



**Town of Smyrna**

**APPLICATION FOR SUBDIVISION**

The undersigned applicant desires, by the filing of this Notice of Intent to inform the Town Manager and Planning Commission of his/her intention to make application for approval of a Subdivision Plot in accordance with the Subdivision Regulations of the Town of Smyrna.

Name of applicant(s): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Location of property to be subdivided: \_\_\_\_\_

\_\_\_\_\_

Tax map number: \_\_\_\_\_

Approximate area: \_\_\_\_\_

Present use: \_\_\_\_\_

Present zoning: \_\_\_\_\_

Proposed name of new subdivision: \_\_\_\_\_

Number of lots in entire plot: \_\_\_\_\_

Is subdivision proposed in phases?: \_\_\_\_\_

If so, number of lots in each section: \_\_\_\_\_

Tentative date of initial construction: \_\_\_\_\_

Name & address of legal owner (if applicant is other than owner, this notice of intent must be countersigned by the legal owner to indicate that the applicant is acting with the owner's knowledge and consent):

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Name of engineer (registered professional engineer in Delaware):

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Name of legal representative (member of Delaware bar):

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Previous experience of applicant in land subdivision - give dates, locations and names, titles and addresses of local officials approving plan in each case:

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Bank reference and address: \_\_\_\_\_

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Date when preliminary sketch will be ready for informal review by applicant's engineer with the Town's engineer: \_\_\_\_\_

In any case where an owner or applicant is a corporation, information must be included regarding the state and date of incorporation and names and addresses of the corporate officers:

\_\_\_\_\_  
State of incorporation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of President

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name of Vice-President

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name of Secretary

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name of Treasurer

\_\_\_\_\_  
Address

\_\_\_\_\_  
Other

\_\_\_\_\_  
Address

**NOTES:**

\* if review of this application is required by the Town of Smyrna engineer, the applicant is responsible for the incurred costs related to this review.

\* 28 sets of plans must accompany this application.

\* Applicant and/or owner shall attend the public hearings to speak on behalf of the application or the application will be tabled.

\*Fee

- Major subdivision (anything more than 3 lots) application fee is \$1,000.00 + \$50.00 per lot.

This formal statement of notice of intent constitutes Part 1 of the prescribed application. The complete subdivision application shall consist of Part 1 and the following:

Part 2: The subdivision plot plan, to be developed from preliminary sketch and plans.

Part 3: Construction improvement plans (for the section to be recorded).

Part 4: Reports of the applicant's engineer and estimates of the cost.

- a) Subdivision plot plan report.
- b) Construction improvements report.

Part 5: Information required for the preparation of a legal description of the streets and other areas to be dedicated for public use. The information for the part to be recorded shall accompany the construction improvement plans.

**Note:**

No plat, plot or plan of land shall be received for filing or recording by the Recorder of Deeds in and for Kent County or New Castle County unless and until such plat, plot or plan shall have been approved by the Town body so authorized to grant such approvals and the fact of such approval shall have been endorsed in writing upon such plan. At or prior to time of recordation by the Recorder of Deeds, the subdivision plan shall be provided to the Town of Smyrna on an industry standard digital CAD file, preferably compatible with AutoCAD including .dwg or .dxf.

Respectfully submitted:

\_\_\_\_\_  
Applicant (if individual)

If applicant is a corporation:  
Attest:

\_\_\_\_\_  
(Seal) Secretary

\_\_\_\_\_  
Name of corporation

\_\_\_\_\_  
Signature of President

**To be countersigned by owner if other than applicant:**

I hereby certify that I am the owner of this land which the proposed subdivision is situated and that the foregoing applicant, in filing a subdivision application for approval by the Town of Smyrna is acting with my knowledge and consent. I furthermore agree that I am financially responsible for all engineering and attorney fees that may be relative to the review of this application and/or that may result from any litigation brought against the Town of Smyrna relative to this subdivision.

\_\_\_\_\_  
Signature of owner

\_\_\_\_\_  
Date

The undersigned hereby declares that the information contained in this application is true and correct to the best of his/her knowledge and belief.

\_\_\_\_\_  
Signature of applicant (if individual)

\_\_\_\_\_  
Name & title of officer (if corporation)

Sworn and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, AD 20\_\_.

\_\_\_\_\_  
Notary public

# Subdivision Plan Process

1. Submit application, fee, plot plans, and engineering and legal review escrow as per fee schedule;
2. Application goes to Planning & Zoning Commission (application must be in by that month's meeting date at 4:30 p.m. in order to go to the following month's meeting);
3. Staff will submit plans to the Citizens' Hose Co. No. 1, Smyrna Police Department, Town of Smyrna Electric Department, Town of Smyrna Public Works Department, Town Engineer, Town Electrical Engineer, and the US Postal Service for comments/concerns (**\*Applicant is responsible for all engineering and review fees**);
4. Staff will forward any comments from the agencies listed above to the applicant/engineer;
5. Applicant is responsible for submitting plan to the State Fire Marshal, Kent Conservation District, Kent County Addressing for street/subdivision name approval, DeIDOT, DNREC, Department of Public Health, and PLUS, if applicable, for approval;
6. Once the subdivision plan is approved by the Planning & Zoning Commission the applicant must obtain approvals from the agencies listed above (see #5). Once the subdivision plan is approved by the Planning & Zoning Commission the plan goes to Council at their second meeting of the month following the Planning & Zoning Commission meeting for their approval. Once approval from Council is obtained the applicant must obtain final approvals from the agencies listed above (see #5);
7. Once all final approvals are obtained, including, but not limited to Planning & Zoning staff, Citizens' Hose Co. No. 1, Smyrna Police Department, Town of Smyrna Electric Department, Town of Smyrna Public Works Department, Town Engineer, Town Electrical Engineer, and the US Postal Service, the applicant will submit:
  - a) **If the subdivision plan is in Kent County** - seven (7) copies of the plan, with signature(s) of the owner(s), and the applicant's engineer; and with signature lines for the Town Manager and the Town Engineer; or
  - b) **If the subdivision plan is in New Castle County** – six (6) copies of the plan – one (1) Mylar and five (5) paper – with the signature(s) of the owner(s), and the applicant's engineer; and with the signature lines for the Town Manager and the Town Engineer;
8. Staff will obtain signatures from the Town Engineer and the Town Manager and then record the plan (**\*Applicant is responsible for recordation costs**);
9. Once recorded staff will assign appropriate addressing;
10. After recordation the applicant needs to request a pre-construction meeting which will be scheduled by the Town's Engineer;
11. Applicant will submit a completed spreadsheet (provided by the Town) detailing costs for all public improvements for the Performance Bond/Construction Bond;
12. Staff will prepare the Public Works Agreements and have it to the applicant before the pre-construction meeting;

13. Applicant will bring signed and notarized Public Works Agreements, along with a check for the Public Improvements Inspection Escrow, to the pre-construction meeting;
14. Staff will prepare the Electric Agreements, which include an Electric Estimate and an Electric Layout, and mail it to the applicant. Applicant will complete the Electric Agreements and return them to the town along with a check for the Electric Estimate;
15. Applicant will supply a Performance Bond/Construction Bond as determined from the spreadsheet submitted detailing the costs for all public improvements;
16. Once the Public Works Agreement, Electric Agreement, and Performance Bond/Construction Bond are in place applicant may submit building permit application.

**Please view current fee schedule on our website:**

**<http://www.smyrna.delaware.gov/DocumentCenter/Home/View/890>**