

**CHAPTER 110**  
**PLANNED DEVELOPMENT DISTRICT**  
**(PDD)**

**Section 110-010 Purpose**

The provisions of this section are designed to permit modification of the strict application of the plan and standards of the Zoning Regulations dealing with nonresidential development for the following purposes:

1. To permit tracts of land of considerable size to be developed and designed as harmonious units consistent with: the character of the town and neighborhood; the purpose and meaning of the Zoning Regulations; and any plan of development which may have been adopted by the Planning Commission.
2. To permit the establishment of certain uses that would not be considered as permitted for said areas under the present Zoning Regulations, but which would be beneficial to and consistent with the orderly development of the town and the immediate neighborhoods involved may be permitted.
3. To permit the design, layout and construction of buildings, structures and facilities that, by virtue of their location, orientation, design characteristics, concept, construction features and landscaping, would be consistent with the character of the town and the neighborhood and which show unusual merit.
4. To facilitate the development of areas which may have on-site or off-site conditions, which would cause normal development to be extremely difficult or virtually impossible under these regulations.

**Section 110-020 Use Classifications**

Uses are restricted to the following:

1. Research and development laboratories, including research and development of manufactured, processed or compounded products, and their assembly and distribution for sale. Such research and development laboratories shall consist only of such buildings and structures containing only such facilities and equipment as may be required for the purposes of such laboratories, including pilot experimental facilities, or the processing and assembling of other related units, which require the supervision of the staff of such laboratories.
2. The assembly of precision electrical or electro-mechanical equipment.
3. The assembly of optical goods, business machines, precision instruments, surgical and dental instruments.

4. Printing, engraving, bookbinding and other reproduced services. (NOTE: The making, processing, assembling or handling of materials or products shall not involve the reduction, conversion or manufacturing of primary raw materials and shall be confined to the making of finished products or parts thereof, from component parts and semi-finished products.)
5. Corporate headquarters with or without accompanying research facilities.
6. Data processing facilities.
7. Buildings accessory to the uses stated above.

The Commission would recommend that, prior to submission of an official application for approval of a Planned Development District, the applicant prepare and present a preliminary plan of the proposed planned development for informal study and consideration by the Commission. The preparation of a preliminary plan of development is recommended to facilitate general consideration of factors and problems that affect or may affect the development of the land being submitted for a Planned Development District prior to proceeding with the preparation of the fully detailed maps, plans, documents and presentation required for formal consideration by the Commission. Presentation of the Planned Development District for consideration in a preliminary, rather than in a final, form allows for any changes or alteration, recommended or required by the Commission, to be more readily and economically made. Neither the preliminary presentation nor its informal consideration by the Commission, however, shall be deemed to constitute any portion of the official and formal procedure of applying for, and approval of, a Planned Development District as contemplated herein or under the provisions of the General Statutes of the State of Connecticut.

### **Section 110-030      Application Requirements**

Any application for approval of a Planned Development District shall be submitted in writing and shall be accompanied by the following:

1. Statement: A written statement specifying in detail the particular provisions of those Zoning Regulations, which it is proposed be modified, and setting forth any additional standards, which are proposed concerning the use of the land, buildings and other structures, and the location and size of the buildings and other structures: ten (10) copies shall be submitted.
2. General plans. A plan of the proposed development, including a site plan complying with Chapter 175 of the Zoning Regulations indicating thereon proposed buffer zones, architectural work ups, layouts and other items as may be relevant, in sufficient detail to show the nature of the Planned Development District. Said general plans will state the procedures, which will be taken, both on and off-site, to ensure conformance with the purpose set forth herein: ten (10) copies shall be submitted.

3. An application pertaining to the purpose set forth herein shall be located on a plot of a minimum of seventy-five (75) acres in a present residential zone and shall conform to the procedures, standards and conditions set forth herein. The maximum site coverage of all proposed structures shall not exceed twenty percent (20%) of the total land area in the proposed district. The Commission will require a minimum two-hundred-foot (200') buffer strip, front, back and sides, from existing residential development or foreseeable future residential development. However, where a natural barrier exists on the site or is immediately bordering on adjacent property, the Commission may waive any part of such landscaped buffer strips when, in its judgment, the public convenience and welfare will be substantially served, and appropriate use of such neighboring property will not be substantially or permanently altered. The maximum height of any structure in the proposed district is a standard to be recommended by the applicant, but shall be consistent with the character of the town and of the neighborhood in which the proposed district is to be located.
4. The application shall be submitted to the Commission and shall be accompanied by a fee sufficient to cover the publication cost of all required legal notices. In acting on any application, the Commission shall hold a public hearing on the application in the same form and manner as required by the General Statutes of the State of Connecticut for an amendment to these regulations. After review by the Planning Commission, and after public hearing, the Zoning Commission may approve, disapprove or approve with modifications. Any modifications by the Commission shall not amend the plan in any substantial manner. It is the intent of the Commission that the plan, as finally approved, shall be substantially the same as that presented at the public hearing. The Planned Development District, if approved by the Commission, shall modify and supplement the regulations of the Zoning Ordinance as they apply to the property applied for and the access to same.

#### **Section 110-040      Standards and Conditions**

1. Conditions. The Commission may attach any condition or conditions to its approval as it considers necessary, in order to protect the public health, safety, convenience and property values and in order to assure continuing conformance to the approved plan. It may also require the posting of a suitable performance bond in accordance with the provisions of Chapter 180 of these regulations.
2. Filing requirements. A copy of the approved plan on good quality heavy linen cloth or other materials that would be suitable for filing in the public land records, on sheets twenty-five by thirty-six (25 x 36) inches, shall be filed, at the applicant's expense, in the office of the Town Clerk, and a copy on permanent tracing material, plus three (3) paper copies, shall be filed with the Zoning Enforcement Officer. Any plans not so filed within ninety (90) days after approval by the Commission shall be null and void.

3. Notation of changes. A suitable notation shall be made in the Zoning Regulations and on the Zoning Map identifying any property for which a Planned Development District plan has been approved.
4. Amendments. Application for changes in approved plans shall be made and acted upon in the same manner and procedure as required for the initial application.
5. Time limit. Any Planned Development District authorized by the Commission hereunder shall be established and any construction authorized hereby shall be completed within a period of three (3) years from the date of approval. Any extension of time would require formal public hearing for good cause shown and Commission approval of same.
6. No dust, dirt, fly ash, smoke, gas or fumes shall be emitted into the air from any lot so as to endanger the public health and safety, to impair safety on, or the value and reasonable use of any other lot, or to constitute a critical source of air pollution.
7. No use on any lot shall cause interference with radio and television reception on any other lot, and any use shall conform to the regulation of the Federal Communications Commission with regards to electromagnetic radiation and interference.
8. Smoke or other air contaminant shall not be discharged into the atmosphere for a period or periods aggregating more than three (3) minutes in any one (1) hour which is as dark or darker in shade than as designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or which is of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke designated as No.2 on the Ringelmann Chart.
9. Offensive odors, measured at two hundred (200) feet from the nearest exterior wall of the building involved, shall not exceed the standards established as a guide by Table III (Odor Thresholds) in Chapter Five of Air Pollution Abatement Manual, copyright 1951, by the Manufacturing Chemists Assoc., Inc., Washington, D.C. Should this permitted use adjoin a residential use, there shall be no offensive odors noticeable at the boundaries of said permitted use.
10. All sources of light and heat shall be screened so as to be confined to the room, building or portion of the plant site in which it is located, or which it serves.
11. No vibration noticeable shall exceed the standards developed by the United States Bureau of Mines, Bulletin 442, or any revision thereof. Should this permitted use adjoin a residential use, there shall be no vibrations and/or excessive noise noticeable at the boundaries of said permitted use.

12. The developer shall demonstrate that any additional traffic generated will be readily absorbed into the existing road network presently available to the site. If this is not feasible, then a plan of road improvements, to the requirements of the Department of Public Works, Town of New Milford, shall accompany such application.