

TOWN OF WESTON MAJOR SUBDIVISION REGULATIONS

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ARTICLE 1: ENACTMENT, PURPOSE, AUTHORIZATION, WAIVERS AND DEFINITIONS

Section 110 ENACTMENT

In accordance with the Vermont Planning and Development Act, hereinafter referred to as the "Act", 24 V.S.A., Chapter 117, there are hereby established Subdivision Regulations. These Regulations shall be known as the "Town of Weston Major Subdivision Regulations" hereinafter referred to as the "Subdivision Regulations".

Section 120 PURPOSES

It is the intent of the Subdivision Regulations to provide for orderly Town growth, and to further the purposes of the Act.

Section 130 AUTHORIZATIONS

The Planning Commission is authorized and empowered to do all acts and things set forth and provided by the Act.

Section 140 WAIVERS AND VARIANCES

1. Where the Planning Commission finds that due to the special circumstances of a particular plat, or because of exceptional and unique conditions of topography, access, location, shape, size, drainage or other physical features of the site, in its judgment provision of certain requirements are not requisite in the interest of the public health, safety and general welfare or are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive or vary such requirements subject to appropriate conditions

2. In granting waiver or variance, the Planning Commission shall require such reasonable conditions as will, in its judgment, secure substantially the objectives of the requirements so waived or varied.

3. No such waiver or variance may be granted if it would have the effect of nullifying the intent and purpose of the Zoning Regulations, the Town Development Plan, the Official Map, or these Subdivision Regulations.

Section 150 SEPARABILITY

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

Section 160 EFFECTIVE DATE

The Regulations shall take effect in accordance with the voting and other procedures contained in the Act.

Section 170 DEFINITIONS

Except where specifically defined herein, all words in these Regulations shall carry their customary meanings. Unless otherwise defined herein, definitions of words used in The Vermont Planning and Development Act and definitions used in the Town Zoning Regulations shall apply.

DRIVEWAY: A vehicular access to one or two lots.

EASEMENT: Authorization by a property owner for the use by another for a specified purpose of any designated part of his property.

ENGINEER, TOWN: Duly designated consulting engineer or the engineer employed by or assigned to the Planning Commission.

PLAN, TOWN: Plan for development of the Town prepared by the Planning Commission pursuant to the Vermont Planning and Development Act.

PLAN, SKETCH: Sketch of proposed subdivision to enable the Subdivider and Planning Commission to reach general agreement as to the form of the subdivision in meeting objectives of these Regulations.

PLAT, PRELIMINARY: Drawing clearly marked "Preliminary Layout" showing the salient features of the proposed subdivision in sufficient detail, indicating the approximate proposed layout as a basis for study and consideration by the Planning Commission.

PLAT, FINAL: Final drawing showing the exact plan of subdivision, containing all information required by law and these Regulations, submitted to the Planning Commission for approval.

ROAD: A vehicular access to three or more lots. A road is required to meet town road specifications and meet selectmen's road acceptance policy.

STREET: Refer to ROAD

SUBDIVIDER: Any person, firm, corporation, partnership or association, or his or their authorized agent who shall layout for the purpose of sale or development, any subdivision or part thereof as defined herein.

SUBDIVISION: The division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for sale or development. (From Black's Law Dictionary) The term subdivision shall not include the division of land for agricultural purposes into two or more lots, each with ten acres or more in area, and which does not involve the creation of a new road.

MINOR SUBDIVISION: Division of any parcel of land into two lots, tracts, or parcels for the purpose of conveyance, transfer of ownership, improvement, building development or sale within a period of ten years. The term subdivision includes resubdivision. A minor subdivision does not require compliance with major subdivision regulations.

MAJOR SUBDIVISION: Division of any parcel of land into three or more lots, tracts, or parcels for the purpose of conveyance, transfer of ownership, improvement, building development or sale within a period of ten years.

ARTICLE II: SUBDIVISION REVIEW AND APPROVAL PROCEDURE

Section 205 APPLICATION OF REGULATIONS

Whenever any subdivision of land is proposed to be made, before any contract for sale of any part and before any permit for erection of a structure in such proposed subdivision shall be granted, the subdivider shall apply in writing to the Planning Commission for and secure approval of the proposed subdivision.

Section 210 INFORMATION REQUIRED ON ALL PLAN SUBMISSIONS

Following information shall be submitted for consideration with any application:

1. Subdivision name or title, address at which it is located, scale, north point, date, and site location map.
2. Name and addresses of subdivider and professional advisers including license numbers and seals.
3. Drawing sheet size, either 17 inches by 22 inches, 22 inches by 34 inches, or 34 inches by 42 inches.
4. Scale either one inch to 50 feet; one inch to 100 feet; or 1 inch to 200 feet.
5. Subdivision boundaries; and boundaries of contiguous properties, and names owners.
6. Existing restrictions on the use of land including easements, covenants, and zoning boundaries.
7. Existing and proposed streets and structures; water courses, marshes, wooded areas, public facilities and other significant physical features in and near the subdivision.
8. Utilities available, and streets which are proposed, mapped or built.
9. Proposed pattern of lots, including typical lot Width and depth, street layout, open space, systems of drainage, sewerage, and water supply within the subdivided area.
10. Total acreage of subdivision and number of lots proposed.
11. Building types, approximate size and cost.

Section 211 OFFICIAL SUBMISSION DATE

The application for approval of the subdivision plat, complete with all other requirements, shall be filed with the Town Clerk at least fifteen days prior to the date of the regular monthly meeting of the Planning Commission, which date shall be the official submission date.

Section 212 PUBLIC HEARING

Before any plat is approved a public hearing shall be held by the Planning Commission after public notice. This hearing shall be advertised in the official newspaper and notice shall be posted in the town at least fifteen days prior to the hearing. A copy of the notice shall be sent to the regional planning commission and to the clerk of an adjacent municipality in the case of a plat located within five hundred feet or up slope of a municipal boundary at least fifteen days prior to the hearing.

Section 220 SKETCH PLAN PROCEDURE

The subdivider shall submit to the Town Clerk at least fifteen days prior to the regular meeting of the Planning Commission, two copies of a Sketch Plan of the proposed subdivision.

1. The Sketch Plan should be on a topographical survey map or an enlargement of the latest U.S.G.S. quadrangle sheet to a scale at least 1 inch to 200 feet.
2. The subdivider shall attend the meeting.
3. The Commission shall study the Sketch Plan to determine whether or not it conforms to, or would be in conflict with: Zoning Regulations, the Town Plan; developments proposed by any public agency; existing private and public development, facilities and services; and for any special problems that may be encountered.
4. The Commission shall determine whether the Sketch Plan meets the purposes of these Regulations and may make specific written recommendations for changes.
5. Where the subdivider submits a proposed Planned Unit Development, requirements of the Act shall be met in addition to requirements of these Regulations.

Section 240 SUBDIVISION PRELIMINARY PLAT PROCEDURE

The subdivider shall file application and four copies of drawings.

1. The Preliminary Plat shall comply with the requirements of these Regulations except where a waiver may be specifically authorized by the Planning Commission.
2. The subdivider shall attend the Commission preliminary hearings.
3. The Commission shall review the Preliminary Plat submitted for conformity to these Regulations.
4. Within forty-five days of the official submission date, the Commission shall take action to approve, with or without modifications, or disapprove the Preliminary Plat. Grounds for any modification required or for disapproval shall be stated in the Commission minutes.
5. When granting approval to a Preliminary Plat, the Commission shall state the conditions with respect to:
 - a. Specific changes which it may require.
 - b. Character and extent of the required improvements for waivers.
 - c. Amount of improvement or the amount of all bonds which it will require.
6. The action of the Commission, plus any conditions, shall be noted on three copies of the preliminary plat. One copy shall be returned to the subdivider, and one to the Selectmen.
7. Approval of a Preliminary Plat shall not constitute approval of the subdivision.
8. Prior to approval of the Final Plat, the Commission may require additional changes as a result of further study.

Section 241 SUBDIVISION PRELIMINARY PLAT DATA

The following information shall be submitted with a Subdivision Preliminary Plat.

1. Information required under Section 210 updated and accurate.
2. Contours with intervals of not more than five feet. Contours with intervals of not more than two feet shall be shown where the grade is less than five per cent; or where the high ground water elevation is within six feet of the existing or proposed ground level; or in the case of waterfront or riverfront property. Datum plane shall be that of the U.S. Geological Survey. Grading plan if existing contours are to be changed.

3. Survey of the tract boundary lines and deed description giving bearings and distances, certified by a land surveyor.
4. Location, width and approximate grade of proposed streets.
5. Location, dimensions, area and number of lots and blocks.
6. Location and dimensions of property to be dedicated for public use.
7. Boundaries of proposed easements over private property.
8. Location of existing sewers, water mains, storm drainage, culverts, with pipe sizes and direction of flow.
9. Location of existing utilities, including gas lines, fire hydrants, electric and Telephone facilities, street lights.
10. Proposed provision of water supply, fire protection, disposal of sanitary wastes, storm water drainage and sidewalks.

Section 250 SUBDIVISION FINAL PLAT APPROVAL PROCEDURE

The subdivider shall file six copies of drawings.

1. The drawings shall:
 - a. Be accompanied by construction detail drawings.
 - b. Be endorsed by the Agency of Natural Resources.
 - c. Include offers of cession to streets and public areas.
 - d. Include other information which the Planning Commission may request.
2. A public hearing shall be held by the Commission within thirty days after the official submission of the plat for approval.
3. The subdivider shall attend the hearing.
4. The Final Plat shall conform to the approved Preliminary Plat, plus any recommendations made by the Commission.
5. The Commission may permit the Final Plat to be divided into parts comprising at least twenty per cent of total number of lots on the plat, subject to such conditions as it deems necessary to assure orderly development.
 - a. Either: The Town Engineer must file a certificate stating that all required improvements constructed by the subdivider have been designed and inspected and meet standards in these Regulations, and are as required by law.
 - b. Or: A performance bond must be submitted and approved by the Commission and Town Attorney as to form, sufficiency, manner of execution and surety, for completion of required improvements.
6. Offers of cession, in a form certified as satisfactory by the Town Attorney, of all land to be dedicated for streets, easements, open space and other facilities.
7. A certified check in the amount of one per cent of the required improvements cost, as determined by the Town engineer to meet the costs of inspections.
8. Drawings, certified by a land surveyor, showing the location of all required improvements that may have been constructed prior to Final Plat submission.

Section 251 SUBDIVISION FINAL PLAT DATA

The following information shall be submitted with a Final Plat:

1. All information required on the Preliminary Plat updated and accurate.
2. Sufficient data to determine readily the location, bearing and length of all street, lot and boundary lines, referenced to established monuments.
3. Location, dimensions and names of all sites for residential, commercial, industrial, public, non-public, dedicated and reserved uses.
4. Location, material and size of monuments.

Section 257 INFORMATION REQUIRED ON CONSTRUCTION DETAIL DRAWINGS

The Final Plat shall be accompanied by construction detail drawings; plans and profiles showing location, size and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants; and location and size of water, gas, electricity and any other utilities or structures.

All plans shall be subject to approval of the Town Engineer.

Section 260 LEGAL DATA

The subdivider shall submit the following data to the Planning Commission before any Final Plat can be approved; before acceptance, the Town Attorney shall certify as to their legal sufficiency:

1. Deed description and a map or survey of tract boundary made and certified by a licensed land surveyor, tied into established boundary monuments.
2. Offers of cession dedicating streets, rights of way and sites for public uses.
3. Copies of agreements showing the manner in which areas reserved by the subdivider are to be maintained.
4. Draft protective covenants whereby the subdivider proposes to regulate land use in the subdivision and otherwise protect the proposed development.
5. Any other data as may be required by the Commission in enforcement of these regulations.

Section 261 PERFORMANCE BOND

1. Where a performance bond is required by the Planning Commission, the subdivider shall file with the Town a bond in an amount sufficient to provide for, and secure to the public the full cost of completion of all streets, other required improvements, and their maintenance for a period of two years.
2. The commission shall specify the time period within which the required improvements must be completed, but in no case for a longer term than three years. The time period shall be expressed in the bond.
3. If any required improvements have not been installed or maintained as provided within the term of such bond, it shall be forfeited and the Town shall install or maintain such improvements.

Section 262 OFFERS OF CESSION AND RELEASE

1. Formal offers of cession by the subdivider of all streets, rights-of way, parks and other sites for public use shall be presented to the Planning Commission prior to Final Plat approval.

2. The Final Plat shall be endorsed with the necessary agreements in connection with required easements or releases.

Section 265 INSPECTION OF REQUIRED IMPROVEMENTS

1. The Town Engineer shall inspect all required improvements prior to the acceptance to ascertain whether they have been completed satisfactorily.
2. The subdivider shall inform the Town Engineer at least 48 hours before such inspection is required and shall not cover any part of an improvement until writer's approval has been granted.
3. Drawings showing the location of all required improvements as built shall be certified by an engineer or land surveyor and filed with the Planning Commission prior to acceptance of the improvements. Until as-built plans have been filed, no performance bond guaranteeing the completion of the improvements shall be released.

Section 266 PUBLIC ACCEPTANCE OF STREETS, RESERVATIONS AND IMPROVEMENTS

1. Every street shown on a plat filed or recorded as provided in these Regulations shall be deemed to be a private street until such time as it has been formally accepted by the Town.
2. No public street, utility or Improvement may be constructed by the Town in or on any street until it has become a public street.
3. Approval of the Final Plat shall not be deemed to constitute or imply acceptance of any street or park shown on the Plat.
4. The Planning Commission shall require a written agreement between the subdivider and the Town covering future title, dedication and provision for the cost of grading, development, equipment and maintenance of any open space.
5. Upon completion of the construction and installation of required improvements in accordance with the approved plans, the subdivider shall deliver to the Town deeds, abstracts and easements for streets, water lines, storm sewers and other required improvements.
6. Prior to public acceptance of any required improvements, the subdivider shall submit an affidavit stating that all bills and accounts for material and labor used in the construction of improvements have been paid in full.

Section 270 PLANNING COMMISSION DECISION ON FINAL PLAT

1. The Planning Commission shall within forty-five days from the public hearing on the Final Plat approval, modify and approve, or disapprove the plat.
2. If the Final Plat is disapproved, grounds for such action shall be stated in the Commission minutes.
3. If the Final Plat is approved, the Commission officers shall sign the Plat. One copy shall be retained by the Commission.
4. Every Final Plat shall carry the following endorsements:
APPROVED BY RESOLUTION OF THE TOWN OF WESTON VERMONT PLANNING COMMISSION ,
ON THE ____ DAY OF 20__
SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION.
SIGNED THIS ____ DAY OF 20__ BY _____ CHAIRMAN

SECRETARY

Section 271 FILING OF APPROVED FINAL PLAT

When the Final Plat is approved, the subdivider shall:

1. File one approved copy drawn in ink on Mylar with the Town Clerk within 90 days from the date of approval, or the approval of the Plat will be void,
2. File one approved copy with the Town Board before building permits are made available.
3. File one approved copy with the Town Assessor.
4. The Plat is void if changes are made to it after the Commission has endorsed it
5. After filing with the Town Clerk, the Plat shall become part of the Official Map.

ARTICLE III: DESIGN DEVELOPMENT STANDARDS AND REQUIRED IMPROVEMENTS FOR SUBDIVISION OF LAND

Section 305 PLANNING AND DESIGN STANDARDS

1. The subdivider shall be guided by the minimum planning and design development standards in design of the subdivision.
2. Subdivisions shall conform to the Zoning Regulations and Official Map and be in harmony with the Town Plan
3. Land to be subdivided for building purposes shall be of such character that it can be used safely without danger to health or peril from flood or other menace.
4. Where the Planning Commission finds that because of exceptional and unique conditions of topography, location, shape, size, drainage or other physical features of the site, or because of the special nature and character of surrounding development, the minimum standards specified herein would not reasonably protect or provide for public health, safety or welfare, a higher standard shall be required.

Section 310 REQUIRED IMPROVEMENTS

1. Required improvements shall be installed to the satisfaction of the Town Engineer prior to approval of Final Plat, or alternatively, the subdivider shall post a performance bond.
2. The following are required Improvements: monuments, streets, sidewalks, street signs, street lights, curbs, gutters, water mains, sanitary sewers, storm drains, fire hydrants and trees; except where the Planning Commission may waive or vary such improvements in accordance with The Act.

Section 320 STREETS - DESIGN STANDARDS

Minimum Right of Way Width 50 feet

Minimum Traveled Surface Width 22 feet

Maximum Grade 10 %

Minimum Shoulder Width (each) 3 feet

Section 321 STREETS- PLANNING STANDARDS

1. Streets shall be suitably located to accommodate the prospective traffic and to afford satisfactory access to firefighting, snow removal and road maintenance equipment.
2. Streets shall be arranged as to cause no undue hardship to adjoining properties, and shall be coordinated so as to compose a convenient system.
3. The arrangement, width and grade of all streets shall be considered in relation to existing and planned streets, topographic conditions, public convenience and safety, and in their appropriate relation to proposed land uses.
4. Grades of streets shall conform as closely as possible to original topography and shall be arranged so that building sites are at or above street grade. Steep grades and sharp curves shall be avoided.
5. Where a tract is subdivided into lots much larger than the minimum size required in the zoning district in which a subdivision is located, the Planning Commission may require that streets and lots be laid out to permit future re-subdivision.
6. When the subdivision borders on an existing street and the Town Plan or Official Map indicates plans for realignment or widening of the street that would require reservation of some land of the subdivision, the Commission shall require that such areas be shown and marked on the Final Plat "Reserved for Street Realignment (or Widening) Purposes".
7. The minimum building setback on a street shall be 100 feet from the center line of such street.
8. Intersections of streets by other streets shall be held to a minimum and shall be at least 800 feet apart, if possible. Cross street intersections shall be avoided, except at important traffic intersections. A distance of at least 250 feet shall be maintained between offset intersections. Within 100 feet of an intersection right of way, streets shall be approximately at right angles.
9. Half streets and privately owned reserve strips controlling access to streets or adjacent property shall be prohibited.
10. A circular turn around shall be provided at the end of a cul-de-sac.
11. Arrangement of streets shall provide for continuation of existing streets between adjacent properties where necessary for convenient movement of traffic, fire protection or efficient provision of utilities. If adjacent property is undeveloped and the street must be a dead-end temporarily, right of way and improvements shall be extended to the property line. A temporary circular turn around shall be provided on all temporary dead-end streets, with the notation on the plat that land outside the street right of way shall revert to abutting lots whenever the street is continued.

Section 325 REQUIRED STREET CONSTRUCTION STANDARDS

Street improvements shall be installed at the expense of the subdivider. The following specifications shall constitute the minimum standards for construction and improvement of streets. Other standards may be required if deemed necessary by the Planning Commission. Refer to Standard Specifications for highway and bridge construction, issued by the State of Vermont, Agency of Transportation for:

1. Details of design not otherwise specified herein shall be as shown on drawing, Agency of Transportation, Standard A-76.2

2. Clearing and Grubbing
3. Excavation
4. Bedding and Back-fill for culverts
5. Sub-base-Over clay or silt, 6" sand with 15" of gravel. Over ledge, 18" gravel. Crushed rock or crushed gravel may be substituted for gravel.
6. Surface Course-Over sub-base, 6" gravel in two 3" layers. In addition if required by planning Commission, covered by a double tack coat.
7. Shoulders-In accordance with paragraphs 2, 3, 4 and 5 above.

Section 330 BLOCKS - PLANNING AND DESIGN STANDARDS

1. The length, width and shape of blocks shall be determined with due regard to:
 - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Zoning requirements as to lot sizes and dimensions.
 - c. Need for convenient access, circulation; control and safety of street traffic.
 - d. Limitations and opportunities of topography.
2. Irregular shaped blocks or oversized blocks indented by cui-de-sacs, parking courts or loop streets and containing interior block parks or playgrounds will be acceptable when properly designed under provisions of Planned Residential Development in Zoning Regulations as determined by the Planning Commission.
3. Block lengths shall not exceed 1,200 feet, nor be less than 600 feet; blocks abutting major streets shall be not less than 1,000 feet and may exceed 1,200 feet.
4. Blocks over 800 feet in length may be required to have a 20 foot wide crosswalk easement to facilitate pedestrian access.
5. The minimum block width for two tiers of lots shall be 250 feet, or twice the minimum depth as specified in the Zoning Regulations.
6. Where double frontage lots are necessary, minimum block width shall be 200 feet.

Section 331 LOTS - PLANNING AND DESIGN STANDARDS

1. Lot size and shape shall comply with the Zoning Regulations, and be appropriate for the type of use proposed, and shall be arranged so that there will be no foreseeable difficulties in securing building permits and gaining access to buildings from streets.
2. Subdivision plan shall provide each lot with satisfactory access to a public street; driveway grades shall not exceed ten per cent.
3. Double frontage and reverse frontage lots should be avoided.
4. Side lot lines shall be at right angles or radial to street lines, unless a variation will give a better street or lot plan.
5. Corner lots shall have at least ten feet more than minimum lot width specified in Zoning Regulations to permit compliance with building setback requirements.

Section 335 REQUIRED EASEMENTS FOR UTILITIES, DRAINAGE AND ACCESS

1. Easements shall be at least twenty feet in width and indicated on the Final Plat.

2. Where conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights of way, easements shall be provided centered on rear or side lot lines with access to the street.
3. The Planning Commission may require easements for pedestrian access to schools, public open space or streets, and four foot wide paved walk to be installed.

Section 336 REQUIRED MONUMENTS

1. Monuments shall be stone or concrete with a one inch diameter metal pipe at least two feet long set in the center, located in the ground at final grade level, and indicated on the Final plat.
2. Permanent monuments shall be set at all corners and angle points of the subdivision boundaries; and at all street intersections and points of curve.

Section 337 REQUIRED STREET NAME SIGNS

1. All streets shall be named subject to the approval of the Planning Commission.
2. Street name signs shall be furnished and installed by the subdivider. The type, size and location shall be to the approval of the Commission.

Section 340 REQUIRED LAND FOR PUBLIC PARKS AND RECREATION PURPOSES

1. Except as hereafter provided, lands comprising at least ten per cent but not to exceed fifteen per cent Of the total area to be subdivided shall be reserved for public park or other recreation purposes in a location With suitable public access within the subdivision as determined by the Planning Commission.
2. The Commission shall require that the Final Plat show public park or other recreation sites, and may require that the developer grade any such recreation areas. Such areas may be dedicated to the Town by the subdivider, if the Town Board of Selectmen approves such dedication.
3. In the event that the Commission does not approve the dedication of such land, all lands designated on the plat as public park and recreation area shall be retained in private ownership and shall be subject to such conditions as the Commission may establish on the subdivision concerning access use and maintenance of such lands as deemed necessary to assure the preservation of such lands for their intended purposes. Such conditions shall be shown on the Final Plat prior to approval and recording.

Section 341 WAIVER OF RECREATION LAND, AND RECREATION LAND TRUST FUND

1. In cases where the Planning Commission determines that a suitable public park cannot be properly located in any subdivision, it may waive the requirement. In this event the Commission shall require as a condition of Final Plat approval, a payment to the Recreation Land Acquisition and Improvement Trust Fund.
2. Such payment shall be determined by the Selectmen in accordance With an equitable and standard fee schedule related to either the gross area of the subdivision or number of dwelling units proposed. If the second method is used, the fee shall be \$100 per dwelling unit. Such payment shall be paid at the time of Final Plat approval.

3. The Recreation Land Acquisition and Improvement Trust Fund shall be used either for acquisition of land suitable for public park or recreation purposes; or for the physical improvement of existing recreation areas.

Section 342 REQUIRED SCHOOL SITES

1. Where a development composed of one or more plats will accommodate more than one hundred dwelling units, the Planning Commission may require the designation of a public school site or a payment in lieu thereof.
2. Upon receipt of a letter from the School Board declaring interest in a school site of a specific size and location within a proposed subdivision, the Commission shall require a subdivider to set aside such site and designate it on the Final Plat.
3. Upon failure of the School Board to purchase the site within three years after Final Plat approval, the Commission may relieve the subdivider of the responsibility of reserving the site for school use, and the site may be developed upon approval of the Commission.

Section 346 PRESERVATION OF NATURAL FEATURES AND TREES

1. Outstanding natural features of the site including groves of trees, water courses and falls, historic spots, exceptional views, and similar irreplaceable assets, shall be preserved as far as possible by harmonic design.
2. Topsoil removed in the process of grading the subdivision site shall be replaced, except in proposed street, driveways and building locations.

Section 350 REQUIRED STORM WATER DRAINAGE IMPROVEMENT

1. Adequate storm water drainage systems shall be required in subdivisions, designed by a licensed engineer to be approved by the Town Engineer.
2. Rights of way for storm water drainage must be sufficient for facilities to handle not only the anticipated discharge from the property being subdivided but also the run off that will occur when property at a higher elevation in the drainage basin is developed, based on a ten year storm under conditions of total potential development.
3. The subdivider's engineer shall study the effect of the subdivision on existing drainage facilities downstream. Where it is anticipated that run-off incident to the development of the subdivision will overload existing drainage facilities during a ten year storm, the Commission shall not approve the subdivision until provision has been made for improvement of the downstream facility. Where a subdivision is traversed by a water course or drainage way, there shall be provided a storm water drainage easement of such width as to encompass the 25- year flood area of such water course, which easement shall be indicated on the Final Plat.
4. Storm drainage system shall be constructed by the subdivider in accordance with procedures and standards of the State Department of Health, if such drainage system is to be connected to or served by other municipally maintained drainage systems.
5. Land subject to flooding or unsuitable for residential occupancy due to flood hazard shall be set aside for such uses as are not endangered by periodic inundation.

Section 351 FLOOD LAND

Flood land, areas bordering on major water courses and drainage ways which can not be used safely for building purposes without danger to health or peril from flood may be offered as a gift, to be used as Public Park or recreation purpose.

Section 380 REQUIRED PUBLIC UTILITY IMPROVEMENTS.

Any public utility improvements shall conform as follows:

1. Fire Protection: Hydrants to be of size, type and location specified by the
2. Weston Vermont Fire Department.
3. Street Lights: Poles, brackets and lights to be of size, type, and location approved by the local power company.
4. Electricity: Poles and power lines to be approved by the local power company.
5. Utility poles shall be located six feet six inches from the property line to the center of the pole.