

# ***Town of Bethany -- Subdivision Regulations***

## **Section 2 Definitions**

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### 2.1 General.

- a. Words used in the singular include the plural and the plural includes the singular.
- b. Words used in the present tense include the future tense.
- c. The word "shall" is mandatory; the word "may" is permissive.
- d. Use of the masculine gender includes the feminine.

### 2.1 Specific

- a. Applicant. Means any person, partnership, corporation or other legal entity submitting a subdivision or resubdivision application.
- b. Commission. The Planning and Zoning Commission of the Town of Bethany, Connecticut.
- c. Date of Receipt. The day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission or its agent of the application or thirtyfive days after such submission, whichever is sooner.
- d. Date of Submission. The day that the application is submitted to the Commission or its agents.
- e. Engineer or Professional Engineer. Shall mean a person who has been licensed as a Professional Engineer by the Connecticut State board of Examiners for Professional Engineers and Land Surveyors, pursuant to Connecticut General Statutes Section 20.299 et seq. as amended from time to time.
- f. Land Surveyor. Means a person licensed as a Land Surveyor by the Connecticut State Board of Examiners for Professional Engineers and Land Surveyors, pursuant to Connecticut General Statutes Section 20.299 et seq, as amended from time to time.
- g. Owner. Means the owner of record as may currently appear in the Land Records in the Town Clerk's Office and the legally qualified representative of such Owner, where applicable.
- h. Resubdivision. Means a change in a map of an approved or recorded subdivision or resubdivision if such change:
  - (a) Affects any street layout shown on such map,
  - (b) Affects any area reserved thereon for public use,
  - (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.

As set forth in the Connecticut General Statutes Section 818 and as amended from time to time.

j. Right of Way. (Other than Road Right of Way) means any physical area subject to the right of any person other than the owner of the fee in said area, to use that area for purposes defined by a recorded easement or for purposes according to law. A right of way may include the air rights above or the ground beneath the surface, if so specified.

k. Road. A Public or Private way dedicated or to be dedicated to the movement of vehicular traffic and is used by more than two adjoining lots. Includes highway, lane, court, drive or other public way.

1. Access Way. Means a private rightofway for access to up to three rear lots.

2. Cul-de-sac or Dead-end Road. A road or system of roads where the only access to a through road is at a single controlling intersection. All roads beyond the controlling intersection shall be considered as a single dead end road for planning purposes.

3. Right of Way. Means the distance between property lines reserved for vehicular and pedestrian traffic.

4. Through Road. Means a road which has two means of vehicular access.

l. Subdivider. Means the applicant or owner, or both, as appropriate.

m. Soil Scientist. Means an individual duly qualified in accordance with standards set by the United States Civil Service Commission.

n. 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.

As set forth in the Connecticut General Statutes Section 818 and as amended from time to time.

o. Zoning Regulations. Means the Zoning Regulations for the Town of Bethany.