



CITY OF BARRE

SUBDIVISION REGULATIONS

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Planning and Zoning Department
City of Barre
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Barre, VT 05641

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History:

APPENDIX - B CITY OF BARRE - SUBDIVISION REGULATIONS

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ARTICLE I. GENERAL PROVISIONS

Sec. 21-1. Title

These regulations shall be known as the City of Barre Subdivision Regulations.

Sec. 21-2. Authorization

The Commission is hereby authorized and empowered to do all acts and things set forth and provided in Sec. 4401 (b) (2) and Sec. 4413-4421 of the Act, including approval of the development of subdivision plats previously filed with the City Clerk, if such plats are entirely or partially undeveloped, provided at least three years has expired since the subdivision received final approval.

Sec. 21-3. Enactment

In accordance with the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A. Chapter 117, subchapter 6, herein referred to as the Act, there are hereby established subdivision regulations for the City of Barre, Vermont. These regulations shall supersede all previous subdivision regulations.

Sec. 21-4. Purpose

The purpose of these regulations is to provide for orderly growth and coordinated development in the City of Barre, to assure the comfort, convenience, safety, health and welfare of the people, to carry out the purposes of the comprehensive master plan, to assure conformance with the zoning regulations, capital budget and program and official map, to make proper provision for drainage, water and sewerage, streets, lighting, recreational facilities, open space, solar access and other improvements, to recognize a desirable relation to land form, its topography and geology, to natural drainage and surface water runoff, to preserve natural assets and to further the purposes of Sec. 4302 of the Act.

Sec. 21-5. Waivers and Variances

- (a) In accordance with Section 4413 (b) of the Act, where the planning commission finds that due to the special circumstances of a particular plat or

because of exceptional and unique conditions, beyond the control of the subdivider, such as topography, access, location, shape, size, drainage, or other physical features of the site, in their judgment, application of certain requirements as provided by these regulations are not necessary to preserve the public health, safety, general welfare, or are inappropriate because of a lack of connecting facilities adjacent or close by, they may waive or vary such requirements.

- (b) In granting variances and modifications, the commission shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so waived or varied.
- (c) No such waiver or variance may be granted if it would have the effect of nullifying the intent and purpose of the duly adopted City of Barre Comprehensive Master Plan, the City of Barre Zoning Ordinance, the Official Map, the Capital Budget Program, or these Subdivision Regulations.

Sec. 21-6. Amendments

These regulations may be amended according to the requirements and procedures established in Sections 4403 and 4404 of the Act.

Sec. 21-7. Enforcement, Violations and Penalties

These regulations shall be enforced in accordance with Sections 4444 Or 4445 of the Act.

Sec. 21-8. Severability

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

Sec. 21-9. Effective Date

These regulations and any subsequent amendments thereto shall take effect 21 days after adoption by the City Council.

Sec. 21-10. Fees

The City Council shall establish fees for minor and major subdivision applications.

Sec. 21-11. through 21-20. Reserved

ARTICLE II. SUBDIVISION APPLICATIONS AND APPROVAL PROCEDURE

Sec. 21-21. Application of Regulations

Whenever any subdivision of land is proposed to be made, before any contract for sale of such subdivision or any part thereof is made, before any grading, clearing, construction or other improvement is undertaken, or before any permit for erection of a structure in such proposed subdivision is granted, the subdivider shall apply in writing to the planning commission for and secure approval of the proposed subdivision, in accordance with the following procedure which includes:

- (a) Minor subdivision:
 - 1. Sketch plan;
 - 2. Final subdivision plat
- (b) Major subdivision:
 - 1. Sketch plan;
 - 2. Preliminary plat: and
 - 3. Final subdivision plat

Sec. 21-22. Submission of Sketch Plan

- (a) Any owner of land shall, prior to submitting an application for subdivision of land, submit to the administrator at least 10 days prior to a regular meeting of the commission, one copy of a sketch plan of the proposed subdivision which shall show the proposed layout of streets, lots and other features sketched on a print of the property and a vicinity map showing the general location of the property in relation to its surrounding area.
- (b) The subdivider, or their duly authorized representative, shall attend the meeting of the planning commission to discuss the requirements of these regulations for street improvements, drainage, sewerage, water supply, fire protection

and similar aspects, as well as the availability of existing services and other pertinent information.

- (c) At this meeting the commission will classify the sketch plan as either a minor subdivision or a major subdivision as defined in Article V.
- (d) The commission shall study the sketch plan in order to determine its accordence with the Barre City Comprehensive Master Plan, Barre City Zoning Ordinance, capital budget and program, official map, developments proposed by a public agency, and existing developments, as well as any special problems that may be encountered.
- (e) The commission shall determine whether the sketch plan meets the purposes of these regulations and may make specific written recommendations for changes (see Appendix '1').
- (f) Where a subdivider submits a proposed planned residential development, the requirements to Section 4407(3) of the Act shall be met, in addition to requirements of these regulations and the zoning ordinance.

Sec. 21-23. Procedures for Minor Subdivision

- (a) The commission may require where necessary for the protection of public health, safety, and welfare, that a minor subdivision comply with all or some of the requirements specified for a major subdivision.
- (b) Within six (6) months of classification by the planning commission of the sketch plan as a minor subdivision, the subdivider shall submit an application and fee for approval of a final subdivision plat according to the procedures and requirements of Article III, Sec. 21-37. Review and Approval of Final Plat. Failure to do so shall require resubmission of the sketch plan to the commission for reclassification. The plat shall conform to the general layout shown on the sketch plan plus any recommendations made by the commission.

Sec. 21-24. Procedures for Major Subdivisions

Within six (6) months of classification of the sketch plan as major subdivision by the commission, the subdivider shall submit an application for approval of a preliminary plat according to the procedures and requirements of Article III, Sec. 21-36. Failure to do so shall require resubmission of the sketch plan to the commission for reclassification. The plat shall conform to the general layout shown on the sketch plan plus any recommendations made by the commission.

Sec. 21-25. Review and Approval of Preliminary Plat

- (a) Application: The subdivider shall file an application and fee for consideration of a preliminary plat on the proposed subdivision at least twenty-one (21) days prior to a regular meeting of the planning commission in the manner described below, using the approved form that is available from the administrator.
- (b) General Submission Requirements: Four (4) copies of the preliminary plat shall be presented to the administrator at least fifteen (15) days prior to a regular monthly meeting of the commission. If any information required by these regulations for preliminary plat review is not submitted at this time, the plat will not be accepted for review. Within seven (7) days, a written explanation for the rejection must be sent to the developer. Once the preliminary plat with all required information is received by the administrator, the plat shall be placed on the next regular meeting agenda of the planning commission. The time of official submission of the preliminary plat shall be the next regular monthly meeting of the commission following the receipt of the application under Section 21-25 (a). (See Appendix '2').
- (c) Subdivider to Attend Planning Commission Meeting. The subdivider, or his duly authorized representative, shall attend the meeting of the planning commission to discuss the preliminary plat.

- (d) Review of Preliminary Plat. The commission shall study the practicability of the preliminary plat. Particular attention shall be given to the arrangement, location and width of streets; their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, the future development of lands as yet unsubdivided, and the requirements of the Barre City Comprehensive Master Plan, Barre City Zoning Ordinance, official map, and capital budget and program.
- (e) Approval of Preliminary Plat. Within forty-five (45) days after formal submission of a preliminary plat, the planning commission shall take action to approve, with or without modifications, or disapprove such preliminary plat. The reasons for any modification required or for disapproval shall be clearly stated in the findings of fact and conclusions of the commission. Failure of the commission to act within such forty-five day period shall constitute approval of the preliminary plat. Prior to approval, the commission may hold a hearing after public notice according to Section 4447 of the Act.

When granting approval to a preliminary plat, the commission shall state the conditions of such approval, if any, with respect to:

- (1) The specific changes which it will require in the preliminary plat;
- (2) The character and extent of the required improvements for which waivers may have been requested; and
- (3) The amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the subdivision plat. The action of the commission and any conditions attached thereto shall be noted on four (4) copies of the preliminary plat. One copy shall be returned to the subdivider, one retained by

the commission, and one forwarded to the city council and one to the engineering department.

Approval of a preliminary plat shall not constitute approval of the subdivision plat. Prior to approval of the final subdivision plat, the planning commission may require additional changes as a result of further study.

(f) Public Improvements. The planning commission may require that all public improvements be installed and dedicated prior to the signing of the final subdivision plat or that a bond be posted. See Sec. 21-38 of these regulations.

(g) Effective Period of Approval. The approval of a preliminary plat shall be effective for a period of one year (with 6 months to apply for final approvals) at the end of which time final approval on the subdivision must have been obtained from the planning commission, although the plat need not yet be signed and filed with the City Clerk. The preliminary plat of any subdivision not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new preliminary plat for approval subject to all new zoning restrictions and subdivision regulations.

Sec. 21-26. through 21-35. Reserved.

ARTICLE III. SUBMISSION REQUIREMENTS

(Section 4413(2), 4417 of the Act and see Appendix '2')

Sec. 21-36. Preliminary Plat for Major Subdivisions.

The preliminary subdivision plat shall consist of four (4) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet and/or decimals of a foot, drawn to a scale of not more than one hundred (100) feet to the inch showing or accompanied by the following information:

- (a) Proposed subdivision name or identifying title and the name of the municipality;
- (b) Name and address of record owner, subdivider, and designer of preliminary plat;
- (c) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage;
- (d) The provisions of the zoning regulations applicable to the area to be subdivided and any zoning district boundaries affecting the tract;
- (e) Map of survey of tract boundary made and certified by a licensed land surveyor tied into established reference points with: Date, true north point, scale, lot line dimensions, number of acres within the proposed subdivision, location of property lines, buildings, water courses, and other essential existing physical features;
- (f) The location and size of any existing and proposed sewers and water mains, culverts, and drains on the property to be subdivided;
- (g) Location, names, and present widths of existing and proposed streets, highways, easements, building lines, alleys, parks, and other public open spaces as well as similar facts regarding adjacent property.

- (h) The width and location of any streets or other public ways or places shown upon the official map, if any, and the city plan, if applicable, within the area to be subdivided, and the width, location, grades and street profiles of all streets or other public ways proposed by the subdivider;
- (i) Contour lines at intervals of two to five (2 to 5) feet of existing grades and of proposed finished grades;
- (j) Typical cross sections of the proposed grading of roadways and of sidewalks;
- (k) Connection with existing water supply;
- (l) Connection with existing sanitary sewage system;
- (m) Provisions for collecting and discharging storm drainage in the form of a drainage plan;
- (n) Preliminary designs of any bridges or culverts which may be required;
- (o) The proposed lot lines with approximate dimensions and suggested locations of buildings;
- (p) The location of temporary markers adequate to enable the commission to locate readily and appraise the basic layout in the field. Unless an existing street intersection is shown, the distance along a street from one corner of the property to the nearest existing street intersection shall be shown;
- (q) All parcels of land proposed to be dedicated to public use and the conditions of such dedication;
- (r) The location of all trees and limits of all wooded areas on the site and all other natural features or site elements to be preserved;
- (s) A vicinity map drawn to scale showing the proposed subdivision and any contiguous lands owned by the applicant or in which the applicant has an interest;

- (t) Written comments or recommendations shall be made by the fire chief, police chief, public works director;
- (u) The commission may also obtain comments from other governmental officials;
- (v) The building type, approximate size, height where applicable and cost for all projects or parts of projects consisting of units other than single-family detached dwellings.

Sec. 21-37. Review and Approval of Final Plat for Minor and Major Subdivisions.

- (a) Application. The subdivider shall file an application for consideration of a final plat of the proposed subdivision in the form described in article III, section 21-39. If the final plat is not submitted within six (6) months after the approval of the preliminary plat for major subdivision, the commission shall refuse without prejudice to act on the final plat and require resubmission of the preliminary plat. If the final application for a minor subdivision is not submitted within six (6) months of classification by the planning commission of the sketch plan as a minor subdivision under article II, section 21-24, the commission shall refuse without prejudice to act on the final plat and require resubmission of the sketch plan.
- (b) General Requirements. Four (4) copies (one copy in ink on linen or mylar) of the Plat, an erosion control plan, the application offers of cession, covenants and agreements, and all construction drawings shall be submitted to the administrator at least twenty-one (21) days prior to a regular monthly meeting of the commission.

If any information required by these regulations for final plat submission is not submitted at this time, the plat will not be accepted. Within seven (7) days, a written explanation for the rejection must be sent to the developer. Once all required final subdivision submission

information is received, the final plat shall be placed on the next regular meeting date of the commission.

- (c) Official Submission Date. The time of official submission of the final plat shall be the next regular monthly meeting of the commission following receipt of the application under Section 21-37(a) (Appendix '3').
- (d) Applications to State and Municipal Agencies. The Subdivider shall apply for all municipal and state permits required of the proposed subdivision and shall submit copies of these applications to the commission. Such permits may include, but are not limited to, a zoning permit, highway access permit, Act 250 permit, public building permit, and Department of Health subdivision permit.
- (e) Public Hearing. A public hearing upon public notice according to Section 4447 of the Act shall be held by the planning commission within thirty-five (35) days after the official submission date of the final plat for approval. In addition, notice of such hearing shall be forwarded to all adjacent property owners, the regional planning commission, if any, of which such municipality is a member and to the town clerk of an adjacent municipality in the case of a plat located within five hundred (500) feet of a municipal boundary at least fifteen (15) days prior to the hearing.
- (f) Action on Proposed Final Subdivision Plat. The planning commission shall within forty-five (45) days from the public hearing approve, modify and approve, or disapprove, the subdivision plat. Failure to act within such forty-five (45) days shall be deemed approval. However, if approved the final plat shall not be signed by the authorized officer of the commission for recording until the subdivider has complied with all of the provisions of section 21-39.
- (g) Conformance to Regulations. Every plat shall conform to zoning and subdivision regulations applicable at the time of final approval.

Sec. 21-38 Public Improvements and Bonds.

- (a) Performance bond: Before the commission grants final approval of the subdivision plat, the planning commission shall decide which of the procedures set forth (subparagraph (1) or subparagraph (2) below shall be used to cover public improvements with the subdivision. Procedure (1) shall be the preferred procedure followed by the commission. If procedure (2) is chosen, the plat may be approved conditionally, upon completion of improvements, but not signed for recording until this section is satisfied.
- (1) In an amount set by the planning commission, the subdivider shall either file with the city clerk a certified check to cover the full cost of the required improvements or the subdivider shall file with the city clerk a performance bond to cover the full cost of required improvements. Any such bond shall be satisfactory to the board of aldermen and city attorney as to form, sufficiency, manner of execution, any surety. The commission shall fix the term of the bond up to three (3) years. The planning commission may extend, with the consent of the owner, the term of the bond for an additional period not to exceed three (3) years. The certified check or bond shall include an amount required for recreation land, school land and/or improvements as specified in article IV;
- or
- (2) The subdivider shall complete all required improvements to the satisfaction of the city engineer, who shall file with the planning commission a letter signifying the satisfactory completion of all improvements required by the commission. (For any required improvements not so completed, the subdivider shall file with the city clerk a bond or certified check covering the costs of such improvements and the cost of satisfactorily installing any improvement

not approved by the city engineer.) Any such bond shall be satisfactory to the board of alderman and city attorney as to form, sufficiency, manner of execution, and surety.

(3) The planning commission may choose to treat some improvements in a particular subdivision as in (1) above, and others in the same subdivision as in (2) above. In either case, the time period within which improvements must be completed shall be specified in the final plat. In no case shall the specified period be longer than three (3) years. Unless written extension is granted by the planning commission, failure to complete improvements within the required time period shall result in the city declaring the developer's surety forfeited.

(b) Modification of Design of Public Improvements:
If, at any time before or during construction of the required improvements, it is demonstrated to the satisfaction of the city engineer that unforeseen conditions make it necessary or preferable to modify the location of such required improvements, the city engineer may authorize modifications, provided that these modifications are within the spirit and intent of the planning commission's approval and do not extend to the waiver or substantial alteration of the function of the function of any improvement required by commission. Modifications which cannot be approved by the city engineer under this section are those which cover, but are not limited to, such changes as: Relocation of streets or sidewalks; elimination of hydrants, curbs, or street lights; reduction in the number or size of landscaping materials; or changes in construction materials. The city engineer shall make his/her authorization in writing, and a copy shall be transmitted to the administrator and planning commission.

(c) Inspections.

- (1) Inspections shall be conducted and certified by a registered professional engineer or an inspection fee shall be paid by the subdivider to cover the costs of inspection. The fee shall be established by the board of aldermen in the form of a percent and reviewed at least every two (2) years. The fee shall be applied to the estimated cost of the improvements. Any unspent portion of the fee shall be returned upon final completion of the project and acceptance of improvements.
 - (2) The subdivider shall notify the city engineer in writing of the date he proposes to commence construction of the improvements.
- (d) Proper Installation of Improvements. If the city engineer finds, upon inspection, that any of the improvements have not been constructed in accordance with the plans and specifications, he shall notify the board of aldermen, building inspector and planning commission. City officials will take all steps necessary to preserve the municipality's rights under existing state statute and the bond. No plat approved by the planning commission as long as the subdivider is in default on a previously approved plat.

Sec. 21-39. Final Plat for Minor and Major Subdivisions.

- (a) The final subdivision plat shall consist of one or more sheets of drawings prepared in conformance with the State of Vermont Plat Law, 27 V.S.A., Chapter 15 (see Appendix '4'). Space shall be reserved thereon for endorsement by all appropriate agencies. The subdivision plat shall show:
 - (1) Proposed subdivision name or identifying title, the name of the municipality, the name and address of the record owner and subdivider; the name, license number and seal of the land surveyor; the boundaries of the subdivision, and its general location in relation to existing streets or other

landmarks; and scale, date, and true north point.

- (2) Street names and lines, pedestrian ways, lots, reservations, easements, and area to be dedicated to public use.
 - (3) Sufficient data acceptable to the commission to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Where practicable these should be tied to previously established reference points.
 - (4) The length of all straight lines, the deflection angles, radii, length of curves and central angles for all curves, tangent distances and tangent bearings for each street.
 - (5) By proper designation on such plat, all public open spaces for which offers of cession are made by the subdivider and those spaces title to which is reserved by him.
 - (6) Lots within the subdivision numbered in numerical order.
 - (7) Permanent reference monuments.
 - (8) All lot corner markers.
 - (9) The planning commission may require contour lines, based on USGS data, at intervals of two to five (2 to 5) feet of existing grades and of proposed grades.
- (b) Final construction drawings shall be twenty-four (24) inch by thirty-six (36) inch blue line prints and shall show the following:
- (1) The locations of all of the improvements referred to in section 21-39 (a); and in addition thereto, the location of all utility poles, sewage disposal systems, and

rough grading, and other devices and methods of draining the area within the subdivision.

- (2) Construction detail drawings for all required improvements.
 - (3) All information required in section 21-36. updated and accurate.
- (c) In accordance with city specifications all streets or other public places shown on such plat shall be suit ably graded and paved, and all utilities, street lighting standards, shade trees, water mains, sanitary sewers, storm drains, and recreation areas, where required by the commission, shall be installed in accordance with the standards, specifications, and procedures set forth in these regulations and other applicable town regulations and ordinances, or, alternatively, a performance bond shall be required to ensure completion of such improvements.
- (d) There shall be submitted to the commission with the final subdivision plat:
- (1) Written offers of cession to the city of all streets, public open spaces, sewage and water systems to be connected to a city facility, and other areas to be dedicated to the public shown on the plat, and copies of agreements or other documents showing the manner in which areas and facilities, title to which is reserved by the subdivider, are to be maintained.

No street shall be accepted unless the owner thereof conveys the same to the city, by warranty deed, free and clear of all encumbrances, and an abstract of title is furnished to the city covering all time after January 1, 1895, certified to by a practicing attorney of this state.

- (2) Written evidence that the board of alderman are satisfied with the legal sufficiency of the documents referred to in paragraph (1)

above. Such written evidence shall not constitute an acceptance by the city of any streets, public open spaces, sewer and water connections to municipal facilities, and other areas to be dedicated to the public referred to in paragraph (1) above.

- (3) A certificate of the city engineer, as to the completion of all improvements required by the commission to the satisfaction of the engineer and in accord with standards and specifications prescribed by him or her, or in lieu of any required improvements not so completed, a performance bond to secure completion of such improvements and written evidence that the board of aldermen is satisfied with the sufficiency of such bond.
- (4) Payment of the inspection fee and any required payment to the recreation land acquisition and improvement trust fund or for school purposes.
- (5) Copies of all required local, state, or federal permits.

Sec. 21-40. Filing of Plat.

When all of the provisions of Sec. 21-39 have been met, the commission or its duly authorized representative will endorse the Final Plat. The subdivider will immediately file the approved plat with the city clerk. No plat will be received for filing without all required endorsements.

Sec. 21-41. through 21-49. Reserved.

ARTICLE IV. DESIGN STANDARDS AND IMPROVEMENTS

(Sections 4413, 4417, 4418, 4419, 4421 of the Act and see City of Barre Public Works Specifications)

Sec. 21-50. General Planning and Design Standards

- (a) The subdivider shall be guided by the City of Barre Public Works' Specifications in design of the subdivision.
- (b) 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.
- (c) When 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, higher standards shall be required.

Sec. 21-51. Improvements

Required public improvements shall be to the satisfaction of the city engineer prior to signing of the final plat or the subdivider shall post a performance bond.

Sec. 21-52. Energy Conservation:

In order to conserve energy, all subdivisions shall use the least lengths of roadway and the least lengths of utility lines within environmentally and economically sound limits. Buildings should be sited so as to take advantage of southeast, south and southwest orientations where possible. Landscaping should be effectively used for providing wind barriers and reducing heat loss and heat gain. Cluster development (planned residential and planned unit development) should be encouraged wherever feasible and desirable.

Sec. 21-53. Reserved Strips:

No privately owned reserved strip, except open space areas, shall be permitted which controls access to any part of the subdivision or to any other parcel of land dedicated to public use, or which may be so dedicated.

Sec. 21-54. Lot Layout:

The layout of lots shall conform to the requirements of the zoning regulations, where in force, and shall be appropriate for the intended construction. If necessary, corner lots shall have adequate width to permit a setback on each street. Side lot lines shall generally be at right angles to straight streets, or radial to curved street lines. Consideration in lot layout shall be given to solar orientation, topographic conditions and soil conditions. No lot shall be proportioned in such a manner that its depth exceeds four times its width.

Sec. 21-55. Preservation of Existing Features:

Due regard shall be given to the preservation and protection of existing features, trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources, and historic resources.

Sec.21-56. Nonduplication of Street Names:

Where possible, street names which have been utilized by adjacent communities, will not be used for new streets.

Sec. 21-57. Streets-Design Standards for Public Dedication

At the Sketch Plan review stage, the Planning Commission will classify proposed streets. Pavement width and right-of-way dimensions for these two categories are as follows:

Design Standards

	<u>ARTERIAL</u>	<u>COLLECTOR</u>	<u>LOCAL</u>
Minimum Right-of-way Width	80'	60'	50'
Minimum Pavement Width	48'(T28)	36'	30'
Maximum Grade	8%	10%	12%**

Minimum Grade	0.5%	0.5%	0.5%
Minimum Radius of Curves, Center Street Line	800'	500'	250'
Minimum Tangent Length between Reverse Curves	200'	100'	50'
Maximum Grades within 75' of Center Line Intersections	2%	3%	3%
Minimum Braking Sight Distance	300'	150'	150'
Minimum Distance between Center Line Offsets	500'	250'	125'
Minimum Angle at Intersections of Street Center Lines (degrees)	90	85	80
Minimum Curb Radius at Intersections	30'	20'	20'
Sidewalks	Both Sides	One side	None

Dead End Street: Maximum length - 600' except temporary

Turn-around diameter - outside edge of pavement 100'

Turn around diameter - right-of-way - 120'

** No grade greater than 8% may be continued for a distance of more than 300 feet.

ARTICLE V. Definitions

Sec. 21-57. Context.

Except where specifically defined herein, all words used in these regulations shall carry their customary meanings. Unless the content clearly indicates to the contrary, words in the singular include the plural and those in the plural include the singular. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The word "building" includes structures and shall be construed as if followed by the phrase "or part thereof". The word "may" is permissive; the words "shall" and "will" are mandatory.

ACT-Title 24, Chapter 117, The Vermont Municipal and Regional Planning and Development Act.

ARTERIAL STREET - High speed, high volume street network between major points.

AUTHORIZED AGENT OR REPRESENTATIVE - A person or group of persons, who have been duly authorized in writing, filed with the commission, by the subdivider to act as an agent or in behalf of the property owner(s).

BLOCK - A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad, rights-of-way, shore lines of waterways or corporate boundary lines of the municipality.

CESSION - A formal surrender of property rights.

COLLECTOR STREET - Serves as access between arterial and local streets.

DEVELOPMENT CAPACITY - Shall be determined by dividing the total contiguous land area by the density prescribed for the applicable zone in the City of Barre Zoning Regulations. Contiguous land area shall not be broken by division of ownership, roads, highway, railroads, streams, etc.

CUL-DE-SAC - A street which intersects a second street at one end and terminates with a vehicular turnaround at the opposite end.

EASEMENT - The authorization of a property owner for the use by another, for a specified purpose, of any designated part of the owner's property.

FINAL APPROVAL - Shall mean the recording, in the office of the municipal land records, of a final subdivision plat which has been approved by the Planning Commission and signed by the authorized officer of the Planning Commission.

FLOOD PLAIN - Areas of flood hazard as identified by the Department of Housing and Urban Development, Federal Insurance Administration (FIA), Flood Insurance Rate Maps (FIRM) dated January 17, 1985.

LEGISLATIVE BODY - The City Council, City of Barre, Vermont

LOCAL STREET - Serves as access street to residence, farm or business.

LOT - A parcel of land which is occupied or is to be occupied by one principal building or other structure or use, together with any accessory buildings or other structures or uses customarily incidental to such principal building or other structure or use, and such open spaces as are arranged or designated to be used in connection with such principal building or other structure or use, such open spaces and the area and dimensions of such lot being not less than the minimum required by the zoning ordinance.

METES AND BOUNDS - The boundary lines of land, with their terminal points and angles.

MUNICIPALITY - The City of Barre, Vermont

PARTIALLY UNDEVELOPED - Lack of substantial improvements such as utilities and roadways which serve individual lots.

PLAN - A Comprehensive Development Plan or Master Plan for the City of Barre, Vermont, adopted pursuant to Title 24, Chapter 117, Vermont Statutes Annotated.

PLANNING COMMISSION OR COMMISSION - The Planning Commission of the City of Barre, Vermont, created under 24 V.S.A., Chapter 117.

PLAT - A map or representation on paper of a piece of land and subdivided into lots and streets, drawn to scale.

PLAT - FINAL - A complete and exact subdivision plan of a Major or Minor Subdivision, prepared for official recording as required by these Regulations and in conformance with Title 27, V.S.A., to define property rights, boundary and lot lines, and proposed streets and other improvements.

PLAT - PRELIMINARY - Preliminary survey and drawings of a proposed Major Subdivision to enable the subdivider and the Planning Commission to reach general agreement as to the general layout of the subdivision in meeting objectives of these Regulations.

PUBLIC HEARING - Any meeting held with public notice in accordance with Title 24, V.S.A.

PUBLIC IMPROVEMENTS OR IMPROVEMENTS - Improvements necessary for the safety, health, and welfare of the public, and which will be owned and maintained by the public. Examples include but are not limited to streets, sidewalks, curbs, water and sewerage lines, monuments and lot markers, open space, school sites, etc.

PUBLIC SEWAGE DISPOSAL SYSTEM - Sewage disposal system operated by the City of Barre, that disposes of sewage for domestic, commercial, industrial, or institutional uses.

PUBLIC WATER SYSTEM - Water system operated by the City of Barre, that supplies water for domestic, commercial, industrial or institutional uses.

PUBLIC WORKS SPECIFICATIONS - The City of Barre Public Works Specifications and Details which are incorporated herein, by reference.

RESUBDIVISION - A change in the recorded subdivision plat which affects any street layout on such plat, or area reserved thereon for public use, or any change of a lot line, to include combination of lots, or any such change if it affects any map or plan legally recorded.

SKETCH PLAN - An informal sketch of the proposed subdivision the purpose of which is to enable the subdivider 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.

STREET - Any road, highway, avenue, street, parkway, land, or other way between right-of-way lines, common used by the public for vehicular traffic.

SUBDIVIDER - Any person, firm, corporation, partnership or association who shall lay out for the purpose of sale or development any subdivision part thereof as defined herein, either for himself or others.

SUBDIVISION - Division of any parcel of land with the exception of a boundary adjustment, into 2 or more lots,

plots, or parcels, for the purpose of conveyance, transfer of ownership, improvement, or sale.

SUBDIVISION - MAJOR - Any subdivision containing five (5) or more lots or any subdivision requiring a new street or extension of municipal improvements and not adversely affecting adjoining property and not in conflict with any provision or portion of the Master Plan, Zoning Ordinance, Official Map, or these Regulations.

SUBDIVISION - MINOR - Any subdivision containing no more than four (4) lots fronting onto an existing street and not requiring a new street or the extension or municipal improvements and not adversely affecting adjoining property and not in conflict with any provision or portion of the Master Plan, Zoning Ordinance, Capital Budget and Plan, Official Map, or these Regulations.

UNDEVELOPED - Lack of improvements partially undevelopment.

VICINITY MAP - A detailed map which shows, within a prescribed area, the relation of the proposed subdivision to adjacent properties and the surrounding area, indicating curb cuts, property and building lines, streets, easements, etc.

APPENDIX 1

SAMPLE FORM FOR SKETCH PLAN MEETING DISCUSSION

PLANNING COMMISSION OF THE CITY OF BARRE, VERMONT

Application #_____ Name of Subdivision _____

Name of Applicant _____

Address _____

Date _____

1. Location, adjacent owners, and how is adjacent property presently used.
2. Plat in relation to plan, zoning, capital budget and program, and official map.
3. Amount of land and number of lots in proposed subdivision.
4. Amount of land retained for future subdivision or other uses, if any, including commercial plans.
5. Amount of land to be retained for park, recreation areas, or school sites.
6. Street plans, (if any), including information as to State and Town highways.
7. Any special drainage problems.
8. Sewerage plans.
9. Water plans.
10. Existing services:
 - a) Schools
 - b) Shopping
 - c) Police, fire protection

11. Estimated dates for commencement and completion.
12. Have proposed street names been checked with Public Works' Office?
13. What type of development is proposed? (PUB; PRD; Single family, residential, commercial, etc.)
14. Subdivision classifications: Major ____ Minor ____

APPENDIX 2

SAMPLE FORM FOR PRELIMINARY PLAT APPLICATION

PLANNING COMMISSION OF THE CITY OF BARRE, VERMONT

This application shall conform in all respects to the Subdivision Regulations of the Planning Commission of THE CITY OF BARRE, VERMONT and shall be submitted in duplicate.

Application No. _____

Fee Received _____

By _____

Date _____

1. Proposed name of subdivision.
2. Name and address of record owner.

3. Name and address of subdivider (if different from owner)
4. Name, address and license of Engineer and Land Surveyor.

5. Location of Property.
6. Number of acres covered by Preliminary Plat.
7. Zone in which property is located.
8. Deed(s) recorded in the Municipal Clerk's Office.
Date _____ Volume _____ Page _____
9. Attach a complete statement of any easements relating to the property (if none, so state)

10. Attach statement of interest in abutting property (if none, so state)

11. Does owner propose to submit the Final Subdivision Plat to cover entire Preliminary Plat, or to file same in sections?

If to be filed in sections, how many?

12. Does the Preliminary Plat cover the entire holding of the applicant?

13. Does the applicant propose to dedicate to the public all streets, highways and parks shown on the plat:

14. Give number of acres which applicant proposes to dedicate to public use for park, playground, school, or other purposes.

15. If waiver of Subdivision Regulations requirements is requested, list them and give reasons why such requirements should be waived.

(Signed) _____ (Signed)

OWNER

SUBDIVIDER

_____ (Signed)

DATE

SUBDIVIDER'S AGENT

CHECKLIST FOR PRELIMINARY PLAT

Check When
Each Item is
Satisfactory

- _____ 4 copies of Preliminary Plat
- _____ 2 copies of application
- _____ Subdivision Title
- _____ Date
- _____ Scale
- _____ North arrow
- _____ Topography (contour intervals)
- _____ Name of owner
- _____ Name of engineer or supervisor
- _____ Name of adjoining property owners or subdivisions
- _____ Dimensions and bearings of angles of all property boundary lines.
- _____ Name, location and width of adjacent streets
- _____ Location and size of existing sewer and water mains, culverts and drains and width of easements.
- _____ Location and sizes of existing parks and other public recreation areas within plat and on adjacent property.
- _____ Location and sizes of rock outcrops, streams, swamps, other pertinent features, buildings, trees, etc.
- _____ Existing deed restrictions

- _____ Zoning district
- _____ Proposed street layout (Conformity with Official Map and Master Plan)
- _____ Right-of-way width
- _____ Pavement width
- _____ Street elevations
- _____ Street grades
- _____ Sidewalks
- _____ Storm drainage plan
- _____ Shade trees
- _____ Street lighting standards
- _____ Street signs
- _____ Proposed water system
- _____ Proposed fire protection system
- _____ Proposed sanitary sewage system
- _____ Street access to adjoining properties
- _____ Block length & width
- _____ Intersections
- _____ Walkway easements
- _____ Suggested building locations
- _____ Dimensions and area of lots
- _____ Location and sizes of proposed utilities and easements.
- _____ Proposed restrictive covenants

_____ Proposed parks, recreation areas, and school sites

_____ Proposed parcels of land to be dedicated to public use and conditions of such dedication.

_____ Vicinity map

_____ Erosion control plant

ADMINISTRATIVE CLERK LIST
FOR PRELIMINARY PLAT REVIEW

PLANNING COMMISSION OF THE CITY OF BARRE, VERMONT

Application No.

Name of subdivision

Name of Applicant

Name of Owner

Initial & date
when each step is
completed

PRELIMINARY PLAT

_____	Application received in accordance with Subdivision Regulations.
_____	Fee paid. Amount _____
	Prepared by _____
	Date of layout _____
	Area of proposed subdivision _____
	Number of lots _____
_____	Technical review completed
_____	Presented to Planning Commission meeting
_____	Public hearing (if applicable)
_____	Preliminary approval by Planning Commission.
_____	Letter to applicant re: Planning Commission action.
_____	Lapse date for final plat application (6 months from preliminary approval).

CHECKLIST FOR
FINAL SUBDIVISION PLAT

Check When
Each Item is
Satisfactory

- _____ Plat on linen or mylar
- _____ Title
- _____ Scale
- _____ North Arrow
- _____ Date of plat
- _____ Name, address and signature of owner
- _____ Name, address and signature of subdivider
- _____ Name, address and signature of licensed engineer or land surveyor.
- _____ Names of adjoining property owners or subdivisions
- _____ Dimensions and bearings or angles of boundary lines of property being subdivided
- _____ Location, names and widths of existing and proposed streets, and pedestrian ways.
- _____ Location and names of existing and proposed parks, recreation areas, or school sites.
- _____ Location and widths of existing and proposed easements.
- _____ Lot lines and accurate dimensions and bearings or angles.
- _____ Lot areas
- _____ Lot numbers
- _____ Building locations

- _____ Location, description and size of all monuments
- _____ Lot corner markers
- _____ Restrictive covenants
- _____ Check for conformity with preliminary layout
- _____ Street plans and profiles
- _____ Shade trees
- _____ Street lighting standards
- _____ Street signs
- _____ Plan and profiles showing location, size, and invert elevations of existing and proposed sanitary sewers and storm sewers.
- _____ Plan and profiles showing locations and size of all water lines, gas lines, and other underground utilities and structures.
- _____ Electrical, telephone, and cable T.V. lines
- _____ Fire protection facilities
- _____ Erosion control plan

APPENDIX 3

SAMPLE FORM FOR
FINAL PLAT APPLICATION

PLANNING COMMISSION OF THE CITY OF BARRE, VERMONT

This application shall conform in all respects to the Subdivision Regulations of the Planning Commission of City of Barre and shall be submitted in duplicate.

Application No. _____

Received by _____

Date _____

The undersigned hereby makes application for approval of Plat entitled:

which covers the entire area of _____ acres, shown on the Preliminary Plat; or covers section _____ comprising _____ acres shown on the Preliminary Plat which has been completed in accordance with the Subdivision Regulations of the Planning Commission of the City of Barre, and the details of which are as stated in the application for consideration of the Preliminary Plat and are hereby reaffirmed with the same force and effect as though stated herein. (if any differences, attach statement of same.)

Signed _____ Signed _____
OWNER SUBDIVIDER

DATE Signed _____
SUBDIVIDER'S AGENT

SAMPLE FORM FOR
ADMINISTRATIVE CHECKLIST FOR
FINAL PLAT REVIEW

PLANNING COMMISSION OF THE CITY OF BARRE, VERMONT

Application #

Name of Subdivision

Name of Applicant

Name of Owner

Initial & date
When each step is
completed

FINAL SUBDIVISION PLAT

- _____ Application received complete

- _____ Date of official submission to Planning Commission

- _____ Fee paid, amount _____

- _____ Number of lots _____

- _____ Technical review completed by Planning Commission

- _____ Public hearing advertised

- _____ Public hearing held

- _____ Offer of dedication to the public of all highways, streets or parks shown on Plat received.

- _____ Approval as to form by municipal attorney

- _____ Approval as to form by legislative body

- _____ Copies of any private restrictions or agreements or other documents showing the manner in which areas reserved by deed covenant for the common use of property

owners in the subdivision are to be maintained.

_____ Resolution approving Plat (subject to completion of required improvements or provision of performance bond)

PERFORMANCE BOND (If required)

_____ Amount of performance bond set by Planning Commission

_____ Bond in the amount of \$_____ received

_____ Form of bond approved by municipal attorney

_____ Form of bond approved by legislative body

_____ Bonding or surety company_____

_____ Approved by legislative body

_____ Security other than bonding or surety company:

_____ Approved by legislative body

_____ Filing of bond with municipal clerk

_____ Required improvements satisfactorily completed when no performance bond is provided:

_____ Certified by_____

_____ Plat signed

_____ Lapse date for filing with municipal clerk 90 days from approval date

_____ Notice received from clerk of filing of plat

Required improvements satisfactorily
completed under the provisions of the
performance bond

Certified by _____

Bond released by municipal governing body