

Amendment to the New Milford Zoning Regulations

Adopted: February 8, 2022

Effective: February 25, 2022

Michael J. and Lynn A. Mitchell,

Application to Amend the New Milford Zoning Regulations, Appendix E, Cluster Conservation Subdivision District Regulations, E-2, Cluster Conservation Subdivision District #2 (CCSD#2), Subsection 2, Permitted Uses, to add “Farm Brewery / Farm Winery / Farm Distillery”, as a permitted use, subject to the requirements of Section 025-120.

E-2: Cluster Conservation Subdivision District #2 (CCSD#2)

The following regulations shall be applicable within the Walker Brook Farms Cluster Conservation Subdivision District as defined below:

Tax assessor’s map #72, lot 2, and map 66, lot 3, and depicted on a map entitled “Area Zone Map Showing Adjoining Properties within 500’ of Map 66, Parcels 2 and 3, Proposed ‘Walker Brook Farm’ New Milford, Connecticut. Scale 1”=500’, June 26, 2004’ prepared by Larry Edwards, L.S. #10937, L Edwards Associates, LLC 227 Stepney Road, Easton Connecticut 06612” located on the northerly side of Chestnut Land Road (Route 109) at the intersection with Walker Brook Road adjacent to the Washington Town Line.

1. Lot Area, Frontage and Yard Requirements:

The minimum lot area is 40,000 square feet.

The maximum building height is 35 feet.

The minimum lot frontage is 150 feet. Irregular shaped lots and rear lots, as hereafter defined, are also permitted.

The minimum front yard is 40 feet.

The minimum side yard is 25 feet.

The minimum rear yard is 40 feet.

The minimum front and side yards on a corner lot is 30 feet.

Irregular shaped lots having an area of 40,000 square feet and an average lot width of 125 feet are permitted provided that the lot has a minimum lot frontage of 50 feet on a street or highway. The lot line from which the right-of-access leads shall be considered the front line of the rear lot.

Rear lots are permitted provided that the lot has its own separate and individual unobstructed right-of-way, which is everywhere not less than 20 feet wide connecting to a street or highway. The lot line from which the right-of-access leads shall be considered the front line of the rear lot.

Front yards on corner lots. On corner lots, a front yard requirement of 30 feet shall be enforced on either street front. The width of the side yards shall not be less than thirty feet (30’).

There is no maximum lot coverage.

There is not required buffer area.

Common driveways as defined in section 165-050 3 are permitted.

2. Permitted uses:

The following uses are permitted:

- A. Single Family Residence or Dwelling, together with such other buildings as are ordinarily appurtenant to a single family use.
- B. Accessory Apartment, subject to a special permit and compliance with the standards and procedures applicable to approval of accessory apartments in other single family zoning districts (Section 025-090).
- C. Home Occupations, including “Home Office or Studio”, “Traditional Home Enterprise” and “General Home Occupation” subject to the standards, conditions and permit requirements otherwise set forth in the Zoning Regulations (Section 025-070 et seq.).
- D. Farm Brewery / Farm Winery / Farm Distillery, subject to the requirements of Section 025-120.

3. Accessory Uses:

No accessory building, including a swimming pool, shall be located in any required yard, except that an accessory building, including a swimming pool, may be located in the required rear yard provided that the same is brought no closer than twenty feet (20') from the rear lot line.

A building attached to the principal building by a covered passageway, or having a wall or a part of a wall in common with it, shall be considered an integral part of the principal structure and not an accessory building.

4. Utilities:

All lots shall be served by individual wells and septic systems approved by the New Milford Department of Health or such other public or private water supply or sewer system as may be available to provide water or sewer service to such lots. Electric and other utilities shall be provided by public service companies.

Section 025-120 Farm Brewery/Farm Winery/Farm Distillery

1. Purpose: It is the intent of this section to preserve and encourage agricultural activities and agritourism.
2. A Farm Brewery/Farm Winery/Farm Distillery as defined in Chapter 15 of these regulations may be permitted in a single family residence district subject to acquisition of a special permit and site plan approval in accordance with the provisions of Chapters 175 and 180 of these regulations and the following standards:
 - a. Said facility shall be located on a parcel of land containing a minimum of 10 acres.
 - b. Any newly constructed buildings and structures, including but not limited to, parking areas, associated with the facility shall be located a minimum distance of 100' to all property lines.
 - c. The conversion of existing buildings or structures shall be permitted provided said building or structure was constructed prior to May 8, 2017 (the effective date of this regulation) and said building or structure is located a minimum of 50' from an abutting residentially zoned property containing a single family dwelling.
 - i. Additions to existing buildings or structures shall be permitted provided the original building or structure was constructed prior to May 8, 2017 (the effective date of this regulation) and the building or structure, and said addition are located a minimum of 50' from an abutting residentially zoned property containing a single family dwelling.

(Section added May 8, 2017)