

## **PROPERTY SPLIT/ SUBDIVISION INFORMATION**

### **WHAT IS A “FREE SPLIT” AND AM I ENTITLED TO ONE?**

A “Free-Split” or “First Cut” is a division of a parcel which is exempt from the subdivision review process according to state law. A property is entitled to a free split if it has never been subdivided or split since the Town’s adoption of subdivision regulations. Research in the Land Records of Town Hall can help determine if this is the case with your property. Please be advised that even if a property is exempt from the Subdivision Regulations the free-split must still conform to all zoning, building, and other applicable regulations. Therefore, new lots created must still meet minimum lot sizes, septic system requirements and other regulations.

### **WHAT IS THE DIFFERENCE BETWEEN A “REAR LOT” AND A “FRONT LOT”?**

All parcels are required to satisfy the minimum bulk requirements in their designated zoning district. To determine the bulk requirements, please visit the GIS map (<https://www.axisgis.com/VoluntownCT/>) Search for the property in the Find Property search bar. In the “Documents” section of the property information there is a pdf called “Zoning District Rules”. This will tell you the minimum lot requirements and frontage for your designated zoning district. Each parcel is required to have “frontage” and “frontage” is measured along the street right-of-way edge. Front lots are properties that comply with the minimum frontage required for the district in which the property is located.

To create a “rear lot” for most residentially zoned properties the minimum lot size is 160,000 square feet and there is 30,000 contiguous sq ft of buildable area. A rear lot must be accessible to a street by a driveway located in a strip of land owned as part of the rear lot, and this strip must be at least twenty-five (25') feet in width throughout. You will also need to submit a letter or statement from the public utility confirming that the proposed driveway width is adequate for service to the proposed lot. The Commission must determine that the point where the driveway for any rear lot meets the street does not endanger public safety due to issues like poor sight distance. In both the Rural and Village Districts, no part of any access strip for a driveway to a rear lot can be located closer than 150 feet to another such access strip to a rear lot on the same side of a street. Generally, no driveway providing access to a rear lot shall serve more than one (1) residence, except as provided by Section 5.1.2 of the "Subdivision Regulations".

### **RECOMMENDED PROCEDURE FOR FREE-SPLITS**

Contact a Connecticut Licensed Land Surveyor to research the history of the property and to prepare a Class A-2 Survey map depicting the geometric elements of the property. The Surveyor can also prepare the Free Split Plan.

Review the maps with the Zoning Official. If the free-split involves the creation of a rear lot, the property owner will be required to submit a permit application to the Planning and Zoning Commission.

Have deeds prepared to verbally describe the two properties, including a legal description. The legal description can be drafted by the surveyor or the attorney, but an attorney should be involved in preparing the deeds.

File the Free Split Plan (Class A-2 Survey), legal description and deed with the Town Clerk's Office. There are specific map filing requirements (Mylar) that must be satisfied to record a map in the Town Clerk's Office. Your surveyor should be aware of these requirements.

**RECOMMENDED PROCEDURE FOR SUBDIVISION, RE-SUBDIVISION, OR THE  
CREATION OF REAR LOTS**

<https://ecode360.com/print/VO4003?guid=35960704>