

Bond Case Briefs

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ZONING & PLANNING - CONNECTICUT

Jeweler v. Town of Wilton

Appellate Court of Connecticut - September 1, 2020 - A.3d - 199 Conn.App. 842 - 2020 WL 5105071

Property owners brought action seeking declaratory judgment that proposed boundary line adjustments involving reconfiguration of lot lines in existing resubdivision to make three lots bigger and a fourth lot smaller did not require subdivision approval by town planning and zoning commission.

The Superior Court entered a declaratory judgment in favor of town. Owners appealed.

The Appellate Court held that:

- Boundary line adjustments did not constitute subdivision, and
- Boundary line adjustments did not constitute resubdivision.

Proposed boundary line adjustments reconfiguring lot lines in existing resubdivision, to increase size of three lots by transferring segments of land from a fourth adjoining lot, did not constitute a “subdivision” requiring approval by town planning and zoning commission; proposal merely reconfigured contours of four existing lots, and did not divide fourth lot into three or more lots.

Proposed boundary line adjustments reconfiguring lot lines in existing resubdivision, to increase size of three lots by transferring segments of land from a fourth adjoining lot, did not constitute a “resubdivision” that would require approval by town planning and zoning commission, even though the fourth lot would be reduced in size; same number of lots existed before and after proposed changes.