



SUBDIVISION REGULATIONS

Town of Georgia, Vermont

Effective

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GEORGIA SUBDIVISION REGULATIONS

Table of Contents

ARTICLE I	Title, Policy and Purpose.....	3
ARTICLE II	Definitions.....	4
ARTICLE III	Sketch Plan	5
ARTICLE IV	Minor Subdivision Application.....	6
ARTICLE V	Major Subdivision Application.....	7
ARTICLE VI	Application Submission Requirements.....	8
ARTICLE VII	Planning Standards.....	12
ARTICLE VIII	Required Improvements and Design Standards.....	13
ARTICLE IX	General Application Requirements.....	16
ARTICLE X	Administration and Enforcement.....	17

GEORGIA SUBDIVISION REGULATIONS

ARTICLE 1

Section 100. Title. These regulations shall be known as the Georgia Subdivision Regulations.

Section 110. Policy.

110.1. It is hereby declared to be the policy of the Town of Georgia to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the Town of Georgia pursuant to the Vermont Planning and Development Act (Act) Title 24, Chapter 117 and the Georgia Town Comprehensive Plan (Plan) for the orderly, planned, efficient and economical development of the town.

110.2. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace. Land shall not be subdivided until proper provision has been made for drainage, water, sewage, and capital improvements such as schools, parks, sidewalks, curbs, recreation facilities, and transportation facilities.

Section 120. Purpose. These regulations are adopted for the following purposes:

120.1 To protect and provide for the public health, safety, and general welfare of the Town of Georgia.

120.2 To guide the future growth and orderly development of the Town in accordance with the Comprehensive Plan, Zoning Regulations, and all other By-Laws enacted to implement the Plan.

120.3 To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other dangers, and to prevent over-crowding of the land and undue congestion of populations.

120.4. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewage, schools, parks, playgrounds, recreation, sidewalks, curbs, and other public requirements and facilities.

120.5. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the Town, having particular regard to the avoidance of congestion in the streets and highways.

120.6 To insure that public facilities are available and will have a sufficient capacity to serve any proposed subdivision.

120.7. To prevent the pollution of air, streams, rivers, ponds, and Lake Champlain; to assure the adequacy of drainage facilities; to safeguard the water tables; and to encourage the wise use and management of natural resources throughout the Town in order to preserve the integrity, stability, and beauty of the community and the value of land.

120.8. To preserve the natural beauty and topography of the Town and to insure appropriate development with regard to these natural features.

120.9. To further the purposes contained in the Vermont Planning and Development Act, and in particular, those purposes set forth in Section 4302 of the Act.

Section 130. Applicability. These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within the Town of Georgia. No land shall be subdivided within the Town of Georgia until the subdivider shall obtain final approval of the proposed subdivision from the Planning Commission and the final approved subdivision plat is recorded in the Georgia Land Records.

ARTICLE II

Definitions

Section 200. Specific Definitions. For the purpose of these regulations, the following words shall be defined as follows:

- 200.1.** Act – The Vermont Planning and Development Act. Title 24, Chapter 117, Vermont Statutes Annotated.
- 200.2.** Commission – The Planning Commission of the Town of Georgia.
- 200.3.** Community Sewage Disposal System – Any sewage disposal system, other than a municipal sewage disposal system, that disposes of sewage for domestic, commercial, industrial, or institutional uses from two or more users.
- 200.4.** Community Water System – Any water system, other than a municipal water system that supplies water for domestic, commercial, industrial, or institutional uses to two or more users.
- 200.5.** 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.
- 200.6.** Major Subdivisions – Any residential subdivision containing four (4) or more new building lots or any non-residential subdivision. Major subdivisions also include all shopping complexes, planned residential developments, and planned unit developments regardless of the number of lots or units created.
- 200.7.** Minor Subdivisions – Any subdivision containing fewer than four new building lots. All shopping complexes, planned residential developments, or planned unit developments are major subdivisions regardless of the number of lots or units created.
- 200.8.** Plan – The Comprehensive Plan of the Town of Georgia adopted pursuant to the Vermont Planning and Development Act.
- 200.9.** Preliminary Plat – The preliminary drawings for a major subdivision, indicating the proposed layout of the subdivision, to be submitted to the Commission for its consideration.
- 200.10.** Resubdivision – Any change in a recorded subdivision plat, if such change affects any street layout on such plat, or area reserved thereon for public use, or any lot line, or if the change affects any map or plan legally recorded after the adoption of any subdivision regulation by the Town of Georgia.
- 200.11.** Sketch Plan – Any 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

Planning Commission regarding the form of the subdivision and objectives and requirements of these regulations.

- 200.12.** **Street** – Any road, highway, avenue, street, land, or other way between right-of-way lines, commonly used by the public for vehicular traffic.
- 200.13.** **Subdivision** – Any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, development or otherwise. The term includes amended subdivisions and resubdivisions. The term shall also include the development of a parcel of land as a shopping center complex, planned residential development or planned unit development.
- 200.14.** **Subdivider** – Any person, who is owner of record or his duly authorized representative, firm, corporation, partnership, or association who shall lay out for the purpose of sale, development or otherwise any subdivision or part thereof.
- 200.15.** **Capital Budget** – A document which sets forth a financial management plan (over a six year period) which is the capital investment program including a listing of capital projects and expenditures prioritized in the form of an annual capital budget. A maximum level of future growth is established as the basis for scheduling municipal capital facilities and service expenditures.

Section 210. Other Definitions. Unless otherwise defined herein, the definitions contained in the Vermont Planning and Development Act and the Georgia Zoning Regulations shall apply to these regulations.

ARTICLE III

Sketch Plan

Section 300. Submission of Application & Scheduling with Commission: For the purpose of classification and initial discussion, subdivision applicants, prior to submitting applicable Preliminary or Final Plat applications, shall submit Sketch Plan information as outlined in a handout entitled ‘Application Submittal Requirements for Sketch Plans’ available from the Planning Department. Application materials shall be submitted at least fifteen (15) days prior to a regularly scheduled meeting of the Commission, and no meeting shall be scheduled until application materials are received. Applicants will be notified in writing if application materials are missing following submission. Sketch Plan meetings shall be noticed to adjacent property owners and posted at the Georgia Municipal Building. Sketch plans shall not be publicly warned in the Town’s newspaper of general circulation, as they do not constitute Public Hearings.

- 300.1.** Name, address, and telephone number of the owner of record and applicant.
- 300.2.** Names and addresses of owners of record of contiguous properties.
- 300.3.** Boundaries and area of proposed subdivision.
- 300.4.** Existing and proposed layout of property lines; type and location of existing and proposed restrictions on land, such as easements and covenants.
- 300.5.** Type, location, and approximate size of existing and proposed streets, utilities, and open space.

- 300.6. Date, true north arrow and scale (numerical and graphic).
- 300.7. Location map, showing relation of proposed subdivision to adjacent property and surrounding area.
- 300.8. Deed reference – tax map reference.
- 300.9. Zoning district.
- 300.10. Payment of required fees.
- 300.11. Size of lots and number of lots.

Section 310. Requirements. The subdivider, or his duly authorized representatives, shall attend the meeting of the Commission on the sketch plan to discuss the requirements of these regulations for streets, improvements, drainage, sewage, water supply, fire protection, and similar aspects, as well as the availability of existing services and facilities and other pertinent information.

Section 320. Conformance. The Commission shall study the sketch plan to determine whether or not it conforms to, or would be in conflict with, the Plan, the Zoning Regulations and any other By-Laws then in effect, and shall, where it deems necessary, make specific recommendations for changes in subsequent submissions. Within a reasonable timeframe, such written recommendations shall be sent to the applicant. The Commission may also require where necessary for the protection of the public health, safety, and welfare that a minor subdivision comply with all or some of the requirements specified in these regulations for major subdivisions.

Section 330. Effect of Sketch Plan Proposal. Approval of a sketch plan shall not constitute approval of a subdivision plat and is merely authorization for the applicant to file a preliminary plat or final plat application.

- 330.1. If the intent of the subdivider is to adjust side lines and acreage with an adjoining property owner and will not in any way create a non-conforming lot or allow for adjacent property to be subdivided which prior to such an act could not have been subdivided, then at the sole discretion of the majority of the members of the Planning Commission by vote may waive final plat hearings and allow these types of side line adjustments to occur. Each case will be reviewed upon its own merits and any action taken will not set precedence for future reviews. The Planning Commission may require documentation and recordings with deeds to insure the intent of the subdivider and the adjacent land owner.

ARTICLE IV

Minor Subdivision Application

Section 400. Application. Within six (6) months of classification by the Commission of the sketch plan as a minor subdivision, the subdivider shall submit an application for approval of a subdivision plat. The application shall contain those items set forth in Section 610 of these regulations, and shall conform to the layout shown on the sketch plan plus any recommendations made by the Commission.

Section 410. Submission of Complete Application & Final Plat Public Hearing. Subsequent to Sketch Plan Review, an application for Final Plat shall be submitted to the Planning Department. The Application shall

include all items included in a handout entitled “Application Submittal Requirements for Sketch Plans” available from the Planning Department. Applicants will be notified in writing if application materials are missing following submission. No public hearing for the Final Plat shall be scheduled until all application materials are received. At the opening of the Public Hearing, the Planning Commission will determine whether the application is sufficiently complete for processing. The Commission may request any additional information deemed necessary for plat review. Final Plat hearings shall be warned in accordance with Georgia Zoning Code Section 7040.

Section 420. Action. The Commission shall, within forty-five (45) days after the completion of the public hearing or any continuation thereof, approve, modify and approve, or disapprove such plat. Failure to so act within said forty-five (45) days shall constitute deemed approval.

ARTICLE V

Major Subdivision Application

Section 500. Preliminary Plat Application. Within six (6) months of classification by the Commission of the sketch plan as a major subdivision, the subdivider shall submit an application for approval of a preliminary plat. The application shall contain those items set forth in Section 600 of these regulations, and shall conform to the layout shown on the sketch plan plus any recommendations made by the Commission.

Section 510. Submission of Application & Preliminary Plat Public Hearing. Subsequent to Sketch Plan Review, an application for Preliminary Plat shall be submitted to the Planning Department. The application shall include all items included in a handout entitled ‘Application Submittal Requirements for Preliminary Plats’ available from the Planning Department. Applicants will be notified in writing if application materials are missing following submission. No public hearing for the Preliminary Plat shall be scheduled until all application materials are received. At the opening of the Public Hearing, the Planning Commission will determine whether the application is sufficiently complete for processing. The Commission may request any additional information deemed necessary for plat review. Preliminary Plat hearings shall be warned in accordance with Georgia Zoning Code Section 7040.

Section 520: Action on Preliminary Plat. The Commission shall act to approve or disapprove Preliminary Plat applications within forty-five (45) days after closure of the hearing. A written and signed decision, including background information, findings-of-fact, conclusion, and decision with applicable conditions shall constitute final Preliminary Plat action of the Commission. Failure to act within the 45-day period shall constitute deemed approval on the 46th day, provided:

- a. The Commission may continue the hearing pending receipt of required and/or requested information or as scheduling otherwise requires;
- b. Non-submittal of required and/or requested information may constitute grounds for Preliminary Plat denial; and
- c. Preliminary Plat approval does not constitute Final Plat approval.

Preliminary Plat decisions shall be distributed per requirements in Title 24 Ch. 117, Section 4464(b)(1)(3), Vermont Statutes Annotated.

Section 530. Sectionalizing. At the time the Commission grants preliminary plat approval, it may require the plat to be divided into two or more sections (parts) and may impose such conditions upon the filing of application for final plat approval for each section as it deems necessary to assure the orderly development of the plat.

Section 540. Effect of Preliminary Plat Approval. Approval of a preliminary plat shall not constitute approval of the subdivision plat. Prior to approval of the final subdivision plat, the Commission may require additional changes as a result of further study. The approval of a preliminary plat shall be effective for a period of one (1) year, and any plat not receiving final approval prior to the expiration of one (1) year shall be null and void, and the subdivider shall be required to resubmit a new plat for preliminary approval subject to all new zoning and subdivision regulations. Should the Commission impose sectionalizing as a condition of preliminary plat approval, it may extend the one (1) year effective period of preliminary approval.

Section 550. Final Plat Application. Within six (6) months of preliminary plat approval, the subdivider shall submit an application for approval of a final subdivision plat. The application shall contain those items set forth in Section 610 of these regulation, and shall conform to the layout shown on the approved preliminary plat and incorporate all conditions set forth in the preliminary plat approval.

If sectionalizing was a requirement of preliminary plat approval, a separate final plat application shall be filed for each section within the time periods imposed in the preliminary plat approval.

Section 560. Submission of Application & Final Plat Public Hearing. Subsequent to Preliminary Plat approval, an Application for Final Plat shall be submitted to the Planning Department. The application shall include all items identified in a handout entitled, "Application Submittal Requirements for Final Plats," available from the Planning Department. Applicants will be notified in writing if application materials are missing following submission. No public hearing for the Final Plat shall be scheduled until all application materials are received. At the opening of the Public Hearing, the Planning Commission will determine whether the application is sufficiently complete for processing. The Commission may request any additional information deemed necessary for plat review. Further, no public hearing for Final Plats shall be scheduled until the 30-day appeal period for Preliminary Plat approval has lapsed and no appeals have been filed. Final Plat hearings shall be warned in accordance with Georgia Zoning Code Section 7040.

Section 570. Action on Final Plat. The Commission shall act to approve or disapprove Final Plat applications within forty-five (45) days after closure of the hearing. A written and signed decision, including background information, findings-of-fact, conclusion, and decision with applicable conditions shall constitute final action of the Commission for purposes of potential appeals under Section 7060 of these regulations. Failure to act within the 45-day period shall constitute deemed approval on the 46th day, provided:

- a. The Commission may continue the hearing pending receipt of required and/or requested information or as scheduling otherwise requires;
- b. Non-submittal of required and/or requested information may constitute grounds for Final Plat denial.

Final Plat decisions shall be distributed per requirements in Title 24 Ch. 117, Section 4464(b)(1)(3), Vermont Statutes Annotated..

ARTICLE VI

Application Submission Requirements

Section 600. Preliminary Plat for Major Subdivisions

- 600.1.** The Preliminary Subdivision Plat shall consist of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to

a scale of not more than one hundred (100) feet per inch, showing or accompanied by the following information: Reference Section 940 for final plat filing.

- (1) Proposed subdivision name or identifying title and the name of the town.
- (2) Name and address of the record owner, subdivider and designer of the preliminary plat, and any option holders of the proposed subdivision.
- (3) Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, water-courses and other essential existing physical features.
- (4) The names of all subdivision immediately adjacent and the names of owners of record and deed reference of adjacent acreage.
- (5) The zoning district designation of the area to be subdivided and any zoning district boundaries affecting the tract.
- (6) Deed reference, tax map reference.
- (7) The location and size of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- (8) 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 two hundred (200) feet from property lines. Street names are to be submitted to the Georgia Board of Selectmen. The approval is to be documented by means of a letter.
- (9) Contour lines at intervals of five (5) feet for existing grades and for proposed finished grades where changes of existing ground elevation will be five (5) feet or more.
- (10) Typical cross sections of the proposed grading and roadways and of sidewalks.
- (11) Complete survey of subdivision tract by a licensed land surveyor.
- (12) Date, true north point and scale.
- (13) Means of providing water supply to the proposed subdivision.
- (14) Means of on-site disposal of septic wastes including location and results of tests to ascertain subsurface soil, rock and ground water conditions, depth to ground water unless pits are dry at depth of five (5) feet; location and results of percolation tests on each lot.
- (15) Provisions for collecting and discharging storm drainage, in the form of a drainage plan.
- (16) Preliminary designs of any bridge or culverts which may be required.
- (17) The proposed lot lines with approximate dimensions and suggested locations of buildings.

- (18) The location of temporary markers adequate to enable the Commission to location 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 show.
- (19) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- (20) The location of natural features or site elements to be preserved.
- (21) Fire protection letter of requirements from the Fire Department.
- (22) List of waivers, if any, the subdivider desires from the requirements of these regulations.

600.2. The preliminary plat shall be accompanied by a vicinity map drawn at the scale of not over four hundred (400) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The vicinity map shall show all the area within two thousand (2,000) feet of any property line of the proposed subdivision or any smaller area between the tract and all surrounding existing streets, provided any part of such a street used as part of the perimeter for the vicinity map is at least five hundred (500) feet from any boundary of the proposed subdivision. Within such area, the vicinity map shall show:

- (1) All existing subdivisions and approximate tract lines of parcels together with the names of the record owners of all adjacent parcels of land; namely, those directly abutting or directly across any street adjoining the proposed subdivision.
- (2) Locations, widths and names of existing, filed or proposed streets, easements, building lines and alleys pertaining to the proposed subdivision and to the adjacent properties as designated in Paragraph (1), above.
- (3) An outline of the platted area together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the preliminary plat submitted covers only part of the subdivider's entire holding.

Section 610. Final Plat for Major and Minor Subdivisions.

610.1. The Final Subdivision Plat shall consist of one or more sheets of drawings which conform to the following requirements: It shall be on mylar paper clearly and legibly drawn, and the size of the sheets shall be 18 inches x 24 inches. Such sheets shall have a margin of two (2) inches outside of the border lines on the left side for binding and a one (1) inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by all appropriate agencies. The final plat for a major subdivision shall conform in all respects to the preliminary plat as approved by the Commission. The Subdivision Plat shall show those items referenced in Section 940 for filing of final plat.

- (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 licensed land surveyor, the boundaries of the subdivision and its general location in relation to existing streets or other landmarks and scale, date and true north point.
- (2) Street names, lines, pedestrian ways, lots, reservations, easements and area to be dedicated to public use as approved by the Commission.

- (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. When practicable these should be tied to reference points previously established by a public authority.
- (4) The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings for each street.
- (5) By proper designation on such Plat, all public open space for which offers of cession are made by the subdivider and those spaces title to which is reserved by the subdivider.
- (6) Lots within the subdivision numbered in alternating order within the blocks.
- (7) The location of all of the improvements referred to in Article VIII and, in addition thereto, the location of all fire protection devices, utility poles, sewage disposal systems, and rough grading and other devices and methods of draining the area within the subdivision.
- (8) Permanent reference monuments and lot corner markers shall be clearly indicated.
- (9) Monuments shall be set at all corners and angle points of the boundaries of the subdivision, and for new roads at all street intersections, angle points in street lines, points of curve and such intermediate points as shall be required by the Commission.
- (10) Deed reference, tax map reference.

610.2. There shall be submitted to the Commission with the final plat the following supporting documents:

- (1) Copies of proposed deeds, agreements or other documents showing the manner in which streets, open space, including park and recreational areas served and maintained, and a certificate from the Legislative Body or town attorney that these documents are satisfactory. Such certificate shall not be construed, however, as acceptance by the Town of Georgia of any areas proposed to be dedicated to the Town.
- (2) A certificate from a Town consulting engineer as to the satisfactory completion of all improvements may be required by the Commission, or in lieu thereof, a performance bond to secure completion of such improvements and their maintenance for a period of two (2) years, with a certificate from the Legislative Body that it is satisfied either with the bonding or surety company, or with security furnished by the subdivider.
- (3) Any other documents required by the Commission as a result of preliminary plat approval.
- (4) The final plan application for a minor or major subdivision shall be accompanied by a Certificate of Title showing the ownership of all property and easements to be dedicated or acquired by the Town, or reserved, and said Certificate of Title shall be approved by the town attorney. Copies of all proposed Offers of Dedication, deeds, easements or other instruments conveying property or easements to the Town shall also accompany the final application and be approved by the town attorney.
- (5) Bonding shall be required sufficient to cover the completion of required improvements and maintenance of such improvements for a period of two years after completion. The amount of bond shall be established by the Planning Commission based upon the subdivider's estimate, bids or other information

deemed necessary by the Planning Commission, but shall not exceed 150% of the projected improvement and maintenance costs.

ARTICLE VII

Planning Standards

Section 700. Standards for Evaluation. Final approval of any subdivision shall be based on a finding by the Commission that the subdivision is in accord with the following standards.

- 700.1.** The land is suitable for subdivision or development. In making this determination it shall at least consider flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas.
- 700.2.** The proposal includes due regard for the preservation and protection of existing aesthetic features such as trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources, agricultural resources, and historical resources.
- 700.3.** The proposal includes sufficient open space for recreation.
- 700.4.** The proposal includes adequate provision for the control of runoff and erosion during and after construction.
- 700.5.** The proposed development is in compliance with the Georgia Comprehensive Plan, Zoning Regulations, Capital Budget Program and other By-Laws then in effect.
- 700.6.** The proposed development will not result in undue water or air pollution. In making this determination it shall at least consider the elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal of effluents, and the applicable Health and Vermont Department of Water Resources regulations.
- 700.7.** The proposed development is compatible with surrounding properties.
- 700.8.** The site is suitable for the proposed density.
- 700.9.** The proposal contains adequate provision for pedestrian traffic in terms of safety, convenience, access to points of destination, and attractiveness.
- 700.10.** The proposed development will not place an unreasonable burden on the ability of local governmental units to provide municipal, educational, or governmental services and facilities.
- 700.11.** There is sufficient water available for the reasonably foreseeable needs of the proposed development.
- 700.12.** The proposed development will not cause unreasonable highway congestion or unsafe conditions with respect to the use of roads and highways in the Town.

Section 710. Parkland and School Sites. The Planning Commission, pursuant to 24 V.S.A. S4417 (as amended from time to time), may require as a condition to subdivision approval, the dedication of land or the payment of a fee in lieu of land thereof for public recreation and school purposes. The Planning Commission shall develop uniform criteria for determining when to require land dedication or a fee alternative, the amount of land or fee to be exacted, the uses to which the land or fee are to be put, and the manner in which dedication or payment is to be made. In developing uniform criteria, the Planning Commission shall consider the following factors:

- (1) Acreage size of proposed subdivision.
- (2) Physical suitability of the subdivider's land for use as a parkland or a school site.
- (3) The minimum area required for practical use for such purposes.
- (4) Whether use of the subdivider's land for such purposes would conform to the Town's recreation plans and the school district's school facility plans.
- (5) The potential need for school sites or parkland that the proposed subdivision may generate.

ARTICLE VIII

Required Improvements and Design Standards

Section 800. Streets.

- 800.1. Layout Coordination.** Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the proposed subdivision with the existing layout or the most advantageous future development of adjacent tracts.
- 800.2. Topography.** Streets shall be logically related to the topography so as to produce usable lots, reasonable grades and safe intersections in appropriate relation to the proposed use of the land to be served by such streets.
- 800.3. Through Traffic.** Minor streets shall be so laid out that their use by through traffic will be discouraged.
- 800.4. Reserved Strips.** The creation of reserved strips shall not be permitted adjacent to a proposed street in such a manner as to deny access from adjacent property to such street.
- 800.5. Dead Ends.** No dead end streets shall be permitted without suitable cul-de-sac at its terminus with an inside radius of not less than sixty (60) feet, and not greater than seventy-five (75) feet unless otherwise specified by the Planning Commission, and no dead end street shall be more than one thousand (1,000) feet in length to the center of the cul-de-sac radius.
- 800.6. Intersections.** Wherever possible, street layouts should be planned to avoid four (4) way intersections and incorporate three (3) way intersections. Jog intersections with centerline offsets of less than two hundred (200) feet shall not be permitted. All street intersections shall be as nearly at right angles as possible.

- 800.7.** Accessibility. All dwellings must be accessible to emergency and service vehicles.
- 800.8.** Sight Distances. Sight distances should be consistent with probable traffic speed, terrain, alignments, and climate extremes.
- 800.9.** Drainage. Adequate provisions shall be made to control the storm water runoff.
- 800.10.** Design. All streets shall be constructed in accordance with State design standards, as adopted by the Board of Selectmen.

Section 810. Curbs, Sidewalks and Pedestrian Accesses.

- 810.1. Curbs and Sidewalks.** Curbs and sidewalks are required unless deemed inappropriate by the Commission.
- 810.2. Pedestrian Accesses.** The Commission may require, in order to facilitate pedestrian access from the roads to schools, parks, playgrounds, or other nearby roads, perpetual unobstructed easements at least twenty (20) feet in width. Easements shall be indicated on the plat.

Section 820. Outdoor Lighting. Outdoor lighting may be required where deemed appropriate by the Commission to illuminate areas such as streets, sidewalks, and parking areas.

Section 830. Shade Trees. The Commission may require that suitable hardwood shade trees (such as Sugar Maple, Norway Maple, Red Maple, Ash or Oak) be planted along streets where trees do not exist at intervals of forty (40) feet or less. All trees shall measure at least ten (10) feet in height and at least two (2) inches in diameter measured at a point six (6) inches above finished grade level. All trees are to be planted within five (5) feet of the edge of the street right of way.

Section 840. Drainage. An adequate surface storm water drainage plan for the entire subdivision area shall be provided. The subdivider may be required by the Commission to carry away by pipe or open ditch any spring or surface water that may exist either previous to or as a result of the subdivision. A culvert or other drainage facility shall, in each case, be large enough to accommodate potential runoff from its entire upland drainage area, whether inside or outside the subdivision. Where it is anticipated that additional runoff incidental to development of the subdivision will overload an existing downstream drainage facility so that there will be drainage to private property or an increase in the expenditure of public funds, the Commission shall not approve the subdivision until provision has been made for the improvement of said condition. 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 one hundred (100) year flood area of such water course, which easement shall be indicated on the Final Plat. The subdivider's engineer shall provide such information as the Commission deems necessary to determine the adequacy of all proposed drainage facilities.

Section 850 Water System.

- 850.1 Water – Community Systems.** The Commission may require that the proposed development be serviced by a community water system which shall be designed and installed in accordance with all applicable municipal and state regulations and standards. The Commission may require adequate assurances from the subdivider that the community system shall be operated and maintained in perpetuity by the users. The Commission may also require community water system be designed in such a way that it may eventually be connected to a municipal water supply system.

850.2 Individual Water Supplies. If the proposed subdivision is to be serviced by individual wells, the subdivider shall provide evidence of the location and availability of potable water in adequate quantities. Wells shall be located and installed in accordance with all applicable municipal and State regulations and standards.

850.3 Standards. The following standards shall be met for subdivisions being serviced by either a community water system or individual wells:

- (1) Due consideration shall be given to the drainage patterns in the area.
- (2) Building sites and new streets shall be located far enough away from underground water concentrations, or surface areas which take in water to prevent runoff from roads or leachate from septic systems, from contaminating water supply.
- (3) Buildings and septic systems shall be located sufficiently above flood water levels and high ground water areas to prevent the pollution of surface water.

Section 860. Sewage Disposal

860.1 Community Systems. The Commission may require that the proposed development be serviced by a community sewage disposal system which shall be designed and installed in accordance with all applicable municipal and state regulations and standards. The Commission may require adequate assurances from the subdivider that the community system shall be operated and maintained in perpetuity by the users. The Commission may require that community sewage disposal system shall be designed in such a way that it may eventually be connected to a municipal sewage disposal system.

860.2 Individual Systems. Individual septic systems shall meet the requirements of the Town's subsurface sewage disposal ordinance, if any, and all other applicable municipal and state regulations and standards.

860.3 Standards. Should the Commission determine that the proposed individual septic systems are not subject to any applicable municipal or state regulations, it may require the subdivider to make percolation tests and test holes as directed by the local health officer or the State Department of Health with the results thereof being submitted to the Commission. The proposed individual disposal system, including the size of septic tanks and leachfields or other secondary treatment device, shall be approved by the local health officer or State Health Department, at the Commission's discretion, prior to subdivision approval.

Section 870. Utilities.

870.1 Easements. Easements of sufficient width shall be provided so as to serve both the proposed subdivision and existing and anticipated developments outside the subdivision.

Section 880. Lot Layout.

880.1 Zoning Regulations. The layout of lots shall conform to the requirements of the Town's Zoning Regulations.

880.2 Corner Lots. Corner lots shall have extra width to permit a front yard setback on each street.

- 880.3. Side Lot Lines.** Side lot lines shall generally be at right angles to straight streets, or radial to curved street lines.
- 880.4. Topography.** Consideration in lot layout shall be given to topographic, drainage and soil conditions.
- 880.5. Access.** Lots shall be laid out so as to avoid direct access to heavily traveled streets or highways.

ARTICLE IX

General Application Requirements

Section 900. Number of Copies. Eight (8) copies of all required submissions under these regulations shall be submitted.

Section 910. Application Fees. Upon submission of an application for subdivision approval, the subdivider shall pay the application fee as established by the Board of Selectmen. Such fee shall include the costs of publication, public hearings, administrative expenses, and for periodic inspections by town retained consultants during the installation of public improvements. Should the Commission deem it necessary to employ an engineer to review any plans for streets, drainage, water, sewage or other public improvements, the costs of such engineer shall be borne solely by the subdivider.

Section 920. Legal Data. The final plat application for a minor or major subdivision shall be accompanied by a certificate of title showing the ownership of all property and easements to be dedicated to the Town. All proposed deeds conveying property or easements to the Town shall also accompany the final application. In addition, a draft of all restrictions of all types which will run with the land and become covenants shall be filed with the final application. The Commission may require the filing of such other legal data as it deems necessary in the enforcement of these regulations.

Section 930. Waivers. The Commission may waive, subject to appropriate conditions, the provisions of any or all improvements and application submission requirements as in its judgment of the special circumstances of a particular plat or plats are not requisite in the interest of the public health, safety and general welfare, or which in its judgment are inappropriate because of an inadequacy or lack of connecting facilities adjacent to or in proximity to the subdivisions.

In granting waivers, the Commission shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so waived. No such waiver may be granted if it would have the effect of nullifying the intent and purpose of the Town's Plan or varying the Zoning Regulations or other Town By-Laws.

Section 940. Filing of Final Plat. Upon approval of a final plat by the Commission, the Chairman of the Commission shall endorse in writing on said plat such approval and the date thereof. The Final Plat, on Mylar measuring 18" by 24" with endorsement, shall be filed by the subdivider with the Town Clerk within 180 days of the Commission's signed written decision. Final approval shall expire if the Final Plat is not filed by the subdivider within said 180 day period. One ninety (90) day extension may be granted pursuant to Title 24 Ch. 117, Section 4463(b)(1), Vermont Statutes Annotated.

Section 950. Revisions. No changes, erasures, modifications, or revisions shall be made on any subdivision plat after final approval, unless said plat is first resubmitted to the Commission and the Commission approves the modifications. In the event a subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.

Section 960. Effect of Final Approval. Final approval by the Planning Commission shall not be deemed to constitute or be evidence of any acceptance by the town of any street, easement, utility, park, recreational area or open space shown on the final plat. Such acceptance may only be accomplished by formal resolution of the Legislative Body.

Section 970. Expiration of Approval. Legally filed Final Plats are permanent and have no expiration. Legally filed Final Plats are subject to all provisions of the Georgia Zoning Code in effect at the time zoning and construction related permits are applied for.

ARTICLE X

Administration and Enforcement

Section 1000. Severability. The invalidity of any provision of these regulations shall not invalidate any other part.

Section 1010. Amendments. Amendments to these regulations shall be enacted in accordance with the provisions of the Vermont Planning and Development Act as presently enacted or as from time to time hereafter amended.

Section 1020. Enforcement and Penalties. No land development, improvements, additions, buildings, structures, or change of use may be undertaken on any lot, tract, or parcel of land subdivided out of a larger parcel, and no zoning permit or occupancy permit shall be issued therefore, until said subdivision has been approved by the Planning Commission under these regulations.

Any person who violates any provision of these regulations shall be fined not more than one thousand (\$1,000) per day and each offense, and each day that a violation continues shall constitute a separate offense.

Any person who sells, transfers, or agrees to sell or transfer any land in a subdivision or land development or erects any structure thereon without first having recorded a duly approved final plat under these regulations shall be fined not more than one thousand (\$1,000) per day and each lot, parcel or unit so sold, transferred or agreed to be sold or transferred shall be deemed a separate violation.

Nothing herein contained shall be deemed to bar any other legal or equitable remedy provided in the Vermont Planning and Development Act as presently enacted and as from time to time hereinafter amended, or otherwise, to restrain, correct or prevent any violations of these regulations or prosecute violators thereof.

Section 1030. Saving Provision. These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision or interim subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Town under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawful action of the Town except as shall be expressly provided for in these regulations.

Section 1040. Implementation. All subdivision regulations and interim subdivision regulations heretofore in effect in the Town of Georgia shall be deemed repealed upon the effective date of these regulations.

Effective: September 12, 2005