

Section 010-070 Performance Standards

The use of land, buildings and other structures, wherever located, shall be established and conducted so as to conform to the performance standards hereinafter specified. The performance standards establish certain nuisance factors, which, if committed or exceeded in the use of land, buildings and other structures, will be detrimental to the use, enjoyment and value of other land, buildings and structures, will be detrimental to the public health, safety and welfare and will be contrary to the Comprehensive Plan of Zoning. The Zoning Enforcement Officer is authorized to make surveys and take measurements to determine compliance. The performance standards hereinafter specified shall be of continuing application:

1. 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.
2. No use on any lot shall cause interference with radio and television reception on any other lot, and any use shall conform to the regulations of the Federal Communications Commission with regards to electromagnetic radiation and interference.
3. 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.
4. 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.
5. Glare and heat. No light shall be transmitted outside the lot where it originates so as to endanger the public health or safety, including the public safety on any street or highway, or to impair the value and reasonable use of any other lot.
6. 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.
7. 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.

8. Refuse and pollution. No refuse or other waste materials shall be dumped on any lot except with the approval of the Director of Health of the Town of New Milford. No refuse or other waste materials and no liquids shall be dumped on any lot or dumped or discharged into any river, stream, watercourse, storm drain, pond, lake or swamp so as to constitute a source of water pollution. This regulation, however, shall not be so interpreted as to interfere with standard farm procedures. (*Effective: June 26, 1987*)