

Section 160-040 Nonconforming Lots

1. No Increase in Nonconformity. Except as set forth in Subsection 2 of this section, no lot or parcel shall hereafter be decreased in size, by sale, devise, descent, gift or otherwise, so that it or any part of it, or so that any structure or building thereon, shall fail to comply with these regulations or shall increase the extent of any nonconformity.

2. Nonconformity as a result of improving or widening of a State Road.
Any portion of a lot acquired by the State of Connecticut or the Town of New Milford for the purpose of improving or widening a State Road, or for the construction of sewer pump stations or other sewerage facilities associated with improving or widening a State Road, shall not be deemed under any circumstances to render the remaining portion of such lot or the buildings located thereon nonconforming 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 State of Connecticut or 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.

3. Use of Nonconforming Lots
The erection of a single family dwelling in any residential zone shall not be prohibited on a parcel of land separately recorded by deed or depicted on a subdivision map approved by the Planning Commission and duly filed in the office of the Town Clerk prior to the effective date of these regulations, or any amendments thereto, which lot fails to meet the lot area, frontage, width or any other applicable requirements of these regulations pertaining to lots, provided further that all buildings are so designed and erected as to conform with the provisions of these regulations.

4. Merger Provision
Where two (2) or more nonconforming lots of record are contiguous and in single ownership at the time of the adoption of these regulations or at any time thereafter, and such lots taken together would form one or more conforming lots, such lot or lots must be joined and used to comply with the lot area, lot frontage and lot width requirement to the extent possible irrespective of subsequent change in ownership.

Nothing in these regulations shall be intended to abrogate the provisions of Section 8-26a of the Connecticut General Statutes.