

KILLINGWORTH PLANNING AND ZONING COMMISSION

TOWN OFFICE BUILDING
323 ROUTE 81
KILLINGWORTH, CT 06419-1113

APPLICATION FOR A SUBDIVISION OR RESUBDIVISION

Instructions and Procedures

A complete application for a subdivision or resubdivision shall consist of a completed application form, an application fee, and all required supporting information, documents, and statements. The Subdivision Regulations describe in detail the requirements and procedures governing subdivisions and resubdivisions.

The complete application and the prescribed number of copies shall be delivered to the Zoning Enforcement Officer for transmittal to the Commission at its next regularly scheduled meeting. The date of receipt of such application shall be deemed to be the earlier of the next regularly scheduled meeting of the Commission, immediately following the day of submission, or 35 days after such submission. The applicant must also file a copy of the application with the Inland Wetlands and Watercourses Commission. If the site is within the watershed of a water company, the applicant must provide written notice of the application to the water company within seven days of the date of application. One complete set of maps shall be delivered to the Killingworth Town Engineer. Verification of delivery will be attached to the application submitted to the Zoning Enforcement Officer. Request for waiver of certain supporting information shall be submitted with the application.

Upon receipt of a complete application for approval of a plan of resubdivision, the Commission shall schedule and hold a public hearing within 65 days. The time limit for the hearing is 35 days. The Commission shall make a decision on the application within 65 days of the hearing. Upon receipt of a complete application for approval of a plan of subdivision, the Commission shall decide whether or not to hold a public hearing thereon. If the Commission decides not to hold a public hearing, a decision will be made within 65 days of the receipt of the application. The Commission shall afford the applicant an opportunity to appear before the Commission at a meeting to be heard in support of the application. The applicant may grant an extension of any of the time periods. The Commission shall inform the applicant if it wishes to walk the site.

Any prospective applicant for approval of a plan of subdivision or resubdivision may, prior to making the application, submit a Preliminary Application. The submission of such Preliminary Application shall not constitute an application. The Commission may consider and discuss the Preliminary Application with the prospective applicant. The Commission may, at its discretion, indicate to such prospective applicant the respects in which such Preliminary

Application conforms, or fails to conform, to the requirements specified in the Subdivision Regulations for approval of a subdivision or resubdivision. Two copies of such Preliminary Application shall be filed and should include a site development plan conforming, as to form and content, with the requirements of Section 485-39 of the Subdivision Regulations.

The applicant shall deliver the record subdivision map for endorsement by the Chairman of the Commission within 60 days of the date of approval. After signing, the applicant must file the map with the Town Clerk within 90 days of receiving it from the Commission. The applicant may request an extension of each of these time periods. If the map is not filed within the prescribed times, the subdivision is null and void.

No lots may be sold or offered for sale unless the subdivision map is filed, a performance bond has been posted or the subdivision road accepted by the Town, and open space is dedicated. The fire protection plan must be implemented prior to issuing a building permit. If work is not completed, the subdivision shall expire seven years from the date of approval.

TOWN OF KILLINGWORTH

APPLICATION FOR A SUBDIVISION OR RESUBDIVISION

Subdivision _____

Resubdivision _____

Conservation Subdivision _____

Affordable Housing Subdivision _____

Name of applicant _____

Address _____ Telephone _____

If corporation, names of officers _____

Location of property _____

Total acres of property _____ Total number of lots _____

Name of subdivision _____

Property recording in Killingworth Land Records;

Date _____ Vol. _____ Page _____

Tax Map _____ Parcel Number _____ Zoning District _____

Name of owner (if different from applicant) _____

Address _____ Telephone _____

If corporation, names of officers _____

Name of land surveyor _____

Address _____ Telephone _____

Name of professional engineer _____

Address _____ Telephone _____

Are there any easements or deed restrictions on the land to be subdivided or resubdivided?

Yes _____ No _____ If yes, describe _____

Does the applicant have any holdings in contiguous properties? Yes _____ No _____

If Yes, describe _____

Names of abutting property owners and owners of property directly across adjoining streets

Has an application for this subdivision been submitted previously? Yes____ No____

If Yes, date submitted_____

Does applicant propose to subdivide in stages? Yes____ No____

Date of approval of other section(s), if any? _____

Are any roads planned in the subdivision area? Yes____ No____ Public road____ Private road____

Check method to be used to dedicate land for open space:

____ Conveyance of fee interest to Town

____ Conservation restriction in favor of Town

____ Conveyance of fee interest to exempt organization

____ Conservation restriction in favor of exempt organization

____ Conveyance of fee interest to Connecticut non-stock corporation

____ Other: describe_____

Is the applicant requesting a reduction in the minimum aggregate area required to be dedicated to open space? Yes____ No____. If Yes, attach written request for such reduction.

Is the applicant requesting waiver(s) of certain supporting information as permitted under Section 4.5 of the Subdivision Regulations? Yes____ No____. If Yes, attach written request for such waiver(s).

Are there any wetlands or watercourses within the property? Yes____ No____. If Yes, give date that a copy of this application and all supporting information was submitted to the Inland Wetlands and Watercourses Commission_____

Is the subdivision site located within 500 feet of an adjoining municipality? Yes____ No____

Does any portion of the subdivision lie within the watershed of a water company? Yes____ No____

If Yes, give date water company was notified of application_____

Is any cutting of timber planned within the subdivision area? Yes____ No____

Does any portion of the subdivision lie within a Flood Hazard Area? Yes____ No____

Is a Connecticut Department of Transportation permit required? Yes____ No____

To whom does the applicant request that any notices or questions concerning this application be directed?

Name _____

Address _____ Telephone _____

COMPREHENSIVE STATEMENT OF USE

Provide a complete description of the proposed use and all improvements including but not limited to hours of operation, number of employees, topographical features, construction features and sequence of construction, utilities, landscaping, water and sewage disposal, erosion and sedimentation plan and historical and archaeological features.

All Owners

Date

All Applicants

Date

PROCEDURES CONCERNING PERFORMANCE BONDS IN APPROVED SUBDIVISIONS

Performance bonds shall be executed in accordance with Section 485-26 of the Subdivision Regulations. After subdivision approval, the applicant is responsible for contacting the Town Engineer to determine the amount of bond. Acceptable bonds are cash in a savings account deposited in Connecticut, irrevocable letter of credit, or a bond executed by a commercial surety company licensed to do business in Connecticut; however, the type used is at the discretion of the Commission. The amount must be reviewed and adjusted annually until completion, to consider increased costs for work not completed, in which case the applicant will be obligated to increase the amount accordingly. Partial releases may be made for work performed, upon recommendation by the Town Engineer and approval by the Planning and Zoning Commission.

Bond, in the amount and on a form provided by the Planning and Zoning Commission, must be presented to the Commission for review prior to the signing of the subdivision mylar (record copy) by the Chairman. The Chairman may sign the mylar without the bond provided the map contains the words "Conditionally approved by the Killingworth Planning and Zoning Commission" and the words in conspicuous letters "No lot may be sold or offered for sale until all roads and improvements have been either bonded or accepted as a town road by the Town of Killingworth."

No bond will be accepted that has a time limit of less than seven years and two months, a total of 86 months.

If the Planning and Zoning Commission finds the bond acceptable, the Chairman will sign the mylar and file the bond with the Zoning Enforcement Officer. No partial release of bond will be made without the written consent of the Commission. No final release will be made without consent of the Commission and acceptance of the improvements by the Board of Selectmen.

Following acceptance of the road by the Board of Selectmen and the Town, a maintenance bond in the amount of 10% of the original amount of the bond shall be maintained for a period of one year.

