

**REGULATION CHANGE ADOPTED BY THE ZONING
COMMISSION ON MAY 1, 2000 EFFECTIVE DATE: MAY 8, 2000**

New Text of Section 7.2.1 (deleted text bracketed and added text underlined).

7.2.1 Minimum Area of Buildable Land: In addition to other requirements, every new lot created subsequent to April 13, 1995 which is to be used for building purposes shall contain within its boundaries a minimum area of buildable land (MABL), with the following characteristics:

- a. Such MABL shall include a contiguous area of not less than 15,000 square feet;
- b. The MABL shall be of such shape as to be capable of containing a square of not less than 100 feet on a side;
- c. The MABL shall not include any land determined to be inland wetlands or tidal wetlands, as defined by the Connecticut General Statutes, nor any land delineated as a Special Flood Hazard Area;
- d. No more than twenty (20%) percent of the area designated as MABL shall have naturally occurring topography exceeding twenty (20%) percent slope in grade as measured in forty (40) foot increments throughout the parcel;
- e. No land shall be included in the MABL which is identified as having ground water higher than 18" below the naturally occurring surface, or ledge at a depth of less than 4' below the natural ground surface as observed by soil testing; unless an area of suitable size and location has been identified through soil testing which demonstrates the suitability of soil in that area for such sewage system placement[.] in accordance with the requirements of the Connecticut Public Health Code in effect at the time of such testing. The soil testing required shall be witnessed by the Environmental Health Officer or the officer's designee unless otherwise approved by the Environmental Health Officer. The number and location of such tests as required to demonstrate the suitability of soil for sewage placement shall be determined by the Environmental Health Officer, who shall certify compliance of such soil testing with the requirements hereof. [Not less] No fewer than [six (6)] three (3) test holes which have been observed by the town Sanitarian or his agent shall be provided and shall be conducted such that both the primary and reserve system are investigated.
- f. No more than ten percent of the MABL shall be encumbered by easements, including easements for drainage, utilities, or vehicular access, but not including conservation easements.

- g. Any proposed building lot for which a subdivision or resubdivision application is required under the Subdivision Regulations for the Town of Old Saybrook, shall include a Minimum Area of Buildable Land which complies with this section. The Old Saybrook Planning Commission shall determine compliance with the MABL requirement for subdivision lots.
- h. In addition to 7.2.1 g above, any division of land for building purposes which does not require approval under the Subdivision Regulations for the Town of Old Saybrook shall meet the MABL requirements of this section. Prior to such division or property, a Plot Plan meeting the requirements of Section 8 shall be submitted to the Zoning Enforcement Officer for review, which demonstrates that the minimum area of buildable land has been met for both the proposed new lot and the original lot. No lot shall be transferred by deed, and no building permit shall be issued for the lot until such approval has been obtained from the Zoning Enforcement Officer.