

## **How to determine Property Division in Woodstock, CT**

### **Lot Line Adjustment Test**

1. **Does the transfer create a new lot?** If yes, it is not a lot line adjustment.
2. **Is the transfer being done solely for purposes of development, now or in the future?** If yes, it is not a lot line adjustment.
3. **Is the area of land being transferred “minor”?** If no, it may not be a lot line adjustment.
4. **Does the transfer appear to be intended to correct, change in a minor way, the dividing line between two existing lots?** If yes, it is a lot line adjustment.
5. **Does the transfer allow development on the accepting lot that is not possible without the lot line revision?** If yes, it may not be a lot line adjustment.

**Please note:** If it is not a lot line adjustment, the consequence is that the transfer is subject to subdivision regulation.

### **Free Split Test**

A parcel must be eligible for a “Free Split” as determined by examining the title of the donor parcel of land to determine if the donor parcel has been divided from a larger parcel after the date of adoption of the Town’s subdivision Regulations.

- a. The Woodstock Subdivision Regulations were approved on August 31, 1965.
- b. Connecticut General Statutes 8-18, which states:  
*As used in this chapter: ... “subdivision” means 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 commission, for the purpose, whether immediate or future, of sale or building development expressly excluding development for municipal, conservation or agricultural purposes, and includes resubdivision.*

### **Please note:**

1. It is the property owner’s burden to prove their lot is eligible for a free split, not the responsibility of the Town or Town Staff.
2. When a division of land is not a lot line adjustment, it is either
  - a. a “free split” or “first cut” of the parent parcel, or
  - b. subject to subdivision regulationThis depends on when the donor parcel was first created.
3. A “Free Split” always results in a new parcel of land, which may be a lot, depending on whether or not it meets the definition of a lot found in the Zoning Regulations.
4. For Free Splits: If the parent lot already has a house on it, you must go to the Northeast District Department of Health to discuss requirements they may have for setbacks or provision of sufficient area for the reserve septic area and/or well boundary for the existing house.
5. “Free Splits” are not subject to the Subdivision Regulations but they must comply with the minimum standards for a lot per the Zoning Regulations.
6. Both lots resulting from the Free Split must meet the Zoning Regulations in order to obtain Zoning Permit(s).
7. Only lots created following the statutes and process mentioned above will be considered legal building lots and therefore eligible to obtain zoning permits.