

## **Section 116-040      Standards**

1. Lot Area: The minimum lot area is 5 acres.
2. Dwelling Units: The maximum number of dwelling units shall be determined by subtracting the area of wetlands and area of slopes in excess of 25% from the gross parcel area. This net acreage figure shall then be multiplied by 2, which shall be the maximum number of dwelling units permitted.
3. Building Coverage: The aggregate ground cover for all dwellings and accessory buildings shall not exceed twenty-five percent (25%) of the lot area.
4. Units Allowed: Single family detached or two (2) attached single units.
5. Living Area: The minimum living area of each dwelling unit shall be no less than the living area requirements for the R-8 zone.
6. Height of Buildings: The maximum height of a building shall be thirty-five (35) feet, and no space having its floor level below the finished grade shall be used for dwelling purposes.
7. Distance between buildings: The minimum distance between buildings shall be fifty (50) feet (excluding open patios and decks not exceeding 125 square feet, and steps and walkways).
8. Ceiling Height: All interior spaces used for dwelling purposes shall have a clear ceiling height of not less than seven (7) feet, six (6) inches throughout the entire floor area thereof.
9. Bedrooms: There shall be a maximum of two (2) bedrooms per living unit.
10. Parking: There shall be at least two (2) parking spaces provided for each dwelling unit. All driveways shall be a minimum of twenty (20) feet in length (measured from the interior edge of the sidewalk, if any). An attached garage serving a unit shall count as one (1) parking space. A driveway serving a unit shall count as one (1) parking space.
11. Site Lighting: All site lighting fixtures shall be full cutoff, downward aimed and fixed in a downward facing position where the fixture is nonadjustable. Light fixtures shall not be located at a height of more than 16 feet from the ground. All developers of parcels for an Active Adult Community shall retain a lighting consultant, to be approved by the Commission, to review the site lighting plan and shall follow the recommendations of this lighting consultant with regard to the site lighting.
12. Buffer Area: The Commission may require along the perimeter of the development a front buffer yard of sixty (60) feet in width and a side or rear

buffer yard of sixty (60) feet in width, provided that no buffer shall be required for a front, side and/or rear yard if the existing topography and/or landscaping provide natural screening or the yard is adjacent to another Active Adult Community Development permitted pursuant to this Chapter. The buffer area shall conform to the standards for buffer areas as set forth in Section 130-040 (2) of these Regulations. No structures, including but not limited to septic systems, stormwater detention basins, stormwater retention basins, water quality basins or infiltration systems may be located in any required buffer area.

13. Investment Purchases Prohibited: The purchase of a dwelling unit for investment purposes, i.e., by a person or entity not intending to occupy the unit, is prohibited except that a nonresident family member may purchase up to one (1) unit for persons who will reside in the unit and who otherwise comply with the provisions of these Regulations.
14. Conditions: The Commission may impose conditions to require the applicant to take such actions as are necessary to ensure that the housing meets and continues to meet the age restriction requirements of this Chapter. Such conditions may include, without limitation, deed restrictions, periodic reporting, affidavits of purchasers, renters, authorized representatives of any homeowners' or unit owners' association, stipulated ownership and management policies and procedures, and appropriate association governance. The Commission may require the applicant to submit any or all of this documentation prior to or during the hearing.
15. Community Areas for Recreation: The developer shall provide an area or areas for passive and/or active recreation for the residents of the Active Adult Community Development. Such areas shall include, as a minimum, sitting areas (covered or uncovered) and paths for walking.
16. Utilities: The water supply shall be approved by the Town Director of Health and the State Department of Health.
17. Sewage Disposal: The development shall be served by a sewage disposal system(s) meeting Town Health Department and State Department of Health Services regulations and, as applicable, regulations of the State Department of Environmental Protection.
18. Circulation and Access: Development of more than one hundred (100) bedrooms shall have a second access to a town or state maintained highway. Interior roads and access ways serving more than two (2) dwelling units shall have a paved surface of a least twenty (20) feet wide, a minimum slope of one percent (1%) and a maximum slope of ten percent (10%), and shall have a sidewalk on one side if deemed reasonably necessary by the Commission.

19. Location: The Active Adult Community Development shall have 50 feet of road frontage along a state or town highway. (*Effective: December 23, 2000*)
20. Reimbursement of Town Expenses: The applicant shall reimburse the Town of New Milford for any expenses incurred for unusual costs by Town staff for the administration of the Active Adult Community and reasonable expenses of consultants and attorneys retained by the Town to review the site plans application, and to undertake site inspections related to the Active Adult Community.
21. A phasing plan shall be provided, as deemed necessary by the Zoning Enforcement Officer, prior to the issuance of zoning permits.
22. An operations plan shall be provided to the Zoning Enforcement Officer prior to the issuance of zoning permits.