CHAPTER 165
GENERAL PROVISIONS

Section 165-010 Conformance with Open Space Requirements

No lot shall be so reduced in area that any required open space will be smaller than is prescribed in these regulations for the district within which it is located.

Section 165-020 Lot Area

The minimum lot area shall be determined by the definition of "lot area" found in Chapter 15 of these regulations and the Lot Area Table found in Section 020-010 of these regulations.

Section 165-030 Lot Frontage and Access

1. No building to be used in whole or part as a dwelling in a residential zone shall be erected on any lot, except as noted in this section, unless the lot abuts a street, as defined in these regulations, and has safe and direct access to the street by its own private driveway. The entire driveway must be located on the lot that it serves, except as noted in this section.

2. Rear Lots: No building to be used in whole or in part as a dwelling in a residential zone shall be erected on any rear lot, except as noted in this section, unless this rear lot has its own separate and individual unobstructed right-of-way, which is everywhere not less than 20 feet in width connecting to a street adequate to accommodate fire apparatus or other emergency equipment. The lot line from which the right-of-access leads shall be considered the front line of the rear lot.

   Each rear lot created after the enactment of this section shall also comply with the following: The front lot line of a rear lot must conform to the frontage length as defined in these regulations and as noted in the Lot Area table found in Section 020-010. The twenty foot (20') accessway width shall be included for purposes of meeting the frontage requirement. Such rear lot shall conform to all the requirements prescribed in the zone in which it is located. (*Effective: September 15, 2006*)

3. Common Driveway: A common driveway is defined as a privately owned and maintained driveway located on a strip of land which is everywhere not less than 20 feet in width, connecting to a street serving at least two (2) lots, but no more than six (6) lots. All common driveways must be designed and built pursuant to the design standards and construction standards set forth in the subdivision regulations which standards are incorporated and made part of these regulations.

4. Reduced Frontage Exception: Each lot created after the enactment of this section shall meet the minimum frontage for the zoning district within which it is located,

except when such lot or lots will have frontage partly or totally on a cul-de-sac or road curve, such frontage shall be not less than one hundred feet (100') when measured along the arc of the curve or circle, or except when such lot is a rear lot as defined by these regulations. A lot allowed a reduced frontage in accordance with this regulation must have an average width equal to at least the length of the required lot frontage for the zone. (*Effective: September 15, 2006*)

Section 165-040 Lots in More than One Zoning District

Where a lot of record, at the time of passage of these regulations or any amendments thereto, falls into two (2) or more zoning districts, the regulations regarding the more restrictive zone shall apply, with regard to use, lot area, yard setbacks, and lot frontage, unless the district boundary lines are fixed by dimensions as shown on the Zoning Map.

Section 165-050 Temporary Uses

The following temporary uses may be permitted subject to issuance of a zoning permit by the Zoning Enforcement Officer. The Zoning Enforcement Officer may place stipulations on any such permit which is issued to protect the health, safety and welfare of the neighborhood.

1. A circus, carnival, or similar type of entertainment for a period of not more than 10 days. Said event may only be held on a property which can accommodate parking for all attendees of said event. Prior to issuance of any permit for such an event the applicant must submit proof to the Zoning Enforcement Officer that the New Milford Police Department and the Fire Marshal have been consulted and have no objection to such use.

2. A temporary nonconforming construction trailer or other temporary structure associated with construction projects which have received all necessary local and state permits may be permitted. Said permit may not be issued for a period exceeding six (6) months, however, if sufficient necessity is demonstrated, the Zoning Enforcement Officer may issue six (6) month renewals of said permit. The Zoning Enforcement Officer may require proof that the applicant has consulted with the Fire Marshal, Building Inspector, or the Director of Health prior to issuance of said permit.

3. One (1) recreational vehicle as defined by these regulations, may be parked and used for temporary occupancy by a visitor on a lot containing a single family dwelling. Said mobile home must be located in the driveway or rear yard in compliance with all applicable yard setbacks for the zone. This temporary occupancy may not exceed two (2) weeks in any calendar year.

Section 165-060 Improving or Widening of a Town Road

Any portion of a lot acquired by the Town of New Milford for the purpose of improving or widening a Town Road, or for the construction of sewer pump stations or other sewerage facilities associated with improving or widening a Town Road, shall not be deemed under any circumstances to render the remaining portion of such lot or the buildings located thereon non-conforming with respect to the minimum lot area, lot frontage, or any yard requirements of these regulations. Any portion of a lot thus acquired by the Town of New Milford shall be included as part of the lot as it existed prior to such acquisition for purposes of determining compliance with any provision of these regulations.
(Amended Effective: May 20, 2011; Amended Effective: November 14, 2014)

Section 165-070 Common Driveways in Business and Industrial Zones

Common driveways for business and industrial uses in the business and industrial zones shall be encouraged to reduce the number of curb cuts on state highways so as to improve safety and prevent traffic congestion. A common driveway to access properties used for business and industrial uses in a business or industrial zone may be permitted, provided such common driveway is constructed according to the following standards:

1. Such common driveway must be constructed to a minimum width of 24'on a strip of land not narrower than 50'.

2. All proposed subdivisions of land in the business and industrial zones to be used for business or industrial uses shall provide for a common driveway and interconnection of lots for common driveways.

3. Any lot which has the right to use a common driveway shall be required to use such common driveway.

4. Any proposal for development of parcels of land located in the business or industrial zones shall be required to show feasibility of interconnection with adjoining property, where practicable if the Commission determines such interconnection of properties would be beneficial to reduce curb cuts on state highways.

5. Such driveway shall conform to all other requirements of these regulations.

(*Chapter Rewritten Effective: September 15, 2006; Amended Effective: May 20, 2011*)