

AGENDA

TOLLAND GREEN HISTORIC DISTRICT COMMISSION

Wednesday, September 15, 2021 at 7:00 p.m.

REMOTE MEETING

Public Hearings

1. Call to Order
2. Roll Call
3. Reading of Public Notice as appearing in Journal Inquirer
4. Consideration of Application for a COA at 63 Tolland Green for partial pavement of the driveway and installation of a black aluminum picket fence
5. Neighbor comments, both for and against
6. Close of Public Hearing

Regular Meeting

7. Call to Order
8. Consideration of COA for 63 Tolland Green by Commission, and vote thereon
9. New Business
 - 9.1 Determine meeting future meeting format (ex. In-person, Zoom, hybrid)
10. Miscellaneous
 - 10.1 Discuss proposed PZC #21-13 Zoning Regulation Amendments
11. Approval of Minutes from April 21, 2021 Regular Meeting
12. Adjournment

To View Meeting Materials:

See <https://www.tolland.org/historic-district-commission/pages/remote-meeting-packets-audio-recordings>

To Join Zoom Meeting:

If using a computer, tablet or smartphone, download Zoom app prior to the meeting.

Go to: <https://us06web.zoom.us/j/82872938175?pwd=U1pNTlpYY0JzWUo5UWtySEVFeUNFZz09>

and enter meeting ID 828 7293 8175

Password: 09152021

Or call: 929-205-6099 and enter meeting ID 857 2961 0302

Meeting password is 09152021

If you receive an error message after entering the password:

Enter the password again.

If it does not work, click on the meeting link.

If you still cannot get into the meeting, call in.

Public Hearing

Legal Notice
Tolland Green Historic District Commission

The Commission will hold a Public Hearing on September 15, 2021 at 7:00pm to consider an application for a Certificate of Appropriateness by Lisa Day-Lewis, for partial paving of the driveway, and installing a black aluminum picket fence at 63 Tolland Green. This application is on-line at <https://www.tolland.org/historic-district-commission/pages/applications-pending>

Only remote participation will be allowed. Instructions to participate will be on the agenda, which will be posted by September 13 at www.tolland.org

To run twice in the Journal Inquirer on September 7 & 8, 2021.

Agenda Item 4



TOLLAND GREEN HISTORIC DISTRICT COMMISSION
Application for a Certification of Appropriateness

RECEIVED
SEP 01 2021
BY: L.S.

Property Information

Property Address: 63 Tollard Green Tollard CT 06084
Property Owner: Frederick and Lisa Day-Lewis
Phone Number: [REDACTED]

Applicant Information

Applicant Name: Lisa Day-Lewis
Applicant Address: 63 Tollard Green Tollard CT 06084
Phone Number: [REDACTED] **Email Address:** [REDACTED]

Project Information

Type of Building: Installation of fence and paving of driveway

Nature and description of work to be done as it affects exterior appearance. Attach appropriate drawing or plans giving the position of the house or structure on the site, ground plan of house with proposed addition, and all pertinent elevations showing size and style of windows, dormers, doors, exterior wall finishes, roofing material, chimneys, vents and ornamentation. (If more space needed, attach sheet to application.)

The proposed plan for the property would be the partial paving of the driveway and the

installation of a perimeter fence to enclose the backyard and make it safe for our dogs and children.

The paving would cover the "U" and two spaces in the back of the driveway near the shed.

The fence design was recommended by our contractor, Chris Kent, who has worked on the Green before.

Chris proposed black aluminum picket fence for the front portions that are visible from the road, and (cont.)

Estimated Start and Completion Dates:

Start: September-October 2021 **Complete:** November 2021

1. Attach a photograph of the existing structure or place to be changed as viewed from the street showing that portion of the structure to be altered, together with a drawing of the proposed alteration or change.
2. Application fee of \$75.00 must accompany application (make checks payable to Town of Tollard).
3. Application form, fee, plans, photograph and drawing must be submitted to **Planning & Building Department**. Public Hearings will be scheduled within not more than sixty-five days after the filing of an application.

This application form and all accompanying plans and materials are accurate and complete:

Applicant Signature: Lisa Day-Lewis **Date:** 09/01/2021
Property Owner Signature: Lisa Day-Lewis **Date:** 09/01/2021

OFFICE USE ONLY

Received & Fee Paid:	[REDACTED]	Hearing Scheduled:	9/15/21
Hearing Advertised:		Action:	
Notice of Action to Applicant:			

Fence application continued.

The rear sections on either side of the property would be black chain link.

I have mocked up photos and presented drawings of the proposed work.

We have not scheduled the paving or hired someone for that as of yet, but we are working on that. Before we pave, we intend to plant two Dogwood trees in the front where the trees threatening the house and the dead trees were recently removed.

Thank you!

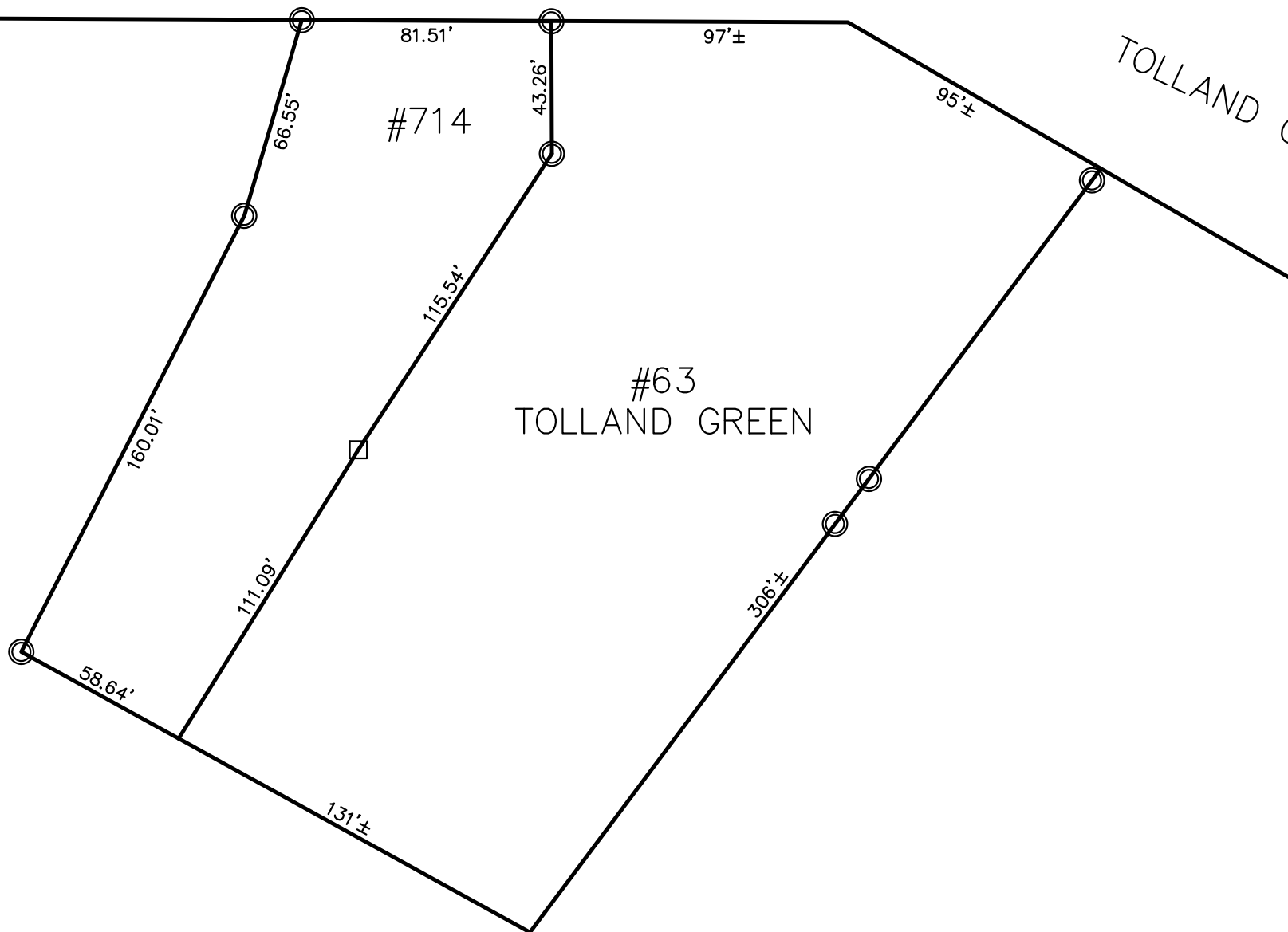
Lisa Day-Lewis

TOLLAND STAGE ROAD

TOLLAND GREEN

#63
TOLLAND GREEN

#714



Laura Smith

From: Laura Smith
Sent: Wednesday, September 15, 2021 10:11 AM
To: 'Lisa Day-Lewis'
Subject: RE: [EXTERNAL]Property map

Great, I will add this to the packet for the Committee to review.
Thank you,

Laura Smith
Building Permit Technician
Town of Tolland
21 Tolland Green
Tolland, CT 06084
860-871-3601
lsmith@tolland.org

From: Lisa Day-Lewis [REDACTED]
Sent: Wednesday, September 15, 2021 8:46 AM
To: Laura Smith <lsmith@tolland.org>
Subject: [EXTERNAL]Property map

Hello Laura!

We had our surveyors come yesterday and they drew out this sketch of our property boundary for us.

The property is also staked so that we have guidelines on where to install the fence.

As I suspected, the GSI is considerably off, and the line is indeed where the prior owners described it to us.

Our proposed fence would be within the boundary on both sides of course.

I'll see you on ZOOM this evening!

Take care,

Lisa

Lisa Day-Lewis
[REDACTED]

Sent from my iPhone

Town of Tolland, CT

August 24, 2021

* Blue Boundary is off about a half of an inch - should be shifted to the right.

xxx

Proposed Paved area

Shed

1.04 AC

1.75 AC

Aluminum Fence

Dogwood

Trees

Holly

Bushes

Garden

Gate

Approx- 8-9 ft tall of planting

Property Information
Property ID 21UC050
Location 63 TOLLAND GREEN
Owner DAY-LEWIS FREDERICK &



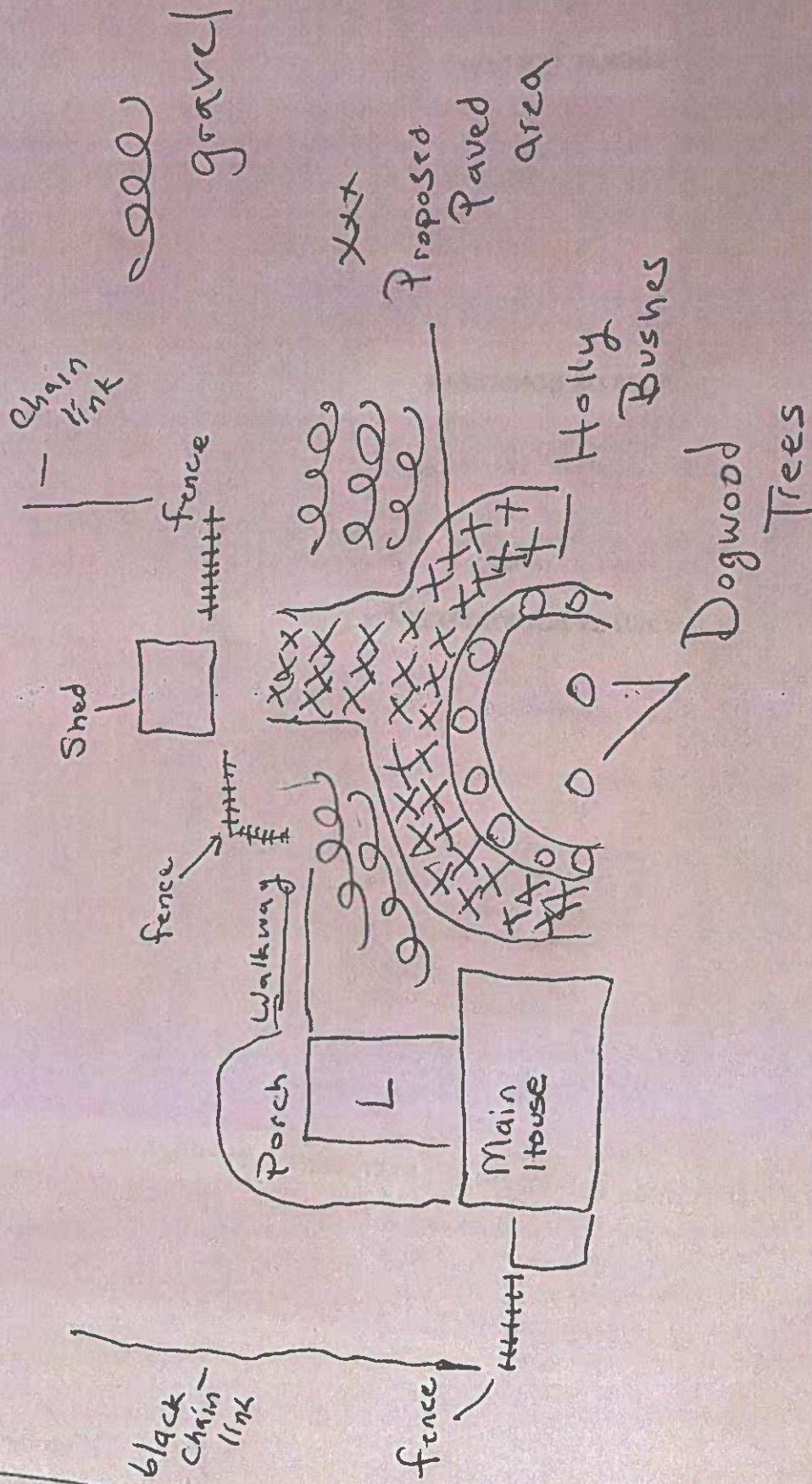
MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Town of Tolland, CT makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.
Geometry updated 08/03/2020
Data updated 11/18/2018

1" = 62.09081059776443 ft

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.

63 Tolland Green



fence = aluminum picket
chain link =

Laura Smith

From:
Sent:
To:
Subject:



Hi Laura!

Here is the map.

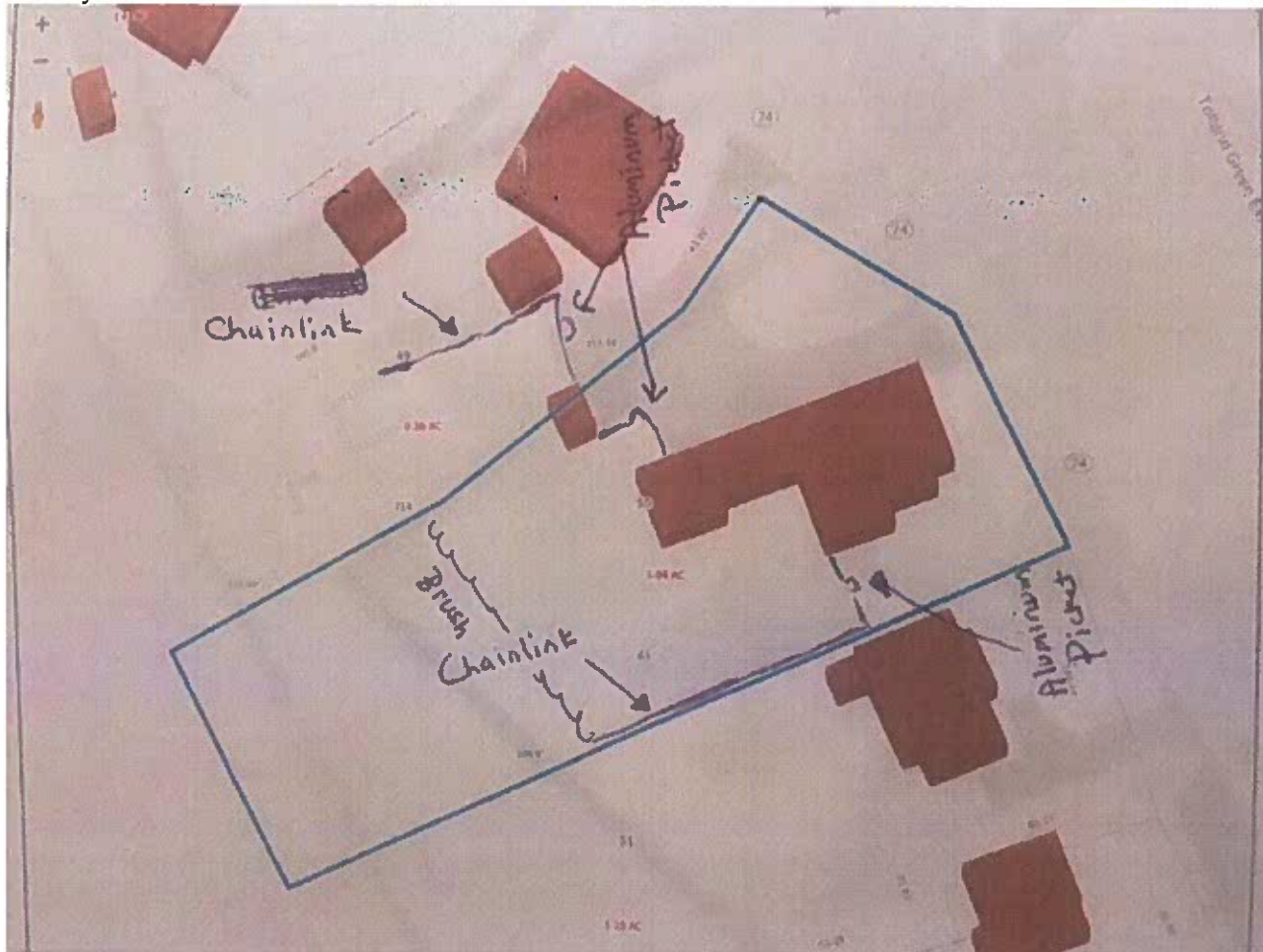
I've drawn the fence on the boundary as describe by the previous owners.

As you can see the front three sections are black aluminum picket, and the sides are black chain link.

We are having a surveyor come in the next couple of weeks to mark it out, and if they give us a new map I'll make sure to submit it to the town.

Let me know if you have any questions!

Thank you!



VANGUARD™ AVANT A-1 SERIES

SPECIFICATIONS

RESIDENTIAL ORNAMENTAL ALUMINUM FENCE

PART 1 GENERAL

1.01 WORK INCLUDED

The contractor shall furnish and install the ornamental fences listed.

1.02 SYSTEM DESCRIPTION

Fence system shall be Vanguard™ Avant Series - Style A-1

1.03 QUALITY ASSURANCE

Laborers and supervisors involved with the installation of the fence will be experienced with all aspects of the construction process.

1.04 REFERENCES

ASTM B117 – Practice for Operating Salt Spray Equipment

ASTM B221 – Standard Specifications for Aluminum and Aluminum-Alloy Extruded Bars, Rods, Wire, Profiles and Tubes.

ASTM D523-89 - Test Method for Specular Gloss.

ASTM D2244 – Test Method for Calculation of Color Differences From Instrumentally Measured Color Coordinates

ASTM D2247 – Test Method for Humidity

ASTM D2794 – Test Method for resistance of Organic Coatings to the effects of Rapid deformation (Impact Resistance)

ASTM D3359-95A - Test Method for Measuring Adhesion By Tape Test

1.05 SUBMITTAL

Manufactures brochures and detail drawings of fences and gates shall be submitted for approval prior to the installation.

PART 2 MATERIALS

2.01 MANUFACTURER

The fencing will be as manufactured by AMERICAN FENCE SYSTEMS, INC., South Plainfield, NJ. Fence will be manufactured in the STYLE A-1 - Avant Series

2.02 MATERIALS

Pickets, Posts and Rails shall be manufactured to conform to requirements as specified in ASTM B221. Posts and Rails will be Alloy 6105 T5. Tubular Pickets shall be Alloy 6063-T6SP

Pickets shall be 3/4" square with a wall thickness of .050" Rails shall be 1.000" x 1.500" Channel with a Top wall thickness of .055" and a Sidewall thickness of .082" The pickets will be spaced 4.725" O.C. and pass thru the rails. Posts shall be 2 1/2" square with a wall thickness are as follows

Standard Post –	2 1/2"	.075"
Gate Post –	2 1/2"	.125"

Aluminum castings shall be used for caps, scrolls, finials and wall mounts.

Gate hardware suitable for the proper operation of gates will be included with gates.

2.03 ASSEMBLY

Pickets will pass thru the rails and be securely fastened using painted stainless steel screws having a nylon patch to prevent them from backing out once tightened.

Gates will be fabricated to match fence. The gate horizontal rails will be welded to a 1 5/8" gate uprite with a wall thickness of 0.125". Gate bracing will be included as needed to provide proper structural integrity of the gate.

2.03 COATING

All Vanguard components are cleaned and prepared by using a state of the art no rinse dry-in place coating which is an environmentally-friendly, patented pretreatment that provides results equal to chrome without the environmental concerns. Vanguard pretreatment is not EPA listed nor does it contain any restricted Heavy Metals. Vanguard pretreatment is approved in Europe by GSB and Qualicoat. Once pretreated, a Super Durable Polyester TGIC Powder coating is applied electro-statically to the pretreated substrate and cured by using both IR and Gas Convection. The resulting Vanguard finish meets or exceeds all of the testing requirements of the AAMA 2604-98 specification to provide a superior coating finish with exceptional weathering and corrosion properties

2.04 Coating Performance

		RESULT
Adhesion	D3359-95A	5b100% No Creepage
Impact resistance	D2794-93	Up to 160 in. lbs. > 1/10" Deformation
Humidity	D2247	3000 Hrs. No Effect
Salt Spray	B117	Scribe Rating 8 Blister Rating 10
Weathering	D2244	5 Year South Florida Sun

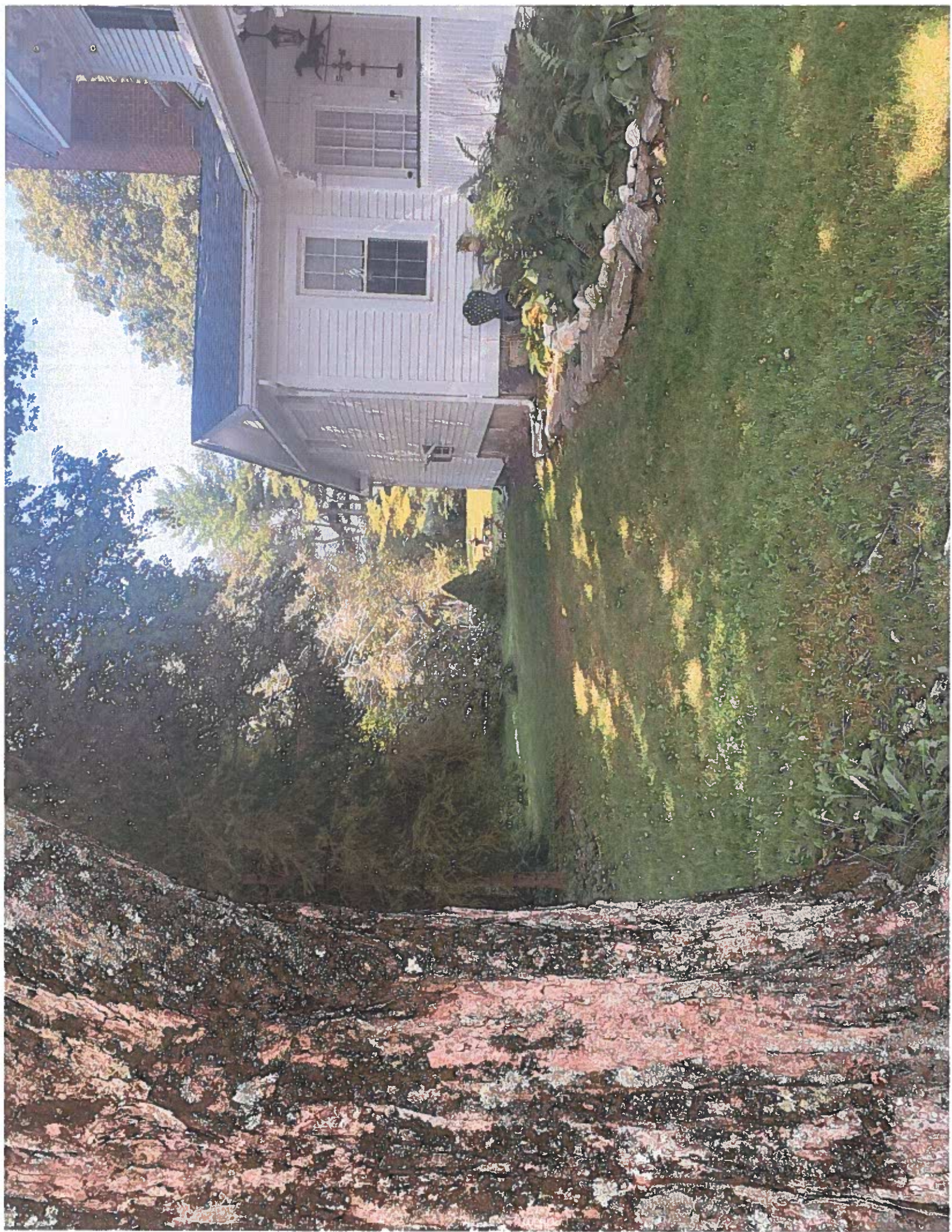
PART 3 – EXECUTION

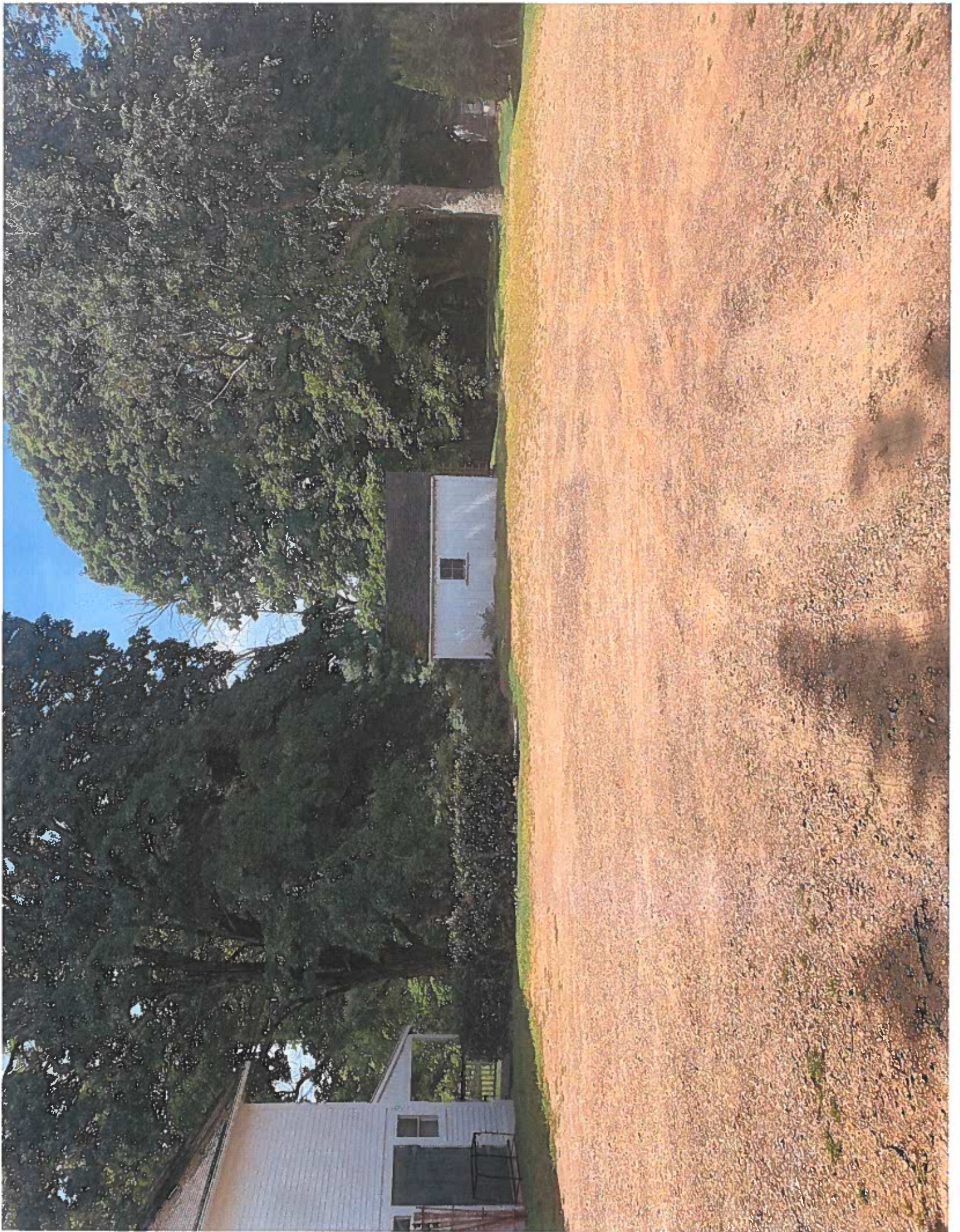
3.01 PREPARATION

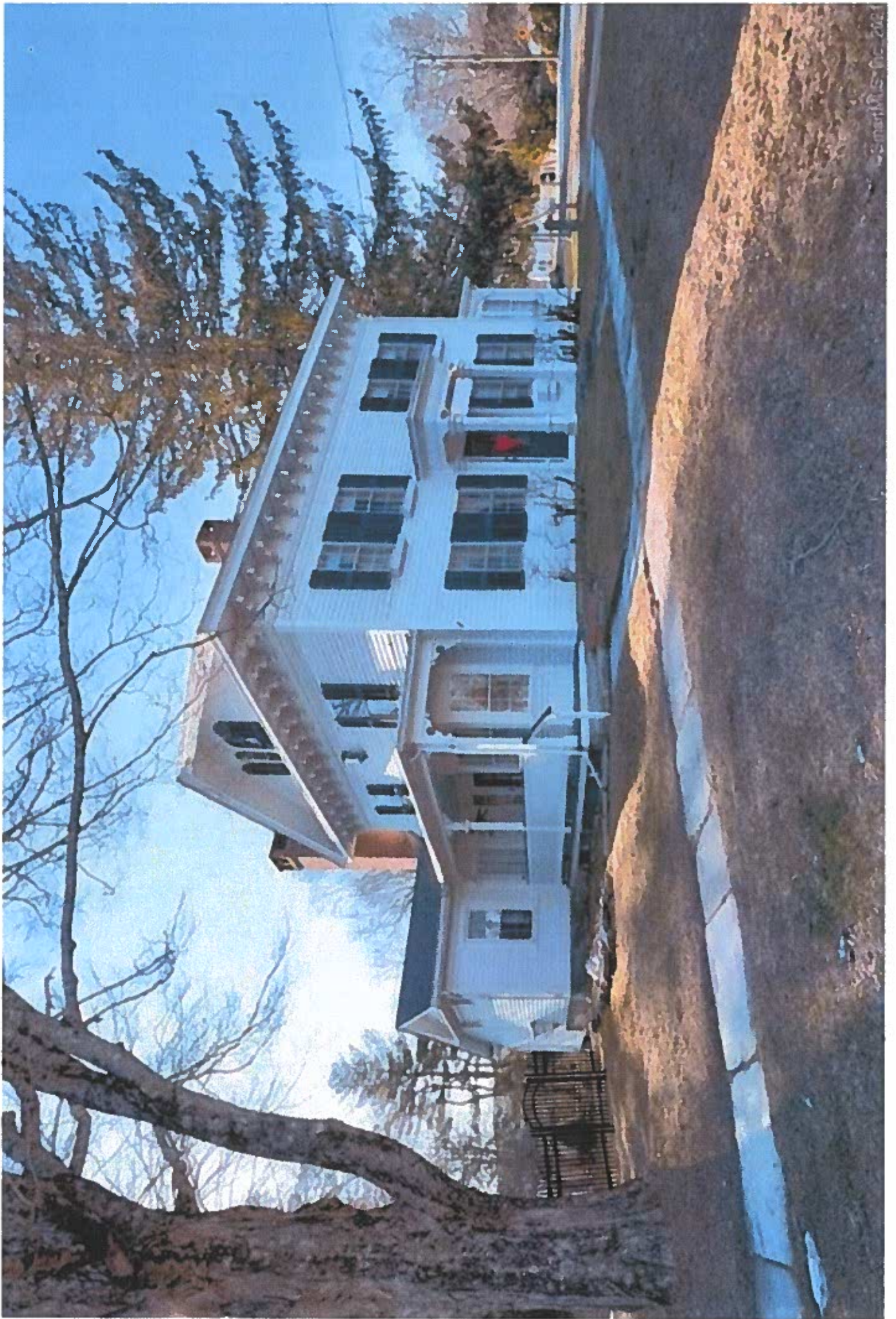
Contractor will layout fence according to plans.

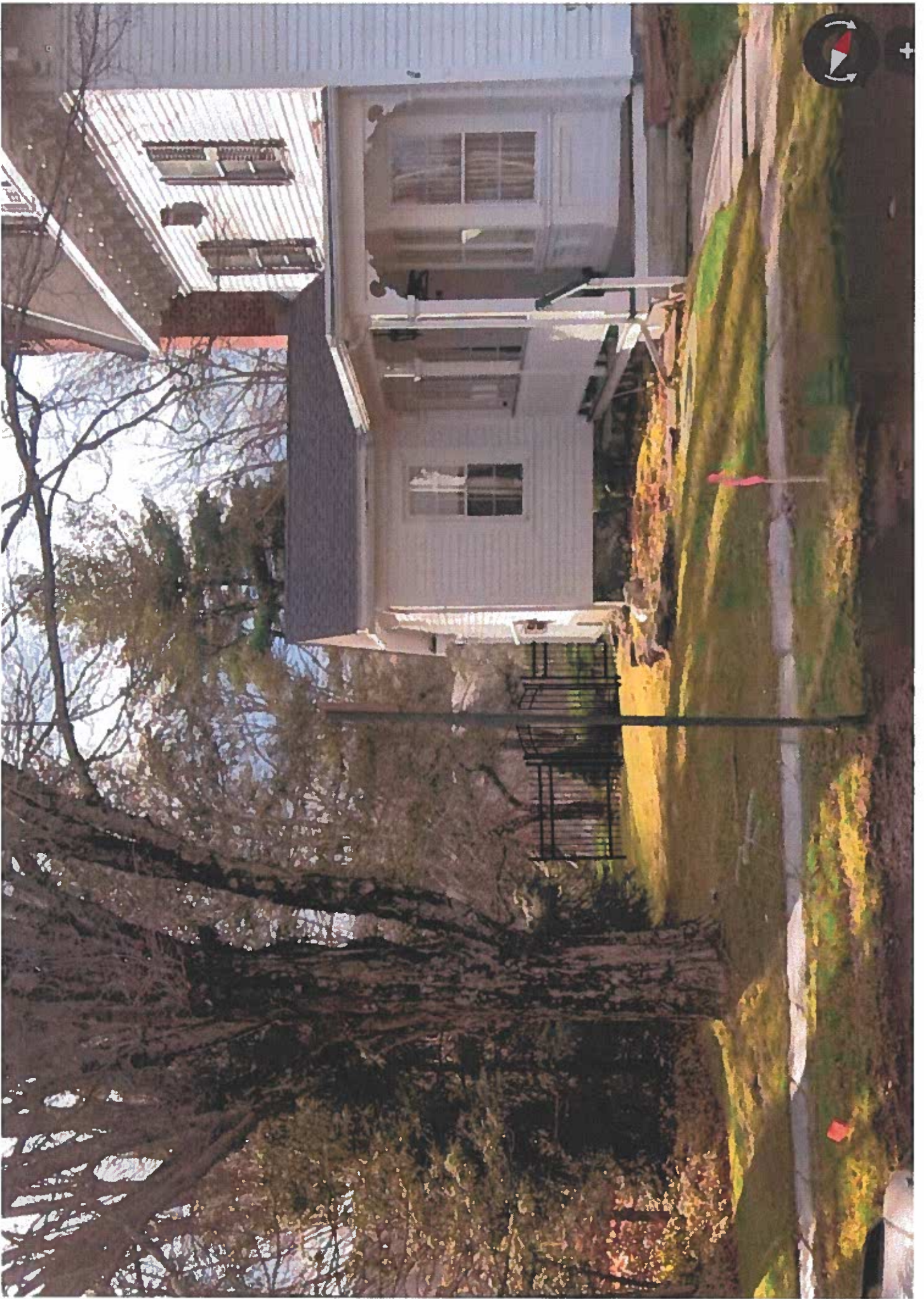
3.02 Installation

Installation should be performed using standard industry practices.











Regular Meeting

Agenda Item 10.1

**Legal Notice
Public Hearing**

Tolland Planning & Zoning Commission

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, September 27, 2021, commencing at 7:00 p.m., to hear and discuss the following:

PZC #21-13, Zoning Regulation Amendments – Request to repeal Article 7 “Tolland Village Area” and the TVA Zone and replace with a new Article 7 “Tolland Village Area Gateway District” and the TVA-GD Zone, adopt Article 11A “Master Plan Overlay Zone” (MPOZ) which will create a new zoning district (floating zone) within the TCZ, repeal existing Article 14, “Aquifer Protection Area” and Amend Sections 8-2, 9-2, 10-3, 11-2, 12-2, and 13-2 and adopt a new Article 14 to identify “Commercial and Industrial Uses” in the TVA-GD, NCZ-G, NCZ-T, CCZ, GDD, TCZ, MPOZ, CIZ-A, CIZ-B, and TBP Zones, amend Section 3-11 “Height Restrictions,” Section 9-4.C “Affordable Housing,” Section 10-4.C.9.s pertaining to Affordable Housing in the GDD, Section 17-6 “Accessory Dwelling Units,” and adopt Sections 16-16 “Motor Vehicle Sales and Repair”, 16-17 “Affordable (Inclusionary) Housing”, 16-18 “Outdoor Dining”, and 16-19 “Administrative Approval for Temporary Accommodation, and amends Sections 20-8 “Special Permits” and Section 20-9 “Site Plan.” Applicant: Town of Tolland

A copy of this application is on file and available for review in the Planning & Building Department at 21 Tolland Green, Tolland, CT.



TOWN of TOLLAND/ 21 Tolland Green, Tolland, Connecticut 06084

MEMO

TO: Planning and Zoning Commission

FROM: David Corcoran, AICP, Director of Planning & Development

DATE: September 8, 2021

RE: PZC #21-13- Zoning Regulation Amendments

In 2019, the Town of Tolland adopted a new Plan of Conservation and Development that called for the re-visiting of several different regulations with the goal of encouraging economic development while preserving the unique character of the Tolland community. Following the adoption of the POCD, the Town entered into a contract with Dr. Don Poland of Goman + York Consulting for the re-writing of several aspects of the Zoning Regulations.

The attached proposed Zoning Regulation modifications represent a major step towards the implementation of the 2019 POCD. The Tolland Planning and Zoning Commission worked from the ground up to develop draft regulations that achieve several different outcomes. Among the highlights, the new regulations would create:

1. A new Commercial and Industrial Use Table that clearly identifies allowed uses in each of Tolland's non-residential zones, with an emphasis on minimizing the need for Special Permits where possible.
2. An overhaul of the Tolland Village Area to encourage additional development in that area. The overhaul allows for an increased number of uses while maintaining and updating design standards to preserve the visual approach to the Tolland Green from Interstate 84.
3. The addition of a new Master Plan Overlay Zone option in the Technology Campus Zone that will allow for developers to propose a master plan and gain some preliminary level of approval, providing potential developers with more certainty for what the Town could potentially approve while preserving the Town's ability to regulate and manage land uses within that zone.
4. Revised Special Permit and Site Plan requirements and processes.
5. Statutory compliance with Public Act 21-29 as it relates to Accessory Dwelling Units.
6. Streamlined permitting for those needing temporary land use accommodations as a result of a disability.



P&Z #:

TOWN OF TOLLAND APPLICATION TO AMEND REGULATIONS

Please attach the full text of the proposed changes, edits, amendments, and new text that you are proposing.

Which document are you proposing to amend?

☒

Zoning Regulations

☐

Wetlands Regulations

☐

Subdivision Regulations

☐

Plan of Conservation & Development

List all sections of the regulations that you propose to amend or add text to:

Article 7, Article 11A, Sections 3-11, 8-2, 9-2, 10-3, 11-2, 12-2

13-2, Article 14, Section 10-4.c.9.s, 9-4.c, 17-6, 16-16, 16-17, 16-18

16-19, 20-8, and 20-9.

Describe the purpose for these proposed changes:

Implement the 2019 Tolland POCD

Describe how this request is consistent with the Tolland Plan of Conservation and Development:

The Tolland POCD called for the re-evaluation of Tolland's commercial and industrial zones. These amendments will support those efforts and encourage commercial, industrial, and multifamily development.

Applicant Information

Applicant Name: Town of Tolland

Mailing Address: 21 Tolland Green, Tolland CT 06084

Phone Number: 860-871-3601 **Email Address:** dcorcoran@tolland.org

(Over)

All of the above statements and the statements contained in any documents and plans submitted herewith are true to the best of my knowledge:

Applicant Signature: _____ **Date:** _____

Please note:

1. If also proposing to amend the Zoning Map, a separate Map Amendment Form and fee must be submitted.
2. The fee must be submitted to be considered a complete application.

OFFICE USE ONLY

Fee Amount: _____ Approved: _____

Form of Payment: _____ Approval Date: _____

Date Submitted: _____ Effective Date: _____
(stamp)

New Text in Yellow

Section 3-11. Height Restrictions

A. Principal Structure

In all zones, the maximum principal building height shall be 35 feet or 40 feet to ridge, whichever is more restrictive. The following exceptions apply:

1. In the Tolland Business Park:
 - a. Maximum principal building height shall be 45 feet or 50 feet to ridge, whichever is more restrictive.
 - b. The Commission may grant a Special Permit for an air supported building up to 80 feet in height after considering visibility and impact from properties not in the Tolland Business Park including topography and elevation of the building site and vegetative buffering.
2. The applicant may request and the Commission may grant a height up to 55 feet in the Gateway Design District by four (4) votes depending on the building design, Site Plan and topography of the site.
3. In the Tolland Village Area – Gateway District: the height provisions stated within the district regulations shall apply (Article 14).
4. In the Master Plan Overlay Zone for the TCZ District: the height provisions stated within the district regulations shall apply (Article 11-A).

B. Appurtenant, Roof Top, and Miscellaneous Structures

1. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building and fire or parapet walls, skylights, towers, domes, bulkheads, individual domestic radio and television antennae, church steeples, spires, belfries, cupolas, stage lofts and screens may be erected above the height limits herein prescribed provided that such roof structure:
 - a. Shall not be erected to exceed the height limits of the zone in which it is located by more than 15 feet.
 - b. Shall not have a total area greater than 10% of the horizontal roof area of the building or structure on which it is located.
 - c. Shall not be used for any purpose other than a use incidental to the principal use of the building or structure on which it is located.

2. Flagpoles, chimneys, smokestacks, water tanks or similar structures may be erected above the height limits herein prescribed.

C. Agricultural Structures

1. Structures used for the storage or protection of agricultural crops may not exceed 40 feet in any zone.
2. The Commission may allow agricultural structures to exceed this height limit, in any zone, by Special Permit.

Article 7: Tolland Village Area – Gateway District (TVA-GD) - Repeal current Article 7 (Tolland Village Area) and replace with the following

Section 7-1. Purpose

The Tolland Village Area Gateway District (TVA-GD) zone is a gateway to Tolland's historic town center and green. The purpose of the TVA-GD is to create an attractive entrance to Tolland and the Town Green while encouraging coordinated commercial retail, service, office, hospitality, multi-family, and mixed-use residential development that incorporate high standards of design at the interchange gateway entrances to the community. The goal is to promote walkable compact development—while recognizing auto-oriented utility and character of the area—having scale and form consistent with the natural landforms of the site, the character of the town, and is sensitive to the historic character of the Town Green area.

Section 7-2. General Concepts/Design Guidelines

These standards and guidelines require a basic level of architectural variety, compatible scale, and mitigation of negative impacts. They are not intended to limit creativity. The purpose of these standards and guidelines is to augment existing criteria with more specific interpretations that apply to the design of commercial developments. This district is intended to encourage smaller sites to combine with other sites in order to provide larger-scale sites and developments.

A. Siting

1. Depending on the overall site design, and where otherwise practicable, buildings should be sited toward the front of the lot and should maintain a pleasing spatial relationship with other buildings and public and interior-access roadways.
2. Structures should be sited in small groups wherever feasible.
3. The use of additive massing (the bulk of the building is broken into smaller sections and horizontally offset) to provide visual interest is desired.
4. All effort should be made to preserve and enhance historic structures, unique landforms, rock outcrops, stone walls, vegetation, views, etc. and incorporate them into site design.
5. Siting should not be detrimental to scenic vistas of the gateway from any public street including I-84. Items of special concern include the placement of dumpsters, loading docks, roof-mounted mechanical units, and antennas.
6. The design of the storm water treatment system shall contain strategies associated with low impact development to the maximum extent possible (MEP) as outlined in the Town of Tolland Design Manual. This provision shall also apply to improvements or

redevelopment of existing commercial sites. If stormwater detention/retention basins are necessary, provisions shall be made for shared structures and shared maintenance to the maximum extent feasible.

B. Access

1. Access management will be required on all sites, in order to reduce the number of driveway cuts onto adjacent roads and mitigate the deterioration of traffic flow generally caused by driveways on public roads. Access management techniques include shared driveways (or provisions for future shared driveways for the first site in the area) or interconnected driveways.
2. Use shared parking with abutting properties wherever feasible.
3. Provide safe, convenient pedestrian circulation, which also provides access to off-site sidewalks, trails, parks and other public places.
4. Locate large parking areas at the side or rear of building where practical with landscaping designed to create visual assets.

C. Site Amenities

1. Create pedestrian spaces such as plazas, "greens", commons and terraces within the development.
2. Add or create amenities such as benches, fountains, sculptures, art, bike racks, sitting walls, planters, period-style lighting or banners.
3. Use creative landscaping design, with plantings of sufficient size and quantity to clearly enhance the site.

D. Architectural Guidelines

The purpose of architectural design review is to provide insights regarding Tolland's design objectives, to encourage aesthetically pleasing commercial structures, to reduce massive scale and uniform impersonal appearance, to provide visual interest and scale consistent with the Town's identity, size and character. All applications for Site Plan or Special Permit shall require design review with consideration given to the following guidelines:

1. Facades.
 - a. No uninterrupted length of any facade shall exceed 100 feet and shall incorporate wall plane projections or recesses.

- b. The ground floor facade facing a public street should incorporate display windows, awnings or other such features to create visual interest.
 - c. Windows should be recessed and should include visually prominent sills, shutters or other such forms of framing.
 - d. All building facades that are visible from a public street, including I-84 and its ramps, should be attractively designed with windows and other architectural elements so that no visible elevations look like the back of a building.
- 2. Roofs.
 - a. Variations in roof lines should be used to add interest and complement the character of the Town.
 - b. Rooftop equipment such as HVAC units shall be screened from public view with parapets featuring three-dimensional cornice treatments.
- 3. Materials, colors and detail features.
 - a. Building facades and public-facing building sides should include a repeating pattern including color, texture or change of materials.
 - b. Predominant exterior building materials should be high quality materials such as brick, wood, sandstone and other native stone or tinted textured, concrete masonry units.
 - c. Facade colors should be low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is discouraged.
 - d. Predominant exterior building materials should not include smooth-faced concrete block.

Section 7-3. Uses

A. Permitted Uses

The Table of Uses identifies those uses permitted by zoning district. All commercial, mixed-use, residential uses, developments, and new construction, except for changes in use and minor changes specified in Section 20-8 and 20-9, require approval by the Commission. Any use not expressly permitted by these Regulations shall be prohibited unless the Commission, upon request by an applicant, makes a finding of similar use to other uses permitted in the zone. The Commission retains the right to determine if any use meets the intent of the regulations.

B. Allowable Uses.

The uses allowed in the TVA-GD are provided in the Table of Uses in Article 14, Section 14.2.

C. Accessory Uses

Customary accessory uses shall be subject to the provisions of Article 17.

Section 7-4. Requirements**A. Dimensional Requirements**

1. Minimum lot area: one (1) acre.
2. Minimum lot frontage on a public street or private street with legal access and maintenance rights: 50 feet to 200 feet depending on existing or proposed development pattern and ability to provide safe access. The frontage of two (2) or more lots, which share a single joint entrance and a single joint exit to a public street, may be computed as a single frontage.
3. Minimum front yard setback: 50 feet from existing public streets.
4. Maximum lot coverage: 50%, including principal and accessory structures and impervious surfaces. The Commission may, by four (4) concurring votes:
 1. Permit lot coverage up to 65%. This increased coverage shall be permitted only in special instances where special attention has been given to access management through linkages to abutting properties, special provisions for non-motorized transportation or site sensitivity.
 2. Permit lot coverage up to 80%, not including the area of public access management roadways. This increased coverage shall be permitted in unique circumstances where a public roadway will be provided to link abutting properties to promote public safety and meeting the lot coverage requirement limits lot development design.
5. Minimum side yard setback: 50 feet. The side yard for parking areas and driveways may be reduced depending on the nature of the adjacent land-uses and the proposed landscaping/screening plan, by a majority vote of the seated Commission members, per Section 10-4.B. Required side yard setback may be eliminated if the parcels that share that side property line share a single joint entrance and single joint exit to a public street or share parking facilities and do not contain a residential use.
6. Minimum rear yard setback: 35 feet.

7. Minimum separation between buildings on the same site: 20 feet, unless sharing a common wall.
8. Minimum distance from residential zones (RDD & VCZ). The principal buildings shall be located at least 150 feet and uses shall be 75 feet, from the boundary of any residential zone, unless modified by a majority vote of the seated members of the Commission due to the nature of adjacent land uses and the proposed landscaping/screening plan. The Commission shall require screening and landscaping of the setback area.
9. Minimum building floor area: 1,000 square feet.
10. Residential Density: 9-bedrooms per developable acres.
11. Maximum Height: 40 feet or 4 stories, whichever is more restrictive.
12. No individual retail business establishment may exceed 20,000 square feet. The Commission may, by four (4) concurring votes, increase the maximum size up to 45,000 square feet, not including mezzanines that comprise no more than 10% of the total square footage, if the applicant provides one (1) or more of the following criteria:
 - additional buffering,
 - linkages to abutting properties,
 - minimum front-field parking,
 - special site sensitivity, and
 - a special architectural design.

B. Reductions in Dimensional Requirements

Reductions in dimensional requirements will be considered by the Commission only in special instances when the development pattern will do at least one (1) of the following:

1. Provide pathway connections and promote walkability within the area.
2. Improve overall compatibility of the site to surrounding or connecting property.,
3. Give special attention to one or more of the following: landscaping, building orientation, New England style architecture, linkages to abutting properties and other site amenities.

Such reductions require four concurring votes of members

C. Other Requirements

1. All business establishments shall conform to the environmental and performance standards specified in Section 19-7 and to the requirements of all other applicable town regulations.

2. Except as otherwise permitted, all production, repair, treatment, storage and display of goods shall be accessory to the principal use of the premises.
3. No outside storage of goods or merchandise and no goods or merchandise shall be sold from a trailer or truck situated on a lot unless permitted by the Commission.
4. Loading docks and receiving areas shall be carefully located for accessibility and designed as an integral part of the building and shall not detract from the building and site.
5. All dumpsters shall be placed on a concrete pad, and suitably screened with trees, shrubs, fencing or other appropriate means (e.g., the building itself). Their placement with respect to buildings shall be as approved by Public Safety personnel.
6. Areas for truck parking, recycling, trash collection and compaction shall not be visible from abutting streets including I-84 and the ramps.
7. The areas and facilities listed in 4, 5 and 6 above, if not totally enclosed, shall be at least 50 feet from any public road, public sidewalk or pedestrian way.
8. Loading docks, truck parking, utility meters, HVAC equipment, trash collection, trash compaction and other service functions, shall be incorporated into the overall design of the building and landscaping.

Section 7-5. Consolidated Parcels

For the purpose of integrated development, any number of contiguous parcels may be consolidated and the consolidated parcel shall be construed to be one lot when computing building coverage and yard requirements, and permitted uses, provided:

1. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or agreement filed in the office of the Town Clerk, the right of entrance, exit, passage, parking and loading.
2. The consolidated parcel is developed with an integrated plan of buildings, parking, loading and unloading, landscaping and common areas, etc.
3. The Commission may require or limit use of access driveways to one or more parcels, whether or not under separate ownership, in accordance with access management policies and plans.

Section 8-2 Uses - Repeal current Section 8-2 regarding uses in the NCZ Zones and replace with the following

The allowable uses for these zoning districts are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Section 9-2 Uses - Repeal current Section 9-2 regarding uses in the CCZ Zone and replace with the following

The allowable uses for this zoning district are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Section 9-4. Multi-Family Development

C. Affordable Housing

The purpose is to promote the development of affordable housing to meet local housing needs and to increase the diversity of housing within the town in accordance with Section 8-2g. of the General Statutes.

1. Maximum permitted density. The maximum permitted density (number of bedrooms) of multi-family affordable developments may be increased by up to 40% subject to approval by the Commission.
2. To receive the additional density, residential developments shall be in conformance with the following conditions:
 - a. For each dwelling unit constructed in excess of the number permitted by applicable density limits, the developer shall construct one (1) unit of affordable housing within the proposed development.
 - b. The affordable units shall be reserved for sale or rental to persons and families of low and moderate income, as defined in Section 8-39a of the General Statutes for a period of a least 30 years.
 - c. In conjunction with an application for approval of Site Plan and Special Permit, the applicant shall submit an affordability plan.
3. Certification. The developer or his or her successors shall certify to the town on an annual basis that the units developed as affordable housing are being leased or have been sold to eligible persons or families, at prices or rents consistent with the regulations of the General Statutes.
4. This section (9-4.C) shall become void on July 1, 2022 and shall be replaced by Section 16-17. The remaining sections of 9-4 shall be renumbered to account for the removal of item C.

Section 10-3 Uses - Repeal current Section 10-3 regarding uses in the GDD Zone and replace with the following

The allowable uses for this zoning district are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Section 10-4. Requirements

C. Other Requirements

s. In order to promote the development of affordable housing to meet local housing needs and to increase the diversity of housing within the town in accordance with Section 8-2g of the General Statutes, the Commission may authorize an increase in density of up to 40% when a developer proposes to construct a minimum of 10% workforce housing in accordance with the following provisions:

1) The workforce housing units shall be subject to a deed restriction or other mechanism acceptable to the Commission containing covenants or restrictions which shall require that, for at least 40 years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as affordable to the workforce.

2) An Affordability Plan, prepared in accordance with General Statutes 8-30g and RCSA (Regulations of CT State Agencies) 8-30g-7 of the State regulations, rules and guidelines shall be submitted. The Plan shall provide all of the necessary information and documentation to ensure the construction and continued operation of workforce housing, including the following:

a) The person or organization responsible for administering the plan, including administration of the application procedures and screening criteria to determine the income eligibility of applicants, and reporting and enforcement mechanisms.

b) Affirmative fair marketing procedures governing the sale or rental of the workforce housing units in accordance with General Statutes 8-30ee and regulations promulgated thereunder.

c) Proposed sale or rental prices of the workforce housing units and the basis for determination.

d) Identification and timetable for the completion and even distribution of the workforce housing units among the market-rate units in the development.

e) Other information as may be required by the Commission.

3) Workforce housing units shall meet the following standards:

- a) Units shall be sited in no less desirable locations than the other units located on the same site.
- b) The exterior appearance of the units shall be comparable with the other units on the same site.
- c) The materials used and the quality of construction for the units, including heating, ventilation, and air conditioning systems, shall be comparable to those of the other units in the development.
- d) Basic features of a housing unit, including but not limited to flooring, plumbing fixtures, and appliances, shall be provided in the workforce housing units, but amenities or optional upgrades, such as designer or high end appliances and fixtures, need not be provided for workforce housing units.

4) This subsection (10-4.C.s) shall become void on July 1, 2022 and shall be replaced by Section 16-17. The remaining sections of 10-4 shall be renumbered to account for the removal of item s.

Section 11-2 Uses - Repeal current Section 11-2 regarding uses in the TCZ Zone and replace with the following

The allowable uses for this zoning district are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Article 11A – Master Plan Overlay Zone (MPOZ) Adopt New

Section 11A-1 Purpose and Intent

The intent and purpose of the Master Plan Overlay Zone (MPOZ) is to create a flexible zoning mechanism designed to enable the land area within the designated areas or zoning districts to be developed in a responsible and efficient manner consistent with the Plan of Conservation and Development. The MPOZ requires the submission and approval of a conceptual master plan as part of the zone change application. The MPOZ can be utilized for any property or properties located within the Technology Campus Zone (TCZ). The MPOZ is proposed to create comprehensively designed site developments, including industrial, commercial, multi-family residential, and mixed-use developments. When the MPOZ is applied to a parcel or parcels of land, the underlying zoning designation remain intact and existing properties are not required to utilize the MPOZ designation and related provisions and requirements, unless specifically stated.

Section 11A-2 General Requirements

The following are general requirements for proposed MPOZ master plan development applications.

- A. It is the intent of these regulations that standards pertaining to the MPOZ shall be those specifically set forth in these MPOZ regulations and those which are approved as part of the Master Development Plan (MDP) and Site Plan hereunder. Accordingly, the provisions of these Tolland Zoning Regulations, including, without limitation, those set forth in the underlying zone shall continue to govern any MPOZ adopted by the Commission unless otherwise addressed by a specific standard contained in these MPOZ regulations or a standard approved by the Commission as a part of an approved MDP or Site Plan. If any provision of MDP or Site Plan for a MPOZ as approved by the Planning and Zoning Commission conflicts with other provisions of these Tolland Zoning Regulations, the provisions of the approved Master Development Plan and/or Site Plan shall govern.
- B. The MDP as approved shall set forth the permitted uses of the specific MPOZ approved by the Commission and in approving the MDP, the Commission is authorized to regulate and promulgate standards to which an approved MDP shall be subject. The approved uses in the MDP shall be consistent with Section 11-A.5.D *Permitted Uses*.
- C. All buildings, structures and site improvements in a MPOZ shall conform to all applicable dimensional standards proposed in the Master Development Plan, Site Plan, Parking Demand and Management Study, and should seek to achieve high quality site and architectural design standards.
- D. All site improvements, unless otherwise modified by the Commission as part of the MDP approval, shall comply with the requirements of Article 19 (Basic Standards).
- E. All development in MPOZ(s) shall be served by public water and sanitary sewer facilities.

- F. All new utilities shall be installed underground, unless demonstrated as not feasible by the applicant, and so may be waived by the Commission due to physical constraints or other special circumstances. Utilities that are not customarily installed underground, such as transformer boxes and other facilities, are not required to be installed underground.

Section 11A-3 Submission Requirements

The Master Development Plan for a parcel or combination of parcels within the proposed MPOZ shall include the submission requirements as set forth herein and once approved, shall require the submission and approval of a Site Plan (Section 20.9). Each parcel or combination of parcels included in the Master Development Plan shall be conceptually presented and later developed in accordance with an approved Site Plan. The proposed Site Plan for any parcel or combination of parcels shall be in the level of detail necessary to demonstrate compliance with the Master Development Plan for the area submitted by the Applicant.

The following are procedural requirements for development applications within the MPOZ(s):

- A. *Pre-Application Conference:* Applicants are required to initiate a pre-application conference with the Commission to discuss the conceptual aspects of the proposed development and to prepare and present a conceptual plan. All pre-application conferences are intended to be informal and consist of non-binding discussions that establish a dialogue about the proposed development aimed at creating high quality design and investment that meet the needs of community and applicant.
- B. *Application for Master Development Plan (GDP):* For any development proposing to establish an MPOZ, the applicant shall submit a Zone Change application in accordance with Section 20.7 of the Zoning Regulations. The application for Zone Change shall include a Master Development Plan in accordance with the requirements set forth in Section 11-A-4 below. The MDP, when approved, will supersede any provision of the underlying zones and regulations where the MDP describes or delineates their subject matter. If the MDP does not delineate or describe the subject matter of the regulations for the MPOZ, the provisions of the underlying Zone shall apply.
- C. *Site Plan Approval:* If the application establishing the MPOZ and Master Development Plan are approved, the applicant may to proceed to the submission of a Site Plan application in accordance with Section 20.9. The Site Plan shall provide, in greater detail, the specific development and uses approved in the MDP. After the approval of the MPOZ and MDP, no permits shall be issued for uses permitted therein until the Commission has approved a Site Plan for the uses and development approved in the MDP.
- D. *Special Permit Uses:* A Master Development Plan (MDP) can be approved for general use categories (i.e. commercial, residential, mixed-use, etc.) without any specific uses based on permitted uses and permit type. However, if specific uses are known, they should be included in the MDP. Any special permit use or uses requested as part of the Zone Change and MDP

application shall not require a special permit application and approval in accordance with Section 20.8. Once an MPOZ and MDP are approved, any subsequent use requiring a Special Permit in the underlying Zone or the MPOZ zone, shall require a Special Permit application in accordance with Section 20.8 of these Regulations.

Section 11A-4 Master Development Plan

The purpose of the Master Development Plan submission is to determine whether the proposed uses, architectural massing, and site design conform to the intent and requirements of the MPOZ and to the Plan of Conservation and Development. The Master Development Plan, once adopted, shall establish the use or uses and the dimensional requirements of MODZ.

The MDP shall consist of one or more maps (conceptual plans) at a scale of not less than 1" = 100', prepared by the applicable State certified design professional, and supportive documents, and shall show or indicate:

- A. Existing structures, existing topography at ten-foot contours, existing roads and paths, major topographic features, slopes of greater than 10% grade, the location points of scenic interest, and wooded and open areas.
- B. The location of adjoining properties, the names of the owners of such properties as these appear on the latest records in the office of the Assessor, and the existing structures and land uses within 500 feet of the boundaries of the proposed development.
- C. Present and proposed land uses within the boundaries of the entire proposed MPOZ zone/development, whether residential, commercial, industrial, mixed-use, open space, or other, and the acreage assigned to each. Proposed square footage of building or floor area for all proposed uses shall be shown and described in sufficient detail to clearly indicate the nature and scale of the proposed uses. The proposed square footage as shown shall establish the maximum building sizes and the areas within which it will be permissible to construct such buildings. As part of the site plan application, minor modifications of not more than 10% increases or decreases in building sizes and areas may be approved by the Commission. Major modification, as determined by the Commission, shall require a Zone Change application in accordance with Section 20.7 of the Zoning Regulations to modify the MDP.
- D. Architectural renderings of the proposed development and buildings. Renderings should include three dimensional images that provide context to massing and form.
- E. The location of proposed public and private road, proposed vehicular and pedestrian circulation patterns, including location and dimension of private and public streets, and proposals for linkage of roads within the zone to the Town and State Highway system, accompanied by a traffic impact and access analysis study.
- F. Dimensional requirements of the underlying zones shall be shown on the MDP and a zoning

table including existing and proposed dimensional requirements shall be provided. This comparison shall include all parking, loading, buffer, and signage requirements. The intent of this zoning table is to show the differences between existing and proposed requirements and to establishment the proposed requirements as the approved dimensional requirements for the approved MDP and MPOZ.

- G. Whether property within the entire zone is to be developed in phases, and if it is to be so developed the anticipated location and acreage of such phases, and a proposed timetable for development.
- H. The intended means of providing utility services to the development, including domestic water supply and fire protection, stormwater drainage management (including area for detention, if applicable), sanitary sewage disposal, and solid waste disposal.
- I. All site design shall be consistent with Article 19 (Basic Standards). This does not mean that such designs shall be done to the scale, detail, or completeness of the requirements for Site Plan (Section 20-9).
- J. The location of any "flood zone" as defined and regulated in these Regulations.
- K. A statement regarding anticipated municipal fiscal impacts to the Town of the proposed land uses and development.
- L. Such other relevant information as the applicant may wish to submit or may be requested by the Commission.

Section 11A-5 Site Design Requirements

- A. *Site Design:* The general requirements of Article 19 (Basic Standards) shall govern the conceptual design of the Master Development Plan and the specific design of the Site Plan (Section 20-9).
- B. *Dimensional Requirements:* The following standard shall apply to MPOZ:

Requirements	MPOZ (TCZ)
Minimum lot area:	1 acre
Minimum lot frontage:	125 feet
Minimum front yard setback:	30 feet
Maximum lot coverage:	70%
Minimum side yard setback:	25 feet
Minimum rear yard setback:	25 feet
Minimum Building Separation:	Flexible

Minimum Distance to Residential:	Flexible
Minimum building floor area:	Flexible
Retail Maximum:	Flexible
Maximum building height:	38 feet, modified up to 58 feet

- C. *Building Height Adjustments:* Buildings shall conform to the height requirements of the underlying zone unless the applicant makes a specific request to the Planning and Zoning Commission for flexibility in the height requirements. The granting of such a change to the height requirement is part of the legislative authority of a zone change application and is at the sole discretion of the Planning and Zoning Commission, where unique features of the site and location (such as topographical considerations) permit a change in height requirement and negative impacts on surrounding properties can be mitigate. The Commission limits their own authority to permit an increase in the building height to a maximum of 58 feet. In those instances where an increase in building height is requested, the applicant shall demonstrate a corresponding reduction in lot coverage. A majority vote of the seated members of the Commission is required to grant such a request.
- D. *Permitted Uses:* The Master Plan Overlay Zone allows for more flexibility in uses than is permissible in the underlying zone. These uses are intended to be in harmony with the natural features of the land, economic conditions, and the needs of the community, both present and future. Any uses permitted in the underlying zone, as a permitted use, a special permitted use, or otherwise as specified herein, shall be permitted to continue, and shall not be considered non-conforming regarding the MPOZ requirements. All new development proposals in MPOZ shall comply with the uses permitted below.

Single-family detached residential uses are not permitted in the MPOZ unless they are part of a mixed-use development and account for no more the 10% of total residential units. Mixed-use developments are encouraged and favored for proposed MPOZ development but are not required. Proposed uses within the MPOZ shall be located with consideration for compatibility and reasonable transition between such uses and other uses existing in areas adjacent to or in the immediate vicinity of the proposed MPOZ.

Any use not expressly permitted by these Regulations shall be prohibited unless the Commission, upon request by an applicant, and as part of its legislative authority decides that the use is like (similar) a use expressly permitted in underlying zone or the MPOZ. Customary and incidental accessory uses are permitted.

The allowable uses in the MPOZ-TCZ district are shown in the Use Tables in Article 14, Section 14.2.

- E. *Circulation:* No interior street or drive shall be less than 20 feet in width. The Commission may, where in its judgment traffic circumstances merit, require primary streets to be designed and constructed in conformance with the Town of Tolland road specifications. Sidewalks are encouraged and may be required if the Commission deems them necessary.
- F. *Utilities and Public Improvements:* Public water and sewage shall be provided, except that alternate sewage disposal systems may be considered and permitted by the Commission upon favorable recommendation of the Health District.

Public improvements, such as traffic improvements, drainage improvements, water and sewer improvements, utility installation and similar improvements shall be designed in accordance with the provisions of Article 19 (Basic Standards). Such improvements may be phased in as distinct phases of an approved Master Development Plan are implemented. Each Site Plan submitted pursuant to an approved Master Development Plan shall state specifically what, if any, portion of the public improvements are to be constructed in connection with such Site Plan and shall contain such information necessary to confirm that the improvements to be constructed will be adequate to support the development set forth in the site plan.

G. *Subdivision into Lots:*

1. A MPOZ may be subdivided or re-subdivided into lots by an applicant in accordance with the requirements of the Tolland subdivision regulations.
2. Nothing in the subdivision regulations or process shall restrict or prevent the lot from being developed in accordance with the intent of MPOZ.

Section 11A-6 Action on Master Development Plan

The Commission shall approve, modify and approve, or deny applications for the MPOZ and the MDP. No permits shall be issued, nor shall any construction activity of any kind commence, for any work depicted on an approved MDP until such time as a Site Plan or other required permits have been approved.

The Commission may approve, approve with minor changes or modifications, or deny any Site Plan required as part of an approved MDP within the MPOZ. In considering any site plan approval within the MPOZ, the Commission shall make a finding that the MDP, Site Plan, and Parking Demand and Management Study are consistent with the intent of the MPOZ Regulations and are adequate to ensure safe and appropriate implementation of permitted uses.

The Commission may impose conditions on the MDP, as deemed necessary, to achieve the purpose and intent of the MPOZ and to protect the public health, safety, and welfare of the community.

Section 11A-7 Site Plan Approval Required

In addition to the MDP approval, no building shall be constructed or altered, and no land shall be used prior to approval of a Site Plan which shall be consistent with the conceptual design of the approved MDP. The Site Plan application shall comply with Section 20-9 of these regulations and, without duplication, the following:

- A. Architectural renderings and perspectives of all proposed structures and their interaction with existing on and off-site structures;
- B. Proposed use categories of all proposed buildings. When multiple uses are proposed, percentages of floor area for each use shall be shown;
- C. Concept building plans, including schematic floor plans and exterior elevations;
- D. Traffic impact report of the area as it may be affected by the proposed development, including present and anticipated traffic counts, flow patterns, and capacity analysis of present and proposed interchanges, intersections and entrances serving the development shall be analyzed by a professional traffic engineer licensed to practice in the State of Connecticut;
- E. Identification of vehicular and pedestrian circulation patterns, including location and dimension of private and public streets and common drives;
- F. Location of proposed on and off-street parking areas with dimensions, including location, size and number of parking spaces, access routes, and walkways;
- G. Proposed pedestrian walks, malls, and other paths, public and private;
- H. Priority schedule of construction of the building's landscaping, infrastructure, and other elements of the plan;
- I. A proposed utility service concept plan including electric, telephone, sanitary sewage disposal system, storm drainage, potable water supply, and water supplies for fire protection.
- J. Landscaping (including the number, sizes, and species of proposed trees and/or shrubs, lawn and other groundcover, and other landscape features and natural terrain not to be disturbed). Existing tree growth shall be shown on the plan and preserved to the maximum extent possible.
- K. All other requirements for Site Plans in accordance with Section 20-9.

Section 11A-8 Parking Demand and Management Study

A statement, prepared by a licensed or certified professional with expertise in parking and parking demand, shall be provided to determine and demonstrate the need for required parking. The methods, standards, and approach shall be reasonable consistent with the following documents that are to be considered as part of the site plan approval process:

- A. Parking Demand and Management Study developed in accordance with the standards set forth in the following documents: (a) the Urban Land Institute, Shared Parking; 2nd Edition, as amended; (b) the Urban Land Institute, the Dimensions of Parking, 4th Edition, as amended; or (c) Institute of Transportation Engineers, Parking Generation Manual, 4th Edition, as amended, (or) other standard reference agreed to and approved by the Town Engineer.
- B. Such a study and proposed parking, if specifically requested and approved by the Commission, may establish the required parking for the MDP and Site Plan at levels above or below those required in Section 19-1 (Parking).
- C. On-street parking may account for up to 15% of required parking on local street contained within the development.
- D. Parking structures, preferable below grade, are permitted, provided they are included in Parking Demand and Management Study.

Section 11A-9 General Review Criteria

- A. *Site Appropriateness:* In considering the appropriateness of development within the MPOZ, the Commission shall consider the following:
 - 1. The proposed use, density, and intensity of development and that the designs are reasonably compatible with the character of the area, adjacent properties, and purpose and intent of the MPOZ regulation.
 - 2. That all development exhibits a high standard of quality in construction detail materials, design, and appearance. That development reflects accepted professional standards of architecture and site design.
 - 3. That quality site planning is an essential criterion of the MPOZ. Sites developed in the MPOZ(s) are intended to be carefully planned, both within the site's own boundaries and in relation to surrounding properties.
 - 4. That all development be sensitive to environmentally regulated areas within the MPOZ. That effort be made to retain and integrate significant natural features into the development proposal wherever possible.
 - 5. The Commission may impose conditions on the Site Plan, as deemed necessary, to achieve the purpose and intent of the MPOZ and to protect the public health, safety, and welfare of the community.
- B. *Site Appearance:* Development proposals for the MPOZ will be reviewed for appearance and compatibility with surrounding areas. The following are general guidelines:
 - 1. Development is encouraged (when appropriate) to conform to the principles of traditional neighborhood design (higher density, mixed use, and pedestrian friendly).
 - 2. Relationships to land uses in abutting zones and adjacent developments within the zone

(compatibility) are important considerations that will be critically reviewed by the Commission. Concerns in this regard will include buffers (e.g. vegetative, topographic, and architectural), building scale/massing/configuration/ height, light spill, emissions, noise, use intensity/frequency, and signage.

3. Building height, size, and scale shall be considered as part of the overall design and should be designed in such a way that is compatible with the site and general area, even if the buildings are taller than those of the surrounding properties.
- C. *Recording the Master Development Plan:* The applicant shall, within sixty (60) days of approval of MDP, record notice thereof in the Tolland land records under the name of the record owner of land affected thereby giving a legal description of the land, and giving specific reference to the approved plan(s) and map(s); and, further, the applicant shall comply with all other applicable requirements of the Tolland Zoning Regulations and Connecticut General Statutes regarding the filing of approved applications. The Commission may grant an extension up to sixty (60) days for the filing.
- D. *Changes to the Master Development Plan:* Changes or modifications to an approved MDP may be subject to the approval of the Commission. Material changes to any plan shall require a Special Permit in accordance with Section 20-8 of the Tolland Zoning Regulations. A material change shall be (a) a 15% or more change in land use types or (b) a 10% or more increase in floor area, or (c) a 10% increase in parking. Non-material changes shall include changes in the location of buildings, parking areas, landscaped areas, or open space areas provided the area, height and bulk criteria of the regulations and the approved plan are not exceeded. Non-material changes may be permitted by the Commission or staff as an administrative matter provided the general intent and scope of the MDP has not been changed.

Section 12-2 Uses - Repeal current Section 12-2 regarding uses in the CIZ-A and CIZ-B Zones and replace with the following

The allowable uses for these zoning districts are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Section 13-2 Uses - Repeal current Section 13-2 regarding uses in the TBP Zone and replace with the following

The allowable uses for this zoning district are designated in Article 14, Commercial and Industrial Uses, Section 14-2. Table of Allowable Uses.

Repeal current Article 14 (Aquifer Protection Zone) and replace with Article 14 (Commercial and Industrial Uses)

Article 14 – Commercial and Industrial Uses

Section 14-1 Allowable Uses

The table in Section 14-2 identifies those uses permitted within each of the commercial and industrial zoning district. All commercial and industrial uses, developments, and new construction, except as explicitly stated otherwise, require site plan approval by the Commission. Any use not expressly permitted by these Regulations shall be prohibited unless the Commission, upon request by an applicant, makes a determination of similar use (that the use is similar to uses permitted in the zone). In addition, the Commission retains the right to determine if any use meets the intent of the regulations.

Section 14-2 Table of Uses

P = Permitted – Site Plan	SP = Special Permit	--- = Prohibited
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Retail, Personal, & Professional Service Uses	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Retail & Service Establishment	P	---	---	P	P	SP	P	P	P	---
Retail & Service Establishments – Over 20,000 sf.	SP	P	P	SP	P	SP	P	P	P	---
Financial Institution	P	P	P	P	P	SP	P	P	P	---
Drive-Thru Service – Pharmacy & Financial Institutions	P	P	P	P	P	---	P	P	P	---
Child & Adult Day-Care Centers, or Group Day-Care Homes.	---	P	P	P	P	---	P	SP	SP	---
Veterinary Hospital (without outdoor animals)	SP	P	P	P	P	---	P	P	P	P
Veterinary Hospital, Commercial Kennels & Stables (5-acre min.)	---	---	---	P	---	---	SP	---	---	---
Laundromat (public sewer required)	P	P	P	P	P	P	P	P	P	---
Self-Storage Facility	---	P	P	P	---	---	SP	P	P	---
Roadside stand, regional.	---	P	P	P	P	---	P	P	P	---
Funeral Home	---	SP	SP	SP	SP	---	SP	---	---	---
Adult-Oriented Establishment	---	---	---	---	SP	---		---	---	---

Hospitality Uses	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Restaurant (without liquor sales)	P	P	P	P	P	SP	P	P	P	---
Restaurant (with liquor sales)	P	SP	SP	SP	P	---	P	P	P	P
Drive-Thru Service – Fast Food & Fast-Casual	SP	---	---	---	SP	---	P	SP	---	---
Restaurant – Brewpub	P	---	---	---	P	---	P	SP	---	SP
Micro-Brewery, Micro-Distillery, or Micro-Winery	SP	---	---	SP	SP	---	P	---	---	P

Brewery, Distillery, or Winery	---	---	---	---	---	---	---	SP	---	P
Hotel (internal access guest rooms)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Bed & Breakfast Establishment	P	P	P	P	SP	---	---	P	P	---
Retail Food Service Establishment	P	P	P	P	P	---	P	P	P	---
Catering Facilities	SP	P	P	P	SP	---	P	---	P	P
Banquet Facilities	SP	SP	SP	SP	SP	---	P	---	---	---
Commercial/Shared Kitchen	P	P	P	SP	P	---	P	---	P	P

Commercial Office Uses	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Office (Professional & General)	P	P	P	P	P	P	P	P	P	P
Office (Medical)	SP	SP	SP	SP	SP	SP	P	P	P	SP

Commercial Laboratory & R&D Uses	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Medical, Dental, & Optical Laboratory	---	---	---	---	---	P	P	P	P	P
Laboratory (Research, Experimental, & Development)	---	---	---	---	---	P	P	P	P	P
Technology or Computer-Based Facilities (Data Processing Center)	--	---	---	---	---	P	P	P	P	P
Manufacturing (Biotechnology, Medical, & Pharmaceutical)	---	---	---	---	---	SP	SP	SP	SP	SP
Educational, Scientific, & Research Activity	---	---	---	---	---	P	P	P	P	P
Training and/or Conference Center	SP	SP	SP	SP	SP	SP	P	SP	SP	SP
Licensed Medical Marijuana – Dispensary	---	---	---	SP	---	---	---	SP	SP	---
Licensed Medical Marijuana Production Facility	---	---	---	---	---	SP	SP	SP	SP	SP

Residential & Mixed-Use Developments	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Single-Family Residential	---	---	---	SP	---	---	---	---	---	---
Mixed Use – Residential	SP	---	---	P	SP	SP	SP	---	P	---
Multi-Family Residential	SP	SP	SP	SP	SP	---	SP	---	---	---

Institutional, Public, & Recreational Uses	TVA-GD	NCZ-G	NCZ-T	CCZ	GDD	TCZ	MPOZ	CIZ-A	CIZ-B	TBP
Cultural Institution, Art or Music Center, & Museum	P	P	P	P	P	---	---	P	P	---
Public & General Assembly	SP	SP	SP	SP	SP		---	---	---	---
Places of Worship & Religious Institution	P	P	P	P	P	P	P	P	P	SP
Utilities – Public/Private: Structures, Substation, or Office	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
School – Private	---	---	---	P	---	SP	P	SP	SP	---

Section 16-16. Motor Vehicle Sales & Repair (Adopt)

Motor Vehicle Sales and Motor Vehicle Repair establishments are not permitted in the TVA-GD zone and such uses cannot be applied for in the TVA-GD zone. However, for the purpose of the TVA-GD zone, an existing Motor Vehicle Sales or Repair use or structure in existence as of July 1, 2011, when the original TVA zone became effective, shall be considered conforming uses and structures after the effective date of this Section. Changes in use or modifications to existing structures shall be subject to Section 3-8 of these regulations. Site Plan and or Special Permit shall be required under the following conditions:

1. Expansions equal to or less than 10% of the gross floor area in existence as of July 1, 2011 shall require a Site Plan.
2. Expansions that result in a gross floor area that is 10% greater than the gross floor area in existence as of July 1, 2011 shall require a Special Permit.
3. Major site or building exterior renovations to the extent that more than 10% of the site will be modified or where more than 10% of the building exterior will be structurally altered may require the submittal of a Special Permit application, pursuant to staff determination of impacts that the Commission should consider. Such 10% alterations to the building exterior shall not include item of maintenance, such as the replacement of a roof, windows, or other maintenance required in the upkeep of a building.

Section 16-17. Affordable (Inclusionary) Housing (Adopt)

To forward the recommendations of the Plan of Conservation and Development, to promote the development of affordable housing to meet local and regional housing needs as required by Connecticut General Statutes (CGS) Section 8-2 and Section 8-23, and to promote and increase housing choice, housing diversity, and economic diversity in Tolland, this section requires the inclusion of affordable housing units in all residential developments.

In accordance with CGS, Section 8-2i (Inclusionary Zoning), all residential development of five units or more that require site plan, special permit, or subdivision approval shall include a minimum of 5% of the proposed units as Qualified Affordable Housing. Said Qualified Affordable Housing shall be sold or rented to households with incomes at or below 80% median household income as determined and defined in CGS Section 8-30g and RCSA (Regulations of CT State Agencies) 8-30g-8.

Any application including affordable housing shall be accompanied by a Housing Affordability Plan, prepared in accordance with CGS 8-30g and RCSA 8-30g-7. The Plan shall provide all the necessary information and documentation to ensure the construction and continued operation of the Qualified Affordable Housing units.

In accordance with CGS, Section 8-2i (Inclusionary Zoning), the applicant can satisfy the inclusionary affordability requirements by:

1. Providing 5% of the total proposed units as Qualified Affordable Housing units.
2. Paying a fee-in-lieu of affordable housing equal to \$50,000 per each required unit of Qualified Affordable Housing that will not be constructed. Said fee shall be deposited in the Town of Tolland Affordable Housing Trust Fund.
3. Providing more than 10% of the total proposed units as Qualified Affordable Housing to receive a density bonus equal to one additional market-rate unit for each unit of Qualified Affordable Housing provided.

If a minimum of 10% Qualified Affordable Housing units are to be constructed, the applicant may request to purchase a density bonus up to an additional 10% of the total proposed units, by paying a fee-in-lieu equal to \$50,000 per unit for each additional market rate unit. The Commission reserves the right not to accept a fee-in-lieu of affordable housing or not to grant a density bonus and require that the 5% Qualified Affordable Housing units, as required by this Section, be constructed. The amount (percent) of affordable units shall be evenly distributed throughout the development and evenly distributed across phases. Affordable units shall be proportionate to each phase, and the fee-in-lieu shall be paid before the Certificates of Occupancy are issued more than 50% of the units in the phase or the affordable units shall receive a Certificate of Occupancy before such Certificates are issued for more than 50% of the units in the phase.

In the interest of Fair Housing and the need to promote and encourage affordable housing, the Commission may modify specific requirements of the Zoning Regulations, as part of an application for site plan, special permit, or subdivision, that would otherwise prevent the density bonus from being realized. In doing so, the applicant must make specific request for the necessary modification and list said modifications on the approved plans of the density bonus is accepted.

This inclusionary zoning provision shall become effective on July 1, 2022.

Section 16-18. Outdoor Dining (Adopt)

Outdoor dining areas that are accessory to restaurants can create a vibrant, unique, and enjoyable environment that is an asset to the restaurant and Town. Diversity in the design of the furniture and outdoor dining areas is encouraged, therefore, provided they complement the overall establishment and site. While the operation of outdoor dining areas should contribute to the vibrancy of the area, they must not be allowed to create a nuisance, either by loud music, unruly customers, or disorderly premises. Where outdoor dining areas will further these goals without unduly impacting upon

adjoining businesses or residential properties and neighborhoods, they may be permitted as an accessory use on the premises of an existing or proposed restaurant, subject to the following requirements:

1. Space definition/location.

- Outdoor dining areas shall be identified by a barrier, such as fencing or planters to define their boundaries. Barriers that preserve the open appearance of outdoor dining areas should be used whenever possible. The use of permanent structural walls or any vertical screening device of more than four feet in height to define the boundaries of outdoor dining areas is discouraged but may be approved where necessary to attenuate noise reaching residential neighborhoods or in other unique circumstances.
- When an outdoor dining area is located on property adjoining a residential district, it shall be subject to a minimum setback of 50 feet or the equivalent setback of the zoning district setback, whichever is greater. When adjacent to a residential district, screening, fencing, or landscape buffering is required to mitigate potential impacts on residential properties.
- Where outdoor dining areas abut the public street, no permanent structure shall be erected between the building that houses the restaurant and the abutting street except a retractable awning located at least seven feet above the ground. In all other locations, permanent structures may be used to provide shade or shelter from inclement weather. In such cases, structures that preserve an open appearance should be used to the extent possible.
- Fire hydrants and fire hose couplings and/or connections on buildings shall not be obstructed. Underground utility facilities such as cabinets or vaults shall be identified on all plans, and arrangements shall be made to ensure continued access to utility providers for maintenance of any such facilities.
- If alcoholic beverages are to be served at the outdoor dining area, the enclosure of the outdoor dining area must also meet the requirements (if any) of any agency having jurisdiction over the service of such beverages.
- When an outdoor dining area is located adjacent to a public pedestrian walkway, it shall be maintained flush with said walkway.

2. Operations.

- Outdoor seating capacity cannot exceed 40% of the indoor seating capacity.
- Outdoor dining areas shall be ADA accessible.

- Any door used to deliver food from the restaurant to an accessory outdoor dining area shall be self-closing.
- Cooking and food preparation shall not be permitted outside.
- Any applicant seeking approval of an outdoor dining area shall demonstrate to the Planning and Zoning Commission—with written assurance from the Health District, if need be—that:
 - The kitchen facilities in the restaurant are adequate to service the entire restaurant, including the outdoor dining area.
 - Any outdoor service areas, including storage areas for both clean and dirty plates and utensils, condiments, drinking water and similar supplies, are appropriately protected.
 - Refuse receptacles appropriate to the use shall be provided for patrons and/or wait staff.
- If an applicant seeking approval of an outdoor dining area proposes to provide any source of heat for the benefit of patrons, it shall so state in its application and shall provide the staff with a plan, approved by the Fire Marshal, for the placement and operation of said heaters as well as for the storage of fuel for the heaters.
- Public address systems or other systems intended to convey verbal messages using amplified sound shall be prohibited. If an applicant seeking approval of an outdoor dining area proposes to provide any form of music for the benefit of patrons, it shall so state in its application and shall provide the Planning and Zoning Commission with specific details regarding the way music is to be provided. The Commission may impose any restrictions upon the playing of music which it deems to be appropriate given the location of the proposed outdoor dining area or any other circumstances that the Commission deems to be relevant.
- Restaurant management shall ensure that the patrons of the outdoor dining area do not disturb persons beyond the premises of the restaurant through loud, boisterous or unreasonable noise, offensive words or disruptive behavior.
- Patrons must be seated at tables.
- Bar service, whether patrons are standing or seated at stools, is not permitted.
- The service of alcoholic beverages must be adjunct to the service of food.
- Outdoor dining activities are prohibited between the hours of 11:00 p.m. and 7:00 a.m.

- Animals shall not be permitted within outdoor dining areas, except for service animals.
- Lighting shall be limited to that level which is necessary to illuminate the outdoor dining area for patrons and staff. Flashing/blinking lights are prohibited.

3. Maintenance.

- When the outdoor dining area is in operation, it shall be kept clear of litter, food scraps or soiled dishes and utensils at all times. The entire floor/sidewalk surface in and around the outdoor dining area shall be swept as necessary, but not less frequently than daily, and cleaned to remove greases, oils and stains by steam cleaning or a similar process on a monthly basis. Spilled materials shall be cleaned promptly. Sweeping debris or spilled materials into the gutters of public or private streets shall be prohibited. This requirement shall also apply to any areas beyond the outdoor dining area which are traversed by restaurant staff and/or patrons.
- Trash receptacles shall be emptied whenever full and shall be emptied at the end of each business day.
- Umbrellas may be used to shade tables, provided that the drip edge thereof is located at least seven feet above the ground.
- Tables, chairs and umbrellas shall be of durable commercial-grade materials, sufficiently weighted to avoid displacement by wind.
- Where outdoor dining areas abut the public street, all furniture, fencing, shrubbery and other fixtures associated with outdoor dining areas shall be removed and stored indoors during months when the outdoor dining area is not in use. No permanent structures shall be permitted to remain between the building that houses the restaurant and the abutting street except retractable awnings located at least seven feet above the ground. In all other locations, a storage plan for all furniture, fencing, shrubbery and other fixtures associated with the outdoor dining area shall be submitted for review and approval by the Planning and Zoning Commission.

Section 16-19: Administrative Approval for Temporary Accommodation (Adopt)

- A. Notwithstanding any other provision of these regulations which may prohibit such modification and Pursuant to the Fair Housing Act, the Town Planner may issue a permit for modifications to be made to a dwelling subject to the following standards:
 - 1. Evidence has been provided which demonstrates that the proposed modification is necessary.
 - 2. The modification is demonstrated to be of a configuration and size so as to minimize any deviations from the standards set forth within these Regulations and is no more intrusive than necessary.
 - 3. The proposed modification does not obstruct sight lines, encroach into a Town or State Right of Way or create any other hazard.
 - 4. Any modification requested to be within 5ft of a property line or Right of Way shall require the issuance of a variance from the Zoning Board of Appeals.
 - 5. Any modification shall be temporary and shall be removed when circumstances which created the need for the proposed modification no longer exist.
 - 6. All other necessary permits shall be obtained.
- B. At a minimum, the Town Planner shall refer each accommodation request to the Building Official, Director of Human Services or Accessibility Coordinator and, Zoning Enforcement Officer for review. Following review of the request, a recommendation shall be provided to the Town Planner. If the above information required by subsection A has not been provided or the applicability of the Fair Housing Act has not been satisfactorily established, a variance from the Zoning Board of Appeals shall be obtained before the commencement of any work.

Section 17-6. Accessory Dwelling Unit **Repeal current Section 17-6 and replace with the following**

An accessory dwelling unit is allowed in a single-family dwelling unit or on a single-family residential lot in any zone pursuant to these regulations. Unless specified otherwise, an accessory dwelling unit is allowed with a zoning permit.

A. General Requirements

The following requirements apply to all accessory dwelling units:

1. At least one (1) of the occupants of either dwelling unit shall be the owner of record of said dwellings or heir.
2. The accessory dwelling unit shall be self-contained, with cooking, sanitary and sleeping facilities for the exclusive use of the occupant(s).
3. The accessory dwelling unit shall include no more than one (1) bedroom. Bedroom shall be defined by the building or health code, whichever definition is more restrictive.
4. Adequate off-street parking shall be provided.
5. A new driveway curb cut to serve the principal unit or an accessory dwelling unit shall not be permitted.
6. No more than one (1) accessory dwelling unit is allowed per parcel.
7. An accessory dwelling unit shall meet all applicable health, building and safety requirements.
8. An accessory dwelling unit shall not be located in a mobile home, recreational vehicle, travel trailer, structure that previously operated as or was intended to be a motor vehicle, or structure on wheels.
9. Accessory dwelling units shall not be rented for durations of less than 90 days.
10. For an accessory apartment located entirely in a basement, there shall be no maximum size limit.
11. The maximum net floor area of the accessory dwelling unit for all units not located in a basement shall not exceed whichever is lesser:
 - a. 1000 square feet, or
 - b. 40% of the floor area of the total principal structure including attached garages and utility rooms but excluding seasonal unheated rooms.

12. Unless located in a detached garage, the accessory dwelling unit shall meet the required front, side, and rear yard setbacks for the principal structure.
13. If the accessory dwelling unit will be located in a detached garage, the structure shall comply with applicable setback requirements for a detached garage.

Section 20-8. Special Permit **Repeal current Section 20-8 and replace with the following**

The Special Permit uses as set forth in these Regulations are deemed to be permitted uses in their respective districts when granted by the Commission, subject to compliance with the requirements and standards set forth in this Section in addition to all other requirements of these Regulations. All such uses are hereby declared to possess such special characteristics that each shall be considered as an individual case.

A. Submittal Requirements: Special Permit

The following items shall be submitted when applying for a Special Permit.

1. A completed Special Permit application form.
2. Application fee.
3. Site Plan pursuant to Section 20-9. The applicant may choose to submit the Site Plan application concurrently with, or subsequent to, the Special Permit application. By a majority vote of members present, the Commission may waive this requirement when a Special Permit use does not entail exterior changes to the building, additional parking, and other such changes to the site.
4. Special Permit plan contents as required in Sections 20-8 and 20-10.
5. The application submission shall address all off-site and on-site impacts, requirements, improvements and considerations, including but not limited to building location, traffic, storm drainage, sanitary sewerage, water supply, parking and circulation, landscaping and environmental and aesthetic considerations. Sufficient information to address these major impacts shall be provided by the applicant, but such information may be shown in preliminary form except as hereafter noted. Detailed plans for facilities, structures and improvements shall not be required at this time.
6. Traffic Study:
 - a. The construction of more than 50 dwelling units, 100 parking spaces or 40,000 square feet of gross floor area or any proposal which, in the Commission's judgment, would generate high levels of traffic shall be accompanied by a traffic study prepared by a licensed traffic engineer.
 - b. At a minimum, the traffic study shall include data and information on existing and projected average daily vehicle trips on nearby roads, peak-hour traffic, adequacy of rights-of-way and travel ways, existing roadway capacity, traffic accidents, the traffic impact of the proposed development, traffic generation data, the location of existing roads within 1,000 feet of the development site, traffic lights and intersections and recommendations for safe pedestrian and vehicular circulation, including provisions

for safe sidewalks and crosswalks for pedestrians. Where applicable, the applicant shall include the written recommendations of the Connecticut Department of Transportation.

7. Additional information. At any time during its consideration of an application for a Special Permit, the Commission may require the submission by the applicant of such additional information as the Commission deems necessary to determine compliance of the proposed use with these Regulations, including but not limited to information regarding soils, storm drainage, sanitary sewerage, water supply, streets or traffic circulation. All additional information requested by the Commission shall be submitted a minimum of 10 days prior to a public hearing, so that the Commission, staff, public and any consultants contracted by the Commission have adequate time to review the information before the expiration of the time limits set forth in the General Statutes. The Commission may choose not to accept any modifications to an application after it has been received, except those modifications specifically requested by the Commission.

B. Standards for Approval

1. Except as otherwise provided herein, a use allowed by Special Permit shall conform to all requirements of the zoning district in which it is proposed to be located and the standards contained herein.
2. The Commission shall consider the health, safety and welfare of the public in general and the immediate neighborhood in particular and the following factors:
 - a. The location and size of the proposed use; the nature and intensity of the operations associated with the proposed use; the size, shape and character of the site in relation to the proposed use; and the relationship of the proposed use and site to the adjacent and local land uses and sites.
 - b. The location, type, size and height of buildings and other structures associated with the proposed use in relation to one another and in relation to nearby development.
 - c. The impact of the proposed use on traffic safety and circulation on nearby streets and the ability of such streets to adequately accommodate the traffic to be generated by the proposed use.
 - d. The existing and future physical character of the area in which the use is proposed to be located and the compatibility of the proposed use with the area.
 - e. The impact of the proposed use on the natural characteristics of the site and the surrounding environment.

- f. The adequacy of and impact on water supply, sewer or septic facilities, drainage and other public facilities to accommodate the proposed use.
 - g. Where the proposed use involves the conversion of a structure designed and built originally for other uses, the adaptability of the structure to the proposed use, particularly in relation to the public health and safety.
 - h. The proposed use shall preserve important open space, views or vistas and other significant features of the natural environment.
3. Where it is projected that the additional traffic resulting from the proposal will reduce the Level of Service to C or below, the Commission shall not approve the project unless and until provision has been made for the improvement of said condition.

C. Conditions and Safeguards

In granting a Special Permit, the Commission may attach conditions and safeguards to protect the public health, safety and general welfare and to ensure continued compliance with these Regulations. Such conditions and safeguards may include, but shall not be limited to:

1. A maximum number of employees.
2. Hours of operation.
3. Improvements to existing public facilities to accommodate the use allowed by the Special Permit.
4. Conservation restrictions necessary to protect and permanently preserve unique natural site features.
5. Soil erosion and sediment control measures in accordance with the provisions of Article 4.
6. A financial guarantee in accordance with the provisions of Section 20-9.F.

D. Limit of Special Permit

A Special Permit shall authorize only the particular use or uses specified in the Commission's approval.

E. Effective Date

No Special Permit shall become effective until it has been filed in the town's land records in accordance with the provisions of the General Statutes.

F. Duration and Expiration of Special Permit

1. Unless otherwise established by the Commission, a Special Permit, along with any conditions and safeguards attached thereto, shall remain with the property as long as the use allowed by the Special Permit remains in operation. Such conditions and safeguards shall continue in force regardless of any change in ownership of the property.

2. A Special Permit shall expire if the required Site Plan associated therewith is not submitted and accepted within 12 months following approval of the Special Permit. An extension of not more than six (6) months may be granted by the Commission upon written request by the applicant prior to the expiration date.
3. If a building permit is not obtained for a special permit which was issued by the Commission prior to the enactment of these Regulations within two (2) years from the date of adoption of these Regulations and/or substantial construction has not begun on a building or structure or no use has been established on a lot for which building, structure or use within two (2) years from the date of issuance of said building permit, such special permit for said building, structure or use shall become null and void.

G. Noncompliance with Special Permit

Failure to strictly comply with the documents, plans, terms, conditions and safeguards approved as a part of the Special Permit shall be a violation of these Regulations. The ZEO shall notify the applicant, in writing, of the specifics of the noncompliance and shall provide a reasonable time period for compliance therewith. Unless there is full compliance within such time period, the Commission may, following a duly advertised public hearing, rescind and revoke such Special Permit.

H. Amendments or Modifications

Amendments to an approved Special Permit which are determined by the Town Planner shall be in accordance with the provisions of Section 14-2 (Table of Uses).

Section 20-9. Site Plan **Repeal current Section 20-8 and replace with the following**

A. When Required

1. A Site plan shall be submitted as required throughout in these Regulations.
2. A Site Plan shall accompany the application for a Special Permit, unless staff or the Commission determine a Site Plan is not necessary for the proposed use or determine the Site Plan can be submitted separately after the Special Permit approval is granted.

B. Site Plan Application Requirements

1. The following shall be submitted as part of a Site Plan application:
 - a. A completed Site Plan application form.
 - b. Application fee.
 - c. Seven (7) full-size (24" x 36") paper copies for Site Plan and eight (8) paper copies for Special Permit. The application shall also provide a pdf of a Site Plan containing the information required Section 20-10. Staff may determine and require more or less than the total number of plans required above depending the circumstance of specific

applications. In addition, staff may determine and require that reduced-size (11" x 17" or 12" x 18") copies of plans be provided.

- d. Preparer. The Site Plan shall be prepared, signed and sealed by the appropriate design professional licensed by the State of Connecticut.
- e. Architectural elevations. The Commission may require the applicant to submit preliminary architectural drawings that show exterior wall elevations, roof lines and facade materials of proposed buildings and structures.
- f. Off-site information. This shall include off-site information that is applicable to the application. For example, open space and recreation areas, the location of buildings, parking areas and curb cuts on adjoining properties, including those across the street; traffic lights and controls, public trees, catch basins, manholes, hydrants, utility poles and utility lines located in adjacent streets; and zoning district boundary lines.
- g. Impact analysis. If the Commission believes the proposed application, for reasons not foreseen in the creation of these regulations, may pose a threat to public health, safety, and welfare, the Commission may require the applicant to submit an impact analysis of water supply, stormwater drainage, sanitary sewerage, traffic, and site conditions.
- h. Additional information. During its consideration of an application for Site Plan approval, the Commission may require the submission by the applicant of such additional information as the Commission deems necessary to determine compliance of the Site Plan with these Regulations.

C. Sites of Archaeological Significance

For all proposed development located within a high sensitivity area, as shown on the Town's official archaeological map available in the Planning Office, the State Archaeologist will be contacted to determine if there is evidence of sites of archaeological significance on the subject property. Any significant sites shall, where possible, be left undisturbed and recommendations by the State Archaeologist shall be complied with.

D. Phasing

In cases where the development of the property is proposed to be undertaken in phases, the Commission may grant Site Plan approval limited to each phase of development. Each phase shall be capable of independent existence without the completion of succeeding phases.

E. Site Plan Approval

1. Pursuant to Section 8-7d of the General Statutes, a decision shall be rendered not later than 65 days after the official day of receipt. The petitioner or applicant may consent to one or more extensions provided the total extension of all such periods shall not exceed

65 days. Additional extensions may apply if an application has also been submitted to the Inland Wetlands Commission, pursuant to General Statutes.

2. A Site Plan may be approved with modifications by the Commission or denied only if it fails to comply with the standards set forth in these Regulations. A decision to deny or modify a Site Plan shall set forth the reasons for such denial or modification.
3. To ensure that structures and the uses of land are arranged in a manner that enhances the public health, safety and general welfare, as a condition of approval the Commission may require such modifications of the proposed plans as it deems necessary to comply with the spirit as well as the letter of these Regulations.
4. Site plans shall be in conformity with Section 1.1 of these Regulations.

F. Guarantee Requirements

Unless otherwise prohibited by the General Statutes, the following provisions shall apply.

As a condition of Site Plan approval, the Commission or applicant may request that surety be posted with the Town to guarantee satisfactory completion of all proposed site improvements shown on the approved Site Plan if the applicant is requesting a Certificate of Occupancy prior to completion of all site work.

1. Such surety may be posted at any time before all modifications of the Site Plan are complete, except that the Commission may require surety for erosion control prior to the commencement of any modifications.
2. No certificate of occupancy shall be issued before a required surety is posted.
3. An itemized estimate of the cost of the site improvements shall be prepared by the applicant's engineer, including a separate inflation factor, which shall not be greater than 10% of the estimate, for the estimated construction period, and shall be submitted to the Town Engineer for approval.
4. The surety shall be posted with the town for an initial period of 18 months unless an extension of time shall be requested by the applicant and granted by the Commission, or until such time as the improvements are accepted by the Commission.
5. Reduction of surety. Upon the completion of at least 25%, 50% and/or 75% of the cost of the site improvements subject to the surety, the applicant may request in writing a reduction of the surety. Within 65 days of the date of such request, the site shall be inspected by the Town Planner, the Town Engineer or other appropriate town official to determine if the portion of the required site improvements for which the reduction is being requested has been satisfactorily completed in accordance with the approved Site Plan. Based upon these findings, the Commission may authorize the reduction of such

surety or deliver to the applicant a written explanation as to the additional modifications that must be completed before the surety, or portion thereof, may be released.

6. Release of surety. Before the release of a surety, the Commission:
 - a. Shall require the applicant to submit as-built drawings.
 - b. Shall not accept the landscaping portion of the improvements until such time as the vegetative cover and plantings have survived one complete winter and summer season or 12 months, whichever comes first. In such case, the Commission shall retain a portion of the surety to cover the mortality and/or poor performance of the required landscaping.
7. Form and type of surety.
 - a. Be in a form and surety type satisfactory to the Commission.
 - b. The Commission shall accept surety bonds, cash bonds, passbook or statement savings accounts and other surety including, but not limited to, letters of credit, provided such bond or surety is in a form acceptable to the Commission and the financial institution or other entity issuing any letter of credit is acceptable to the Commission. In the case where a bank or insurance company is involved with the surety, the bank and/or insurance company shall be authorized to conduct business in the State of Connecticut.

G. Post Approval Requirements

1. A certificate of zoning compliance shall be issued by the Town Planner after all the site improvements have been completed in accordance with the approved Site Plan.
2. If the site improvements cannot be completed because of weather or if an alteration does not require the vacating of the premises or if a portion of a building or development is ready for occupancy before the completion of the entire building or development or for other pertinent reasons, a conditional certificate of zoning compliance may be issued by the Town Planner for a period not to exceed 180 days. Failure to complete the improvement within the time permitted, will result in a violation of the conditional certificate of zoning compliance and a violation of these Regulations. Appropriate enforcement action will be taken to ensure compliance.
3. Certificate of occupancy. A certificate of occupancy shall not be issued by the Building Official until the Town Planner or ZEO has determined that the site improvements have been completed in accordance with the approved Site Plan and has issued a certificate of zoning compliance. A conditional certificate of zoning compliance may be issued in accordance with subsection 2 above.

4. As-built drawings required:

- a. No certificate of zoning compliance or certificate of occupancy shall be issued until as-built drawings have been submitted to the Town Planner and are determined to be in substantial compliance with the approved Site Plan. If a conditional certificate of zoning compliance is issued in accordance with Section 20-9.F subsections (2) and (3), the as-built drawings shall indicate those improvements to be completed and revised final as-built drawing shall be submitted upon their completion.
- b. The as-built drawings shall:
 - 1) Be prepared at the same scale as the Site Plan by an engineer and/or surveyor, as appropriate, registered and licensed in Connecticut.
 - 2) Show the actual installation of all site improvements, the exact location of buildings and other required items at a level of detail at or exceeding that of the approved Site Plan.
 - 3) Include a certification by the engineer and/or surveyor as to substantial compliance with the approved Site Plan.
 - 4) List or show all deviations from the approved Site Plan.
- c. The Town Planner shall submit all as-built drawings which substantially deviate from the approved Site Plan to the Commission for its determination of acceptance or need for plan amendment.

H. Amendments

All site improvements shall be carried out in strict compliance with the Site Plan approved by the Commission. Minor amendments to the approved Site Plan may be approved only in writing by the Town Planner and/or Town Engineer upon the written request of the applicant. All other amendments or modifications to the Site Plan shall require the approval of the Commission.

I. Expiration of Site Plan

All site improvements in connection with an approved Site Plan shall be completed within the time period specified in the General Statutes. Failure to complete all site improvements within such period shall result in automatic expiration of the approval of such Site Plan.

J. Continuance

All conditions and improvements shown on the approved Site Plan shall continue in force as long as the use indicated on the approved Site Plan shall be in operation, regardless of any change in ownership of the property.

Agenda Item 11

MINUTES
TOLLAND GREEN HISTORIC DISTRICT COMMISSION
Wednesday, April 21, 2021 at 7:00 p.m.
REMOTE MEETING

Public Hearing

1. Call to Order at 7 PM by Chair Jodie Coleman-Marzialo
2. Roll Call: Commissioners: Jodie Coleman-Marzialo, Rod Hurtuk (non-voting for first part of the meeting), Ann Deegan, Tim Malone, Celeste Senechal, alt. (seated for Rod Hurtuk for the first part of the meeting), Kathy Bach
Guests: John Hughes and Mark Summers
3. Reading of Public Notice as appearing in Journal Inquirer
4. Consideration of Application for a COA at 70 Tolland Green for smart siding, roofing, windows and to replace 2 windows and door with a new window
5. Neighbor comments, both for and against - None
6. Close of Public Hearing at 7:08 PM – Motion by K. Bach, 2nd by A. Deegan, Vote Unanimous

Regular Meeting

7. Call to Order 7:08 PM
8. Consideration of COA for 70 Tolland Green by Commission, and vote thereon – Move to grant a COA at 70 Tolland Green for smart siding, roofing, wood windows (on front) and to replace 2 windows and a door with a new window, like for like and to extend the COA until May 31, 2022.
Motion by K. Bach, 2nd by Celeste Senechal, Vote Unanimous
9. New Business
 - 9.1 Discuss revised shed design for 95 Tolland Green – COA approved 11/18/2020 – a brief discussion about the modifications due to standardized model from vendor.
Motion made to amend COA grant on 11/18/2020 to lengthen structure to 16x24, amend to Cape style, and permit cupola at owner's discretion based on budget.
Motion by A. Deegan, 2nd by T. Malone, Vote Unanimous
 - 9.2 Discuss Barbara Cook proclamation and donation - Agreement by commissioners to use existing commission funds in a 50-50 split toward the Court House restoration fund and the sunburst window fund both in memory of Barbara F. Cook former Town Historian and Commission member. A town citation and state proclamation will be coordinated with the Town Council and State Rep and the presentation will be coordinated with the Tolland Historical Society's dedication ceremony.
 - 9.3 Update on DOT plantings on the Green – reviewed tree inventory along project route. Chair contacted town head of Public Works who also contacted State about replacements for dead and dying plantings which are under warrantee.

10. Miscellaneous:

10.1 Brief comments about zoning issues and need to keep watch on upcoming zoning changes.

10.2 Discussion of recent real estate happenings in the district and their impact.

10.3 Mr. West at 94 Tolland Green recently removed his barn and is looking to locate a pool on that site. He will be coming to the commission as the site is only 225 feet from the road.

Mr. Hurtuk came in to the meeting as a voting member, Ms Senechal remained as an alternate, non- voting member.

11. Approval of Minutes from February 17, 2021 Regular Meeting

Motion to approve minutes made by R. Hurtuk, 2nd a. Deegan, Vote Unanimous

12. Adjournment

Motion by R. Hurtuk, 2nd by A. Deegan, Vote Unanimous

Respectfully submitted,

Kathy Bach, Commissioner and Clerk