Planning and Zoning Commission at a

regularly scheduled meeting before the expiration of the initial filing deadline. A signed copy of the approved plan shall be provided by the applicant to the Zoning Enforcement Officer and to the office of the Town Assessor.

D. SITE PLAN REQUIREMENTS

1. **Professional Preparation:** A Site Plan shall be prepared by a Connecticut registered professional surveyor, engineer or other appropriate professional. Any Site Plan involving grading, paving, road construction and drainage work, and/or any municipal improvement shall be designed by a Connecticut registered professional engineer. Original signatures and seals shall be placed on all plans submitted to the Planning and Zoning Commission for all professionals who assisted in the preparation of the plans. The requirement for original signatures and seals is not subject to waiver provisions contained in this section.
2. **Standard Elements of the Site Plan:** Unless waived by the Commission upon written request of the applicant pursuant to Section 105 of these regulations, the following information shall be provided on a 24 x 36-inch plan, with scale of 1" = 40'.
 - a. Property and applicant information:
 - i. address of the property;
 - ii. name and address of owner of record; and
 - iii. name of and address of the applicant.
 - b. North arrow (if other than North American Datum (NAD) 83 the applicant shall state why and provide standard for alternative), scale, name(s) of person(s) preparing plan, date of drawing, and any revision dates with description of revisions (revision dates shall appear on each plan sheet that has been revised and shall include a description of the revisions).
 - c. Property boundaries (Class A-2 with dimensions, angles, and area of the parcel and/or parcels subject to the application).
 - d. Dimensions of all yards and buildable area, as required by these Regulations.
 - e. A zoning compliance chart or table that indicates the dimensional and use requirements for the property in the Zone and how the proposed structure and uses will comply with the requirements.
 - f. Existing and proposed contour lines. For all areas of the parcel within one hundred (100) feet of any proposed work (including construction, excavation, filling, grading, and clearing of vegetation), the contour interval shall be no greater than two (2) feet (T-2 or T-3 accuracy). Topography taken from USGS Quadrangle interpolation shall not be acceptable for such areas but may be used for other portions of the site. The Commission may require the applicant to submit design drawing(s), including cross sections and elevation, of all proposed activity. Additional spot elevations may be required where necessary to indicate drainage patterns.
 - g. Locations and specifications of all existing and proposed structures and uses including, but not limited to, buildings, stone walls, fences, sidewalks, driveways, parking and loading areas, exterior storage areas, signs, abutting streets, utility structures, and hydrants.
 - i. A rendering of any proposed building shall be supplied, with siding materials specified (front, side, and rear elevations shall also be shown).

- h. Locations and descriptions of water supply wells or other water sources and of all sewage disposal facilities, together with percolation and test pit data.
- i. Locations of existing and proposed drainage facilities on the site and those off-site that may be affected by the proposed activity, as well as any points of collected drainage discharges (i.e., discharges other than natural sheet flow) onto or off of the site.
- j. Location of wetlands, watercourses, and wetlands buffers, with the original signature of the soil scientist who identified such features. The signature of the professional is not subject to waiver provisions contained in this section. All wetlands shall be field located. A signature block for the soil scientist certifying that all wetlands and watercourses have been delineated or that there are none on the property shall be placed on the plans.
 - i. In addition to the wetlands delineation all soil types shall be shown per "Soil Survey of Windham County, Connecticut."
- k. A landscape plan showing the planting, location and species to be used, the ground cover and surface treatments proposed, and identification of the types and location of existing vegetation to remain in place on the site. The number, location and size of the landscaping material. The Commission shall require such plans to be prepared by a professional landscape architect (i.e., American Association of Landscape Architects, ASLA).
 - i. A Soil Erosion and Sediment Control Plan (SE&SC) per Section 110.
- l. Zone of site and of all property within five hundred (500) feet.
- m. Names and addresses of current owners of property within five hundred (500) feet of the parcel as shown in the Assessor's records, including properties across from any street/road, river, and/or municipal boundary, and properties sharing a driveway with the subject property.
- n. Identification of any easements and deed restrictions affecting the property including Conservation and/or Open Space areas.
- o. Areas within 100-year flood hazard areas as delineated by the Federal Emergency Management Agency (FEMA) and as shown on the most recently amended maps prepared by FEMA must be shown with a note saying "Limits of Flood Hazard Zone are approximate and are scaled from the Federal Flood Hazard maps". When a lot does not include land within the 100-year flood hazard area, the map shall include the following notation: "This lot does not include land areas within the Federal Emergency Management Agency's 100-year flood hazard area.
- p. Sight line information at proposed driveway cut(s), and statement that plans have either been submitted to DOT for review or that DOT review is not required.
- q. Lighting plan per Section 106.9.
- r. Boundaries of any sub-regional watersheds that lie within the site, as shown on maps available from the Natural Resources Center of the Department of Environmental Protection.

- s. Wooded areas, specimen trees (exceeding thirty (30) inches diameter at breast height (dbh), five (5) feet above the ground), rock outcroppings (greater than two hundred (200) square feet surface area) and any unique and fragile natural features.
- t. The general location of any endangered special and/or species of special concern shall be shown on the plans.
- u. Stone walls, monuments, and other structures having historical significance.
- v. Archaeological sites including but not limited to those known to the State Archaeologist's Office. The Commission may require the Applicant to submit a report from the State Archaeologist's Office.
- w. Historic buildings and sites listed on the National Register of Historic Places.
- x. Location of proposed subsurface sewage disposal systems and reserve fields, showing distances to adjacent land, distances from all wells within two hundred (200) feet (on or off the tract), and distance from any manure handling systems.
 - i. Existing and proposed buildings and structures shall detail the number of bedrooms in each and the total number of bathrooms.
- Z. Existing and proposed street and lot lines.
- AA. Areas proposed for conservation or preservation as open space, including areas/easements required by the Inland Wetlands Commission.
- BB. Identification of surface and groundwater resources on and around the site, including any public or private domestic users of such waters; the depth to groundwater and description of adjacent soils, and an evaluation of the impact of the proposal on existing and potential surface and ground drinking water supplies. The Commission may require additional information necessary to ensure protection of water resources and may require that the report be prepared by a hydrogeologist or other qualified professional.
- CC. Identification of any chemicals or potential contaminants to be used, stored or produced on site or discharged on or off the site, and a detailed description of methods and procedures by which any chemicals or potential contaminants on site will be stored, used, applied, discharged, and disposed.
- DD. If required by the Commission, evidence of submission, review and acceptability of plans to other State and Local regulatory agencies with jurisdiction over some or all of the proposed structures and/or uses including but not limited to the following permits: Inland/Wetland permits, Dept. of Transportation Encroachment Permit and/or State Traffic Commission permit, Dept. of Energy and Environmental Protection, Water Diversion Permit Floodway Encroachment Permit.
- EE. Any other information deemed necessary by the Commission to determine compliance with these Regulations. The Commission may require evaluation reports by Commission-approved independent professionals and other experts, including and not limited to: traffic engineers, hydrologists, soil scientists, geologists.

3. **WAIVER OF REQUIREMENTS UPON:** written request of the applicant, the Commission may waive, by a $\frac{3}{4}$ vote of members present and voting, one or more of the above requirements of Section 104.2, if the applicant can demonstrate to the satisfaction of the Commission that the information is not needed to reach a decision on the application.
4. **SITE PLAN STANDARDS:** IN review of the Site Plan, the Commission shall consider the following:
 - a. **Complete Application:** The submission shall contain an application including plans and information as required by this section and all applicable sections, as well as any requirements provided in the application form. Information shall be presented with sufficient clarity and detail to enable the Commission to understand it and determine compliance. *It is the responsibility of the applicant to provide a complete application, and failure to do so is grounds for denial of the application.*
 - b. **Compliance with Regulations:** The application shall conform in all respects with these Regulations, unless a variance has been granted, a copy of which must be submitted with the application. Such application must also conform to the requirements of the Public Health Code, as documented in a written report from the Town Sanitarian or other official having jurisdiction and submitted as part of the application.
 - c. **Frontage Requirements:** Where the site has frontage on an existing road, the pavement and shoulders shall be brought to the standards of the existing street and to the standards required to accommodate the proposed development, including but not limited to: road widening; acceleration/deceleration lanes; storm water drainage; curbing; sidewalks; and, street trees and/or landscaping so as not to create a traffic hazard or undue traffic congestion.
 - i. The project's frontage may be traversed by not more than one driveway, unless the Commission finds that more than one driveway is desirable for safety reasons. Applicants are encouraged to arrange common accesses with adjoining properties, and the Commission may approve temporary access designs when a more desirable permanent access serving more than one property appears achievable in the future.
 - d. **Traffic and Access:** Access to the lot and internal circulation shall be designed so as to promote the safety of pedestrian and vehicular traffic, both on the lot and off site. The Site Plan shall be evaluated on the following basis:
 - i. the effect of the development on traffic on adjacent streets;
 - ii. circulation pattern of vehicular and pedestrian traffic on the site;
 - iii. provision for parking and loading;
 - iv. adequacy of sight line;
 - v. relationship of the proposed circulation to circulation on adjacent property, for both vehicles and pedestrians, with especial attention to promoting pedestrian traffic among adjacent parcels; and
 - vi. emergency vehicle access.
 - e. **Large Residential Developments:** (40+ units), at the Commission's discretion, may be required to:

- i. provide a comprehensive traffic study detailing the effects of the proposed development, taking into account current or future shared access to adjacent or consolidated parcels;
 - ii. make improvements to roadways in order to accommodate a proposed development, including but not limited to acceleration and deceleration lanes, left turn lanes with adequate stacking distance, roadway widening, and traffic control devices;
 - iii. close existing curb cuts, limit proposed curb cuts, or close temporary curb cuts when alternative access points become available;
 - iv. limit turning movements to right turns in or out of curb cuts;
 - v. align access drives or roads with opposing access drives or roads wherever practical; and
 - vi. limit direct access to Route 2 when a parcel has frontage on an adjacent street or highway.
- f. **Surface and Groundwater Protection:** No Site Plan shall be approved which poses a significant risk of degradation of surface or groundwater supplies arising from the proposed activity.
- g. **Water Supply:**
 - i. The applicant must submit the proposed water supply plan to the Director of Health or other official having jurisdiction for approval.
 - ii. The applicant must submit a Site Plan to the Fire Marshall in order to afford him/her the opportunity to comment on the adequacy of the water supply needed for fire protection.
- h. **Architectural Character, Historic Preservation, Site Design, Landscape Preservation:** The overall character of the proposed site design and architectural character of proposed structures shall protect property values in the neighborhood and the Town; preserve the existing historic character in terms of scale, density, architecture, and materials used in construction of all site features; protect the existing historic patterns of arrangement of structural and natural features, including circulation patterns; and, preserve public access to scenic views and vistas, and water courses.
- i. **Landscaping and Screening:** All parking, service and storage areas, including dumpsters, shall be reasonably screened by landscaping and/or fences or walls. The landscaping of the site shall be designed so as to protect and enhance the historic and rural character of the neighborhood and Town. All-season visual buffers between the proposed use and abutting property shall be provided through the use of grade separation, landscaping, buffer areas, etc. All parking areas should include landscaped islands to direct vehicular and pedestrian circulation and to reduce the visual impact of large, paved areas. At planting, all deciduous trees shall have a minimum diameter of two and one-half (2.5) inches at breast height (DBH), evergreen trees shall have a minimum height of five (5) feet, and all shrubs shall be one third of their ultimate size. Artificial vegetation is prohibited.
- j. **Lighting:** No site feature or activity shall create glare or illumination which extends beyond a site's property lines or otherwise create a hazard or nuisance to neighboring

properties or adjacent roadways. Lighting shall be designed to provide the minimum illumination necessary for the safety and security of the proposed activity. Lamp posts shall be the minimum height necessary to provide adequate illumination, and in no case shall they exceed twenty (20) feet in height, unless otherwise required by these regulations. Lighting shall be designed such that the light source is shielded and the light is directed downward. Lighting fixtures shall be of a design appropriate to the use and area. Parking and loading areas and walkways shall be provided with adequate lighting.

5. SECURITY REQUIREMENTS

- a. As a condition of Site Plan approval, the Commission may require that the applicant post with the Town a performance security in an amount and form agreeable to the Commission. The type of security consistent with State law, shall be determined by the Commission with preference being given to cash bonds and letters of credit. Such security is intended to guarantee satisfactory completion of any required site improvements. Whenever the Commission has required such performance security, no zoning permit shall be issued for the authorized activity until the applicant has delivered the required security to the Commission, or its delegated representative, in the required amount and form.
- b. The applicant shall submit to the Commission, with any application for a Site Plan review, an estimate of the costs of any proposed site improvements, which estimate shall contain a separate inflation factor for the estimated improvement period. The Commission may refer such estimate to its own engineer for review, and the amount of the performance security shall be determined by the Commission. The security as posted shall name as principal both the applicant and the record owner of the premises. The Commission may consistent with State Law, direct the type of security to be issued and may require approval by the Town Attorney. The preferred types of security are: cash, or an irrevocable letter of credit.
 - i. The Commission may provide for the reduction of the security as site improvements are completed to the satisfaction of the Commission (report by ZEO required). The amount of any reduction shall be in the sole discretion of the Commission.
 - ii. The Commission may require a portion of the initial security to be held as a maintenance security for an item including but not limited to landscaping, Sediment and Erosion control measures, and storm drainage infrastructure that may need monitoring beyond the granting of a certificate of zoning compliance. The commission shall stipulate the time period for this security not to exceed one (1) year.
 - iii. The security shall be held by the Town Treasurer until its release is voted by the Commission. The Commission shall not release the entire security until it receives certification from the Zoning Enforcement Officer and the Town Engineer that compliance with these Regulations and the approval given have been met and that no further security is required.

6. MODIFICATIONS OF APPROVED PLAN

- a. The Commission may approve minor modifications of a Site Plan upon the written request of the landowner or the owner's agent and a final as-built drawing shall be submitted, which reflects the minor modification, before a Certificate of Occupation (CO) is issued.

- b. If the proposed modifications to the Site Plan are not minor the Commission shall require a formal application to amend a previously approved Site Plan. The procedure to modify the Site Plan shall follow the same procedures for a new application.
- c. If the proposed modifications to the Site Plan are not minor and the use with which the Site Plan is associated is a Special Permit use under these Regulations, the Commission shall require a public hearing before making any decision on the application for modification.
- d. The term “minor modifications” shall not be deemed to include any alterations of a Site Plan that would (a) affect traffic flows or patterns outside of the relevant parcel, or (b) result in the creation of new structures or the expansion of existing structures, unless such new or expanded structure would not increase the existing footprint by more than two hundred (200) square feet.

7. STORMWATER MANAGEMENT

- a. **Purpose and Authority:** Increased development without proper consideration of stormwater impacts is a significant source of pollution to surface and ground water. These water resources are valuable natural, economic, recreational, cultural, and aesthetic resources, and their protection and preservation is in the public interest and essential to the health, welfare, and safety of the citizens of the Town. It is therefore the purpose of this section to protect and preserve the resources within the Town of Sterling by managing storm water flows in accordance with the Connecticut Department of Environmental Protection “Connecticut Stormwater Quality Manual” (CSQM) as amended. The provisions of these Regulations are pursuant to Connecticut State Statutes and shall apply to all development occurring within the Town. The provisions of this section of these Regulations shall be the minimum requirements for stormwater management plans in the Town of Sterling, and the enactment of this Regulation shall not preclude the application of applicable town, state and/or federal regulations to the facilities regulated thereby.
- b. **Applicability:** A Stormwater Management Plan is required for any development requiring a Site Plan or for a Subdivision/Re-subdivision that involves the disruption, clearing or removal of ground cover or soil material, or the creation of impervious surfaces in an area greater than one (1) acre, or one half (.5) acre if located in the Seasonal Use or Aquifer Protection Overlay Area. The stormwater management plan is to be designed to be consistent with the CSQM as amended. The Commission shall use the standards and criteria for decision outlined in the CSQM as amended when reviewing the Stormwater Management Plan.
- c. **Design Criteria**
 - i. **Sedimentation:** The system shall remove eighty (80) percent of the annual solid pollutant loading. This can be met by providing manufacturers data sheets, or calculations verifying the adequacy of a site designed system. CSQM guidelines may be used in such calculations, or the Engineer may use other methodologies with prior approval of the Town Engineer.
 - ii. **Stormwater Flow:** Provide individual watershed stormwater flows across the site boundary (property line) equal to or less than the pre-existing condition. In other

words, flows may not be increased within any watershed after development. This shall be provided for the 2, 10, 25 and 100-year rainfall events. The plan must also include pre-development and post-development flow calculations.

- iii. **Stormwater Volume:** For each of the design rainfall events (above), the volume of stormwater leaving the site shall be equal to or less than the volume of stormwater leaving the site in its pre-existing condition.

In granting the plan approval, the Commission may make modifications or impose such conditions that may be deemed necessary to ensure compliance with the CSQM, as amended.

1. **Terms and Conditions:** The Stormwater Management Plan shall also provide a release for each applicant/developer and/or owner and each of their respective representatives, heirs, successors and assigns, shall hold the Town of Sterling and its officials, employees, representatives, agents, boards, agencies and commissions and each of their respective representatives, heirs, successors and assigns, harmless and indemnify them from and against any claims, damages, losses, costs and expenses (including attorney's fees) from any personal injury (including death) and property damage resulting from any act or omission of said applicant/developer and/or owner in the design, construction, inspection, maintenance and operation of stormwater management facilities approved pursuant to this section of these Regulations, and from any acts or omissions, including without limitation, negligent acts or omissions of said Town, and/or its officials, employees, representatives, agents, boards, agencies and commissions and each of their respective representatives, heirs, successors and assigns in the approval and inspection of said facilities or the performance of any activities pursuant to these Regulation.
 2. Any release pursuant hereto shall apply to the owners and/or lessees of the property in question and shall run with the land.
8. **EROSION AND SEDIMENT CONTROL (SE&SC) PLAN:** Whenever plans for the proposed development show that it will result in the disturbance of more than one half (0.5) acre of land, the applicant shall submit with the Site Plan an erosion and sediment control plan that presents, in mapped and narrative form, the measures to be taken to control erosion and sedimentation both during and after construction. Exempted from the provisions of this section are single-family residences that are not part of a subdivision ~~or an ARHOD~~. The SE&SC Plan shall be based on "Connecticut Guidelines for Soil Erosion and Sediment Control," available from the Natural Resources Center of the Connecticut Department of Environmental Protection.

a. The SE&SC Plan shall include the following information:

- i. a description of the project and a schedule of the major activities to be constructed on the land;
- ii. location of wetlands and watercourses;
- iii. locations of areas to be stripped of vegetation;
- iv. locations of areas to be regraded and contour data indicating existing and proposed grades;

- v. a schedule of operations, including the sequence of major improvement phases such as clearing, grading, paving, installation of drainage features, and the like;
 - vi. seeding, sodding, or re-vegetation plans and specifications for all unprotected or unvegetated areas;
 - vii. location, design, and timing of structural control measures, such as diversions, waterways, grade stabilization structures, debris basins, and the like; and the narrative shall indicate design criteria used in the design of control measures;
 - viii. a description of procedures to be followed to maintain sediment control measures; and
 - ix. the plan map shall show the words: "Erosion and Sediment Control Plan Certified by vote of the Sterling Planning and Zoning Commission on (date)," and a space for the signature of the Chairman or Secretary of the Commission.
 - b. The security required for improvements in connection with the proposed subdivision shall be required to be sufficient to cover the costs of accomplishing the SE&SC measures.
9. **CEMETERY PRESERVATION:** The Commission shall, in its review of projects that require site plan and/or subdivision approval, determine if the parcel of land or lots described in the application contain a burial ground, graveyard, or cemetery.
 - a. If such burial ground, graveyard, or cemetery does exist, the applicant shall, as a condition of approval, be required to demonstrate and document within the Application that the proposed activities will not disturb, limit access, or restrict maintenance of the cemetery, access way, or peripheral area up to twenty-five (25) feet outside the boundary of the cemetery.
10. **CONSTRUCTIONS PLANS:** The applicant shall be required to file construction plans with any application for a Site Plan use involving work or improvements within any street right-of-way, construction of drainage facilities, or sediment and erosion control measures. Construction plans shall show at least the following information in accordance with good engineering practices and as appropriate for the particular lot.
 - a. For activities involving public streets or Town drainage facilities, a signature block entitled "approved by the Sterling Board of Selectmen" with a designated place for signature and date of signing;
 - b. For activities involving improvements to public streets, the existing grades at the center line and both road lines, the proposed grade at the center line at appropriate intervals, the width of pavement, typical road cross sections and cross sections at all cross culverts.
 - c. Any temporary or permanent storm water detention facilities;
 - d. Any erosion and sediment control measures and a signature block with the working "The Sterling Planning and Zoning Commission Certifies that this Erosion and Sediment Control Plan complies with the Town's Regulations".
11. **AS-BUILT DRAWINGS:** For approvals which required professionally prepared plans, and when deemed necessary by the Zoning Enforcement Officer, As-built Drawings shall be submitted to demonstrate conformity to the approved plans. Such drawings shall be approved prior to the

issuance of a Certificate of Zoning Compliance. Such drawings shall show the installation of all improvements, including site work and structures, in at least the same detail as the Site Plan; and be prepared by a licensed engineer or surveyor, as is appropriate, who shall certify as to the compliance of the installation with the approved plan and shall identify all deviations from the approved plan. Any As-built Drawing showing substantial deviation from the approved plan shall be referred to the Commission. No certificate of zoning compliance shall be issued for any As-built Drawing showing such substantial deviation unless the as-built is approved by the Commission.