

TOWN OF ARLINGTON, VERMONT

SUBDIVISION REGULATIONS

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DEFINITIONS

- ACT: Title 24 V.S.A., Chapter 117, the Vermont Municipal and Regional Planning and Development Act.
- APPLICANT: Shall mean the owner of record or his agent duly authorized in writing.
- AUTHORIZED AGENT OR REPRESENTATIVE: A person or group of persons, who have been duly authorized in writing filed with the Commission by the subdivider to act in his or her behalf.
- CERTIFIED SITE TECHNICIAN: An individual certified by the Vermont Agency of Environmental Conservation to conduct site inspections for sewage disposal purposes.
- COMMISSION: Shall mean the Planning Commission of the Town of Arlington.
- DAYS: Calendar day.
- DEVELOPMENTAL RIGHTS: The rights of an owner or lessee of a parcel of land to construct, erect, or place any building or structure, the useful occupancy of which will require the installation of plumbing or sewage disposal facilities.
- EASEMENT: The authorization of a property owner for the use by another, and for a specified purpose, of any designated part of his or her property.
- FINAL SUBDIVISION PLAT: The final drawings on which the subdivider's plan of subdivision is presented to the Planning Commission for approval and which, if approved, may be filed for record with the Municipal Clerk.
- ON-SITE SPECIALIST: An employee of the On-Site Sewage Program of the Vermont Association of Conservation Districts trained and qualified to conduct site inspections and design sewage disposal systems.
- PLAT: A map or representation on paper of a piece of land subdivided into lots and streets, drawn to scale.
- PRELIMINARY PLAT: The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration.
- PROFESSIONAL ENGINEER: An engineer, registered in the State of Vermont, who has been trained in, and engages primarily in, civil or sanitary engineering.
- PURCHASER: A person, firm, corporation, partnership, or association who has or will purchase a parcel of land from the subdivider.

RESUBDIVISION: A change of recorded subdivision plat if such change affects any street layout on such plat, or area reserved thereon for public use, or any change of a lot line, or any such change if it affects any map or plan legally recorded.

STREET: Any road, highway, avenue, street, land, or other way between right-of-way lines, whether publicly or privately owned, used, or to be used for vehicular traffic.

SUBDIVIDER: Any person, firm, corporation, partnership, or association having an interest in land who shall lay out for the purpose of sale, lease, or development any interest, lot, unit, or plat in a subdivision.

SUBDIVISION: The division of a parcel of land into two or more lots, or other divisions for the purpose of sale, lease, or development. The word subdivision shall refer to the land to be subdivided or to the process of subdivision, as appropriate to the context, and shall include resubdivision.

The sale, exchange, or other transfer of parcels between adjoining lots where such transaction does not create additional building sites or cause any existing lot to be made noncomplying in terms of zoning requirements for lot size, width, or setback, shall not be considered a subdivision.

EXEMPTION: See Exemption provision in Section 1.05 of these regulations.

SUBDIVISION, MAJOR: Any subdivision which is not a minor subdivision, or any subdivision requiring a new street, and/or extension of municipal or other public facilities or utilities.

SUBDIVISION, MINOR: Any subdivision consisting of not more than four lots created from an ownership or a contiguous ownership after the effective date of these regulations. However, resubdivision of one or more of the original lots of a minor subdivision within ten years from the date of approval of the original subdivision shall be considered to be a major subdivision and shall be subject to the provisions of Section 7.02 of these regulations, provided that the total number of lots created from the original parcel equals or exceeds five lots.

SUBSEQUENT PURCHASER: A person, firm, corporation, partnership, or association who has or will purchase a parcel of land from the purchaser (as defined herein).

SECTION 1.00 - GENERAL PROVISIONS

- 1.01 Enactment: These regulations are established under the authority of 24 V.S.A., Chapter 117, herein referred to as the Act.
- 1.02 Purpose: The purpose of these regulations is to provide for moderate and orderly growth and coordinated development in the Town of Arlington, to assure the comfort, convenience, safety, health and welfare of the people, to carry out the purposes of the town plan, to assure conformance with the zoning regulations, to make proper provision for sewage disposal, to provide for the proper design and location of streets, and to further the purposes of the Act.
- 1.03 Enforcement, Violations, and Penalties: These regulations shall be enforced in accordance with Sections 4444 and 4445 of the Act.
- 1.04 Severability: The invalidity of any provision of these regulations shall not invalidate any other part.
- 1.05 Application of the Regulations: No subdivision of land shall be made, and no land in any subdivision shall be sold or offered for sale or lease, and no street construction shall be started until a final plat, prepared in accordance with the requirements of these regulations, has been approved by the Commission as per Section 7.05, and other required permits have been issued. The subdivider shall familiarize himself with all State and Town regulations relative to health, buildings, roads, and other pertinent data, so that he is aware of the obligations and standards expected. The subdivider may avail himself of the assistance of the Commission before preparation of applications or plans. The Planning Commission may waive or vary, subject to appropriate conditions, only those provisions for necessary public improvements where the circumstances of a proposed subdivision make such requirements inappropriate because of inadequate or lack of connecting facilities adjacent to or in proximity to the subdivision. No such waiver or variance may be granted if it would have the effect of nullifying the intent and purpose of the Zoning Bylaw, the Town Plan, the Health Regulations, the Official Map, or these Subdivision Regulations.

* EXEMPTION (to be granted by the Land Use Administrator): If a parcel of land has been in continuous single ownership for a period of six years, that owner may divide and convey not more than one lot from that parcel, with such division not considered to be a subdivision, provided that:

- each such division shall occur at least four years from the previous exempted division;
- such division shall comply with the Town of Arlington Health Regulations; and
- such division shall be consistent with all applicable sections of the Arlington Zoning and Flood Hazard Bylaws.

SECTION 2.00 - GENERAL PLANNING STANDARDS

- 2.01 Lot Layout: The layout of lots shall be appropriate for the intended construction and shall conform to the requirements of Zoning Bylaws. When designing lot layout, consideration shall be given to: topography, soil conditions, aesthetics, streams, important springs (those which currently serve, or have potential for serving future domestic water supply and/or irrigation), fragile (natural resource and natural hazard) lands as identified in the Town Plan, and agricultural lands.
- 2.02 Access: All lots within a subdivision shall have at least the minimum frontage for their district or, with the approval of the Planning Commission, have access to such a street by a private street, permanent easement, or right-of-way of not less than 50 feet in width for lots in a major subdivision and not less than 20 feet in width for lots in a minor subdivision.
- 2.03 Character of Land for Subdivision: All land to be developed shall be, in the judgement of the Commission, of such a character that it can be used for building purposes without danger to public health or safety, or to the environment. Subdivision designs shall give due consideration to land subject to periodic flooding, poor drainage, or other hazardous conditions. Plans for the subdivision of land shall conform with all regulations of the Planning Commission, Zoning Bylaws, Flood Hazard Regulations, Health Ordinance, and other applicable bylaws, ordinances, and regulations.
- 2.04 Natural Features: Due regard shall be given to the preservation and potential enhancement of existing natural features, large trees, scenic points, and other natural community assets.
- 2.05 Pedestrian Walks: Where appropriate, in the judgement of the Commission, rights-of-way for pedestrian travel and access may be required between subdivisions or within a subdivision, or between a subdivision and public property.
- 2.06 Reserved Strips: No privately owned reserved strip shall be permitted which controls access to any land dedicated to public use, or which may be so dedicated.
- 2.07 Trees and Plantings: An appropriate landscaping plan shall accompany the application. The plan should show areas where vegetation will be cleared, where vegetation will be retained, and plantings of new vegetation. Efforts should be made to screen developed areas from off-site views using existing vegetation and/or new plantings. No plantings that would obstruct motorists' vision or otherwise impair traffic safety shall be permitted in the street right-of-way.

SECTION 3.00 - STREET STANDARDS

- 3.01 Street Layout: Streets shall be logically related to the topography so as to produce usable lots, reasonable grades, and safe intersections in appropriate relation to the proposed use of the land to be served by such streets.
- 3.02 New Streets: Except as specifically provided for in Sections 2.02 and 3.07, any new street within a subdivision shall meet the following minimum standards, whether intended for acceptance by the Town or not:
1. Vermont Department of Highways Standard A-76, Standards for Development Roads.
 2. Vermont Department of Highways Standard B-71, Standards for Residential and Commercial Drives.
 3. Street Names: No new street shall be named in a manner which will duplicate or be confused with the name of an existing street, except for extensions of an existing street. All street names are subject to approval by the Board of Selectmen.
 4. Other Design Standards: The Planning Commission may impose other design standards to assure that slopes, horizontal and vertical curvature, and soil erosion precautions are adequate to meet the needs of the subdivision and protect the environment. The Commission may seek the advice of a qualified engineer, the Road Commissioner, or the Board of Selectmen in making a determination under this section. State Highway Standard A-76 has been adopted by the Selectmen as the only acceptable standard for roads which may be accepted by the Town.
- 3.03 Existing Private Streets: That portion of any existing private street which is to serve five or more newly created lots shall be improved to meet the standards of Section 3.02.

When five or more lots are to be served by a new street approved pursuant to these regulations, and said new street does not front on a public street, the existing right-of-way and private street lying between said new street and the appurtenant public street shall be improved to meet the standards of Section 3.02.

- 3.04 Existing Public Streets: If the access road to a proposed subdivision is a Class 4 Public Highway, the Commission may require the subdivider to improve the access road to the standards cited in Section 3.02. The Commission may also require the subdivider to make arrangements for maintenance of the access road satisfactory to the Commission until such time as the Board of Selectmen may reclassify the road.

3.05 Certification and Maintenance:

All new streets and portions of existing streets improved pursuant to these regulations shall meet the standards of Section 3.02. Moreover, any permit issued pursuant to these regulations shall include a condition that all new or improved private streets constructed in conjunction with a subdivision shall be continuously maintained so as not to fall out of conformance with these standards. A road maintenance agreement designed to guarantee that this condition is satisfied must be provided as part of the application.

3.06 Dedication to the Town: Any street intended for dedication to the Town shall be constructed to meet the standards established by the Board of Selectmen (Vt. A-76). Acceptance of such streets shall be at the discretion of the Board of Selectmen.

3.07 Deferral of Street Requirements

1. The Planning Commission may waive the requirements of Sections 3.02 - 3.04, except that the access requirements of Section 2.02 must be satisfied. This waiver may be granted provided a statement signed by the initial purchaser of each lot served by a street within the subdivision has been submitted to the Commission indicating that the purchaser is fully aware that the access road serving the lot does not meet the minimum standards for streets established by the Arlington Subdivision Regulations.
2. Any waiver of the street standards granted by the Planning Commission shall be recited in any deed for any lot served by such street in the form as follows:

A waiver was granted by the Arlington Planning Commission for the access road serving this lot, as said access road did not meet the minimum standards of the Town of Arlington Subdivision Regulations in regard to gradient, width, sub-base materials, or other design criteria at the time of subdivision.

3. Such deferral of street requirements may be granted by the Commission provided:
 - a. that the street to which the waiver applies shall serve no more than six lots, and that the issuance of the waiver will not result in an unsafe traffic condition or impede, in any manner, the access of emergency vehicles; and
 - b. that the waiver is necessary to preserve a scenic road or the scenic quality and rural character of the area.

SECTION 4.00 - SEWAGE DISPOSAL.

4.01 Requirements: The following requirements shall have been met before approval by the Planning Commission of any subdivision:

1. If applicable, a state subdivision permit shall have been granted by the Protection Division of the State of Vermont, Agency of Natural Resources under the authority of Chapter 5 of the Vermont Health Regulations.
2. For each lot within all subdivisions, a specific on-site sewage disposal system design by a professional engineer, certified Site Technician B, or On-Site Specialist, shall have been submitted to and approved by the Arlington Health Officer. The design shall identify the possible location or locations of the sewage disposal system and meet all requirements of the Health Regulations of the Town of Arlington. Such design and accompanying information shall be made available for the use of subsequent purchasers of each lot. Final inspection of the system installation shall occur in accordance with the Arlington Health Regulations, and shall be the responsibility of the property owner at the time of installation.
3. Notwithstanding the above, any lot to be created which contains an existing structure connected to a sewage disposal system constructed before the effective date of these regulations, is exempt from the regulations 4.01 (1-2) provided that all portions of the existing system are located at least 100 feet from any new lot line.

4.02 Referral of Sewage Disposal Requirements

- A. If a lot is to be created as part of a subdivision, but such lot will not be developed with a structure requiring plumbing or sewage facilities, the Planning Commission may defer the requirements of 4.01 (1-2) for that lot provided the individual purchasing the lot from the subdivider waives his or her developmental rights. However, such deferred lot is to be considered as a viable building lot for purposes of reviewing the proposed subdivision under all other sections of these regulations. The Planning Commission may defer the requirements of 4.01 (1-2) only after a statement, signed by the individual purchasing that lot from the subdivider, has been submitted to the Planning Commission indicating that:
 1. The purchaser waives his or her right to construct or place on the lot any building or structure, the useful occupancy of which would require the installation of plumbing or sewage disposal facilities, unless the requirements of 4.01 (1-3) of these regulations are met, and
 2. The purchaser waives his or her right to convey, by sale or lease, the parcel of land without first either meeting the requirements of 4.01 (1-3) or submitting to the Planning Commission a statement signed by the subsequent purchaser or lessee indicating his or her agreement to also abide by the conditions of this section.

- H. Any waiver of developmental rights shall be made a term of any contract of sale or lease of the parcel, and shall be recited in any deed in the form as follows:

"In order to comply with the Town of Arlington Subdivision Regulations, the grantee shall not construct, place, or erect a structure or building on the parcel of land conveyed herein, the useful occupancy of which will require the installation of plumbing or sewage disposal facilities, without first complying with all relevant sections of the Town of Arlington Subdivision Regulations."

SECTION 5.00 - ADDITIONAL STANDARDS FOR MAJOR SUBDIVISIONS

5.01 Performance Standards: The Planning Commission shall determine whether any preliminary plat for a major subdivision complies with the following standards:

1. No undue impact will result with respect to the ability to provide services such as emergency services, fire protection, road maintenance, and quality education. Consideration shall be given to the capacity of affected services and the policies and testimony of those service providers. The Commission may impose conditions to limit the impact of projects and/or require the time phasing of projects to mitigate any undue impacts.
2. There will be no undue adverse impacts on the aesthetics and scenic beauty of the area, with particular concern for openly visible mountain ridges and hilltops, open pasture areas, and retention of mature healthy vegetation.
3. Deeryards designated by the State Fish and Game Department, as well as corridors connecting those deeryards, and other wildlife habitats designated by the Town Plan or other recognized authority are protected.
4. Natural and/or historic areas identified on the Town or Regional Plan Maps are protected.
5. Springs and recharge areas, natural drainageways, wetlands, and streams are protected.
6. Development on primary agricultural soils (as defined in 10 U.S.A. Section 6001) shall be planned to preserve the agricultural potential of the land.
7. All appropriate measures are taken to ensure that development on sites with steep slopes does not result in erosion.

5.02 Open Land Preservation:

1. After review of a sketch plan, the Planning Commission may recommend that any preliminary plat submitted be in the form of a cluster subdivision designed pursuant to the requirements of these regulations and Section 7.6 of the Zoning Ordinance ("Cluster Subdivision or Development"). The applicant may also submit a preliminary plat employing a conventional design for comparative purposes. This recommendation shall be based upon a determination by the Commission that failure to employ a cluster design could potentially result in one or more of the following:
 - significant reduction in the agricultural use potential of the land;
 - degradation of the natural visual appeal of a hillside, ridgeline, or open field;
 - encroachment upon an important natural or historic area, wildlife habitat, or a stream, wetland, or other water body;
 - elimination of access to an important recreational resource;
 - cause excessive erosion, ground or surface water contamination, or otherwise endanger environmental quality.

2. A preliminary plat for a cluster subdivision shall be laid out, to the greatest extent feasible, to achieve the following objectives:
 - a. septic systems should be situated on soils most suitable for subsurface wastewater disposal;
 - b. building sites should be located on the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;
 - c. building sites should be located within any woodland contained in the parcel, or along the edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);
 - d. scenic vistas should not be blocked or interrupted, and the natural appearance of hillsides and ridgelines, as seen from public roadways, should not be diminished;
 - e. natural and historic areas, wildlife habitat, streams, wetlands, and other water bodies should be protected;
 - f. lots should be laid out so as not to preclude access to recreational resources (e.g. streams, trails, etc.);

9. development should be situated so as to minimize the potential for environmental pollution.
3. Following review of the preliminary plat for a cluster subdivision, the Commission shall take action to approve, approve with modifications designed to more effectively attain the objectives of Section 5.02.2, or disapprove the preliminary plat, as provided in Section 7.03. Upon a finding by the Commission that an alternate design (i.e. a conventional rather than a cluster subdivision design) submitted by the applicant more closely achieves the objectives of Section 5.02.2 than the proposed or any other feasible cluster design, the Commission may approve or approve with modifications the preliminary plat for said alternate design.
4. The Planning Commission may determine that the maximum number of lots in a cluster subdivision, calculated pursuant to Section 7.7.4 of the Zoning Bylaw, must be reduced in certain cases to assure conformance with the requirements of Sections 5.01 and 5.02 of these Subdivision Regulations.

SECTION 6.00 - SUBMISSION REQUIREMENTS

6.01 Submission of Sketch Plan:

1. Any owner of land shall, prior to submitting an application for a subdivision of land, submit to the Planning Commission at least 30 days prior to the regular meeting of the Commission, 9 copies of a Sketch Plan of the proposed subdivision which shall show the proposed layout of streets, lots, and other features, as well as a vicinity map showing the general location of the property in relationship to the surrounding area.
2. The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Commission to discuss the requirements of these regulations and for street improvements, drainage, sewerage, water supply, fire protection, and similar aspects, as well as the availability of existing services, and other pertinent information.
3. At this meeting, the Planning Commission will classify the Sketch Plan into one (1) of two (2) categories as defined herein:

Minor Subdivision	or	Major Subdivision
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4. At or following the initial meeting, the Commission shall study the Sketch Plan to determine: whether the proposal contains any obvious conflicts with the Town Plan, the Zoning Regulations, the Official Map, developments proposed by any public agency, existing private and public development,

facilities, and services; whether the preliminary plat should employ a cluster design as described in Section 5.02; any special problems that may be encountered.

5. Following the review outlined in Section 6.01.4, the Commission shall determine whether the Sketch Plan is generally compatible with these Regulations and may make specific written recommendations for changes. Such determination shall be made, and written recommendations mailed to the subdivider, within forty-five (45) days of the meeting at which the review of the sketch plan occurs.
6. The Commission may require, for a subdivision application which does not involve a portion of the parcel, or contiguous parcels under common or affiliated ownership, a sketch master plan showing the planned future development of all remaining lands. Such future development shall be consistent with the master plan unless a revised sketch master plan is submitted to, and approved by, the Commission. Review and approval of said sketch master plan shall occur concurrently with the review and approval of the preliminary (if applicable) and final plats.

6.02 Preliminary Plat:

1. The Preliminary Subdivision Plat shall consist of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale of not more than one hundred (100) feet to the inch, or sixty (60) feet to the inch if any lots have less than one hundred (100) feet frontage. The Planning Commission may require a different scale if it is deemed necessary to properly evaluate the proposed subdivision. The Plat shall show or be accompanied by the following information:
 - (a) Proposed subdivision name or identifying title and the name of the Municipality.
 - (b) Name and address of record owner, subdivider, and designer of the Preliminary Plat.
 - (c) Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, watercourses, and other essential existing physical features.
 - (d) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
 - (e) The provisions of the Zoning Regulations applicable to the area to be subdivided and any zoning district boundaries affecting the tract.
 - (f) The location and size of any existing sewers and water mains, culverts, and drains on the property to be subdivided.
 - (g) Location, names, and present widths of existing and proposed streets, highways, easements, building lines,

- alleys, parks and other public open spaces, as well as similar facts regarding adjacent property.
- (h) The width and location of any streets or other public ways or places shown upon the Official Map, if any, and the Town Plan, if applicable, within the area to be subdivided, and the width, location, grades, and street profiles of all streets or other public ways proposed by the subdivider.
 - (i) Contour lines at intervals of five (5) feet of existing grades and of proposed finished grades where change of existing ground elevation will be five (5) feet or more.
 - (j) Typical cross sections of the proposed grading of roadways and of sidewalks.
 - (k) Date, true north point, and scale.
 - (l) Deed description and map of survey of tract boundary made and certified by a licensed land surveyor tied into established reference points.
 - (m) Connection with existing water supply or alternative means of providing water supply to the proposed subdivision.
 - (n) Connection with existing sanitary sewage system or alternative means of treatment and disposal proposed.
 - (o) If private sewage disposal system is proposed, location and results of tests to ascertain subsurface soil, rock, and ground water conditions, depth to ground water unless pits are dry at depth of five (5) feet; location and results of percolation tests.
 - (p) Provisions for collecting and discharging storm drainage, in the form of drainage plan.
 - (q) Preliminary designs of any bridges or culverts which may be required.
 - (r) A statement of the anticipated impacts of the development on local services, including fire, emergency services, schools, police, and local government.
 - (s) The proposed lot lines with approximate dimensions and suggested locations of buildings.
 - (t) The location of temporary markers adequate to enable the Commission to locate readily and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along a street from one corner of the property to the nearest existing street intersection shall be shown.
 - (u) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
 - (v) The location of all wooded and open areas and lands currently in agricultural use on the site and all other natural features or site elements to be preserved.
2. The Preliminary Plat shall be accompanied by a vicinity map drawn at the scale of not over four hundred (400) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2000) feet of any property line of the proposed subdivision

or any smaller area between the tract and all surrounding existing streets, provided any part of such a street used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision. Within such area the vicinity map shall show:

- (a) All existing subdivisions and approximate tract lines of parcels together with the names of the record owners of all adjacent parcels of land, namely, those directly abutting or directly across any street adjoining the proposed subdivision.
- (b) Locations, widths, and names of existing, filed, or proposed streets, easements, building lines, and alleys pertaining to the proposed subdivision and to the adjacent properties as designated in Section 6.02.1 above.
- (c) The boundaries and designations of zoning districts, special improvement districts, school districts, and parks and other public spaces.
- (d) An outline of the platted area together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the Preliminary Plat submitted covers only part of the subdivider's entire holding.

6.03 Final Plat:

1. The Final Subdivision Plat shall consist of one or more sheets of drawings which conform to the following requirements: It shall be on linen, mylar, or canvas-backed paper, clearly and legibly drawn, and the size of the sheets shall be either 18 inches x 24 inches or a multiple thereof. Such sheets shall have a margin of two (2) inches outside of the border lines on the left side for binding, and a one (1) inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by all appropriate agencies. All dimensions shall be shown in feet or decimals of a foot, drawn to a scale of not more than one hundred (100) feet to the inch, or sixty (60) feet to the inch if any lots have less than one hundred (100) feet of frontage. The Subdivision Plat shall show:
 - (a) Proposed subdivision name or identifying title, the name of the Municipality, the name and address of the record owner and subdivider, the name, license number, and seal of the licensed land surveyor, the boundaries of the subdivision and its general location in relation to existing streets or other landmarks, and scale, date, and true north point.
 - (b) Street Names and lines, pedestrian ways, lots, reservations, easements, and area to be dedicated to public use.
 - (c) Sufficient data acceptable to the Commission to determine readily the location, bearing, and length of

every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where practicable these should be tied to reference points previously established by a public authority.

- (d) The length of all straight lines, the deflection angles, radii, length of curves, and central angles of all curves, tangent distances, and tangent bearings for each street.
 - (e) By proper designation on such Plat, all public open space for which offers of cession are made by the subdivider, and those spaces title to which is reserved by him.
 - (f) Lots within the subdivision numbered in numerical order within blocks, and blocks lettered in alphabetical order.
 - (g) The location of all of the improvements referred to in Section 6.03.2, in addition thereto the location of all telephone poles, sewage disposal systems, and rough grading and other devices and methods of draining the area within the subdivision.
 - (h) Permanent reference monuments shown thus: "X"
 - (i) All lot corner markers shown thus: "O" They shall be of metal at least three-quarters (3/4) inch in diameter, and at least twenty-four (24) inches in length, and located in the ground to existing grade.
 - (j) Monuments which shall be set at all corners and angle points of the boundaries of the subdivision, and monuments required by Municipal specifications for new roads, at all street intersections, angle points in street lines, points of curve, and such intermediate points as shall be required by the engineer.
2. In accordance with municipal specifications, all streets or other public places shown on such Plat shall be suitably graded and surfaced, and all utilities, street lighting, shade trees, water mains, sanitary sewers, storm drains, and recreation areas, where required by the Commission, shall be installed in accordance with the standards, specifications, and procedures set forth in these regulations and other applicable municipal regulations and ordinances.
3. There shall be submitted to the Commission with the Final Subdivision Plat:
- (a) Written offers of cession to the Municipality of all streets, public open spaces, sewage and water systems to be connected to a municipal facility, and other areas to be dedicated to the public shown on the Plat, and copies of agreements or other documents showing the manner in which areas and facilities, title to which is reserved by the subdivider, are to be maintained.
 - (b) Written evidence that the legislative body is satisfied with the legal sufficiency of the documents referred to in Paragraph (a) above. Such written evidence shall not

constitute an acceptance by the Municipality of any streets, public open spaces, sewer and water connections to municipal facilities, and other areas to be dedicated to the public referred to in Paragraph (a) above.

- (c) A performance bond to secure completion of all required improvements, and written evidence that the legislative body is satisfied with the sufficiency of such bond.

SECTION 7.00 - APPROVAL PROCEDURE

7.01 Procedures for Minor Subdivisions:

1. Within six months of classification by the Planning Commission of the Sketch Plan as a Minor Subdivision, the subdivider shall submit an application for approval of a Final Subdivision Plat according to the procedures and requirements of Section 7.04. Failure to do so shall require resubmission of the Sketch Plan to the Commission for reclassification. The plat shall conform to the layout shown on the Sketch Plan, plus any recommendations made by the Commission.
2. The fee for plat approval for Minor Subdivisions shall be set by the legislative body.
3. A public hearing will be required prior to approval of a Final Plat for all minor subdivisions.
4. A minor subdivision requires review and approval of a Final Plat pursuant to the requirements of Section 7.04.

7.02 Procedures for Major Subdivisions:

1. Within six months after classification of the Sketch Plan as a Major Subdivision by the Commission, the subdivider shall submit an application for approval of a Preliminary Plat according to the procedures and requirements of Section 7.03. Within this six month period, the subdivider must submit all application materials for Preliminary Plat approval at least 30 days prior to a regular meeting of the Commission. Failure to do so shall require resubmission of the Sketch Plan to the Commission for reclassification. The plat shall conform to the layout shown on the Sketch Plan, plus any recommendations made by the Commission.
2. The fee for plat approval for Major Subdivisions shall be set by the legislative body.
3. A major subdivision requires review and approval of both a Preliminary Plat (as per Section 7.03) and a Final Plat (as per Section 7.04).

7.03 Review and Approval of Preliminary Plat:

1. Application: The subdivider shall file an application for consideration of a Preliminary Plat on the proposed subdivision in the form described in Section 6.02, using the approved application form available from the Planning Commission. No application under this section shall be considered complete or officially submitted, and no action shall be taken on said application, until all of the items specified in Section 6.02 have been provided to the Commission.
2. Number of Copies: Five copies of all maps, drawings, and supporting materials included in the Preliminary Plat application shall be presented to the Planning Commission.
3. Official Submission Date: The time of submission of the Preliminary Plat shall be the next regular meeting of the Commission following the receipt of the application.
4. Subdivider to Attend Planning Commission Meeting: The subdivider, or his duly authorized representative, shall attend the specified meeting of the Planning Commission to discuss the Preliminary Plat. If the subdivider or his representative do not attend this meeting, the plat will not be discussed and the application will be considered as having been withdrawn.
5. Review of Preliminary Plat: The Commission shall study the practicability of the Preliminary Plat. Particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of adjoining lands as yet unsubdivided, and the requirements of the Town Plan, the Official Map, and the Zoning Regulations.
6. Public Hearing: A public hearing upon public notice according to Section 4447 of the Act shall be held by the Planning Commission within forty-five (45) days after the official submission of the Preliminary Plat for approval. In addition, notice of such hearing shall be forwarded to the regional planning commission, and to the clerk of an adjacent municipality in the case of a plat located within 500 feet of a municipal boundary, at least 15 days prior to the hearing.
7. Approval of Preliminary Plat: Within forty-five (45) days after the close of the public hearing on a Preliminary Plat, the Planning Commission shall take action to approve, with or without modifications, or disapprove such Preliminary Plat. Grounds for any modification required or for disapproval shall be clearly stated in the findings of fact and conclusions of the Commission. Failure of the Commission to act within such forty-five (45) day period shall constitute

approval of the Preliminary Plat. When granting approval to a Preliminary Plat, the Commission shall state the conditions of such approval, if any, with respect to (1) the specific changes which it will require in the Preliminary Plat, (2) the character and extent of the required improvements for which waivers may have been requested, (3) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Subdivision Plat. The action of the Commission, and any conditions attached thereto, shall be noted on three (3) copies of the Preliminary Plat. One copy shall be returned to the subdivider, one retained by the Commission, and one forwarded to the legislative body.

Approval of a Preliminary Plat shall not constitute approval of the subdivision. Prior to approval of the Final Subdivision Plat, the Planning Commission may require additional changes as a result of further study.

7.04 Review and Approval of Final Plat:

1. Application: The subdivider shall file an application for Final Plat approval in the form described in Section 6.03 using the approved application form available from the Commission. If the final application is not submitted within six (6) months after the approval of the Preliminary Plat for Major Subdivision, the Commission may refuse without prejudice to act on the Final Plat and require resubmission of the Preliminary Plat. If the final application for a minor subdivision is not submitted within six months of classification by the Planning Commission of the Sketch Plan as a Minor Subdivision, the Commission may refuse without prejudice to act on the Final Plat and require resubmission of the Sketch Plan. All final application materials must be received at least thirty (30) days prior to a regular meeting of the Commission.
2. Number of Copies: One original of the Plat drawn in ink on linen or mylar, four copies of the application, the original and one true copy of all offers of cession, covenants, and agreements, and two prints of all construction drawings shall be submitted to the Clerk of the Commission.
3. Official Submission Date: The time of submission of the Final Plat shall be the next regular meeting of the Commission that is attended by the subdivider or an authorized representative following receipt of the application under Section 7.04.1. If the subdivider or an authorized representative fails to attend said meeting, the Final Plat will not have been officially submitted, and will not be considered officially submitted until the subdivider or an authorized representative attends a subsequent meeting at which the Final Plat is reviewed.

4. Applications to State and Municipal Agencies: The subdivider shall apply for all municipal and state permits required of the proposed subdivision, and shall submit copies of all approvals to the Commission. Such permits may include, but are not limited to, Highway Access Permits, Act 250 Permit, Public Building Permit, and Subdivision Permit. No land in the subdivision shall be sold or offered for sale or lease, and no construction may be commenced until all such permits are obtained.
5. Review of Final Plat: The Planning Commission shall review the Final Plat for a minor subdivision as per review of a Preliminary Plat (Section 7.03.5). For a major subdivision, the Planning Commission shall review the Final Plat to ensure that it is complete and does not differ substantially from the approved Preliminary Plat; if the Final Plat does differ substantially from the Preliminary Plat, further review and public hearing shall be required.
6. Public Hearing: A public hearing to consider the Final Plat shall only be required if said Final Plat differs substantially from the Preliminary Plat as approved by the Planning Commission, or if the Final Plat is for a minor subdivision (i.e. no Preliminary Plat or previous public hearing). If the Planning Commission determines that the proposed Final Plat differs substantially from the approved Preliminary Plat, a public hearing on said Final Plat shall be held in the same manner as provided for in Section 7.03.6.
7. Action on Proposed Final Plat: The Planning Commission shall, within forty-five (45) days from submission of the Final Plat, or within forty-five (45) days from the public hearing on the Final Plat, if required, approve, modify and approve, or disapprove the subdivision plat. Failure to act within forty-five (45) days shall be deemed approval. However, if approved, the Final Plat shall not be signed by the authorized officers of the Commission for recording until the subdivider has complied with the provisions of Section 7.04.8.
8. Improvements and Performance Bond: Before the Arlington Planning Commission grants final approval of the Subdivision Plat, the subdivider shall follow the procedures set forth in subparagraph (a) and subparagraph (b) below. The requirements of this section may be waived by the Planning Commission if the total cost of construction activities (including roads, water and sewer lines, electric and other utility lines) does not exceed a dollar amount to be set annually by the Planning Commission. If in any year the Planning Commission fails to set such amount, the amount so established in the previous year shall apply until such time as the Commission sets a new amount.
 - (a) In an amount set by the Planning Commission, the subdivider shall file with the Board of Selectmen a

certified check, irrevocable letter of credit, performance bond, or other performance guarantee approved by the Board of Selectmen, to cover the full cost of required improvements. Any such performance guarantee shall be satisfactory to the legislative body and municipal attorney as to form, sufficiency, manner of execution, and surety. The Commission shall fix the term of any bond up to three years. The term of such bond may, with the consent of the owner, be extended for a period of time which may extend to the date of completion of the improvements covered by the bond. For projects to be completed in phases, the provisions of this section may be applied separately to each phase of the project. As improvements are completed, the developer shall be released from all liability except for that portion of improvements not yet completed. The Planning Commission shall require the subdivider to submit construction cost estimates to establish an appropriate figure for said performance guarantee.

- (b) In addition to surety guaranteeing completion of improvements, surety covering maintenance of roads and improvements for a period of two years from completion shall be furnished in an amount not to exceed ten (10) percent of the cost of the improvement.

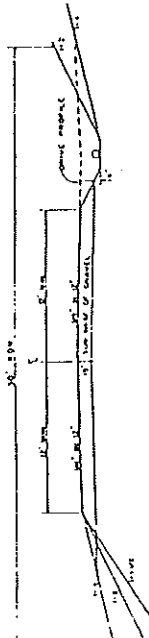
7.05 Filing of Approved Subdivision Plat:

1. Final Approval and Filing: Upon completion of the requirements in Section 7.04 (1-7) above, and notation to that effect on the Subdivision Plat, it shall be deemed to have final approval and shall be properly signed by the appropriate officer of the Commission (Chairman or Acting Chairman), and filed in the office of Municipal Clerk. Any Subdivision Plat not so filed and recorded within ninety (90) days of the date on which such Plat is approved or considered approved by reasons of the failure of the Commission to act, shall become null and void.
2. Filing of Sections of Subdivision: At the time the Commission grants Final Plat approval, it may permit the Plat to be divided into two or more sections, subject to any conditions the Commission deems necessary in order to insure the orderly development of the Plat.
3. Plat Void if Revised After Approval: No changes, erasures, modifications, or revisions shall be made in any Final Plat after approval has been given by the Commission and endorsed in writing on the Plat, unless the said Plat is first resubmitted to the Commission and such Commission approves any modifications.

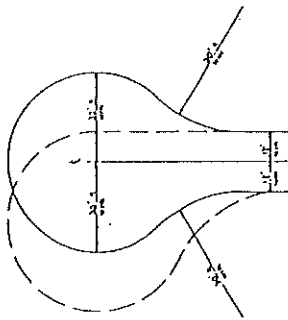
7.06 Public Acceptance of Streets, Recreation Areas: Approval of a Final Plat by the Planning Commission shall not be deemed to

constitute or be evidence of any acceptance by the municipality of any street, easement, utilities, park, recreational area, or other open space shown on such Subdivision Plat. The Commission may require the filing of a written agreement between the applicant and the legislative body covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of such improvements.

SIDE OR DEAD END ROAD RURAL DEVELOPMENT

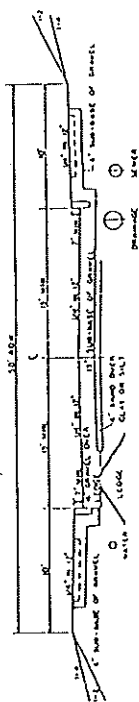


TURN-A-ROUND FOR DEAD END STREETS

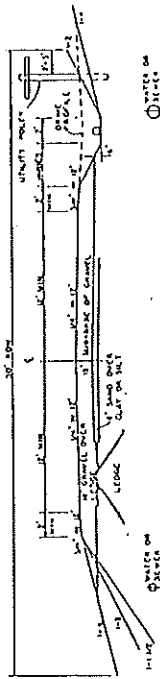


COLLECTOR OR THROUGH STREET TYPICALS

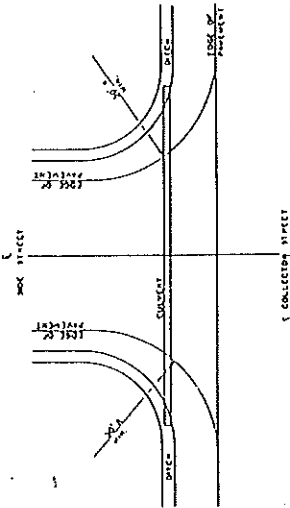
TYPICAL WITH PROVISIONS FOR 5' SIDEWALKS



TYPICAL WITH PROVISIONS FOR DITCH



INTERSECTION OF COLLECTOR STREET AND SIDE STREET



For Collector Streets with Sidewalks & Curbings - Provide Drop White on each Side of Side Street at Intersection

General Notes for Side and Collector Streets

15" compacted gravel sub-base, with 18" sub-base in ledge cuts (with 6" sand cushion over 18" sub-base) Vertical meeting Vermont Highway Department Specifications as noted.
Should be as noted, installed, and matched in accordance with Vermont Highway Department Specifications as noted.

Drainage: Roadway - 18" Metal or Reinforced Concrete Pipe, man with Drop Man or Catch Basin, as required.
Ditch - 15" Metal or R.C.P. man
Underdrain - 6" Paralleled Metal man as required.
Location, construction, depth and amount of drainage shall be in accordance with Specifications by the Vermont Highway Department.

Horizontal Curvature - 100' min. radius along centerline of Collector Streets.
80' min. radius along centerline of Side Streets.

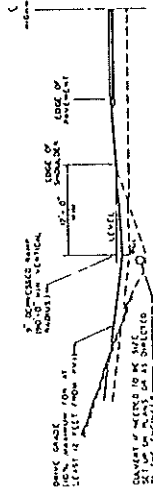
Gravels - 10% Maximum grade for Collector or Side Streets. Short sections of grade on Side Streets may be maintained in only topography when warranted by the local governing body.

Should - Provide guard rail with treated wood or steel posts plus 2" shoulder widening for turn hills over 10' high with slopes of 1:2 or steeper. Slopes 1:3 or flatter, no guard rail required, in accordance with Vermont Highway Department Specifications.

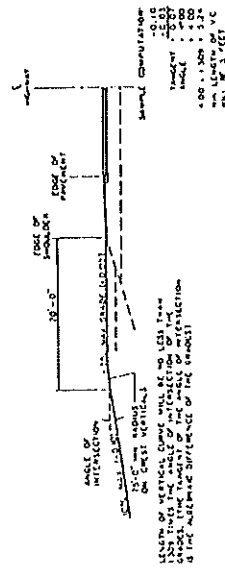
Should - Streets with grades in excess of 7% to be paved unless a waiver is permitted by the local governing body.

Reference should be made to Geometric Design Guide for Local Roads and Streets, Part I Rural, published by A.S.H.D. 1970

PROFILE OF INTERSECTION SHOWING 5' DEPRESSED RAMP (OUT SECTION)



PROFILE OF INTERSECTION (FULL SECTION)



STANDARDS FOR DEVELOPMENT ROADS

FOR USE BY

ENVIRONMENTAL AGENCIES, PLANNING COMMISSIONS, ZONING BOARDS AND OTHERS

ABOVE MINIMUM VALUES TO BE USED WHENEVER FEASIBLE

REVISIONS AND CORRECTIONS
12-1971 - CORRECTIONS MADE ON TURN-A-ROUND
12-1973 - INTERSECTION PROFILES ADDED

12-1971
R. J. C. Good
12-1971
R. J. C. Good
12-1971
R. J. C. Good

VERMONT
DEPARTMENT
OF HIGHWAYS
STANDARD
A-76