

ORDINANCE NO. 2022:25

AN ORDINANCE TO AMEND CHAPTER XXX ENTITLED “LAND USE REGULATIONS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD

WHEREAS, the Mayor and Council of the Borough of New Milford propose to amend Chapter XXX, entitled “Land Use Regulations,” of the Revised General Ordinances of the Borough of New Milford related to building in flood hazard areas; and

WHEREAS, the Mayor and Council of the Borough of New Milford believe the recommended changes are in the best interest of the residents of New Milford.

NOW THEREFORE BE IT ORDAINED, the Mayor and Council of the Borough of New Milford hereby amend Chapter XXX, entitled “Land Use Regulations,” of the Revised General Ordinances of the Borough of New Milford as follows:

Amend the following definition in Section 30-2.1:

30-2 DEFINITIONS AND WORD USAGE.

30-2.1 Definitions.

Grade plane shall mean a reference plane representing the average elevation of the finished ground adjoining the building at all exterior walls, except for areas or portions of the building area of a lot located within the Flood Hazard Area Zone AE in the Residential A and Residential B zones. The grade plane shall be calculated by averaging the ground elevation at the primary building corners and the midpoint of the primary exterior walls. The existing grade shall not be altered by more than two (2') feet.

In areas or portions of the building area of a lot located within the Flood Hazard Area Zone AE, shall mean the more restrictive of the base flood elevation or advisory base flood elevation of the Flood Hazard Area plus two (2') feet.

Add the following definition to Section 30-2.1:

30-2 DEFINITIONS AND WORD USAGE.

30-2.1 Definitions.

Flood Hazard Area Zone AE shall mean the lands located within Zone AE on the Federal Emergency Management Agency’s Flood Insurance Rate Maps.

Add the following subsection to Subsection 30-21.4:

30-21 RESIDENTIAL A ZONES.

30-21.4 Area Requirements.

- d. The standards set forth in Chapter 25-1 et. seq. of the Borough Code are hereby incorporated herein and are applicable to properties located within Areas of Special Flood Hazard within the Residential A and Residential B zoning districts.
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Add the following subsection to § 30-21:

30-21 RESIDENTIAL A ZONES.

30-21.9 Base of Structures.

All new or elevated structures shall comply with the following requirements:

- a. The maximum exposed foundation of structures that are built on conventional concrete or concrete block foundations shall be 36 inches. Treatment is required for exposed foundations in excess of the thirty-six-inch limit and shall include treatments such as natural or faux stone facing, brick facing, wood batten, lattice or siding. Treatment shall not include a skim coat of mortar over concrete block work.
 - b. Structures that are built on piling or pier type foundations shall enclose the entire foundation with a finished architectural treatment, such as stone, masonry, framed lattice, framed louvers or siding, to enclose the entire foundation, the same to be reviewed and approved by the Construction Official.
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Add the following note to Attachment 2, Schedule of Zoning Limitations, to the maximum building heights in feet for the Residential A and Residential B Zones:

- 16. For properties located within the Flood Hazard Area Zone AE, refer to the definition of “grade plane” in Section 30-2.1 for the calculation of building height.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon passage and publication in accordance with law and that the remainder of this ordinance remains unchanged.

BE IT FURTHER ORDAINED that a copy of this ordinance be forwarded to the New Milford Planning Board.