

## **SECTION 3.0            GENERAL REQUIREMENTS**

### **3.1      TRANSFER OR SALE OF LAND**

No owner or agent of the owner of any land located within the Town of Hebron shall transfer or sell, or agree to sell or negotiate to sell any land from, and no building permit for the construction of any structure, utilities or public improvements shall be issued for, a proposed subdivision before the final plan of such subdivision has been approved by the Commission and recorded or filed in the Office of the Hebron Town Clerk.

### **3.2      CONFORMITY TO REGULATIONS**

No final plan of subdivision shall be approved by the Commission unless it shall conform to these Subdivision Regulations and the Zoning Regulations of the Town of Hebron.

### **3.3      FILING OF PLAN**

No plan of subdivision shall be filed or recorded with the Town Clerk until it has been approved by the Commission and endorsed by the Secretary or Chairman of the Commission. The plan shall be filed as set forth in the Connecticut General Statutes.

### **3.4      PLAN OF CONSERVATION AND DEVELOPMENT**

The plan for subdivision shall conform to the Plan of Conservation and Development for the Town of Hebron prepared by the Hebron Planning and Zoning Commission.

### **3.5      PUBLIC HEALTH AND SAFETY**

No land shall be subdivided unless it shall be of such character that it can be used for building purposes without danger to health and the public safety and no subdivision plan shall be approved unless it conforms to health and public safety regulations of the Town of Hebron and the State of Connecticut, as may be amended hereafter, and unless it provides adequately for water drainage and sewage, and in areas contiguous to brooks, rivers or other bodies of water subject to flooding, for protective flood control measures.

### **3.6      SPECIFICATION**

All design specification shall be in accordance with Section 13, Public Improvement Specifications.

**3.7 PRIVATE ROAD (RESIDENTIAL) PROVISIONS**

**A. Ownership**

- 1) The land within the Private Road right-of-way, set forth specifically for access to developed lots along the private road, shall be owned and dedicated to a Common Interest Ownership Association, in accordance with Connecticut General Statutes.
- 2) If a Common Interest Ownership Association is applicable to a proposed subdivision or resubdivision, the provisions of the Common Interest Ownership must be submitted to the Planning and Zoning Commission for their approval. The legal provisions of the Common Interest Ownership Association must be submitted at the time of application.

**B. Maintenance and Repair**

- 1) The Town of Hebron shall not be held responsible at any time for short or long term maintenance or repair of private road construction.
- 2) The particular Common Interest Ownership Association being served by the private road shall be responsible for all short- and long-term maintenance and/or repair of the private road. The Association shall provide adequate proof to the Planning and Zoning Commission that proper Association fees will be collected on a periodic, continuous basis from Association members. Adequate proof shall include but not be limited to provisions for road maintenance and repair inclusive of normal or emergency conditions. Provisions shall consider the useful life of the private road and replacement costs at the end of the useful life.

Provisions shall consider routine costs for mandatory winter snow removal and ice control, along with minimum yearly inspections and reports made by a registered professional engineer submitted to the Common Ownership Association and the Planning and Zoning Commission for their use to determine road conditions.

**C. Miscellaneous**

- 1) Private roads shall be subject to the same requirements governing bonding as Public Roads in these regulations.
- 2) Private roads shall be subject to the same inspection requirements set forth for Public Roads found in these regulations.

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- 3) Existing Private Roads may be extended or intersected by new Private Roads. However, the new road extensions or new intersecting roads shall become part of the original Common Interest Ownership Association. The Association shall be required to meet all legal, liability and economic requirements stated in these regulations for the combined proposed new and existing private road layout.

**D. Liability**

- 1) The Common Interest Ownership Association shall maintain a liability policy which protects the Association against accidental damages and claims.

The liability policy shall hold the Town of Hebron harmless against claims arising from damages happening on or caused by the private road.