



TOWN OF LEDYARD CONNECTICUT DEPARTMENT OF PLANNING

741 Colonel Ledyard Highway
Ledyard, CT 06339-1541
Phone: 860-464-3240
Fax: 860-464-1126

Policy Governing Free Splits, Boundary Adjustments, and Lot Mergers

The Connecticut General Statutes define a "subdivision" as "the division of a tract or parcel of land into three or more parts or lots made subsequent to the adoption of subdivision regulations by the [Planning] Commission..." Ledyard's subdivision regulations were adopted on March 22, 1962. Any tract of land that has not been divided since that date is eligible for a single "free split." The Connecticut Superior Court ruled on March 13, 2006 in *Balf v. Zoning Board of Appeals of Manchester* that major boundary adjustments are subdivisions and subject to Planning Commission review.

Boundary Adjustments, Lot Mergers, and Free Splits are not governed by Ledyard's subdivision regulations. However, these actions are still subject to Connecticut General Statutes Section 20-304 (i.e., that maps must conform to town and/or department policies) and the following local laws and regulations governing the development of land:

1) Zoning Regulations: Maps should show existing buildings, structures, septic systems, wells (see Section 3.8.2), and take into account Section 9 Bulk Requirements (e.g., lot layout and building setbacks).

2) Subdivision Regulations: Plans should take into account Section 4.3 regarding lot shape, driveways, reverse frontage, and interior lots.

3) CT Public Health Code, Section 19-13-B103: Compliance with state health code requires a percolation test and excavation of deep observation test pits in the vicinity of both the primary and reserve septic system leaching fields. Site plans must contain the following information:

- Locations of deep observation test pits and percolation test;
- Description of test pit and percolation test results;
- Location of proposed well showing a 75' radius protective buffer surrounding the well; and
- Locations of any wells or septic system leaching fields on abutting property that could be in conflict with minimum health code separating distances.

Survey plans that do not address these items shall be deemed incomplete by the Town of Ledyard, and, accordingly, no approvals or permits for any construction will be granted until this information is depicted on plans and reviewed by Town staff. Maps prepared depicting Boundary Adjustments, Lot Mergers, and Free Splits shall be reviewed, at a minimum, by the Ledyard Planning Office prior to filing in the Land Records.

Please Note: Town signatures on a free split/merger/boundary adjustment form do not imply or guarantee that affected lots can be built on or further developed in any way. Should development be proposed at a future date on the affected lot, the developer and/or plans may also have to consider:

- 1) Inland Wetlands & Watercourses: If there are wetlands or watercourses on a parcel the property owner may need to retain the services of a professional soils scientist to field map wetlands boundaries. Field located wetlands boundaries must be accurately depicted on the plan, and noted as such by signature of the soils scientist. Proposed construction activity within wetlands, such as a driveway crossing, requires an additional application to the Wetlands Commission—contact the Zoning/Wetlands Official for assistance;
- 2) Erosion and sediment deposition: a mapped and/or written description of measures to be taken to minimize erosion and sediment deposition in drainage features both natural and man-made during and after construction;
- 3) Areas within the 100-year flood zone depicted on FEMA Flood Insurance Rate Maps (available in the Town Clerk vault). Development within flood hazard zones is governed by Section 12.3 of the Zoning Regulations (Flood Protection), and by Town Ordinance #73; and
- 4) Driveway Permits: the location of proposed driveways are approved by the Public Works Director and must demonstrate minimum stopping sight line distances found in Part V, Section 3 of the Town Road Ordinance. All driveway aprons shall be constructed to specifications found in the Road Ordinance.

Staff members can be reached at the following numbers:

- Paul Nichols, Assistant to Town Planner 464-3240
- Brian Palaia, Town Planner 464-3215
- Scott Duffus, Zoning/Wetlands Officer 464-3216
- Randy Dalton, Building Official 464-3214
- Steve Masalin, Public Works Director 464-3255
- Ledge Light Health District, Ryan McCammon or Steve Mansfield 448-4882

August 1998
Revised 3-3-2003
Revised 4-5-2006
Revised 8-28-2006