

HARTFORD

SUBDIVISION REGULATIONS

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ARTICLE I
Title and Purpose

§ 200-1. Title.

These regulations shall be known as and may be cited as the "Hartford Subdivision Regulations".

§ 200-2. Statement and Purpose.

The legislative body of the Town of Hartford, pursuant to the authority conferred upon it by the State of Vermont Planning and Development Act [24 V.S.A. Chapter 117, §4402, §4418 and 4463] as most recently amended, has adopted the following regulations governing the subdivision of land. The Planning Commission, herein after referred to as the Commission shall be the administering body under the authority provided by 24 V.S.A. §4401 of the Vermont Planning and Development Act. The Commission shall administer these regulations for the purpose of assuring orderly growth, coordinated development and economic diversity and vitality in the Town of Hartford, and to protect the safety, health, and welfare of the people. The approval of such subdivisions shall further the following objectives.

- A. To guide future development in accordance with the Hartford Master Plan (the Plan), Zoning Regulations, Flood Hazard Area Regulations, Capital Budget and Program, and all other Town adopted bylaws, ordinances, regulations, plans, policies, and procedures.
- B. To promote a desirable relationship to the land form, its topography and geology, natural drainage and surface water runoff, surface water, and groundwater.
- C. To conserve natural resources and fragile features such as prime agricultural soils, wetlands, streams, ponds, steep slopes, ridgelines, important wildlife habitat and connectivity, and scenic views.
- D. To minimize the fragmentation of productive resource lands, including farm and forest land, and to promote their continued use and availability for agriculture, forestry, and wildlife.
- E. To maintain Hartford's historic settlement pattern, defined by compact villages surrounded by rural countryside.
- F. To encourage variety, innovation, flexibility and greater efficiency in residential development including clustering of lots, in accordance with the provisions of 24 V.S.A. §4417 (Planned Unit Development).
- G. To establish standards of subdivision design including, but not limited, to provisions for pedestrian and vehicular traffic, surface water runoff, surface water, and suitable building sites for the land use contemplated.
- H. To ensure development does not exceed the ability of the Town to provide public services and facilities, and that these facilities and services are available and will have sufficient capacity to serve any proposed subdivision. Such facilities and services include, but are not limited to: parks, recreation areas, schools, police and fire protection, libraries, water and wastewater facilities, roads and public parking.

- I. To provide adequate utilities such as water, wastewater, electricity, telephone and broadband.
- J. To provide the most efficient relationship between land use and the circulation of traffic throughout the Town, encourage access management, and avoid undue traffic congestion and overburdening of roads, highways and intersections.
- K. To promote the conservation of energy and use of renewable energy resources.
- L. To encourage variety in the type, size, and cost of housing to meet the needs of Hartford's diverse population.

ARTICLE II

Procedure for Review of Subdivision Application

§ 200-3. Application to Commission.

- A. **Applicability.** Subdivision approval is required for any proposed subdivision of land as specified in these Regulations. Refer to the definition of subdivision in Article VII. Lot mergers are exempt from this requirement provided that a deed merging the lots is recorded in the Hartford Land Records and a Notice of Intent to Merge Lots is submitted to the Department of Planning and Development Services on a form provided by the Department and accompanied by a copy of the recorded deed.
- B. **Applications.** All applications for subdivision approval shall be submitted to the Administrative Officer in accordance with the application deadline as set forth in the approved Planning Commission Meeting Schedule available at the Department of Planning and Development Services. Two copies of the application form and subdivision plat shall be accompanied by a fee as determined by the Selectboard payable to the Town and supporting documents as required and outlined in the application process handouts available in the Department of Planning and Development Services. The plat shall conform to the requirements listed in §200-15 and any other items required by the Commission. If a sketch plan discussion was held with the Commission, the application shall address any recommendations made by the Commission.
- C. **Subdivision Classification.** Upon receipt of a subdivision application, the Administrative Officer shall classify it as a one-step application or a two-step application. The Commission may require, where it deems necessary for the protection of natural resources, public health, safety and welfare, that a one-step application be required to go through a two-step application process. An applicant that qualifies for a one-step application may elect to go through a two-step application process. Decisions regarding which classification is appropriate are best determined at sketch plan discussion with the Commission. See §200-5.
 - (1) **Two-step Application Process.** Applies to properties in all overlay districts (Rural Lands Overlay District, Agriculture Overlay District, Wildlife Connector Overlay District) and all Planned Developments. A subdivision in the Rural Lands Overlay District creating one new lot over a five-year period may go through a one-step application.

The purpose of this two-step process is to involve the Commission in the evaluation of the overall layout and impact of the proposed subdivision at an early stage in the design development phase before the applicant invests time and resources in a final plat.

- (a) Approval of a preliminary subdivision plat after advertised public hearing. Refer to §200-6.
 - (b) Approval of final subdivision plat after advertised public hearing. Refer to §200-7.
 - (c) Submittal of approved final plat and zoning permit. Refer to §200-8.
- (2) **One-step Application Process.** Applies to all other applications (boundary line adjustments, subdivisions in the Rural Lands Overlay District that create one new lot and is limited to one subdivision application every five years, as well as subdivision applications in zoning districts outside the overlay districts and non-Planned Developments).
- (a) Approval of a final plat after advertised public hearing. Refer to §200-7.
 - (b) Submittal of approved plat and zoning permit. Refer to §200-8.

§ 200-4. Planned Developments. In addition to requiring a two-step application process as specified in §200-3C(1), Planned Developments shall meet the standards set forth in §260-47 of the Hartford Zoning Regulations as well as subdivision standards included in Article III, unless otherwise waived by the Commission.

§ 200-5. Sketch Plan Discussion (Allowed for all applications at the discretion of the applicant).

A property owner/applicant, and/or his/her duly authorized agent may request a scheduled sketch plan discussion with the Commission before submitting an application for subdivision. The purpose of sketch plan discussion is to allow the property owner/applicant to meet with the Commission for an informal, non-binding discussion before investing substantial effort and resources in the design and planning of the project. A sketch plan discussion also gives the Commission an opportunity to identify issues to be addressed in a subsequent subdivision application.

To schedule a sketch plan discussion with the Commission, the property owner/applicant, or his/her duly authorized agent, shall contact the Administrative Officer to schedule the discussion on the administrative agenda of a Commission meeting and submit the information required in §200-14.

No formal action of approval or disapproval shall be taken at the sketch plan discussion, which is not a substitute for a subdivision application. Once a formal subdivision application has been submitted, sketch plan discussions are not permitted.

§ 200-6. Preliminary Plat Review (applying only to two-step applications) For one-step applications, refer to §200-7.

- A. **Application for a Preliminary Plat.** The preliminary plat shall conform to the requirements listed in §200-15, and any other items required by the Commission. If a sketch plan discussion was held by the Commission, the applicant shall address any recommendations made by the Commission.
- B. **Public Hearing for a Preliminary Plat.** A public hearing shall be opened by the Commission according to the approved Commission public hearing schedule following submission of the preliminary subdivision plat and complete application to the Administrative Officer. Said hearing shall be advertised as required by 24 V.S.A. §4464. The hearing shall remain open until all pertinent information required by the Commission has been provided. The Commission has

the option to continue the hearing to allow for the submittal of additional information and/or to conduct a site visit. The applicant or his/her duly authorized agent shall attend the hearing of the Commission to discuss the application.

C. **Study of a Preliminary Plat.** The Commission shall study the practicability of the preliminary plat with particular attention given to the arrangement of lots and location of streets and driveways, their relation to the topography of the land, natural resources, water supply, sewage disposal, public safety, drainage, lot sizes, the future development of adjoining lands not yet subdivided, the recommendations of the Hartford Master Plan, the requirements of the Hartford Zoning Regulations and other relevant Town ordinances and regulations and all of the objectives stated in §200-2.

D. **Action on a Preliminary Plat.**

(1) The Commission shall, within 45 days from the closure of the public hearing, take action to approve, with or without modifications, or disapprove such preliminary plat. The grounds for the Commission decision and any modifications shall be stated in the Findings of Fact, Conclusions of Law and Decision and application exhibits. Failure of the Commission to act within such 45-day period shall constitute approval of the preliminary plat.

When granting approval of a preliminary plat, the Commission shall state the conditions of such approval, if any, with respect to 1) the specific change(s) which it will require in the final plat and 2) required improvements for which waivers have been requested and which in its opinion may be waived without jeopardy to the public health, safety, and general welfare. Copies of the Findings of Fact, Conclusions of Law and Decision shall be sent to the applicant and any other interested parties as required by 24 V.S.A. §4464.

(2) Approval of a preliminary plat shall not constitute approval of the subdivision, but rather it shall be deemed an expression of general concurrence with the design submitted subject to the applicant's meeting whatever conditions may be imposed for final approval. Prior to approval of the final subdivision plat, the Commission may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained.

(3) The approval of a preliminary plat shall remain in effect for a period of one (1) year from the date of approval. The Commission Chair or Vice Chair may grant a one-time one (1) year extension. Extension requests shall be submitted by the applicant on forms provided by the Department of Planning and Development Services prior to the end of the initial one (1) year period.

§ 200-7. Final Plat Review.

A. **Application for a Final Plat.**

(1) **Two-Step Applications.** The applicant shall, within one year after preliminary approval, file with the Administrative Officer an application for final subdivision plat approval in the form described in §200-15. The Commission shall consider conditions and any modifications imposed during the preliminary plat approval.

(2) **One-Step Applications.** The applicant shall submit for approval a subdivision plat and a complete application to the Administrative Officer for consideration by the Commission. The plat shall conform to the requirements listed in §200-15 and any other items required by the Commission. If a sketch plan discussion was held with the Commission, the application shall

address any recommendations made by the Commission.

- B. Public Hearing for a Final Plat.** A public hearing shall be opened by the Commission according to the approved Commission public hearing schedule following submission of the final subdivision plan and complete application to the Administrative Officer. Said hearing shall be advertised as required by 24 V.S.A. §4464. Said hearing shall remain open until all pertinent information required by the Commission has been provided. The Commission has the option to continue the hearing to allow for the submittal of additional information and/or to conduct a site visit. The applicant or his/her duly authorized agent shall attend the hearing of the Commission to discuss the application.
- C. Study of a Final Plat.** The Commission shall study the practicability of the final plat with particular attention given to the arrangement of lots and location of streets and driveways, their relation to the topography of the land, natural resources, water supply, sewage disposal, public safety, drainage, lot sizes, the future development of adjoining lands not yet subdivided, the recommendations of the Hartford Master Plan, the requirements of the Hartford Zoning Regulations and other relevant Town ordinances and regulations and all of the objectives stated in §200-2.
- D. Action on a Final Plat.** The Commission shall, within 45 days from the closure of the public hearing, approve, modify and approve, or disapprove such final plat. The grounds for the Commission decision and any modifications shall be stated in the Findings of Fact, Conclusions of Law and Decision and application exhibits. Failure of the Commission to act within such 45 day period shall constitute approval of the final plat. Copies of the Findings of Fact, Conclusions of Law and Decision shall be sent to the applicant and any other interested parties as required by 24 V.S.A. §4464.

§ 200-8. Finalizing the Commission's Decision (applying to all applications for subdivision).

Within 180 days of the date the Findings of Fact, Conclusions of Law and Decision were signed by the Commission Chair or Vice Chair, the applicant shall submit a Mylar to the Department of Planning and Development Services for endorsement and recording of the subdivision plat, accompanied by a Zoning Permit Application (see §200-9). Any subdivision plat not filed or recorded within 180 days of the date upon which such plat is approved or considered approved by reasons of the failure of the Commission to act shall become null and void. The Administrative Officer may extend the date of filing the plat by an additional 90 days if final local or state permits or approvals are still pending.

§ 200-9. Zoning Permit.

A zoning permit is required to finalize all subdivision approvals. Applications for zoning permits shall be made to the Administrative Officer on forms provided for that purpose within 180 days from the date of Commission approval of the project. Failure to apply for a permit within the 180 day period will render the Commission approval invalid.

Prior to the issuance of any zoning permit, the Administrative Officer shall first be satisfied that the subject of the application is in conformance with these regulations, the Commission's approval, and the Flood Hazard Area Regulations, if applicable, and shall be satisfied that all applicable impact fees and/or other charges imposed by the Town have been paid or that arrangements have been made to pay them at such future time as may be allowed under the respective Town ordinance. The Administrative Officer may request from an applicant any information necessary for this purpose. The Administrative Officer shall, within 10 working days of the submission of a complete application, either issue, issue

with conditions, or deny a zoning permit. If denied, the Administrative Officer shall so notify the applicant in writing, stating the reasons therefor. If the zoning permit is approved, all activities authorized by its issuance shall be started within six months and completed within two years of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required. Any activities not completed within the above permit period shall be subject to any ordinance in effect at the time of reapplication. One six-month extension to both time periods may be granted by the Commission Chair.

No permit issued pursuant to this section shall take effect until the time for appeal as defined in 24 V.S.A. §4465 has passed; or in the event that a Notice of Appeal is properly filed, no such permit shall take effect until adjudication of that appeal by the Zoning Board of Adjustment is complete and the time for taking an appeal to the Environmental Court has passed without an appeal being taken. If an appeal is taken to the Environmental Court, the permit shall not take effect until adjudication by the Environmental Court.

§ 200-10. Revisions to an Approved Subdivision Plat.

Other than changes specifically required in the Findings of Fact, Conclusions of Law and Decision, no changes, erasures, modifications, or revisions shall be made to any approved subdivision plat unless said plat is first resubmitted to the Commission and the Commission approves the modification. In the event that such subdivision plat is recorded without complying with this requirement, the revisions shall be considered null and void.

§ 200-11. Infrastructure Improvements.

- A. **Required Improvements.** All subdivisions are required to provide the following improvements: survey monuments, streets, sidewalks, street signs, street lighting, water and sewer mains, stormwater infrastructure and fire hydrants. Other improvements may be required by the Commission. These improvements may be waived by the Commission as provided in §200-30 (Waiver Authority), when the Commission determines that such improvements are not requisite in the interest of public health, safety and welfare. A written request for a waiver, including justification, must be submitted by the applicant with their application.
- B. **Standards.** All required infrastructure improvements shall be designed and installed in accordance with the design standards, development requirements, specifications and procedures set forth in these regulations and other applicable Town regulations and standards. Said installation and design standards shall apply to both public and privately-owned required improvements. Improvements which are to be privately owned shall be marked as such on the final plat.

If an applicant anticipates requesting the Town's acceptance of ownership of completed infrastructure improvements, the applicant shall coordinate, through the Town Manager or designee, review of the proposal with the Hartford Selectboard during the application process.

- C. **Infrastructure Improvements and Guarantees.** Before the Commission grants approval of the final subdivision plat, the applicant shall follow the procedure set forth in either Subsection C(1) or (2) below, at the discretion of the Commission. The Commission's written approval for the final subdivision plat shall specify the timetable for completion of the procedure set forth in either Subsection C(1) or (2) below.

- (1) In an amount set by the Department of Public Works, the applicant shall file with the

Town, a performance guarantee to cover the full cost of new streets, street extensions and/or other required infrastructure improvements for each implementation phase of the development. Any such performance guarantee shall be satisfactory to the Town Manager or designee and Town Attorney as to form, sufficiency, and manner of execution. The performance guarantee required by this subsection shall run for a term to be fixed by the Commission, but in no case for a longer term than three years or as allowed by State Statute. However, with the mutual consent of the Town and the applicant, the term of that performance guarantee may be extended for an additional period not to exceed three years. Any costs incurred by the Town related to the performance guarantee are the responsibility of the applicant; or

- (2) The applicant shall agree to complete all required improvements before selling a lot or building/structure as specified in the approval. Upon completion of the improvements, the applicant shall submit a letter from their Engineer to the Administrative Officer certifying that the improvements were completed as approved. Additional certification may be required from the Department of Public Works. The Commission may allow the completion of the required improvements by phases without a performance guarantee provided that upon completion of the improvements in each phase, the applicant submits a letter from their Engineer to the Administrative Officer certifying that the improvements were completed as approved. Additional certification may be required from the Department of Public Works.
- D. **Pre-Construction Meeting and Construction Schedule.** At least two weeks prior to commencing construction of any required improvements, the applicant shall meet with the Department of Public Works Director or designee to review the project schedule, design, inspection and construction issues.
- E. **Modification of Design of Infrastructure Improvements.** If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Department of Public Works Director or designee that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Department of Public Works Director or designee may, upon approval of the Administrative Officer and Commission Chair, authorize modifications, provided that these modifications are within the spirit and intent of the Commission's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Commission. The Department of Public Works Director or designee shall issue authorization in writing after consultation with the Administrative Officer. Any such approved changes to the plans shall be noted in the certification by the applicant's engineer and in the record drawings. A zoning permit must be obtained for the changes.
- F. **Inspection of Public Infrastructure Improvements.** Prior to the expiration date of the performance guarantee or the lifting of the restriction against the sale of the lots, the applicant shall coordinate an inspection of the improvements with the Department of Public Works Director or designee who shall inspect the infrastructure improvements. The inspection shall serve to assure that all Town specifications and requirements have been met during construction. The Department of Public Works may, at its discretion designate a resident inspector to perform inspections as needed during the installation of required improvements and attest to the satisfactory completion of said work. [Refer to the applicable Town of Hartford regulations, specifications and policies. Work within the Town right-of-way requires an Excavation Permit from the Department of Public Works.]

- G. **Failure to Properly Install Infrastructure Improvements.** If the Department of Public Works Director or designee shall find, upon inspection of the improvements performed before the expiration date of the performance guarantee, or the lifting of restrictions against sale, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the applicant and approved by the Town, he/she shall provide the applicant the opportunity to bring the improvements into conformance with said plans and specifications within a specified time period. If the improvements are not completed within the specified time period, he/she shall report the failure to the Administrative Officer. The Administrative Officer shall report the failure to the Town Manager and the Commission. The Town Manager then shall notify the applicant and, if necessary, the bonding company/bank and take all necessary steps to preserve the Town's rights under the performance guarantee.
- H. **Maintenance of Infrastructure Improvements to be Dedicated to the Town.** In accordance with the applicable Town ordinances, regulations, policies and/or procedures, the applicant shall be required to file a maintenance performance guarantee with the Town for a two-year period prior to dedication of the road and/or other infrastructure to the Town. The amount shall be considered adequate by the Department of Public Works Director or designee in a form satisfactory to the Town Manager and Town Attorney. The purpose of the performance guarantee is to assure that the Town's rights are protected in case the infrastructure improvements deteriorate during the following two-year period due to improper construction by the applicant.

§ 200-12. Public Acceptance of Streets and Other Infrastructure Improvements.

- A. The approval by the Commission of a subdivision plat shall not be deemed to constitute or be evidence of any acceptance by the Town of any infrastructure improvements, shown on such subdivision plat.
- B. When a school site, park, playground, open space or other recreation area is to be submitted for acceptance by the Town, the Commission shall require the plat to be endorsed with appropriate notes to this effect and filed with the Town upon the acceptance by the Selectboard/School Board. The Commission may also require the filing of a written agreement between the applicant and the Selectboard/School Board covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such area.

§ 200-13. Record Construction Drawings.

A complete reproducible set of record construction drawings shall be provided by the applicant to the Town before the acceptance of the public improvements such as streets, easements and utility lines by the Town in accordance with Hartford Transportation Ordinance and the Hartford Department of Public Works Specifications.

**ARTICLE III
Subdivision Application Requirements**

§ 200-14. Sketch Plan Discussion.

Prior to scheduling a sketch plan discussion, the applicant shall submit to the Administrative Officer, a written statement of the intended project and a list of questions/issues about which he/she is seeking feedback from the Commission, on a form provided by the Administrative Officer. The Administrative Officer or the Commission may request additional information for the sketch plan discussion.

§ 200-15. Subdivision Application Requirements for One-Step and Two-Step Applications.

The following table identifies the requirements for subdivision application submittals. Plans must be prepared by a professional licensed by the State of Vermont, but may be in draft/conceptual form for Preliminary Approval.

Table 1 Subdivision Application Requirements			
	Two-Step Application For all Overlay Districts and Planned Developments		One-Step Application Combined for areas outside Overlay Districts & non-P.D.s
(A) Application Information	Preliminary Plan/Plat	Final Plan/Plat	Preliminary/ Final Plan/Plat Combined
Completed Application Form	✓		✓
Application Fee	✓		✓
Name of project, if any	✓	✓	✓
Project Narrative: Written description of proposed development plans, including number and size of lots, and general timing of the development	✓	✓	✓
Any waiver requests in writing with justification. Refer to §200-11A and §200-30	✓	✓	✓
For all Planned Developments, a Narrative Master Plan, the Official Development Plan. Refer to §260-47A.(2) of the Hartford Zoning Regulations	✓	✓	
For all Planned Developments, written response to §260-47B of the Zoning Regulations	✓	✓	
For all Planned Developments, written request for modification of dimensional requirements or other standards contained in the Zoning Regulations	✓	✓	
Preparer information, date, revision date, north arrow, legend, title block, graphic scale (not less than 1 inch = 200'), lot numbers, abutter names, addresses, lot numbers, and site location map	✓	✓	✓
Preparer Stamp, Signature, Certification (Surveyors, Engineers, Designers, etc.)	✓	✓	✓

(B) Plan/Plat Mapping Requirements	Preliminary Plan/Plat	Final Plan/Plat	Preliminary/ Final Plan/Plat Combined
Planning Commission signature block	✓	✓	✓
Project boundaries and property lines	✓	Surveyed	Surveyed
Existing and proposed lot lines, dimensions and numbers	✓	Surveyed	Surveyed
Existing structures	✓	Surveyed	Surveyed
Zoning district designations/boundaries, including overlay districts	✓	✓	✓
Existing and proposed contour lines in area to be developed	10' intervals	2' intervals	2' intervals
Location of Natural Resources as identified in §200-18 (including wetlands, floodplains, surface waters, riparian areas, steep slopes, significant wildlife habitat, significant natural communities and rare species, scenic vistas, other significant geologic landforms including prominent knolls and ridgelines, and wooded buffers along Interstate-89 and Interstate-91,	General location based on available maps and data	Specific boundaries, unless waived by Planning Commission because of limited impact	Specific boundaries, unless waived by Planning Commission because of limited impact
Location of Historic and Cultural Resources as identified in §200-19 (including historic structures, stone walls, cellar holes, burial sites, and old barns and outbuildings)	✓	✓	✓
Proposed development envelopes with dimensions including driveway locations	✓	Surveyed	Surveyed
Street name, if proposing a new street	✓	✓	✓
Street lighting	✓	✓	✓
Proposed roads, shared access, associated rights-of-way or easements	✓	Surveyed	Surveyed
Existing and proposed sidewalks/paths/trails	✓	Surveyed	Surveyed
Proposed street trees and other landscaping (species and locations) and screening	✓	✓	✓
Existing and proposed public water and wastewater main and line locations, including size and type of line	✓	Surveyed	Surveyed
Existing and proposed well and wastewater system locations	✓	Surveyed	Surveyed
Utility rights-of-way or easements	✓	Surveyed	Surveyed
Proposed conservation buffer and/or easement areas	✓	Surveyed	Surveyed
Fire hydrant locations	✓	Surveyed	Surveyed
Phasing lines	✓	✓	✓
Driveway grades	✓	✓	✓
Monument descriptions. Surveys shall include a description of natural and artificial monuments, and noted as found or set. Descriptions shall include materials, size and shape, identifying marks or numbers, position and stability of each monument. Cylindrical sizes shall be reported and identified as inside or outside diameter. Position reported shall include the distance above or below ground.		✓	✓

Floodway and the 100 year flood hazard zone	✓	Surveyed	Surveyed
(C) Other Mapping Requirements	Preliminary Plat	Final Plat	Preliminary/ Final Plat Combined
Orthophoto showing proposed subdivision in relation to area roads, adjoining properties and drainage ways	✓	✓	✓
(D) Supporting Narrative, Information & Documentation	Preliminary Plat	Final Plat	Preliminary/ Final Plat Combined
Information regarding how the development envelopes were chosen	✓	✓	✓
Narrative on water supply and wastewater disposal	✓	✓	✓
Existing and proposed development restrictions on subject property		✓	✓
Proposed phasing schedule	Draft	Final	Final
If located on a state highway, include a letter of intent from the Vermont Agency of Transportation confirming that the Agency has reviewed the proposed subdivision and is prepared to issue an Access Permit under 19 V.S.A. Section 1111	✓	✓	✓
Maintenance agreements for private roads, community water and wastewater systems and stormwater facilities		✓	✓
Base Flood Elevations within the 100 year-flood hazard zone	✓	✓	✓
Solar access/energy conservation measures	✓	✓	✓
Stormwater and erosion control plan		✓	✓
Proposed performance guarantee		✓	✓
Temporary field markers, located on the site to enable the Commission to determine the proposed location of parcel boundaries, building envelopes, and associated improvements.	✓	✓	✓
(E) As may be Required by the Commission			
Existing development restrictions on abutting lots			
Site visits			
Open space management plan			
Site reclamation plan (for subdivisions involving extraction)			
Traffic impact analysis (current and proposed traffic volumes, capacities, levels of service, proposed improvements)			
Letters from Town and school district officials and emergency service providers regarding adequacy of existing facilities, capacities			
Wildlife habitat impact assessment and mitigation plan			
Fiscal impact analysis (analysis of fiscal costs and benefits to the Town)			
Evidence of applicable Town, state and federal permits and approvals			
Outdoor lighting plan location, type, photometric analysis			
Visual impact assessment			
Other			

ARTICLE IV
General Requirements and Design Standards

§ 200-16. Application of Subdivision Standards.

- A. The Commission shall evaluate all subdivision applications in accordance with the following standards set forth in this Article. Where these standards conflict with other provisions of these regulations, the more stringent shall apply. To assist in its evaluation, the Commission may require:
- (1) **Additional Information.** The Commission may require the applicant to submit additional information to determine conformance with the standards outlined in §200-17 through §200-29.
 - (2) **Independent Technical Review.** The Commission may obtain an independent technical review of an application at the applicant's expense, in accordance with the adopted policy of the Hartford Selectboard as amended outlining procedures and standards for assessment of technical review costs on zoning applicants.
 - (3) **Modification of Design.** The Commission may require the modification of the subdivision design, the phasing of development, and/or additional measures to avoid or mitigate any adverse impacts likely to result from the proposed subdivision.

§ 200-17. Planning Standards.

- A. **Development Suitability.** All land to be subdivided shall be, in the judgment of the Commission, of such character that it can be used without danger to public health or safety, the environment, neighboring properties, or the character of the area or district in which it is located. Subdivisions shall set aside as open space, and/or exclude from subsequent development, land that is characterized by periodic flooding, poor drainage, steep slopes, or other hazardous conditions, or that is inadequate to support structures or infrastructure.
- B. **Preservation of Existing Features and Unfragmented Lands.** Due regard shall be given to the preservation and protection of existing features and other natural resources such as trees, scenic vistas, brooks, streams, rock outcroppings, wetlands, and other water bodies, and to maintaining unfragmented agricultural land, forest lands, and wildlife habitat.
- C. **Conformance with the Hartford Master Plan, Town Regulations and Ordinances.** Subdivisions of land shall be in conformance with all applicable requirements of these regulations, the Hartford Master Plan as most recently adopted, Hartford Zoning Regulations, and all other Town bylaws, ordinances and regulations currently in effect.
- D. **Density and Lot Layout.** Density, lot size and lot layout shall conform to the minimum area and dimensional standards for the underlying zoning district as outlined in the Zoning Regulations unless modified by the Commission under Planned Development provisions allowed in §260-47 of the Hartford Zoning Regulations.
- (1) **Lot Layout.** Lot layout shall be appropriate for the intended use and reflect the purpose of the zoning district in which the lots are located.
 - (2) **Topography and Soils.** Considerations in lot layout shall be given to topography and soil characteristics and conditions. The subdivision shall be planned to retain, as much as

possible, the natural contours and to conserve the natural vegetative cover and soil.

(3) **Lots with Irregular Shapes.** Lots with irregular shapes (curves, jogs, dog-legs, etc.) shall not be created unless warranted due to topographic constraints, or to minimize the fragmentation of natural, scenic or cultural features.

(4) **Corner Lots.** Corner lots shall have sufficient width to permit a front yard setback from each street or right-of-way.

E. **Energy Conservation and Renewable Energy.** Subdivision design should enable the use of energy conservation and renewable energy technology. While reviewing an application, the Commission shall consider the following.

(1) Subdivision design should take maximum advantage of opportunities for passive and active renewable energy technology now or in the future. Buildings and development envelopes should be sited to take advantage of southeast, south and southwest orientations where practical.

(2) Landscaping, as outlined under §200-26 Landscaping and Screening, should be designed to provide shading and cooling during the summer months while minimizing reduction of solar heat penetration and providing wind barriers during the winter months.

(3) Subdivisions should use the least area of roadway and the least length of sewer, water and utility lines within environmental and economically sound limits.

(4) Cluster development should be encouraged wherever feasible.

(5) Subdivision design should incorporate multi-modal transportation (e.g., interconnected bicycle and pedestrian paths, transit stops) where possible.

(6) Buildings shall comply at a minimum with the most recent version of the Vermont Residential Building Energy Standards and the Vermont Commercial Building Energy Standards.

F. **Relationship to Subsequent Development Plans.** Whenever an applicant submits a proposal for development on a portion of the parcel, the application shall include a general indication of the intended uses of the remaining portion of land. Such an indication shall address access, type of use, intensity of use and phasing.

G. **Development Envelopes.** The designation of development envelopes shall be required for subdivisions in all overlay districts, as identified in §260-21 of the Hartford Zoning Regulations, to delineate the areas in which principal and accessory structures, driveways, parking areas, and associated site improvements shall be located. The Commission may require development envelopes for subdivisions in other districts, as deemed necessary to protect natural resources (§200-18), historic and cultural resources (§200-19) and promote energy conservation (§200-17E).

H. **District Settlement Patterns.** All subdivisions shall be designed and configured to reflect the desired settlement pattern for the respective Zoning District and Overlay District in which the subdivision is located as defined by the Hartford Zoning Regulations and the Hartford Master

Plan. According to the Hartford Master Plan, Hartford's traditional settlement pattern has consistently concentrated development in five compact villages surrounded by rural countryside. The Town encourages this pattern of development to continue.

- (1) **Subdivisions within Designated Growth Centers.** Includes the sections of Hartford designated as a "Vermont Growth Center" and those sections of Hartford identified in the Town's Master Plan as Growth Centers. Subdivisions in these areas shall be designed and configured to reflect compact development with moderate to high densities that allows for a pedestrian scale with a well-defined streetscape and an interconnected network of streets with access to public transit, and adequate sidewalks or other pedestrian facilities. For commercial and mixed-use zoning districts, subdivisions also shall incorporate a design which directs development toward the streetscape, with parking and related infrastructure located in rear and/or side yards.
- (2) **Subdivisions within Rural Zoning Districts.** Includes RL-1, RL-3, RL-5, RL-10 and FC zoning districts. Subdivisions in these areas shall be designed and configured to reinforce the rural character and historic working landscape of these districts, characterized by forested hillsides and hilltops, open fields/agricultural lands, and low-density residential development taking into consideration opportunities for agricultural use and forestry, and connectivity of undeveloped land.
- (3) **Mixed-Use and Commercial Districts Outside the Growth Centers.** Subdivisions in these areas shall be designed and configured with appropriate transitions to the surrounding rural landscape and to minimize driveway and road access to state and town highways. Subdivisions shall incorporate a design which directs development toward the streetscape, with parking and related infrastructure located in rear and/or side yards to avoid a strip commercial pattern of development.

§ 200-18. Protection of Natural Resources.

- A. **Relationship to Overlay Districts.** §260-21 of the Hartford Zoning Regulations establishes three overlay districts to protect Hartford's natural resources and rural character: Rural Lands, Agricultural and Wildlife Connector. All subdivisions within these overlay districts shall be located and configured to minimize adverse impacts on natural resources and rural character, and meet the standards of §260-21.
- B. **Floodplains, Surface Waters and Wetlands.** Subdivision boundaries, lot layout and development envelopes shall be located and configured to minimize adverse impacts to floodplains, surface waters and wetlands, comply with the State of Vermont Wetland Rules and meet the following standards: §260-25 of the Hartford Zoning Regulations (Protection of Surface Waters) and Chapter 58 (Hartford Flood Hazard Area Regulations).
- C. **Wooded Buffers.** Subdivision boundaries, lot layout and development envelopes shall be located and configured to minimize the impact on Hartford's well established wooded buffers along Interstate Highways 89 and 91.
- D. **Steep Slopes.** Subdivision boundaries, lot layout and development envelopes shall be located and configured to minimize adverse impacts to slopes greater than 15% and to avoid disturbance to slopes in excess of 25%. In the event that development of an area with slopes

greater than 15% is necessary to achieve the most desirable subdivision design for a site, the Commission shall limit clearing, excavation and filling on such lands to the greatest extent practical and shall require the preparation and implementation of an erosion control plan for subdivision improvements, in accordance with §200-25, as a condition of approval.

E. **Wildlife Habitat.** Subdivision boundaries, lot layout and development envelopes shall be located and configured to minimize adverse impacts on wildlife habitat including Habitat Blocks and Significant Wildlife Habitat.

(1) **Habitat Blocks.** Habitat Blocks are areas of natural cover (forested, wetland, woodland, or old field) surrounded by roads, development, and agriculture at least 20 acres in size with little or no permanent habitat fragmentation from roads and other forms of development. Habitat Blocks are identified on the Vermont Fish and Wildlife Department *Natural Resource Atlas*.

(2) **Significant Wildlife Habitat.** Significant Wildlife Habitat are those natural features that are essential for the survival and/or reproduction of the native wildlife of Hartford. These may be located within and outside Habitat Blocks and include (a) deer winter habitat (i.e. deeryards); (b) habitat for rare, threatened and endangered species (state or federally listed); (c) wetlands and vernal pools; and (d) habitat identified by the Vermont Department of Fish and Wildlife as either Significant Wildlife Habitat or Necessary Wildlife Habitat in accordance with 10 V.S.A. §6086(a)(8)(A).

(3) When laying out subdivisions, consideration shall be given to the following:

- a. Locating development envelopes to minimize impact on Habitat Blocks and Significant Wildlife Habitat.
- b. Designing roads, driveways and utilities to minimize the fragmentation of Habitat Blocks and Significant Wildlife Habitat.
- c. Where Habitat Blocks exist adjacent to roads, maintain forestland on both sides of the road to enhance wildlife crossings, especially in close proximity to road culverts.
- d. Where Habitat Blocks exist adjacent to roads, avoid guardrails along road frontage.

To avoid fragmentation of Habitat Blocks and Significant Wildlife Habitat areas, the Commission may require the submission of a Wildlife Habitat Assessment, prepared by a wildlife biologist or comparable professional, to identify the function and relative value of impacted habitat, and provide recommended management strategies to maintain or enhance those values and functions. The Commission also may consult with Vermont Fish and Wildlife Department staff prior to issuing a decision.

F. **Significant Natural Communities and Rare Species.** The Vermont Fish and Wildlife Department has a list of Significant Natural Communities and Rare, Threatened and Endangered Species for each municipality in the State. The information is included in the Vermont Natural Resource Atlas. The Commission should take into consideration the impact of a proposed development on these important natural resources. It is not the intent of this section to prohibit development in these areas, but rather to minimize adverse impacts. If a

proposed development is on or adjacent to Significant Natural Communities and Rare Species, the applicant shall contact Fish and Wildlife Department for their recommendations related to minimizing adverse impacts by the proposed development.

G. **Farmland.** Lot boundaries and development envelopes shall be located and configured to minimize adverse impacts to farmland and areas with “prime” and “statewide” agricultural soils suitable for farming. Methods for avoiding such adverse impacts are not limited to the following:

- (1) Locate development envelopes at field and orchard edges or, in the event that no other land is practical for development, in such a way as to minimize the impact on farmland, impacts on existing farm operations, and disruption to the scenic qualities of the site.
- (2) Cluster buildings and associated building lots to avoid fragmentation of productive farmland.
- (3) Use vegetated buffer areas to separate farming operations from other uses to minimize land use conflicts.
- (4) Use shared access roads, driveways and utility corridors to the extent feasible; and, where sites include linear features such as existing roads, tree lines, stone walls, and/or fence lines, follow these to minimize fragmentation of farmland and visual impacts.

§ 200-19. Protection of Historic and Cultural Resources.

Protection of Historic & Cultural Resources. Subdivision boundaries, lot layout and development envelopes should be located and configured to minimize adverse impacts to historic, archaeological, and cultural resources. The resources include, but are not limited to, structures, stone walls, cellar holes, burial sites, old barns and outbuildings. These features should be preserved and integrated into the subdivision design to the extent practical. The applicant shall identify these resources through site investigations and by contacting the Hartford Historic Preservation Commission. The found resources shall be noted on the subdivision plans. In addition, the applicant shall provide photographs of each historic resource.

§ 200-20. Roads and Driveways.

A. **Driveways.** All driveways shall comply with the following driveway standards:

- (1) Section 825 of the Department of Public Works Specifications, as most recently amended;
- (2) Any future Design, Layout and Construction Standards for Private Driveways adopted by the Town; and
- (3) Section 1111 permit from the Vermont Agency of Transportation for all driveways that access a state highway.

B. **Road Standards.** The following standards shall apply to all proposed public and private roads. Acceptance of private roads and extension of public roads by the Town is subject to approval by the Hartford Selectboard, pursuant to state law for the laying out of public rights-of-way

and Chapter 75 Town of Hartford Transportation Ordinance as most recently amended. Construction of roads to these standards does not ensure such acceptance.

- C. **Road Design: Public Roads.** All roads serving proposed subdivisions that are intended to be public shall be designed in accordance with Chapter 75 Town of Hartford Transportation Ordinance as most recently amended and the Hartford Department of Public Works Specifications as most recently amended.
- D. **Road Design: Private Roads.** All private roads shall be designed in accordance with any future Town of Hartford Private Highway Specifications.
- E. **General Road and Driveway Layout.** Roads and driveways generally shall be laid out to:
- (1) Logically relate to the topography to minimize site disturbance and the amount of cut and fill required;
 - (2) Maintain reasonable grades and safe intersections;
 - (3) Produce useable lots;
 - (4) Allow for access by emergency vehicles;
 - (5) Avoid adverse impacts to natural, scenic and historic and cultural resources;
 - (6) Follow existing linear features (e.g., field edges, hedgerows, utility corridors, tree and fence lines, stone walls);
 - (7) Avoid fragmentation of agricultural land, wildlife habitat and wildlife corridors;
 - (8) Allow for future road extensions, identified as proposed easements on the subdivision plat, to serve adjoining parcels;
 - (9) Avoid dead-end streets and cul-de-sacs, particularly in village areas;
 - (10) Promote community resiliency to natural disasters; and
 - (11) Consider the needs of all transportation users including motorists, bicyclists, public transportation users and pedestrians of all ages and abilities in compliance with §200-20 of these regulations and the Vermont Complete Streets Statute (19 V.S.A. §309 d.).
- F. **Coordination with Adjoining Properties.** The arrangement of roads in the subdivision shall provide for the continuation of roads of adjoining subdivisions and for proper projection of roads through adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and construction or extension, currently or when later required, of needed utilities and public services. The above conditions may be modified where, in the opinion of the Commission, topographic or other conditions make such continuance undesirable or impractical.
- G. **Access Management.** All private road and driveway intersections with public roads shall be subject to the approval of the Hartford Highway Superintendent for Town highways and the Vermont Agency of Transportation for state and federal highways. Access to all lots created by subdivision and to all buildings or other land development located thereon shall be only from such permitted access road or driveway. To better manage traffic flow and safety, avoid congestion and frequent turning movements, and preserve the carrying capacity of important travel corridors, the following access management standards shall apply to all subdivisions:
- (1) Shared driveways and/or internal development roads providing access to multiple lots may be required to limit the number of access points onto public highways.

- (2) If a subdivision has frontage on two or more roads, access shall be from the road determined by the Commission to be more suitable based on topographic or traffic safety conditions.
- (3) The creation of reserved strips shall not be permitted adjacent to a proposed road in such a manner as to deny access from adjacent property to such road.
- (4) Right-of-way may be required for future road extensions to connect to adjoining parcels.
- (5) A secondary road access shall be provided if a road exceeds a length of 1,200' or if it is determined necessary for public safety reasons.

H. **Traffic Safety & Road Capacity.** Traffic to be generated by the proposed subdivision shall not result in unreasonable traffic congestion or delay (below a Level of Service "C") on public highways, or exceed the functional capacity of road intersections and related infrastructure in the vicinity of the subdivision. The Commission may require the submission of a Traffic Impact Analysis to identify impacts and/or mitigation measures necessary to ensure road safety and efficiency, and/or reservation of land to accommodate future improvements. The cost of the Traffic Impact Analysis and any mitigation measures shall be the responsibility of the applicant/landowner or their assigns. Mitigation measures may include, but are not limited to the following:

- (1) Upgrade of an existing access road that is inadequate or unsafe, may be required to the extent necessary to serve additional traffic resulting from the subdivision and to conform to Town standards and regulations. Upgrades to Town highways will require the approval of the Hartford Selectboard and state approval for State and Federal highways.
- (2) In situations where a development may require realignment, widening or increase in the capacity of an existing road, sidewalk or bike lane, or where a town plan or Capital Improvement Program indicates that such improvements may be required in the future, the applicant may be required to reserve land for such improvements. The applicant may be required to contribute to any or all of the expenses involved with the improvements.
- (4) When a proposed subdivision necessitates an upgrade in the capacity of a public road to accommodate traffic generated by that subdivision, the Commission may withhold or condition the approval for such subdivision until such upgrade has been completed. The applicant may be required to contribute to any or all of the expenses involved with road improvements necessitated by the project.

I. **Traffic Calming.** Slow vehicle speeds are safer for pedestrians, bicyclists and motorists. Both on-site and off-site traffic calming may be required as a result of projected traffic impacts of proposed development. The applicant may be required to contribute to any or all of the expenses involved with traffic calming necessitated by the project. Options for traffic calming include roadway striping, edge line markings, roundabouts, flashing warning signs, intersection modifications, roadway medians, speed tables, redesign of streets, sidewalks, landscaping and streetscape, on-street parking or other devices as determined by the Commission.

- J. **Drainage & Stormwater.** A stormwater drainage system shall be provided which is designed to control and accommodate stormwater collected on all proposed roads, driveways, and parking areas in accordance with §200-25. Low impact development designs are encouraged.
- K. **Road Names, Numbering and Signs.** Roads shall be named and numbers assigned in accordance with Chapter 181, the Town of Hartford Street Naming, Numbering and Signs Ordinance. Said names shall be identified on signs designed and located in accordance with the Ordinance and shall be clearly depicted on the final plat.
- L. **Parking.** Parking shall be provided in accordance with §260-24 of the Hartford Zoning Regulations as most recently amended. Common or shared parking shall be identified on the subdivision plat. Parking areas for individual lots shall be included within designated development envelopes.
- M. **Transit Stops.** For Planned Developments and subdivisions located on existing or proposed public transit routes, transit stops (including a pull-off) to serve the development, shall be incorporated into the subdivision design in coordination with the public transit provider.
- N. **Street Lighting.** Street lighting shall adhere to Chapter 75 Town of Hartford Transportation Ordinance §75-37 and the Town of Hartford Department of Public Works Specifications §815.6 as most recently amended. Street lighting generally shall not be required except in village or developed sections of town, and where it is deemed necessary by the Commission for safety, such as at highway intersections, sharp curves or pedestrian crossings. Street lighting shall be limited to down-shielded luminaire type and energy efficient fixtures as approved by the Town.

§ 200-21. Pedestrian and Bicycle Access.

- A. **Pedestrian Access.** The Commission may require additional deeded rights-of-way or easements, sidewalks and/or walking paths to facilitate pedestrian circulation within a subdivision and to ensure safe access to adjoining properties and to schools, parks, community facilities and commercial areas. The Commission shall consult with the recommended pedestrian improvement list in the Hartford Pedestrian and Bicycle Plan. If a sidewalk is listed for the road segment, the applicant shall be responsible for the design and construction of the sidewalk. Additional deeded rights-of-way or easements, sidewalks and/or walking paths may be required for development along arterial and collector roads and/or within the area designated in the Hartford Master Plan as a Growth Center and/or where the Commission finds highway traffic conditions to be specifically hazardous to pedestrians. The Commission may allow walking paths as an alternative to sidewalks if a sidewalk is not practical or if a path would be more appropriate given the context of the neighborhood. On arterial and collector streets, sidewalks should be located on both sides of the street. On local streets, sidewalks on one side of the street may be permitted. For specific standards, refer to the Hartford Department of Public Works Specifications.
- B. **Bicycle Access.** The Commission may require additional deeded rights-of-way or easements in width and bike lanes to facilitate bicycle circulation within a subdivision along arterial and collector roads and/or where the Commission finds highway traffic conditions to be specifically hazardous to bicyclists. On local streets where there are lower traffic volumes, bicyclists will

generally share the road with vehicular traffic. The Commission shall consult with the recommended bicycle improvement list in the Hartford Pedestrian and Bicycle Plan. If a bicycle improvement is listed for the road segment, the applicant shall be responsible for the design and construction of a bike lane. For specific standards, refer to the Hartford Department of Public Works Specifications.

§ 200-22. Utilities.

- A. **Water Systems.** All water supply systems shall be designed and built to meet all applicable state and Town requirements.
- B. **Extension of Town Water System.** The Commission may require the extension of Town water to and within a proposed subdivision, without cost to the Town where existing lines are, in the judgment of the Commission, within a reasonable distance of the proposed subdivision. In such circumstances, the Town may elect to oversize the trunk line extension in anticipation of further extension to other areas. If this option is exercised, the cost borne by the Town will be limited to the additional equipment cost, excluding installation, incurred by the developer over what he would have incurred in construction solely for his/her own development. This figure must be agreed between the developer and the official responsible for the Town system before approval of the final subdivision plat is granted. Where the proposed subdivision is located on an existing water line, the Commission shall determine whether off-site capacity is available to service the proposed subdivision.

For subdivisions which will connect to the Town water supply system, the Commission shall require that system capacity is adequate to serve the anticipated requirements of the proposed subdivision. Applications for extensions to the Town system shall be approved by the Hartford Department of Public Works.

Connection to the Town water system shall meet the requirements of the Hartford Water Ordinance, adopted October 30, 1990 and any subsequent amendments.

- C. **Individual and Community Water Supply Systems.** Individual and community water systems shall meet all state regulations for design, installation and maintenance.
- D. **Wastewater Disposal.** The applicant shall demonstrate to the satisfaction of the Commission that wastewater collection and disposal capacities exist on or off-site to serve the subdivision. All wastewater disposal systems shall be designed and built to meet all applicable state and Town requirements.
- E. **Extension of Town Wastewater System.** The Commission may require the extension of Town sewer to and within a proposed subdivision, without cost to the Town where existing lines are, in the judgment of the Commission, within a reasonable distance of the proposed subdivision. In such circumstances, the Town may elect to oversize the trunk line extension in anticipation of further extension to other areas. If this option is exercised, the cost borne by the Town will be limited to the additional equipment cost, excluding installation, incurred by the developer over what he would have incurred in construction solely for his own development. This figure must be agreed between the developer and the official responsible for the Town system before approval of the final subdivision plat is granted. Where the proposed subdivision is located on an existing sewer line, the Commission shall determine whether off-site capacity is available to service the proposed subdivision.

For subdivisions which will connect to the Town wastewater system, the Commission shall

require written certification from the Hartford Utilities Superintendent that system capacity is adequate to serve the anticipated requirements of the proposed subdivision. Applications for extensions to the Town system shall be approved by the Hartford Department of Public Works.

Connection to the Town wastewater system shall meet the requirements of the Hartford Sewer Ordinance, adopted October 30, 1990 and any subsequent amendments. The applicant shall install laterals from the edge of the road right-of-way of each building lot. Any residential buildings constructed in the subdivision shall have house connections installed, and have such connections extended inside of the building. All such utility system installations shall be at the expense of the applicant.

- F. **Individual and Community Wastewater Disposal Systems.** On-site sewage disposal systems shall be designed in accordance with the applicable Vermont Department of Environmental Conservation regulations. Technical information, including soils analysis and septic design, shall be prepared by a professional Vermont-Licensed Engineer or a Certified Site Technician, who shall certify that the proposed system complies with the aforementioned rules. In the event that an off-site disposal system is proposed, such system shall be secured through an easement or other form of legal conveyance.
- G. **Electric, Gas, Telephone, Broadband, etc.**
- (1) **Coordination with Utility Companies.** The applicant shall coordinate subdivision design with the utility companies to ensure adequate and suitable areas for installation, both for the proposed subdivision and anticipated development on lands adjacent to the subdivision.
 - (2) **Underground Location:** Utility systems throughout the subdivision should be located underground unless deemed unreasonable and prohibitively expensive by the Commission.
- H. **Easements.** Utilities should be placed in the road right-of-way between the edge of the road and the edge of the right-of-way. Where inclusion of utilities in the road right-of-way is impractical, perpetual, unobstructed easements a minimum of twenty (20) feet in width shall be provided with satisfactory access to the street. Such easements shall be shown on the final plat.

§ 200-23. Town Facilities and Services.

The proposed subdivision shall not create an undue burden on Town facilities and schools, or create an unreasonable demand for public services. The Commission may require the phasing of development to coordinate the anticipated demand for Town facilities and services with the planned provision of those facilities and services, in accordance with a duly adopted Capital Budget and Program.

§ 200-24. Fire Protection.

Adequate fire protection facilities within the subdivision shall be provided by the developer to the satisfaction of the Fire Chief or designee.

§ 200-25. Stormwater Management and Erosion Control.

A. **Control of Stormwater Runoff.** For all subdivisions, consideration shall be given to methods to reduce stormwater runoff in order to further the following objectives.

- (1) Preserve natural hydrologic function by reducing stormwater runoff and increasing groundwater recharge and pollutant treatment for development projects through site design and stormwater treatment practices, and to ensure that these management controls are properly maintained and pose no threat to public safety.
- (2) Protect water quality of streams, rivers, lakes, ponds and wetlands.
- (3) Reduce flooding and erosion.
- (4) Prevent damage to private and Town infrastructure from inadequate stormwater controls.

B. **Stormwater Management Plan Required.** A Stormwater Management Plan is required to be submitted with the subdivision application when the following exist:

- (1) Development of the subdivision will result in disturbing (see definition of disturbance) more than ½ acre of land in aggregate for the entire subdivision; or
- (2) Development of the subdivision will result in disturbing ¼ acre or more, and one of the following conditions exist:
 - a. The slope of the areas to be disturbed are greater than 15%, and these areas in aggregate are equal to or exceed ¼ acre.
 - b. The site is underlain by native soils mapped as being highly susceptible to erosion, as measured by a Kw value greater than 0.36 according to the Natural Resource Conservation Service Soil Survey Report for Windsor County, Vermont, as most recently amended.
 - c. The site drains to a receiving water location that has problems related to drainage, flooding, erosion, and/or water quality.

Stormwater Management Plans shall ensure that site improvements, including excavation, road and driveway construction and site clearing and grading, shall not impact neighboring properties, town or private infrastructure, and surface waters. Such plans shall be prepared and stamped by a Vermont-Licensed Engineer, a Vermont Certified Professional in Erosion and Sediment Control (CPESC), or Vermont Certified Professional in Stormwater Quality (CPSWQ), and identify locations of impervious areas, disturbed pervious areas, and stormwater practices. In addition, such plans shall include provisions for the inspection and long-term maintenance of stormwater management and erosion control systems.

C. **Stormwater Standards.** The following standards relate to projects that require a stormwater management plan.

- (1) **Peak Discharge Control.** The post-development peak discharge rate shall not be greater than the pre-development peak discharge rate for storm events up to and including the 25-year, 24-hour storm for runoff discharging from the site. Additional control of treated

stormwater (e.g., for 50-year or 100-year, 24-hour storm events) shall be required if site specific considerations warrant the detention of stormwater from larger storm events. These standards may be waived if the applicant can demonstrate all of the following:

- a. The existing stormwater facilities such as open channels, ponds, closed pipe systems, and culverts below the grade of the subdivision will safely convey the increased runoff from the proposed subdivision. “Safely convey” shall mean compliance with applicable hydraulic sizing standards for conveyances stated in the Vermont Agency of Transportation Hydraulics Manual (2015) as most recently amended.
- b. The additional runoff will not overload down-gradient facilities (to a point where the receiving watershed is greater than or equal to ten (10) square miles) to cause damage or undue drainage onto other property.
- c. There will not be an increase in expenditure of public funds to address any additional run-off; and

(2) **Water Quality/Groundwater Recharge.** Stormwater runoff carries harmful pollutants including sediment and nutrients from developed areas to local surface waters. The highest concentrations of these pollutants are contained within the “first flush” of runoff when accumulated materials are washed from developed lands at the beginning of a melt or storm event. In addition to the washing of pollutants, land development also results in the loss of beneficial groundwater recharge by creation of impervious surfaces and compaction of soils. The Water Quality/Groundwater Recharge standard requires that best management practices are installed on-site to mitigate these harmful impacts. For proposed impervious areas on the site, including rooftops, driveways, access roads, and other paved or unpaved impermeable surfaces, the following criteria must be met:

- a. Treatment of ½ of the Water Quality Volume (WQv) (first 0.45 inches of rainfall).

The WQv is defined by the Vermont Agency of Natural Resources “Vermont Stormwater Management Manual (VSWMM) as most recently amended.” The WQv Standard may be met by employing the following non-structural, and/or structural practices or the equivalent:

- I. Structural Water Quality Treatment practices as listed in Water Quality Stormwater Treatment Practices of the VSWMM.
- II. Non-Structural practices approved to meet WQv as listed in Voluntary Stormwater Management Credits of the VSWMM.
- III. Both Structural and/or Non-Structural practices as included in the “Vermont Low Impact Development Guide for Residential and Small Sites”, as most recently amended.

D. **Culverts.** All new and replacement culverts must meet the following requirements:

- (1) Culverts on surface waters identified on the most recent edition of the Hartford G.I.S Natural Resources Map, shall be properly sized and installed in the stream channel (no elevated outlets, hanging or perched culverts) in accordance with Chapter 27 Vermont Stream Alteration Rule of the Department of Environmental Conservation Watershed

Management Division and the Vermont Agency of Transportation peak hydraulic discharge capacity design standards. A Stream Alteration Permit may be required and the applicant shall contact the Vermont River Management Engineer.

(2) All other culverts need to meet Vermont Agency of Transportation peak hydraulic discharge capacity design standards.

E. **State Permits.** It is the responsibility of the applicant to obtain any and all necessary State permits including stormwater discharge and stream alteration permits.

F. **Natural Cover.** Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours, ground cover and soils and limit storm water runoff.

G. **Riparian Areas.** Subdivisions located within 100' of rivers and within 30' of other surface waters must adhere to the standards of §260-25 of the Hartford Zoning Regulations as most recently amended.

H **Subdivision Design and Layout.** For effective stormwater management, subdivision and/or site design and layout shall:

(1) Be designed to avoid areas of steep slope in accordance with §200-18.D (Protection of Steep Slopes) of these regulations.

(2) Minimize building envelope and footprint areas, in accordance with §260-21 (Overlay District standards) of the Zoning Regulations ;

(3) Minimize the length, width and paved area of roads, driveways and parking areas.;

(4) Minimize the impervious area connected directly to stormwater conveyance systems (e.g., by draining such areas over stable, vegetated pervious areas);

(5) Incorporate landscaped areas to absorb stormwater runoff from adjoining impervious surfaces (e.g., yard areas, filter strips, parking lot and cul-de-sac islands);

(6) Promote shared driveways and parking areas;

(7) Avoid or minimize the use of curbing and gutters;

(8) Maximize the use of pervious materials (e.g., for paths, spillover parking and residential driveways);

(9) Maintain natural vegetative cover in riparian buffers;

(10) Use vegetated, open channels within road rights-of-way to convey and treat stormwater, where density, topography, soils and slopes permit; and

(11) Incorporate naturally occurring ponding and drainage areas.

I. **Easements.** If a subdivision will result in changes in flow type or channel, increased stormwater discharge or flooding in areas not owned or controlled by the applicant, the applicant must secure easements for all areas of flow or flooding on affected properties. Easements must extend up to, but need not include the channel of any river or stream accepting

flow from the subdivision. Suitable land use restrictions must be included in easements to prevent any activity that may interfere with drainage and stormwater management.

- J. **Erosion and Sediment Control.** Projects disturbing less than one (1) acre shall utilize Best Management Practices (BMP) as included in the “Low Risk Site Handbook for Erosion Prevention and Sediment Control,” published by the Vermont Department of Environmental Conservation as most recently amended. Both structural and non-structural BMPs shall be implemented to retain sediment on the construction site and prevent discharge of sediment down slope of the project. Project construction shall be phased as to limit the amount of concurrent land disturbance, and soils shall be stabilized as soon as practical.

Projects disturbing one (1) or more acres of land as a common plan of development are subject to permitting under the Vermont Construction General Permit through the Vermont Department of Environmental Conservation. A copy of the approved state permit shall be provided to the Town.

§ 200-26 Landscaping and Screening.

The preservation, planting and maintenance of trees, ground cover, other vegetation or non-vegetative materials, of a size and type deemed appropriate by the Commission, may be required in the following instances.

- A. To preserve existing trees, tree lines, wooded areas of particular natural or aesthetic value to the site;
- B. To establish street trees along public or private roads to create a canopy effect and/or maintain a pedestrian scale;
- C. To provide screening to increase privacy, reduce noise and glare, or to otherwise soften and/or lessen the visual impacts of development; and/or
- D. To establish a barrier between incompatible land uses.

Native plant species are preferred. For recommended trees, refer to “Recommended Trees for Hartford, Vermont” as most recently amended, adopted by the Hartford Tree Board. For recommended shrubs, perennials and ground covers, refer to the Hartford Conservation Commission brochure “Recommended Plants” as most recently amended.

Invasive or noxious species are prohibited. Refer to the Vermont Agency of Agriculture, Food and Markets Noxious Weed List and the Hartford Conservation Commission brochure “Invasive Plants” as most recently amended.

Nothing in these regulations shall prohibit a property owner from performing normal maintenance on approved landscaping to maintain its intended effect and purpose.

§ 200-27 Survey Monuments.

Survey monuments shall be placed on all subdivided parcels in conformance with the Vermont Rules of the Board of Land Surveyors, Part 5, Standards for the Practice of Land Surveying or as amended. Monuments shall be durable and stable. Monuments shall be identified with the license number of the surveyor in responsible charge. Where a new road or road extension is proposed, monuments shall typically be required at all street corners and all points of curvature and/or tangency as shown on the survey plat.

Before the subdivision plat is recorded, a surveyor shall submit a letter to the Administrative Officer certifying that the monuments have been set according to the locations identified on the approved survey plat. The Zoning Administrator may grant an extension provided the applicant can justify that extenuating circumstances exist.

§ 200-28. Preservation of Open Space.

Where appropriate, subdivisions shall be designed to preserve open space for the protection of natural and fragile features such as wetlands, streams, ponds, steep slopes, ridgelines, prime agricultural soils, wildlife habitat and connectivity, and scenic views. The location, shape, size and character of the open space shall be suitable for its context and intended use. Areas preserved for agricultural and forestry use should be of a size that allows for continued productive use of the land. Areas deemed sensitive shall be designated as such and any alteration therein shall be subject to Commission approval. Open space land shall be located to extend existing areas sharing similar characteristics or natural and fragile features on adjacent parcels. In addition, the following provisions shall be applied.

- A. **Planned Developments and Overlay Districts.** The preservation of open space is required for Planned Developments in accordance with §260-47 of the Hartford Zoning Regulations and all overlay districts in accordance with §260-21 of the Hartford Zoning Regulations. For overlay districts, development envelopes are required as set forth in §200-17G. Areas outside of development envelopes will be treated as open space. Open space may include a portion of a single lot outside of the development envelope, or common land. Open space shall be designated in accordance with the aforementioned Planned Development standards and the legal requirements set forth in §200-29 (Dedication of Common Land).
- B. **Areas Not Involving Planned Developments or Overlay Districts.** In subdivisions not involving Planned Developments or overlay districts, the Commission may require open space as deemed necessary to protect natural and fragile features. In such cases, the Commission shall designate development envelopes as specified in §200-17G.
- C. **Active vs Passive Open Space.** Open space in subdivisions may be used as active or passive open space. Active use requires constructed facilities, while passive use utilizes the existing natural resources. Improvements for active open space uses shall not be located on sensitive natural features such as wetlands, riparian areas or on steep slopes without the approval of the Commission. In addition, active use that consists of impervious surfaces must locate such improvements within designated development envelopes.

§ 200-29. Dedication of Common Land.

- A. **Creation of Common Land.** Land held in common for the preservation and maintenance of open space or the maintenance and protection of shared facilities, such as community wastewater systems, community water supplies, recreation or community facilities, including

road and trails rights-of-way, may be held under separate ownership from contiguous parcels and shall be subject to the legal requirements set forth below.

- B. **Legal Requirements.** The Commission may require that land offered by an applicant as protected open space or common land be dedicated, either fee simple or through a conservation easement approved by the Commission. The prospective grantees to whom the applicant may grant such land may include a community association comprising all of the present and future owners of lots in the subdivision, a non-profit land conservation organization, or the Town of Hartford. At a minimum, designated open space or common land shall be indicated with appropriate notation on the final plat. Land held in common shall be subject to deed restrictions stipulating the permitted and restricted use of such lot, and establishing the entity responsible for maintenance and long term stewardship. All costs associated with administering and maintaining open space and/or common land shall be the responsibility of the applicant and subsequent land owners.

ARTICLE V Waiver Authority

§ 200-30. Waiver Authority.

To the full extent authorized by 24 V.S.A. §4418(2)(A), the Commission may waive or vary, subject to appropriate conditions, the provisions of any requirement under this Article if the Commission determines that:

- A. the requirement is not requisite in the interest of public health, safety, and general welfare; or
- B. the requirement is inappropriate due to the inadequacy or lack of connecting facilities adjacent to or in proximity to the subdivision; and
- C. the waiver will not have the effect of nullifying the intent and purpose of these regulations, the Hartford Master Plan and/or other Town bylaws and ordinances in effect.

The request for waiver or modification shall be submitted in writing by the applicant with the application. It shall be the responsibility of the applicant to provide sufficient information to allow the Commission to justify the waiver or modification. In granting such a waiver or modification, the Commission may require such conditions that will, in its judgment, substantially meet the objectives of the requirements so waived or modified. Any waiver or modification that may be granted shall apply only to that particular application and may not be considered precedent for future applications.

ARTICLE VI Administration and Enforcement

§ 200-31. Administrative Officer.

These regulations shall be administered by the Administrative Officer appointed and acting in accordance with the provisions of 24 V.S.A. §4448.

§ 200-32. Endorsement by Commission.

Every approved subdivision plat shall reflect the date of approval and an endorsement consisting of the signature of the Commission Chair or the Vice-Chair in his/her absence.

§ 200-33. Appeals.

Any decision of the Commission may be appealed to the Vermont Environmental Court in accordance with 24 V.S.A. §4471.

Any decision or act of the Administrative Officer may be appealed to the Zoning Board of Adjustment as provided by 24 V.S.A. §4465.

§ 200-34. Enforcement.

The enforcement of these regulations shall be the responsibility of the Administrative Officer in accordance with 24 V.S.A. §§4451, 4452, 4454. Any person who violates any of the provisions of these regulations shall be fined pursuant to 24 V.S.A. §4451 for each offense; each day that a violation continues shall constitute a separate offense.

§ 200-35. Amendments.

In accordance with 24 V.S.A. §4442, these regulations shall take effect 21 days after the date of their adoption by the Hartford Selectboard. The Subdivision Regulations for the Town of Hartford in effect prior to the adoption of these regulations are hereby repealed as of the effective date of these regulations.

§ 200-36. Severability.

The invalidity of any provision of these regulations shall not invalidate any other part.

§ 200-37. Fees.

Application fees for subdivision approval shall be established by the Hartford Selectboard in accordance with 24 V.S.A. §4440. Such fee(s) shall include the costs for publishing hearing notices, notifying abutting land owners, conducting public hearings, administrative review, and if needed, for periodic inspections by Town staff.

ARTICLE VII Definitions

§ 200-38. Definitions.

For the purposes of these regulations, certain words used herein shall be defined as follows:

ADMINISTRATIVE OFFICER — The Hartford Zoning Administrator.

APPLICANT — Any person, firm, corporation, partnership, association, or their authorized agent making application for subdivision.

BASE FLOOD — The flood having a one-percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood or Special Flood Hazard Area.

BASE FLOOD ELEVATION (BFE) — The height of the base flood, usually in feet in relation to the National Geodetic Vertical Datum of 1929, the North American Vertical Datum of 1988, or other datum referenced in the Flood Insurance Study Report, or average depth of the base flood, usually in feet, above the ground surface.

BOUNDARY LINE ADJUSTMENT — A division of land for the purpose of adjusting boundaries between adjacent lots or parcels where no new lot is created.

BUFFER — Any space between adjoining land uses, or between a land use and a natural feature, that is intended and designed to reduce the impact of one use on the other use or feature. Buffers may include open space, woodland, landscaped areas, undisturbed vegetated area, or other types of physical, visual or sound barriers.

CLUSTER DEVELOPMENT — The planned grouping or concentration of physical development in an area to minimize impacts, reduce infrastructure costs, protect desirable terrain features, protect sensitive ecological features, achieve desirable land use patterns, and preserve open spaces while still allowing the same number of units or more that would be allowed within the underlying zoning district. It is often accomplished through a subdivision process and may or may not require reduced lot sizes and other adjustments to dimensional standards.

COMMISSION — See "Planning Commission."

COMPACT DEVELOPMENT — A pattern of development that is concentrated to make more efficient use of land, infrastructure and resources.

DEVELOPMENT — See Land Development

DEVELOPMENT ENVELOPE — A specific area delineated on a lot within which all structures and other designated site improvements (e.g., parking areas, driveways) are to be located and outside of which no structures are to be located.

DISTURBANCE — Removal of stable surface condition leaving an exposed area susceptible to erosion.

DRIVEWAY — A private vehicular access off a Town or private road serving up to two lots.

EASEMENT — The permanent grant of a right by a property owner with respect to any designated part of its/his/her property, for a specified purpose or intended use, for the benefit of another person or property.

FARMLAND — Land currently supporting crops, orchards, or grazing; or open land with significant potential to support crops based on the presence of prime or statewide agricultural soils, accessibility, adequate size and shape.

FINAL SUBDIVISION PLAT — The final drawings on which the subdivision is presented to the Commission for approval and which, if approved, shall be filed for record with the Town Clerk.

FLOODWAY — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

FOOT-CANDLE — A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.

HARTFORD MASTER PLAN — The Municipal Development Plan for the Town of Hartford.

INTERESTED PERSON — (Vermont Statute Definition) An interested person/party is defined as:

- A. A person owning title to property, or a municipality or solid waste management district empowered to condemn it or an interest in it, affected by a bylaw, who alleges that the bylaw imposes on the property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case.
- B. The Town of Hartford or any adjoining municipality.
- C. A person owning or occupying property in the immediate neighborhood of a property which is the subject of a decision or act taken under these regulations, who can demonstrate a physical or environmental impact on the person's interest under the criteria reviewed, and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes or terms of the plan or bylaw of that municipality.
- D. Any 10 voters or property owners within the municipality who, by signed petition to the Zoning Board of Adjustment, allege that any relief requested by a person under this section, if granted, will not be in compliance with the policies, purposes or terms of the plan or regulations of the municipality. This petition must designate one person to serve as the representative of the petitioners related to the appeal.
- E. Any department or administrative subdivision of the state owning property or any interest therein within the municipality or adjoining municipality, and the Vermont Agency of Commerce and Community Development.

LAND DEVELOPMENT — The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any change in the use of any building or other structure, or land, or extension of use of land. (Vermont Statute Definition)

LEGISLATIVE BODY — The duly elected Selectboard of the Town of Hartford.

LOT — Any parcel of land, the boundaries of which are separately described in a recorded deed created prior to June 8, 1970 or filed plat which was approved by the Commission. Also includes boundary line adjustments that previously did not require Planning Commission approval. A town or state right-of-way constitutes a lot boundary.

LOT MERGER— The combination of two or more lots into one single lot pursuant to a single deed.

MUNICIPAL DEVELOPMENT PLAN— A comprehensive plan prepared by the Commission pursuant to Subchapter 5 of 24 V.S.A. §4381 et seq.) which establishes guidelines for the future physical development of the municipality. Also known as the Hartford Master Plan.

OPEN SPACE — Those areas within a lot or parcel of land that are not paved, roofed or occupied by structures and are equally accessible to all users of the property or development. Examples of outdoor areas that will not be considered open space are private yards, streets and drives, parking lots, tennis courts, swimming pools, and paved pedestrian malls. Meadowlands, woodlands and other natural areas, playgrounds, courtyards, golf courses, recreation fields and related improvements will be considered open space.

OPEN SPACE MANAGEMENT PLAN — A plan to document how a designated area will be developed and maintained over time as open space.

OVERLAY DISTRICTS — A defined area in which additional requirements exist on how development can occur. In Hartford, examples are the Rural Lands Overlay District, Wildlife Connector Overlay District and the Agriculture Overlay District.

PEDESTRIAN SCALE — Development designed to accommodate pedestrian use and comfort, resulting in environments that are scaled to the human form, with closely-spaced buildings and visual details perceived at a walking pace.

PERFORMANCE GUARANTEE — Any security that may be accepted by the Town as a guarantee that the improvements required as part of an application for development are satisfactorily completed.

PERSON — Any individual or group of individuals, or any corporation, general or limited partnership, joint venture, unincorporated association, or government or quasi-governmental entity.

PHASING — Development undertaken in a logical time and geographical sequence, typically to ensure that development is coordinated with the provision of services and facilities.

PHOTOMETRIC ANALYSIS — A lighting plan indicating the location, type of fixture and wattage of exterior lights and their foot-candle.

PLANNED DEVELOPMENT (also includes Planned Unit Development) — One or more lots, tracts, or parcels of land to be developed as a single entity, the plan for which may propose any authorized combination of density or intensity, transfers or increases, as well as the mixing of land uses. This plan, as authorized, may deviate from bylaw requirements that are otherwise applicable to the area in which it is located with respect to lot size, bulk, or type of dwelling or building, use, density, intensity, lot coverage, parking, required common open space, or other standards. (Vermont Statute Definition)

PLANNING COMMISSION or **COMMISSION** — A Planning Commission for a municipality created under Subchapter 2, 24 V.S.A. §4321 et seq.

PRELIMINARY SUBDIVISION PLAT — The preliminary drawings for a subdivision application indicating the proposed layout of the subdivision to be submitted to the Commission for its consideration.

PRIMARY AGRICULTURAL SOILS — Soil types designated by the United States Natural Resource Conservation Service as “prime” farmland according to national US Department of Agriculture criteria or farmland of “statewide importance”.

RECORD CONSTRUCTION DRAWINGS — Final documents provided by the owner or applicant to the Town at the completion of construction accurately reflecting the work as installed, identifying deviations or field changes to previous plans approved by the Town.

REGIONAL PLAN — A plan adopted under 24 V.S.A. §4348.

RESERVE STRIP — A narrow parcel of land adjacent to a street which is reserved by the developer for the developer’s use.

RIGHT-OF-WAY — A strip of land that is granted, through an easement or other mechanism, for transportation purposes, such as for a trail, driveway, rail line, or highway, and is reserved for the purposes of maintenance or expansion of existing services within the right-of-way.

RIPARIAN AREA — A vegetated area, including trees, shrubs and herbaceous vegetation, which exists or is established to protect surface waters.

ROAD — Any street, highway, avenue or other way, commonly used for vehicular access and serving three or more lots.

RURAL CHARACTER — A landscape with limited development characterized by open space, farms and forest.

RURAL LANDS — Any area zoned RL-1, RL-3, RL-5, RL-10, and FC.

SITE RECLAMATION PLAN — A plan to address how a site will be restored following extraction.

SKETCH PLAN DISCUSSION— A non-binding discussion with the Commission of the proposed subdivision showing information specified in §200-5 of these regulations to enable the applicant to save time and expense in reaching general agreement with the Commission as to the form of the subdivision and objectives and requirements of these regulations.

STEEP SLOPES — Land characterized by a gradient in excess of 15%.

STREETSCAPE — A design term referring to all the elements that constitute the physical makeup of a street which together define its character, and include building frontage, street paving, street furniture, sidewalks, landscaping, signage and lighting.

STRIP COMMERCIAL DEVELOPMENT — A pattern of commercial development that is characterized by commercial activity, arranged in a line usually one store deep with parking in the front setback, located along a collector or arterial road which typically lacks design integration and/or planned provision for pedestrian access between individual properties.

SUBDIVISION — The division of a lot or parcel of land held individually, in common or jointly, into two or more lots, plats, sites or other division of land or boundary line adjustments, or any change of a recorded plat or any such change if it affects any map, plan or conditions recorded in association with the recorded plat. For lot mergers, please refer to §200-3 of these regulations.

SUBDIVISION PLAT — The drawings on which the applicant's plan of subdivision is presented to the Commission for approval and which, if approved, will be filed for record with the Town Clerk.

SURVEY MONUMENT — A physical structure, mark or object that serves to locate a corner or boundary. Permanence, durability and stability are implied. (Vermont Statute Definition)

TOWN — Town of Hartford, Vermont.

TRAFFIC IMPACT ANALYSIS — An evaluation of how a particular development affects the adjacent transportation infrastructure in terms of capacity, safety and mobility as it relates to sound engineering practices and stated policies in the Regional Plan and Hartford Master Plan.

VISUAL IMPACT ANALYSIS — An analysis of the visual impact of a specific development on the surrounding area.

WETLANDS — Those areas identified by the state that are inundated by surface or ground water with a frequency sufficient to support significant vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include but are not limited to marshes, swamps, sloughs, potholes, fens, vernal pools, river and lake overflows, mud flats, bogs, and ponds, but excluding such areas as grow food or crops in connection with farming activities.

(Refer to Vermont Wetland Rules Vt. Code R. 12 004 056, and as amended, for specifics)

WILDLIFE HABITAT IMPACT ASSESSMENT — An analysis prepared by a wildlife biologist or comparable professional to identify the potential impacts of a specific development project to wildlife habitat. The assessment addresses site-level characteristics and impacts, the site's contribution to the larger landscape, and how the impacts would affect the ecological functions of the larger landscape.

WORKING LANDSCAPE — Land that is actively used for the production of food, fiber, earth products and outdoor recreation. These areas include cropland, woodlots, orchards, sugar bushes, pasture, plant nurseries, and fee-based and non-fee based recreation.

ZONING PERMIT — A permit issued under the Hartford Zoning Regulations in accordance with the provisions of 24 V.S.A. §4449.

§ 200-39. Clarification of Meaning.

When the precise meaning of any word used in these regulations is not otherwise defined by these regulations, or if the definition provided is unclear, the Commission shall interpret the meaning in the context of the purpose and intent of these regulations, the Town of Hartford Master Plan, and 24 V.S.A. Chapter 117.