

HOW DO I SPLIT MY LOT?

Property Line Adjustments and/or Lot Splits are governed by section 1204 of the Zoning Regulations. Both require a Zoning Permit and approval by the Zoning Enforcement Officer.

PROPERTY LINE ADJUSTMENT is any change in the location of an existing property line provided it does not create an additional lot, does not result in a lot or condition that violates the Zoning Regulations, and does not increase any existing lot nonconformities with the dimensional requirements of the Zoning Regulations. Such Property Line Adjustment is also not considered a subdivision or re-subdivision so long as it does not create a lot or affect a street layout shown on an approved subdivision or re-subdivision map, and it does not affect any area reserved for public use or established as open space under Section 6.6 of the Subdivision Regulations. A Lot Line Adjustment merges a “minor” area of one lot into the adjacent lot.

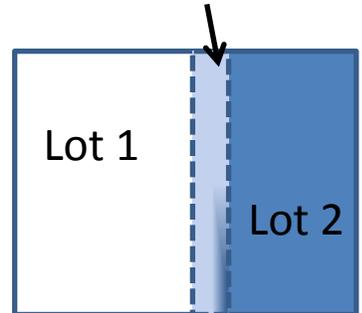
Any adjustment of existing property lines, no matter how insignificant, requires a Zoning Permit. A property history map may be required of the property owner to ensure that the adjustment does not actually fall under the category of free-split, subdivision or re-subdivision.

A LOT SPLIT governed by Section 1204 is the division of an existing lot that results in the creation of two lots where there once was one. Both resulting lots must conform to all applicable Zoning and dimensional requirements. Every property is entitled to one free split. If your lot existed in its current configuration at the time that the Town’s Subdivision Regulations were first enacted (10/18/63), you may be entitled to this free split. If this can be proven, and both proposed lots meet the applicable zoning requirements, you are entitled to the free split – in other words, the split is not considered a subdivision or re-subdivision. You still require a Zoning Permit pursuant to Section 1204, and may not simply file a map with the Town Clerk. If your lot has been split after 10/18/63, the division will require a subdivision or re-subdivision application. (See Subdivision regulations)

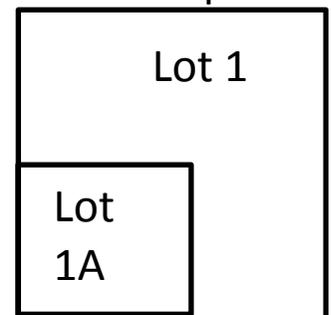
WHEN DOES IT BECOME A SUBDIVISION?

If the Lot in question was created after the adoption of Subdivision Regulations, and the Free-Split was already taken from the original lot, then ANY further split requires a subdivision. In other words, if there are now 3 (or more) parcels where there once was 1 as of 10/18/63, then Subdivision regulations Apply. See definitions below:

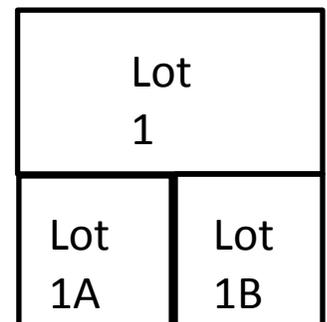
Area from Lot 1 to be added to Lot 2



Free Split



Subdivision



2.9 **SUBDIVISION**

The division of a tract or parcel of land into three or more parts or lots subsequent to October 18, 1963, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation, or agricultural purposes, and including re-subdivision.

2.10 **RE-SUBDIVISION**

A change in a map of an approved or recorded subdivision or re-subdivision if such change (a) affects any road layout shown on such map, (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon and creates an additional building lot, if any of the lots shown thereon have been conveyed after the approval or recording of such map.