

CHAPTER 170 SPECIAL PROVISIONS

Section 170-010 Alcoholic Beverages

The retail sales of alcoholic beverages, to be consumed on or off premises, shall require acquisition of a special permit and site plan approval in accordance with the provisions of Chapters 175 and 180 of these regulations. (*Amended Effective: May 8, 2017*)

Section 170-020 Mobile Homes and Mobile Home Parks

The use of mobile homes for human occupancy is permitted only in the following zones: R-20 Residential Zone, B-1 Restricted Business Zone, B-2 General Business Zone, Industrial Zone and Multiple Residence Zone. All mobile homes must be connected to a community water system and sanitary sewer system in accordance with state and local ordinances and, shall be approved in writing by the Health Officer of the Town. Each mobile home and the lot on which it is located shall comply with all of the height and area regulations specified in the R-20 Residential Zone, as Set forth in Section 020-020 of these regulations, regardless of the zone in which it is located.

For the purposes of this section, certain words shall have the following meanings:

1. **Person** includes individuals, partnerships, corporations, owner, lessees, licensees and the agents of each of them.
2. **Licensee** means any person licensed hereunder to operate and maintain a mobile home park.
3. **Recreational vehicle** means a trailer or camping vehicle used for thirty (30) days or less as a temporary residence.
4. **Mobile home** means a unit that is equipped with running water, bath facilities, flush toilet and appropriate sanitary connections.
5. **Mobile home park** means privately owned land upon which two (2) or more mobile homes are, or are intended to be, parked and occupied as dwellings.
6. **Collector** means the Tax Collector of the Town of New Milford.
7. **Health Officer** means the appointed Health Officer of the Town of New Milford, Connecticut or his deputy.

An occupied recreation vehicle shall be permitted in a mobile home park for a period not to exceed thirty (30) days in any year.

A mobile home park may be permitted in the following zones: R-20 Residential Zone, B-1 Restricted Business Zone, B-2 General Business Zone, Industrial Zone and Multiple Residence Zone subject to the requirements hereinafter set forth and to site plan approval by the Zoning Commission as stated in Chapter 175.

An application to create or develop a mobile home park must be submitted to the Commission and acted upon in a manner required for a change of zone. All documents, plans and drawings to be presented by the applicant at any public hearing must be submitted to the Commission at least thirty (30) days prior to such hearing. The applicant shall meet the following requirements. (*Amended Effective: June 6, 1985*)

A single mobile home unit may be permitted on farms or for the preservation of natural resources or open space, for use of the owner or caretaker of the above. It shall be connected to an approved sewage disposal system and an approved water system.

Application for a permit shall be made in writing to the Commission and shall contain the following information:

1. The name and address of the applicant and the name and address of the real party in interest, if other than the applicant or his authorized agent.
2. A plot plan made by a licensed land surveyor registered in the State of Connecticut under seal, showing the site of the mobile home park, roads, location, size, shape and identification number of the mobile home lots, location of sanitary provisions, and the names of abutting property owners within five hundred feet (500') according to the land records of the Town of New Milford. All final plans or maps shall be overall size, not larger than twenty-five by thirty-seven inches (25" x 37"), including border. They shall be drawn or traced on a good quality of white drawing paper mounted on muslin or on a good quality of tracing cloth and on a scale of not more than one hundred feet (100') to the inch. The tracings or drawings shall be made of waterproof black India ink. Four (4) blueprints or other types of copies must accompany the white drawing.
3. Proof of ownership, option or valid lease.
4. Fee of fifty dollars (\$50.00).

Each mobile home park and extension thereof shall meet the following requirements:

1. The Mobile Home Park and each mobile home therein must be connected to a public water supply system and to a public sanitary sewer system.
2. The park shall be located on a site graded to ensure drainage of surface and subsurface water, sewage and freedom from stagnant pools.
3. A minimum of twenty thousand (20,000) square feet shall be provided for each mobile home lot.

4. Each mobile home lot shall be defined by a permanent corner stakes and shall be provided with a permanent marker, displaying the lot number corresponding with the approved plot plan.
5. Each mobile home and the lot on which it is located shall comply with all of the height and area regulations specified in the R-20 Residential Zone, as set forth in Section 020-020 of these regulations, regardless of the zone in which it is located.
6. All mobile home parks shall abut on a roadway of not less than thirty feet (30') in width. (*Amended Effective: June 6, 1985*)
7. All roads within the park shall be well drained, provided with bituminous surface and maintained in good condition.
8. Each mobile home park shall be appropriately landscaped and screened from adjoining property by a fifteen foot (15') buffer zone and maintained by the owner of the mobile home park.
9. Free vehicular passage shall be provided and maintained from a public highway to each mobile home site. A parking space for at least one (1) passenger car per mobile home site shall be provided and located so as to permit free movement of vehicles to each other mobile and parking space. A parking space for each car shall be not less than five feet (5') from the mobile home it serves, not less than fifteen feet (15') from each other mobile home or permanent building and not less than fifty feet (50') from a street line or forty feet (40') from a side line or rear property line.

Upon completion of all the requirements of these regulations, and before issuance of a certificate of use and compliance, the owner shall file with the Town Clerk a map showing all physical installations as built, together with a certificate from the Health Officer showing compliance with the sanitary requirements of these regulations.

The owner of a mobile home park shall be responsible for the operation and the maintenance of the park in accordance with these regulations:

1. He shall provide all the required utilities and facilities. He shall provide metal containers with covers for refuse and waste materials and shall dispose of all garbage and refuse in accordance with local ordinances.
2. He shall keep and maintain a register, written in the English language, available at all times to federal, state and local authorities have jurisdiction. Such records shall be kept available for the last three (3) consecutive years of occupancy and shall contain for each site:
 - a. The name of the lessee of the site or trailer.
 - b. The permanent or last known address of such lessee.
 - c. The name of each person customarily occupying the mobile home.
 - d. State registry and marker number of mobile home and/or motor vehicle.

- e. Date of entry on or exit from the site or mobile home.

(See Chapter 36 – Mobile Home District)

Section 170-030 Adult Oriented Establishments

Adult oriented establishments as defined in chapter 15 are a permitted use subject to acquisition of a special permit and site plan approval in a Restricted Industrial Zone.

Adult oriented establishments are subject to the following standards:

1. The proposed use shall be a least 1,000 feet distant from any existing adult oriented establishment, as measured by a 1,000 foot radius from the outermost boundary of the parcel on which the use is proposed.
2. The proposed use shall be at least 1,000 feet distant from any residential property, school, church, charitable institution, hospital, library, public playground or other municipal building, as measure by a 1,000 foot radius from the outermost boundary of the parcel or which the use is proposed.
3. The proposed use shall not be conducted in any manner that permits observation from any public way of any material depicting human genitalia and pubic region, buttocks, anus or female breast or describing sexual activities including human genitalia in a state of sexual stimulation or arousal, acts of human masturbation, sexual intercourse or sodomy, or bondage or other erotic touching of human genitalia, pubic region, buttocks, anus, or female breasts. This provision shall apply to any other exterior display, decoration, sign, show window or other exterior opening.

(Effective: January 14, 2000)

Section 170-040 Inclusionary Zoning – Affordable Housing Contribution

(Deleted Effective: September 15, 2006)

(Chapter Amended Effective: July 15, 2011; May 8, 2017)