



MICHAEL S. BONNANO  
JOHANNA McCORMICK  
PAUL M. GERAGHTY\*  
MARK A. DUBOIS†  
ELLIE VON OEHSSEN

\*Also Admitted in New York  
† Board Certified, Trial Advocate

Received

NOV 3 2025

Town of East Lyme  
Land Use

November 3, 2025

Hand Delivered  
Gary Goeschel, Director of Planning  
Town of East Lyme  
108 Pennsylvania Avenue  
Niantic, CT 06357

Hand Delivered  
Richard Gordon, Chairman  
Town of East Lyme Planning Commission  
108 Pennsylvania Avenue  
Niantic, CT 06357

Re: Re-Subdivision Application Cedarbrook Lane Assessors Map 36.0 Lot 31

Gentlemen,

At the request of Mr. Goeschel attached please find a compilation survey prepared by Gerwick-Mereen of both the property subject to the pending application and the abutting land owned by the East Lyme Land Trust, Inc. I have included the original stamped and signed survey and 5 full size and 5 11" x 17" copies thereof.

In submitting the compilation survey, I need to make clear for the record that a survey of any abutting property(s) not part of a subdivision application is not a requirement of the Town of East Lyme Subdivision Regulations ("the Regulations"). The A-2 survey provided at the time of application submission was in full compliance of my client's obligation under Section 5-2-2 (D) of the regulations, a copy which is attached as Ex. A, which requires only a survey of the parcel being subdivided.

As we have discussed in previous meetings with Mr. Goeschel and the East Lyme Planning Commission on numerous occasions over the past nine months KSK Associates LLC had acquired several properties totaling 211.2 +/- acres from Northern Business Capital Corporation on or about August 6, 2008 (See attached Deed-Exhibit B) . Subsequently, on or

about December 27, 2024, pursuant an agreement between the East Lyme Land Trust (“the Land Trust”) and KSK Associates LLC (“KSK”) KSK conveyed 3.87 +/- acres of land to the Land Trust on the condition that the Land Trust would simultaneously convey 1.16 +/- acres of this parcel to Hathaway Farm LLC (“Hathaway”). The KSK/Land Trust agreement required the remaining land retained by the Land Trust, 2.71 +/- acres to be preserved as conservation land. The deeds and plans effectuating this transaction were all recorded in the Town of East Lyme Land Records on December 27, 2024, as follows.

- 1) Map reflecting the transaction recorded at Drawer 8 # 426 (See Exhibit C)
- 2) Deed from KSK to the Land Trust recorded at Volume 1118 Page 478 (See Exhibit D)
- 3) Deed from the Land Trust to Hathaway recorded at Volume 1118 Page 483 (See Exhibit E)

As we have also discussed with Mr. Goeschel and this commission on previous occasions because the 2.71 +/- acres of land being retained by the Land Trust was for Conservation Purposes the “split” of this parcel of land was exempt from this commission’s subdivision regulations pursuant to Title 8 Chapter 128 Section §8-18 of Conn. General Statutes. See Ex. F.

Having legally split the property into two separate parcels as detailed herein my client had no legal obligation or requirement per the East Lyme Subdivision Regulations to include the Land Trusts property boundaries in the A-2 Survey provided with their re-subdivision application. The A-2 Survey provided provides the entirety of the land subject to the now pending application. The A-2 survey provided as part of my client’s application package also identifies the abutting property owners which includes, but is not limited to, the Land Trust’s retained property. Finally, none of the Land Trust property is necessary to effectuate or “carry the pending subdivision application plan into effect”.

Please make this letter as well as the exhibits a part of the record of my client’s application.

Sincerely,

Paul M. Geraghty

Cc Kristen Clarke PE  
Shelly Harney  
J.P. Mereen LS

# EXHIBIT A

- (C) **Resource Impact and Conservation Plan** - A Preliminary Resource Impact and Conservation Plan shall be prepared for all subdivision applications to categorize the impacts of the proposed activities and physical alterations on those resources shown on the Existing Resources and Site Analysis Plan as required under Section 5-2-2(B). All proposed improvements, including but not necessarily limited to grading, fill, streets, buildings, utilities and stormwater detention facilities, as proposed in the other Subdivision Improvements Plan documents, shall be taken into account in preparing the Preliminary Resource Impact and Conservation Plan, which shall clearly demonstrate that the applicant has minimized site disturbance to the greatest extent practicable.
- (1) Using the Existing Resources and Site Analysis Plan as a base map, impact areas shall be mapped according to the following categories:
    - (1) primary impact areas, i.e., areas directly impacted by the proposed subdivision,
    - (2) secondary impact areas, i.e., areas in proximity to primary areas which may be impacted, and
    - (3) designated protected areas, either to be included in a proposed Greenway or an equivalent designation such as dedication of a neighborhood park site.
  - (2) This requirement for a Preliminary Resource Impact and Conservation Plan may be waived by the Planning Commission if, in its judgment, the proposed development areas, as laid out in the in the Subdivision Plan would be likely to cause no more than an insignificant impact upon the site's resources.
- (D) **Subdivision Improvements Plan/Construction Plan** - The plan shall show the proposed layout of lots, streets, improvements, including but not limited to profile and cross section drawings of existing and all proposed streets, storm drains, water mains and appurtenances, community wells, and pump houses, sanitary sewers, catch basins, manholes, ditches, water courses, headwalls, gutters, curbs and other structures, and all contiguous land of the applicant that may be subdivided in the future, in order to allow the Commission to complete a general planning review of the proposed subdivision including its relationship to the potential future subdivision of contiguous land of the applicant. The plan shall incorporate a survey of the parcel in accordance with the standards established by the Regulations of Connecticut State Agencies, Section 20-300b through 20-300b-20 inclusive which shall be tied to the Connecticut State Plane Coordinate System by a closed traverse if land is within a distance to base control of 1,000 feet. The copies shall contain the following:

## EXHIBIT B

## STATUTORY FORM WARRANTY DEED

2783

**NORTHERN BUSINESS CAPITAL CORPORATION**, a Connecticut corporation, having an office located in Simsbury, Connecticut (hereinafter referred to as "**Grantor**"), for the consideration of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) received to its full satisfaction of **KSK ASSOCIATES, LLC**, a Connecticut limited liability company, having an office located in East Lyme, Connecticut (hereinafter referred to as "**Grantee**"), does hereby give, grant, bargain, sell and confirm unto said Grantee with WARRANTY COVENANTS all of that certain piece or parcel of land situated in the Town of East Lyme, County of New London and State of Connecticut, more particularly described in Exhibit A annexed hereto and made a part hereof. Said real property is conveyed subject to any and all exceptions set forth in Exhibit B annexed hereto and made a part hereof.

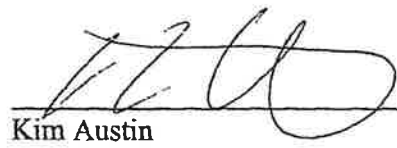
IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed this 6<sup>th</sup> day of August, 2008.


Signed and Delivered  
in the Presence of:

**NORTHERN BUSINESS CAPITAL  
CORPORATION**, a Connecticut corporation

  
Name: Nathalie Alice Gilt

By:

  
Kim Austin  
Its Secretary

  
Name: Lindsay Tomlinson

\$1500.00 \$750.00  
CONVEYANCE TAXES COLLECTED

  
TOWN CLERK OF EAST LYME

**Certificate Of Acknowledgment**

State of California

County of San Diego

On August 6, 2008, before me, Nathalie Alice Gill, Notary Public  
(name and title of the officer)

personally appeared Kim Austin

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nathalie Alice Gill

(Seal)



Grantee's Address:

20 Islanda Court  
East Lyme, CT 06333

**EXHIBIT A**

Legal Description of Premises

Parcel 1:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "8,637,165 Sq. Ft. 198.28 AC Heritage Section 2" on that certain plan entitled "BOUNDARY PLAN PROPERTY OF NORTHERN BUSINESS CAPITAL CORP. I-95 EAST LYME, CONNECTICUT SHEET 1B SCALE: 1"=200' DATE: JAN. 24, 2000" prepared by William F. Kent, R.L.S. and filed on May 24, 2000 in Drawer 5, No. 618 in the East Lyme, Connecticut Land Records.

Parcel 2:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "AREA 333375.95 S.F. 7.65 AC" on that certain plan entitled "OPEN SPACE HERITAGE AT EAST LYME SUBDIVISION SECTION I PROPERTY OF THE HERITAGE DEVELOPMENT GROUP, INC. SOUTHBURY, CONNECTICUT SCALE 1"=100' SHEET 49B OF 130 NOVEMBER 28, 1988" prepared by J. Robert Pfanner & Associates P.C. and filed on March 9, 1999 in Drawer 4, No. 766 in the East Lyme, Connecticut Land Records.

Parcel 3:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "AREA 229556.31 S.F. 5.27 AC" on that certain plan entitled "OPEN SPACE HERITAGE AT EAST LYME SUBDIVISION - SECTION I PROPERTY OF THE HERITAGE DEVELOPMENT GROUP, INC. SOUTHBURY, CONNECTICUT 1 INCH = 100 FEET SHEET 49A OF 130 NOVEMBER 17, 1988 REV. SEPTEMBER 11, 1993 LOT 37 & OPEN SPACE" prepared by J. Robert Pfanner & Associates P.C. and filed on December 6, 1993 in Drawer 5, No. 334 in the East Lyme, Connecticut Land Records.



**EXHIBIT B**

THE PREMISES ARE CONVEYED SUBJECT TO:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.
2. Taxes on the List of October 1, 2007, second half, and taxes for all subsequent years, which the Grantee by acceptance of this deed assumes and agrees to pay.
3. Easements, rights, restrictions, covenants and agreements as of record may appear.
4. A perpetual easement, privilege and right of way one hundred and twenty-five (125) feet wide in favor of the Connecticut Light and Power Company from Fred A. Beckwith and Mary H. Weaver dated June 24, 1943 and recorded July 6, 1943 in Volume 42, Page 368 of the East Lyme Land Records.
5. Right of access taken from land owned by Thomas A. Payne, Alice P. Spradkowski and Adelaide Follows abutting Boston Post Road, U.S. #1 (commonly known as the New London By-Pass) by the State of Connecticut in a Certificate of Taking dated May 5, 1949 and recorded May 6, 1949 in Volume 52, Page 587 of the East Lyme Land Records.
6. A waiver and relinquishment of all access rights to and from the relocation of U.S. Route #1 and remaining land of Fred A. Beckwith and Mary H. Weaver as set forth in a deed to the State of Connecticut dated September 27, 1948 and recorded October 15, 1948 in Volume 52, Page 407 of the East Lyme Land Records.
7. A waiver and relinquishment of all access rights to and from the Connecticut Turnpike and remaining land of Frederick H. Southworth as set forth in a deed to the State of Connecticut dated October 15, 1956 and recorded January 21, 1957 in Volume 69, Page 477 of the East Lyme Land Records.
8. Rights of access taken in a Certificate of Taking from Frederick H. Southworth by the State of Connecticut dated September 5, 1956 and recorded September 20, 1956 in Volume 72, Page 237 of the East Lyme Land Records.
9. A waiver and relinquishment of all access rights to and from the Connecticut Turnpike and remaining land of Frederick H. Southworth as set forth in a deed to the State of Connecticut dated February 28, 1957 and recorded July 17, 1957 in Volume 74, Page 403 of the East Lyme Land Records.
10. Rights of access taken in a Certificate of Taking from Alice M. Payne, Alice P. Cripps f/k/a Alice J. Payne, and Adelaide Follows by the State of Connecticut dated June 7, 1957 and recorded June 21, 1957 in Volume 74, Page 223 of the East Lyme Land Records.

11. Rights of access taken in a Certificate of Taking from Alice P. Cripps f/k/a Alice J. Payne, and Adelaide Follows by the State of Connecticut dated June 7, 1957 and recorded June 21, 1957 in Volume 74, Page 224 of the East Lyme Land Records.

12. Utility Easement in favor of the Connecticut Light and Power Company from Horace I. Crary dated February 16, 1972 and recorded February 23, 1972 in Volume 134, Page 655 of the East Lyme Land Records.

13. A Special Permit granted by the Town of East Lyme for Gravel Removal and Dumping, dated November 29, 1989 and recorded April 25, 1990 in Volume 300, Page 13 of the East Lyme Land Records.

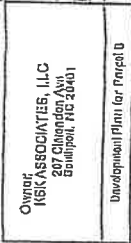
14. Any and all notes, conditions and easements shown on a map entitled "Boundary Survey, Property of Heritage and Development Group, Inc. Property East of Chesterfield Road, Conn. Rte. 161, East Lyme, Conn., dated July 17, 1987, certified by J. Robert Pfanner, P.E. L.S. No. 9442.

15. All notes and conditions as shown on Map Dr 6-196 in the East Lyme Town Clerk's Office.

Recorded Aug 18 20 08  
3 AM Esther B. Williams  
PM  
East Lyme Town Clerk

## EXHIBIT C

12/27/2024



## EXHIBIT D

**WARRANTY DEED-STATUTORY FORM**

**TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE**  
**KSK ASSOCIATES, LLC** of the City of Southport, County of Brunswick and State of North Carolina, for consideration of **ONE DOLLAR (\$1.00)** and other good and valuable consideration grants to **the EAST LYME LAND TRUST, INC.** of the Town of East Lyme, County of New London and State of Connecticut with **WARRANTY COVENANTS AND WITHOUT RESTRICTIONS**, all that certain parcel of land situated in the Town of East Lyme, County of New London and State of Connecticut known as Assessors Map 36.0 Lot 31 being further bounded and described on Schedule A attached hereto.

Said Premises are conveyed subject to:

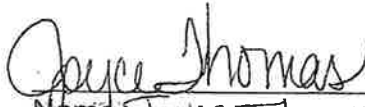

Any and all provisions of any municipal, ordinance or regulation or public or private law with special reference to the provisions of any zoning regulations and regulations governing the said Premises.

Real Property Taxes on the 2024 Grand List and any municipal liens or assessments becoming due and payable on or after the delivery of this Deed.

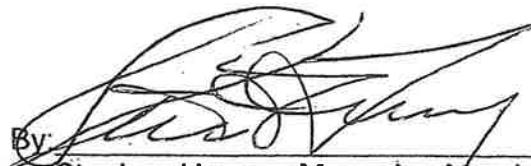
NO. CONVEYANCE TAX RECEIVED  
KAREN MILLER GALBO  
EAST LYME, CT TOWN CLERK

IN WITNESS WHEREOF, the Grantor has/have caused these presents to be executed  
on this 2<sup>nd</sup> day of ~~October~~ <sup>NOVEMBER</sup> 2024.

Witnessed by:

  
Name Joyce Thomas  
  
Name \_\_\_\_\_

KSK ASSOCIATES, LLC.

  
By: \_\_\_\_\_  
Stephen Harney, Managing Member

STATE OF NORTH CAROLINA )

COUNTY OF BRUNSWICK )

ss:

On this 2<sup>nd</sup> day of ~~October~~ <sup>NOVEMBER</sup>, 2024, before me, the undersigned officer,  
personally appeared Stephen Harney, as Managing Member of KSK ASSOCIATES  
LLC, known to me (or satisfactorily proven) to be the persons whose name is  
transcribed to the foregoing document and acknowledged same to be his/her free act  
and deed, and the free act and deed of the company, before me.

  
Notary Public  
My Commission Expires 8/8/27



SCHEDULE A

A certain piece or parcel of land located on the northeasterly side of Cedarbrook Lane known as Town of East Lyme Assessors Map 36.0 Lot 31. Said piece or parcel of land is further identified as "Remaining Land of KSK Associates LLC" on a map entitled "Property Survey, Property to be conveyed to New England Forestry Foundation for Property Located at Governor John Davis Lodge Turnpike, Cedarbrook Lane, Catbird Lane & Goldfinch Terrace, 1" =200', Dated May 10, 2016 and recorded at Drawer 6 #796 of the Town of East Lyme Land Records on October 4, 2016.

Beginning at a point on the northerly street line of Cedarbrook Lane at the northwesterly corner of Lot 64;

Thence running N 53°07'48" W along the northerly street line of Cedarbrook Lane a distance of 286.51' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 101.10', a radius of 225.99', a chord bearing of N 40°18'50" W and a chord length of 100.26';

THENCE running N 74°53'44" E along the street line of Cedarbrook Lane a distance of 21.55';

THENCE running S 77°10'02" E along land now or formerly of Mindy G. Honer, Trustee a distance of 149.41' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 125.00' to a point;

THENCE running N 15°06'16" W along land now or formerly of Mindy G. Honer, Trustee a distance of 70.00' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 139.79' to a point;

THENCE running N 79°26'43" E along land now or formerly of Evan D. Gross a distance of 330.86' to a point;

THENCE running N 77°45'47" W along land now or formerly of Evan D. Gross a distance of 400.00' to a point at land now or formerly of New England Forestry Foundation Inc.;

THENCE running S 54°57'44" E along land of said New England Forestry Foundation Inc a distance of 125.95' to a point;



THENCE running S 24°06'01" W along Lots 68, 67 and a portion of Lot 66 a distance of 433.55' to a point;

THENCE running S 41°52'45" W along Lots 66 & 65 a distance of 329.46' to a point;

THENCE running S 60°26'02" E along Lot 65 a distance of 259.81' to a point on the northerly street line of Catbird Lane;

THENCE running S 29°33'58" W along the northerly street line of Catbird Lane a distance of 115.00' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 33.04', a radius of 20.00', a chord bearing of S 76°53'30" W, and a chord length of 29.41';

THENCE running along the easterly street line of Cedarbrook Lane with a compound curve turning to the right with an arc length of 127.17', a radius of 575.00', a chord bearing of N 49°26'50" W, and a chord length of 126.91';

THENCE running N 43°06'43" W along the easterly street line of Cedarbrook Lane a distance of 155.21' to a point;

THENCE running N 41°52'45" E along Lots 55 & 56 a distance of 396.75' to a point;

THENCE running N 24°06'01" E along Lots 56 & 59 a distance of 214.51' to a point;

THENCE running N 02°17'28" E along Lot 59 a distance of 238.68' to a point;

THENCE running N 77°11'43" W along Lots 59 & 60 a distance of 398.36' to a point;

THENCE running S 60°08'43" W along Lots 60 & 62 a distance of 204.95' to a point;

THENCE running S 41°52'44" W along Lots 62, 63 & 64 a distance of 398.50' to the point of beginning,

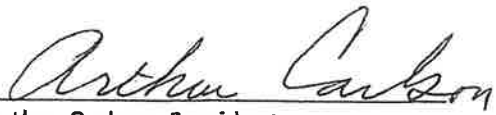
Said parcel having an area of 168,692.5 Square Feet, 3.873 Acres

The **EAST LYME LAND TRUST, INC.** hereby acknowledges acceptance of the foregoing conveyance.

Signed, Sealed and Delivered  
In the presence of

**EAST LYME LAND TRUST, INC.**



By   
Arthur Carlson, President



STATE OF CONNECTICUT

ss New London

COUNTY OF NEW LONDON

The foregoing Instrument was acknowledged before me this 23<sup>rd</sup> day of December, 2024 by Arthur Carlson, President of the East Lyme Land Trust, Inc., a State of Connecticut Corporation, on behalf of said corporation.

  
Notary  
My commission expires  
  
LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027

RECEIVED FOR RECORD  
Dec 27, 2024 08:38:48A  
Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

# EXHIBIT E

**WARRANTY DEED-STATUTORY FORM**

**TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE**  
**EAST LYME LAND TRUST, INC.** of the Town of East Lyme, County of New London  
and State of Connecticut, for consideration of **ONE DOLLAR (\$1.00)** and other good  
and valuable consideration grants to **HATHAWAY FARM LLC** of the City of Dover,  
County of Kent and State of Delaware with **WARRANTY COVENANTS AND WITHOUT**  
**RESTRICTIONS**, a portion of that certain parcel of land situated in the Town of East  
Lyme, County of New London and State of Connecticut known as Assessors Map 36.0  
Lot 31- Catbird Lane being further bounded and described on Schedule A attached  
hereto.

Said Premises are conveyed subject to:

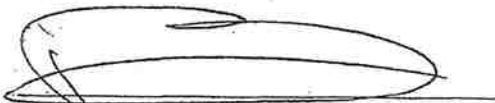
Any and all provisions of any municipal ordinance or regulation or public or  
private law with special reference to the provisions of any zoning regulations and  
regulations governing the said Premises.

Real Property Taxes on the 2024 Grand List and any municipal liens or  
assessments becoming due and payable on or after the delivery of this Deed.

NO CONVEYANCE TAX RECEIVED  
KAREN MILLER GALBO  
EAST LYME, CT TOWN CLERK

IN WITNESS WHEREOF, the Grantor has/have caused these presents to be executed  
on this 23 day of December 2024.

Witnessed by:

  
Name

EAST LYME LAND TRUST, INC.

  
Name

By:   
Arthur Carlson, President

STATE OF CONNECTICUT )

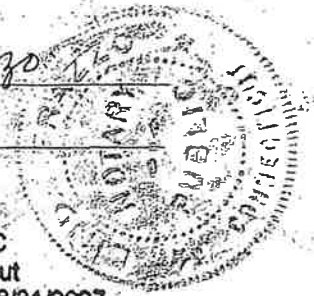
COUNTY OF NEW LONDON )

ss:

On this 23<sup>rd</sup> day of December, 2024, before me, the undersigned officer,  
personally appeared Arthur Carlson, as Manager of East Lyme Land Trust, Inc., known  
to me (or satisfactorily proven) to be the person whose name is transcribed to the  
foregoing document and acknowledged same to be his/her free act and deed, and the  
free act and deed of the company, before me.

  
Notary Public  
My Commission Expires

LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027



**SCHEDULE A**

A certain piece or parcel of land located on the northeasterly side of Cedarbrook Lane known as Assessors Map 36.0 Lot 31. Said Piece or parcel of Land is a portion of the property conveyed by KSK Associates LLC to the East Lyme Land Trust, Inc. by Warranty Deed dated November 12, 2024. Said parcel is further identified on a Map entitled Property Located at Catbird & Cedar Brook Ln. East Lyme CT Scale: 1" = 40' dated 28 October 2024 prepared by May Engineering LLC and recorded on or about today's date.

Beginning at a point on the northerly street line of Cedarbrook Lane at the northwesterly corner of Lot 64;

Thence running N 53°07'48" W along the northerly street line of Cedarbrook Lane a distance of 286.51' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 101.10', a radius of 225.99', a chord bearing of N 40°18'50" W and a chord length of 100.26';

THENCE running N 74°53'44" E along the street line of Cedarbrook Lane a distance of 21.55';

THENCE running S 77°10'02" E along land now or formerly of Mindy G. Honer, Trustee a distance of 149.41' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 125.00' to a point;

THENCE running S 47°22'44" E along land of the within Grantor a distance of 174.29' to a point at Lot 63;

THENCE running S 41°52'44" W along Lots 63 & 64 a distance of 181.77' to the point of beginning,

Said parcel having an area of 52,176.3 Square Feet, 1.20 Acres.

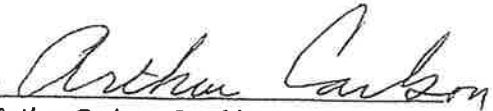
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Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

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Signed, Sealed and Delivered  
In the presence of

EAST LYME LAND TRUST, INC.



By   
Arthur Carlson, President



STATE OF CONNECTICUT

ss New London

COUNTY OF NEW LONDON

The foregoing Instrument was acknowledged before me this 23rd December day of November, 2024 by Arthur Carlson, President of the East Lyme Land Trust, Inc., a State of Connecticut Corporation, on behalf of said corporation.

  
Notary  
My commission expires  
  
LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027

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Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

# EXHIBIT F



# 2020 Connecticut General Statutes

## Title 8 - Zoning, Planning, Housing and Economic and Community Development

### Chapter 126 - Municipal Planning Commissions

#### Section 8-18 - Definitions.

**Universal Citation:** CT Gen Stat § 8-18 (2020)

As used in this chapter: "Commission" means a planning commission; "municipality" includes a city, town or borough or a district establishing a planning commission under section 7-326; "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; "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 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; "cluster development" means a building pattern concentrating units on a particular portion of a parcel so that at least one-third of the parcel remains as open space to be used exclusively for recreational, conservation and agricultural purposes except that nothing herein shall prevent any municipality from requiring more than one-third open space in any particular cluster development; "town" and "selectmen" include district and officers of such district, respectively.

(1949 Rev., S. 853; 1953, S. 384d; 1959, P.A. 577, S. 2; 679, S. 1; 1967, P.A. 221; 677, S. 1; P.A. 77-545, S. 1; P.A. 91-395, S. 2, 11.)

History: 1959 acts added district to definition of municipality, added words "parts or" before "lots" in definition of subdivision and added definition of town and selectmen; 1967 acts included changes which create additional building lot or lots in definition of "resubdivision" and excluded development for municipal and conservation purposes from definition of "subdivision"; P.A. 77-545 redefined "subdivision" to specify divisions made after adoption of subdivision regulations by commission; P.A. 91-395 added the definition of "cluster development".

Definition of subdivision and resubdivision discussed. 146 C. 570. Cited. 149 C. 630. There is no authority for commission to adopt as a regulation definition of "subdivision" which modifies, restricts or enlarges upon statutory definition. 151 C. 450. Cited. 172 C. 60; 219 C. 303; 222 C. 216; Id., 294; 227 C. 601. Appropriate inquiry under section is whether one lot has been divided into 3 or more units, not whether topography of lot is maintained or the degree of lot line adjustment. 330 C. 502.

# EXHIBIT A

(C) **Resource Impact and Conservation Plan** - A Preliminary Resource Impact and Conservation Plan shall be prepared for all subdivision applications to categorize the impacts of the proposed activities and physical alterations on those resources shown on the Existing Resources and Site Analysis Plan as required under Section 5-2-2(B). All proposed improvements, including but not necessarily limited to grading, fill, streets, buildings, utilities and stormwater detention facilities, as proposed in the other Subdivision Improvements Plan documents, shall be taken into account in preparing the Preliminary Resource Impact and Conservation Plan, which shall clearly demonstrate that the applicant has minimized site disturbance to the greatest extent practicable.

(1) Using the Existing Resources and Site Analysis Plan as a base map, impact areas shall be mapped according to the following categories: (1) primary impact areas, i.e., areas directly impacted by the proposed subdivision, (2) secondary impact areas, i.e., areas in proximity to primary areas which may be impacted, and (3) designated protected areas, either to be included in a proposed Greenway or an equivalent designation such as dedication of a neighborhood park site.

(2) This requirement for a Preliminary Resource Impact and Conservation Plan may be waived by the Planning Commission if, in its judgment, the proposed development areas, as laid out in the in the Subdivision Plan would be likely to cause no more than an insignificant impact upon the site's resources.

(D) **Subdivision Improvements Plan/Construction Plan** - The plan shall show the proposed layout of lots, streets, improvements, including but not limited to profile and cross section drawings of existing and all proposed streets, storm drains, water mains and appurtenances, community wells, and pump houses, sanitary sewers, catch basins, manholes, ditches, water courses, headwalls, gutters, curbs and other structures, and all contiguous land of the applicant that may be subdivided in the future, in order to allow the Commission to complete a general planning review of the proposed subdivision including its relationship to the potential future subdivision of contiguous land of the applicant. The plan shall incorporate a survey of the parcel in accordance with the standards established by the Regulations of Connecticut State Agencies, Section 20-300b through 20-300b-20 inclusive which shall be tied to the Connecticut State Plane Coordinate System by a closed traverse if land is within a distance to base control of 1,000 feet. The copies shall contain the following:

## EXHIBIT B

## STATUTORY FORM WARRANTY DEED

2783

**NORTHERN BUSINESS CAPITAL CORPORATION**, a Connecticut corporation, having an office located in Simsbury, Connecticut (hereinafter referred to as "**Grantor**"), for the consideration of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) received to its full satisfaction of **KSK ASSOCIATES, LLC**, a Connecticut limited liability company, having an office located in East Lyme, Connecticut (hereinafter referred to as "**Grantee**"), does hereby give, grant, bargain, sell and confirm unto said Grantee with WARRANTY COVENANTS all of that certain piece or parcel of land situated in the Town of East Lyme, County of New London and State of Connecticut, more particularly described in Exhibit A annexed hereto and made a part hereof. Said real property is conveyed subject to any and all exceptions set forth in Exhibit B annexed hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed this 6<sup>th</sup> day of August, 2008.


Signed and Delivered  
in the Presence of:

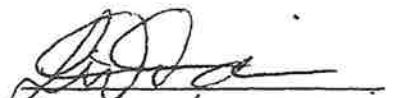
**NORTHERN BUSINESS CAPITAL  
CORPORATION**, a Connecticut corporation

  
Nathalie Alice Gilt

Name:

By:

  
Kim Austin  
Its Secretary

  
Name: Lindsay Tomlinson

\$1500.00 \$750.00

CONVEYANCE TAXES COLLECTED

  
TOWN CLERK OF EAST LYME

**Certificate Of Acknowledgment**

State of California

County of San Diego

On August 6, 2008, before me, Nathalie Alice Gill, Notary Public  
(name and title of the officer)

personally appeared Kim Austin

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he (she/they) executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Nathalie Alice Gill

(Seal)



Grantee's Address:

20 Islanda Court  
East Lyme, CT 06333

**EXHIBIT A**

## Legal Description of Premises

Parcel 1:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "8,637,165 Sq. Ft. 198.28 AC Heritage Section 2" on that certain plan entitled "BOUNDARY PLAN PROPERTY OF NORTHERN BUSINESS CAPITAL CORP. I-95 EAST LYME, CONNECTICUT SHEET 1B SCALE: 1"=200' DATE: JAN. 24, 2000" prepared by William F. Kent, R.L.S. and filed on May 24, 2000 in Drawer 5, No. 618 in the East Lyme, Connecticut Land Records.

Parcel 2:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "AREA 333375.95 S.F. 7.65 AC" on that certain plan entitled "OPEN SPACE HERITAGE AT EAST LYME SUBDIVISION SECTION I PROPERTY OF THE HERITAGE DEVELOPMENT GROUP, INC. SOUTHBURY, CONNECTICUT SCALE 1"=100' SHEET 49B OF 130 NOVEMBER 28, 1988" prepared by J. Robert Pfanner & Associates P.C. and filed on March 9, 1999 in Drawer 4, No. 766 in the East Lyme, Connecticut Land Records.

Parcel 3:

All of that certain piece or parcel of land located in the Town of East Lyme, County of New London and State of Connecticut depicted as "AREA 229556.31 S.F. 5.27 AC" on that certain plan entitled "OPEN SPACE HERITAGE AT EAST LYME SUBDIVISION - SECTION I PROPERTY OF THE HERITAGE DEVELOPMENT GROUP, INC. SOUTHBURY, CONNECTICUT 1 INCH = 100 FEET SHEET 49A OF 130 NOVEMBER 17, 1988 REV. SEPTEMBER 11, 1993 LOT 37 & OPEN SPACE" prepared by J. Robert Pfanner & Associates P.C. and filed on December 6, 1993 in Drawer 5, No. 334 in the East Lyme, Connecticut Land Records.

**EXHIBIT B**

THE PREMISES ARE CONVEYED SUBJECT TO:

1. Any and all provisions of any ordinance, municipal regulation or public or private law.
2. Taxes on the List of October 1, 2007, second half, and taxes for all subsequent years, which the Grantee by acceptance of this deed assumes and agrees to pay.
3. Easements, rights, restrictions, covenants and agreements as of record may appear.
4. A perpetual easement, privilege and right of way one hundred and twenty-five (125) feet wide in favor of the Connecticut Light and Power Company from Fred A. Beckwith and Mary H. Weaver dated June 24, 1943 and recorded July 6, 1943 in Volume 42, Page 368 of the East Lyme Land Records.
5. Right of access taken from land owned by Thomas A. Payne, Alice P. Spradkowski and Adelaide Follows abutting Boston Post Road, U.S. #1 (commonly known as the New London By-Pass) by the State of Connecticut in a Certificate of Taking dated May 5, 1949 and recorded May 6, 1949 in Volume 52, Page 587 of the East Lyme Land Records.
6. A waiver and relinquishment of all access rights to and from the relocation of U.S. Route #1 and remaining land of Fred A. Beckwith and Mary H. Weaver as set forth in a deed to the State of Connecticut dated September 27, 1948 and recorded October 15, 1948 in Volume 52, Page 407 of the East Lyme Land Records.
7. A waiver and relinquishment of all access rights to and from the Connecticut Turnpike and remaining land of Frederick H. Southworth as set forth in a deed to the State of Connecticut dated October 15, 1956 and recorded January 21, 1957 in Volume 69, Page 477 of the East Lyme Land Records.
8. Rights of access taken in a Certificate of Taking from Frederick H. Southworth by the State of Connecticut dated September 5, 1956 and recorded September 20, 1956 in Volume 72, Page 237 of the East Lyme Land Records.
9. A waiver and relinquishment of all access rights to and from the Connecticut Turnpike and remaining land of Frederick H. Southworth as set forth in a deed to the State of Connecticut dated February 28, 1957 and recorded July 17, 1957 in Volume 74, Page 403 of the East Lyme Land Records.
10. Rights of access taken in a Certificate of Taking from Alice M. Payne, Alice P. Cripps f/k/a Alice J. Payne, and Adelaide Follows by the State of Connecticut dated June 7, 1957 and recorded June 21, 1957 in Volume 74, Page 223 of the East Lyme Land Records.



11. Rights of access taken in a Certificate of Taking from Alice P. Cripps f/k/a Alice J. Payne, and Adelaide Follows by the State of Connecticut dated June 7, 1957 and recorded June 21, 1957 in Volume 74, Page 224 of the East Lyme Land Records.

12. Utility Easement in favor of the Connecticut Light and Power Company from Horace I. Crary dated February 16, 1972 and recorded February 23, 1972 in Volume 134, Page 655 of the East Lyme Land Records.

13. A Special Permit granted by the Town of East Lyme for Gravel Removal and Dumping, dated November 29, 1989 and recorded April 25, 1990 in Volume 300, Page 13 of the East Lyme Land Records.

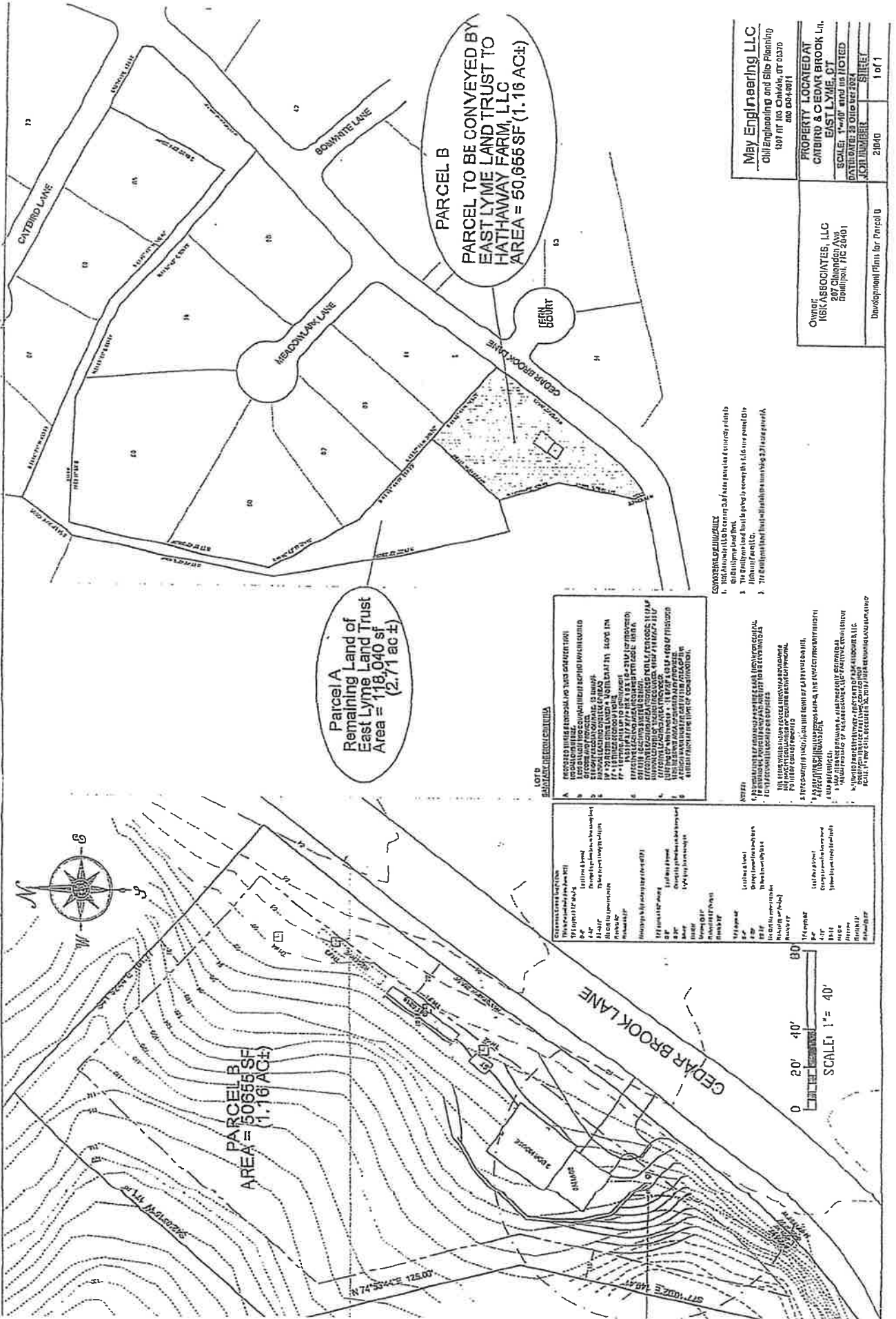
14. Any and all notes, conditions and easements shown on a map entitled "Boundary Survey, Property of Heritage and Development Group, Inc. Property East of Chesterfield Road, Conn. Rte. 161, East Lyme, Conn., dated July 17, 1987, certified by J. Robert Pfanner, P.E. L.S. No. 9442.

15. All notes and conditions as shown on Map Dr 6-196 in the East Lyme Town Clerk's Office.

Recorded Aug 18 20 08  
3 AM  
PM Esther B. Williams  
East Lyme Town Clerk

## EXHIBIT C

Map Recorded Drawer 8 #426



## EXHIBIT D

**WARRANTY DEED-STATUTORY FORM**

**TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE**  
**KSK ASSOCIATES, LLC** of the City of Southport, County of Brunswick and State of North Carolina, for consideration of **ONE DOLLAR (\$1.00)** and other good and valuable consideration grants to **the EAST LYME LAND TRUST, INC.** of the Town of East Lyme, County of New London and State of Connecticut with **WARRANTY COVENANTS AND WITHOUT RESTRICTIONS**, all that certain parcel of land situated in the Town of East Lyme, County of New London and State of Connecticut known as Assessors Map 36.0 Lot 31 being further bounded and described on Schedule A attached hereto.

Said Premises are conveyed subject to:



Any and all provisions of any municipal, ordinance or regulation or public or private law with special reference to the provisions of any zoning regulations and regulations governing the said Premises.

Real Property Taxes on the 2024 Grand List and any municipal liens or assessments becoming due and payable on or after the delivery of this Deed.

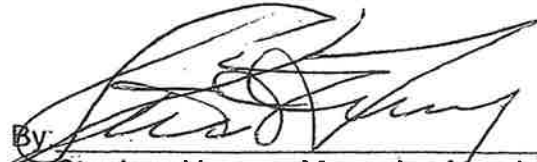
NO. CONVEYANCE TAX RECEIVED  
KAREN MILLER GALBO  
EAST LYME, CT TOWN CLERK

IN WITNESS WHEREOF, the Grantor has/have caused these presents to be executed  
on this 12<sup>th</sup> day of ~~October~~ <sup>NOVEMBER</sup> 2024.

Witnessed by:

  
Name Joyce Thomas  
  
Name \_\_\_\_\_

KSK ASSOCIATES, LLC.

  
By: \_\_\_\_\_  
Stephen Harney, Managing Member

STATE OF NORTH CAROLINA )

COUNTY OF BRUNSWICK )

ss:

On this 12<sup>th</sup> day of ~~October~~ <sup>NOVEMBER</sup>, 2024, before me, the undersigned officer,  
personally appeared Stephen Harney, as Managing Member of KSK ASSOCIATES  
LLC, known to me (or satisfactorily proven) to be the persons whose name is  
transcribed to the foregoing document and acknowledged same to be his/her free act  
and deed, and the free act and deed of the company, before me.

  
Notary Public  
My Commission Expires 8/8/27



SCHEDULE A

A certain piece or parcel of land located on the northeasterly side of Cedarbrook Lane known as Town of East Lyme Assessors Map 36.0 Lot 31. Said piece or parcel of land is further identified as "Remaining Land of KSK Associates LLC" on a map entitled "Property Survey, Property to be conveyed to New England Forestry Foundation for Property Located at Governor John Davis Lodge Turnpike, Cedarbrook Lane, Catbird Lane & Goldfinch Terrace, 1" =200', Dated May 10, 2016 and recorded at Drawer 6 #796 of the Town of East Lyme Land Records on October 4, 2016.

Beginning at a point on the northerly street line of Cedarbrook Lane at the northwesterly corner of Lot 64;

Thence running N 53°07'48" W along the northerly street line of Cedarbrook Lane a distance of 286.51' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 101.10', a radius of 225.99', a chord bearing of N 40°18'50" W and a chord length of 100.26';

THENCE running N 74°53'44" E along the street line of Cedarbrook Lane a distance of 21.55';

THENCE running S 77°10'02" E along land now or formerly of Mindy G. Honer, Trustee a distance of 149.41' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 125.00' to a point;

THENCE running N 15°06'16" W along land now or formerly of Mindy G. Honer, Trustee a distance of 70.00' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 139.79' to a point;

THENCE running N 79°26'43" E along land now or formerly of Evan D. Gross a distance of 330.86' to a point;

THENCE running N 77°45'47" W along land now or formerly of Evan D. Gross a distance of 400.00' to a point at land now or formerly of New England Forestry Foundation Inc.;

THENCE running S 54°57'44" E along land of said New England Forestry Foundation Inc a distance of 125.95' to a point;

THENCE running S 24°06'01" W along Lots 68, 67 and a portion of Lot 66 a distance of 433.55' to a point;

THENCE running S 41°52'45" W along Lots 66 & 65 a distance of 329.46' to a point;

THENCE running S 60°26'02" E along Lot 65 a distance of 259.81' to a point on the northerly street line of Catbird Lane;

THENCE running S 29°33'58" W along the northerly street line of Catbird Lane a distance of 115.00' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 33.04', a radius of 20.00', a chord bearing of S 76°53'30" W, and a chord length of 29.41';

THENCE running along the easterly street line of Cedarbrook Lane with a compound curve turning to the right with an arc length of 127.17', a radius of 575.00', a chord bearing of N 49°26'50" W, and a chord length of 126.91';

THENCE running N 43°06'43" W along the easterly street line of Cedarbrook Lane a distance of 155.21' to a point;

THENCE running N 41°52'45" E along Lots 55 & 56 a distance of 396.75' to a point;

THENCE running N 24°06'01" E along Lots 56 & 59 a distance of 214.51' to a point;

THENCE running N 02°17'28" E along Lot 59 a distance of 238.68' to a point;

THENCE running N 77°11'43" W along Lots 59 & 60 a distance of 398.36' to a point;

THENCE running S 60°08'43" W along Lots 60 & 62 a distance of 204.95' to a point;

THENCE running S 41°52'44" W along Lots 62, 63 & 64 a distance of 398.50' to the point of beginning,

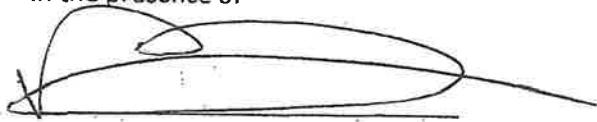
Said parcel having an area of 168,692.5 Square Feet, 3.873 Acres




The **EAST LYME LAND TRUST, INC.** hereby acknowledges acceptance of the foregoing conveyance.

Signed, Sealed and Delivered  
In the presence of

**EAST LYME LAND TRUST, INC.**



By   
Arthur Carlson, President



STATE OF CONNECTICUT

ss New London

COUNTY OF NEW LONDON

The foregoing Instrument was acknowledged before me this 23rd December day of November, 2024 by Arthur Carlson, President of the East Lyme Land Trust, Inc., a State of Connecticut Corporation, on behalf of said corporation.

  
Notary  
My commission expires  
  
LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027

RECEIVED FOR RECORD  
Dec 27, 2024 08:38:48A  
Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

# EXHIBIT E

**WARRANTY DEED-STATUTORY FORM**

**TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE**  
**EAST LYME LAND TRUST, INC.** of the Town of East Lyme, County of New London  
and State of Connecticut, for consideration of **ONE DOLLAR (\$1.00)** and other good  
and valuable consideration grants to **HATHAWAY FARM LLC** of the City of Dover,  
County of Kent and State of Delaware with **WARRANTY COVENANTS AND WITHOUT**  
**RESTRICTIONS**, a portion of that certain parcel of land situated in the Town of East  
Lyme, County of New London and State of Connecticut known as Assessors Map 36.0  
Lot 31- Catbird Lane being further bounded and described on Schedule A attached  
hereto.

Said Premises are conveyed subject to:


Any and all provisions of any municipal ordinance or regulation or public or  
private law with special reference to the provisions of any zoning regulations and  
regulations governing the said Premises.

Real Property Taxes on the 2024 Grand List and any municipal liens or  
assessments becoming due and payable on or after the delivery of this Deed.

NO CONVEYANCE TAX RECEIVED  
KAREN MILLER GALBO  
EAST LYME CT TOWN CLERK

IN WITNESS WHEREOF, the Grantor has/have caused these presents to be executed  
on this 23 day of December 2024.

Witnessed by:

  
Name

  
Name

EAST LYME LAND TRUST, INC.

By:   
Arthur Carlson, President

STATE OF CONNECTICUT )

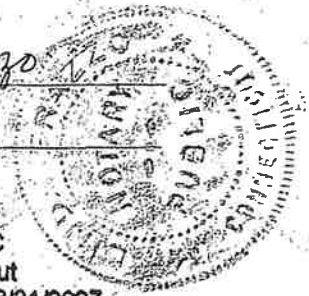
COUNTY OF NEW LONDON )

ss:

On this 23<sup>rd</sup> day of December, 2024, before me, the undersigned officer,  
personally appeared Arthur Carlson, as Manager of East Lyme Land Trust, Inc., known  
to me (or satisfactorily proven) to be the person whose name is transcribed to the  
foregoing document and acknowledged same to be his/her free act and deed, and the  
free act and deed of the company, before me.

  
Notary Public  
My Commission Expires

LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027



**SCHEDULE A**

A certain piece or parcel of land located on the northeasterly side of Cedarbrook Lane known as Assessors Map 36.0 Lot 31. Said Piece or parcel of Land is a portion of the property conveyed by KSK Associates LLC to the East Lyme Land Trust, Inc, by Warranty Deed dated November 12, 2024. Said parcel is further identified on a Map entitled Property Located at Catbird & Cedar Brook Ln. East Lyme CT Scale: 1" = 40' dated 28 October 2024 prepared by May Engineering LLC and recorded on or about today's date.

Beginning at a point on the northerly street line of Cedarbrook Lane at the northwesterly corner of Lot 64;

Thence running N 53°07'48" W along the northerly street line of Cedarbrook Lane a distance of 286.51' to a concrete monument;

THENCE with a curve turning to the right with an arc length of 101.10', a radius of 225.99', a chord bearing of N 40°18'50" W and a chord length of 100.26';

THENCE running N 74°53'44" E along the street line of Cedarbrook Lane a distance of 21.55';

THENCE running S 77°10'02" E along land now or formerly of Mindy G. Honer, Trustee a distance of 149.41' to a point;

THENCE running N 74°53'44" E along land now or formerly of Mindy G. Honer, Trustee a distance of 125.00' to a point;

THENCE running S 47°22'44" E along land of the within Grantor a distance of 174.29' to a point at Lot 63;

THENCE running S 41°52'44" W along Lots 63 & 64 a distance of 181.77' to the point of beginning,

Said parcel having an area of 52,176.3 Square Feet, 1.20 Acres.

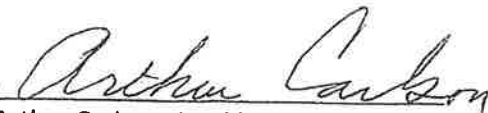
RECEIVED FOR RECORD  
Dec 27, 2024 08:39:12A  
Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

The EAST LYME LAND TRUST, INC. hereby acknowledges acceptance of the foregoing conveyance.

Signed, Sealed and Delivered  
In the presence of

EAST LYME LAND TRUST, INC.



By   
Arthur Carlson, President



STATE OF CONNECTICUT

ss New London

COUNTY OF NEW LONDON

The foregoing Instrument was acknowledged before me this 23rd December day of November, 2024 by Arthur Carlson, President of the East Lyme Land Trust, Inc., a State of Connecticut Corporation, on behalf of said corporation.

  
Notary  
My commission expires  
  
LINDA FRAZZO  
NOTARY PUBLIC  
State of Connecticut  
My Commission Expires 08/31/2027

RECEIVED FOR RECORD  
Dec 27, 2024 08:38:48A  
Karen Miller Galbo  
TOWN CLERK  
EAST LYME, CT

## EXHIBIT F

# 2020 Connecticut General Statutes

## Title 8 - Zoning, Planning, Housing and Economic and Community Development

### Chapter 126 - Municipal Planning Commissions

#### Section 8-18 - Definitions.

**Universal Citation:** CT Gen Stat § 8-18 (2020)

As used in this chapter: "Commission" means a planning commission; "municipality" includes a city, town or borough or a district establishing a planning commission under section 7-326; "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; "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 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; "cluster development" means a building pattern concentrating units on a particular portion of a parcel so that at least one-third of the parcel remains as open space to be used exclusively for recreational, conservation and agricultural purposes except that nothing herein shall prevent any municipality from requiring more than one-third open space in any particular cluster development; "town" and "selectmen" include district and officers of such district, respectively.

(1949 Rev., S. 853; 1953, S. 384d; 1959, P.A. 577, S. 2; 679, S. 1; 1967, P.A. 221; 677, S. 1; P.A. 77-545, S. 1; P.A. 91-395, S. 2, 11.)

History: 1959 acts added district to definition of municipality, added words "parts or" before "lots" in definition of subdivision and added definition of town and selectmen; 1967 acts included changes which create additional building lot or lots in definition of "resubdivision" and excluded development for municipal and conservation purposes from definition of "subdivision"; P.A. 77-545 redefined "subdivision" to specify divisions made after adoption of subdivision regulations by commission; P.A. 91-395 added the definition of "cluster development".

Definition of subdivision and resubdivision discussed. 146 C. 570. Cited. 149 C. 630. There is no authority for commission to adopt as a regulation definition of "subdivision" which modifies, restricts or enlarges upon statutory definition. 151 C. 450. Cited. 172 C. 60; 219 C. 303; 222 C. 216; Id., 294; 227 C. 601. Appropriate inquiry under section is whether one lot has been divided into 3 or more units, not whether topography of lot is maintained or the degree of lot line adjustment. 330 C. 502.