

TOWN OF COVENTRY

LAND USE OFFICE

FREE SPLIT PROPOSAL REVIEW POLICY

FEBRUARY 2009

In an effort to provide guidance to the public on land division/development related issues, the Coventry Land Use Office offers the opportunity for Staff evaluation of proposals for the division of land. The local subdivision regulations, zoning regulations, wetlands regulations, CT General Statutes, Public Health Code and applicable case law can potentially be involved in the evaluation process. The goal is to provide 'early intervention' assistance to help guide proposals in a manner that identifies options, solutions and guidance in the process. The Director of Planning and Development, Zoning Enforcement Officer, Inland Wetlands Agent and Sanitarian may all be involved at some point during the evaluation process.

A property may be eligible for a 'free split', which means that a formal subdivision approval process with the Planning and Zoning Commission would not be required. Typically, a free split may occur when the boundary of a property has remained unchanged or no new lots have been created from the parcel since the adoption of subdivision regulation. In Coventry, the subdivision regulations were adopted on April 23, 1954. If a lot meets this criteria, then the creation of one new residential lot may be created, which is a free split.

The Coventry Subdivision Regulations govern proposals for modifications of lot lines in a formally approved subdivision. The Planning and Zoning Commission is authorized to evaluate such a situation.

The modification of a lot line with an existing lot of record does not require a Planning and Zoning Commission approval, but Staff strongly recommends that the proposal be evaluated by the Land Use Office to ensure compliance with the applicable land use regulations.

In cases when the lot line of a parcel is proposed to be altered in any way, the CT Public Health Code needs to be evaluated and potentially applied. Locally, the Sanitarian who serves as Staff from the Eastern Highlands Health District will need to be contacted to analyze the proposed plans and provide guidance. The District Sanitarian can be contacted at 742-4065.

In most cases, the applicant is most interested in whether a property is eligible for a free split. Research in the Coventry Land Records should be performed by an attorney or professional title searcher to determine if the subject property has remained unchanged since the adoption of subdivision regulations.

If evidence supports this fact, then additional site information must be provided in order to determine the feasibility of the lot to support a residential use. This information includes, but is not necessarily

limited to the following: Class A-2 boundary survey; wetland delineation provided by a licensed soil scientist for the site and within 75' of a proposed land disturbance activity; location of proposed structures, grading, disturbance, erosion and sedimentation controls, flood hazard zones identified by FEMA, parking/ driveway/access, proposed well location, proposed septic location or sewer lateral connection, location of abutting property well and septic system location ; location of required setbacks/easements; indication of lot coverage; locations of deep observation test pits and percolation tests and relative results.

It is important to note that the free split plan evaluation is to determine feasibility. The submittal of a zoning, building, driveway and health permit is required to receive authorization to formally establish the residential use on the subject property.

Questions regarding the information above can be directed to the Land Use Office Staff at 742-4062.