

**Agenda**  
**Tolland Planning & Zoning Commission**  
21 Tolland Green, Tolland, Connecticut  
Monday, April 8, 2024 at 7:00 p.m., 6<sup>th</sup> floor – Council Chambers

---

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Seating of Alternate(s)**
- 4. Additions to Agenda**
- 5. Public Comment** - Any person wishing to ask a question, make a comment or put forward a suggestion for any item or matter other than a public hearing item.
- 6. Public Hearing(s)**
- 7. Old Business**
- 8. New Business**
  - 8.1. 65 Kingsbury Potential Site Plan Modification
  - 8.2. Affordable Housing Discussion
  - 8.3. Large Lot Accessory Structures
- 9. Reports**
  - 9.1. Town Council Liaison
  - 9.2. Economic Development Liaison
  - 9.3. Capitol Region Council of Governments
  - 9.4. Zoning Enforcement Report
  - 9.5. Planning Update
- 10. Other Business**
- 11. Correspondence**
- 12. Public Participation**
- 13. Approval of Minutes** – March 11, 2024 Regular Meeting
- 14. Adjournment**

To join the Zoom meeting, either click:

<https://us06web.zoom.us/j/4325402030?pwd=NG43ZHcyOXBQOGJldzZVTmQxNmhZZz09>

**One tap mobile:** +13017158592,,4325402030#,,,,\*444555#

**Or call:** 1-646-876-9923 and input:

Meeting ID: 432 540 2030

Passcode: 444555

All public business will be conducted by 11:00 p.m. unless waived by a vote of the Commission.  
Any party needing an accommodation contact the Planning & Development Department at (860) 871-3601.  
*The Town of Tolland is an Affirmative Action/Equal Opportunity Employer.*



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

**MEMO**

---

**TO:** Planning and Zoning Commission

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

**DATE:** April 3, 2024

**RE:** 65 Kingsbury Potential Site Plan Modification

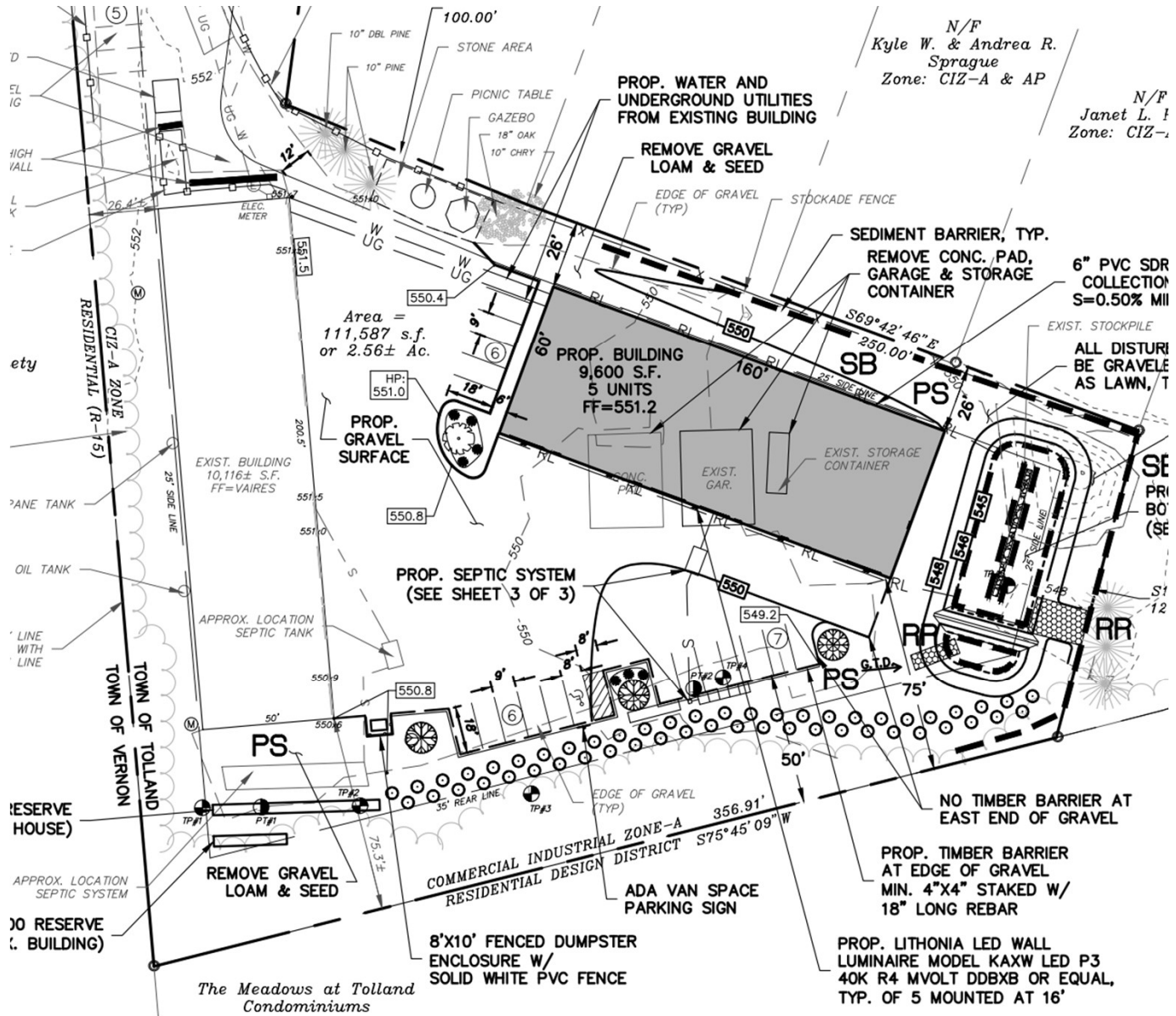
---

**Summary**

On December 14, 2020 the Planning and Zoning Commission approved a Site Plan application for 65 Kingsbury Avenue, which was modified on July 25, 2022. Since that time, the property has new ownership who wishes to take a different approach to development of the site.

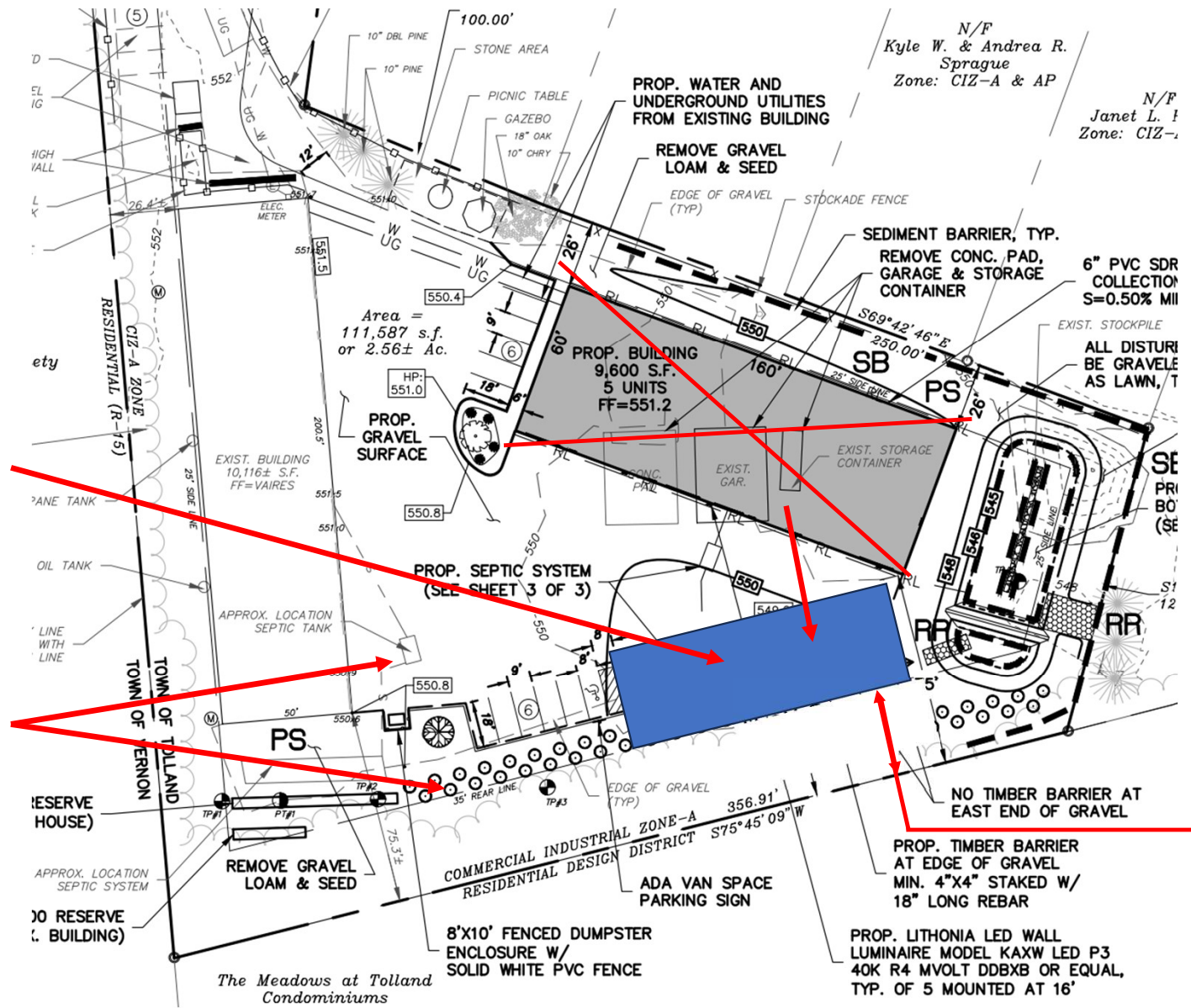
The applicant has provided the attached draft site plan, and is seeking guidance on the Zoning Regulations prior to developing engineered drawings. Section 12-3.A.8 of the Zoning Regulations requires that “All buildings, structures and uses shall be located at least 75 feet from the boundary line of any residential zone, unless reduced by the Commission due to existing or proposed evergreen buffer or other circumstances. Screening and landscaping of the setback area shall be required by the Commission.”

The proposed modification would place a building within 35 feet of the RDD and the applicant seeks to determine if the Commission would consider approving this reduction in a potential application.



Reduce proposed building from 9,600 to 4,400 sq ft.  
Move building to back boarder of property.  
Back of building to be at the 35' setback line.

Increase leach field and septic tank size to support existing and new building



35' setback line

The Meadows at Tolland Condominiums



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

## MEMO

---

**TO:** Planning and Zoning Commission

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

**DATE:** April 3, 2024

**RE:** Affordable Housing Plan Update

---

At the April 8, 2024 meeting Staff will provide updated numbers and tables for the Affordable Housing Plan update as well as a list of goals and progress made towards those goals since the previous plan.

The Town is required by CGS 8-30(j) to update its Affordable Housing Plan every five years. The Town initially adopted its Affordable Housing Plan on September 23, 2019 as part of the Plan of Conservation and Development. The new plan has to be adopted by September 23, 2024 by the Planning and Zoning Commission. This iteration of the plan will be separated from the POCD, with the intent to re-integrate it into the document during the 2029 POCD update process, which will likely begin in late 2027.

# Affordable Housing Plan Update 2024 – Town of Tolland

Data, Trends, and Goals Update

April 8, 2024

# Data Sources

- Data is based on 2017-2021 American Community Survey (US Census) Five-Year Estimates
- Not every house receives the ACS so the data (especially as it pertains to housing unit counts and details about ownership/rents) is based on modeling.
- As a result, it is not effective to directly compare data from the previous plan to current data

## Table I. Housing Occupancy, Tolland

|                               | Estimate             | %            |
|-------------------------------|----------------------|--------------|
| <b>Total housing units</b>    | <b>5,495</b>         | <b>100%</b>  |
| <i>Occupied housing units</i> | <i>5,411</i>         | <i>98.4%</i> |
| <i>Vacant housing units</i>   | <i>84</i>            | <i>0.6%</i>  |
| <i>Homeowner vacancy rate</i> | <i>0.7 (37/4785)</i> | ---          |
| <i>Rental vacancy rate</i>    | <i>7.5 (47/626)</i>  | ---          |



## Table2. Housing Units in Structure, Tolland

|                            | Estimate     | %           |
|----------------------------|--------------|-------------|
| <b>Total housing units</b> | <b>5,495</b> | <b>100%</b> |
| <i>1-unit detached</i>     | 4,943        | 89.9%       |
| <i>1-unit attached</i>     | 59           | 1.1%        |
| <i>2 units</i>             | 29           | 5.2%        |
| <i>3 or 4 units</i>        | 231          | 2.7%        |
| <i>5 to 9 units</i>        | 207          | 4.2%        |
| <i>10 or more units</i>    | 26           | 0.5%        |
| <i>Mobile home</i>         | 0            | 0.0%        |
| <i>Boat, RV, van, etc.</i> | 0            | 0.0%        |

### Table 3. Housing Tenure, Tolland

|   | Estimate     | %           |
|---|--------------|-------------|
| <b>Occupied housing units</b>                         | <b>5,411</b> | <b>100%</b> |
| <i>Owner-occupied</i>                                 | 4,785        | 92.8%       |
| <i>Renter-occupied</i>                                | 626          | 7.2%        |
| <i>Average household size of owner-occupied unit</i>  | 2.79         | --          |
| <i>Average household size of renter-occupied unit</i> | 1.86         | --          |

**Table 4. Rooms Per Housing Unit, Tolland**

|                            | <b>Estimate</b> | <b>%</b>     |
|----------------------------|-----------------|--------------|
| <b>Total housing units</b> | <b>5,495</b>    | <b>100%</b>  |
| <i>1 room</i>              | <i>11</i>       | <i>0.2%</i>  |
| <i>2 rooms</i>             | <i>64</i>       | <i>1.2%</i>  |
| <i>3 rooms</i>             | <i>312</i>      | <i>5.7%</i>  |
| <i>4 rooms</i>             | <i>334</i>      | <i>6.1%</i>  |
| <i>5 rooms</i>             | <i>692</i>      | <i>12.6%</i> |
| <i>6 rooms</i>             | <i>1,116</i>    | <i>20.3%</i> |
| <i>7 rooms</i>             | <i>902</i>      | <i>16.4%</i> |
| <i>8 rooms</i>             | <i>1,015</i>    | <i>18.5%</i> |
| <i>9 rooms or more</i>     | <i>1,049</i>    | <i>19.1%</i> |
| <i>Median rooms</i>        | <i>6.7</i>      | <i>---</i>   |

## Table 5. Bedrooms, Tolland

|                                   | Estimate            | %                  |
|-----------------------------------|---------------------|--------------------|
| <b><i>Total housing units</i></b> | <b><i>5,495</i></b> | <b><i>100%</i></b> |
| <i>No bedroom</i>                 | <i>11</i>           | <i>0.2%</i>        |
| <i>1 bedroom</i>                  | <i>424</i>          | <i>7.7%</i>        |
| <i>2 bedrooms</i>                 | <i>386</i>          | <i>7.0%</i>        |
| <i>3 bedrooms</i>                 | <i>2,845</i>        | <i>51.8%</i>       |
| <i>4 bedrooms</i>                 | <i>1,584</i>        | <i>28.8%</i>       |
| <i>5 or more bedrooms</i>         | <i>245</i>          | <i>4.5%</i>        |

## Table 6. Year Structure Built, Tolland

|                              | Estimate     | %            |
|------------------------------|--------------|--------------|
| <b>Total housing units</b>   | <b>5,495</b> | <b>100%</b>  |
| <i>Built 2020 or later</i>   | <i>0</i>     | <i>0.0%</i>  |
| <i>Built 2010 to 2019</i>    | <i>274</i>   | <i>5.0%</i>  |
| <i>Built 2000 to 2009</i>    | <i>737</i>   | <i>13.4%</i> |
| <i>Built 1990 to 1999</i>    | <i>1,059</i> | <i>19.3%</i> |
| <i>Built 1980 to 1989</i>    | <i>933</i>   | <i>16.9%</i> |
| <i>Built 1970 to 1979</i>    | <i>757</i>   | <i>13.8%</i> |
| <i>Built 1960 to 1969</i>    | <i>842</i>   | <i>15.3%</i> |
| <i>Built 1950 to 1959</i>    | <i>627</i>   | <i>11.4%</i> |
| <i>Built 1940 to 1949</i>    | <i>14</i>    | <i>0.3%</i>  |
| <i>Built 1939 or earlier</i> | <i>252</i>   | <i>4.6%</i>  |

**Table 7. Year Householder Moved into Unit, Tolland**

|                                  | <b>Estimate</b> | <b>%</b>     |
|----------------------------------|-----------------|--------------|
| <b>Occupied housing units</b>    | <b>5,411</b>    | <b>100%</b>  |
| <i>Moved in 2019 or later</i>    | <i>610</i>      | <i>11.3%</i> |
| <i>Moved in 2015 to 2018</i>     | <i>929</i>      | <i>17.1%</i> |
| <i>Moved in 2010 to 2014</i>     | <i>657</i>      | <i>12.1%</i> |
| <i>Moved in 2000 to 2009</i>     | <i>1,187</i>    | <i>21.6%</i> |
| <i>Moved in 1990 to 1999</i>     | <i>850</i>      | <i>15.7%</i> |
| <i>Moved in 1989 and earlier</i> | <i>1,178</i>    | <i>21.8%</i> |

**Table 8. Value, Owner-Occupied Housing, Tolland**

|                               | <b>Estimate</b>  | <b>%</b>    |
|-------------------------------|------------------|-------------|
| <b>Owner-occupied units</b>   | <b>4,785</b>     | <b>100%</b> |
| <i>Less than \$50,000</i>     | 84               | 1.8%        |
| <i>\$50,000 to \$99,999</i>   | 22               | 0.5%        |
| <i>\$100,000 to \$149,999</i> | 142              | 3.0%        |
| <i>\$150,000 to \$199,999</i> | 602              | 12.6%       |
| <i>\$200,000 to \$299,999</i> | 1,526            | 31.9%       |
| <i>\$300,000 to \$499,999</i> | 2,059            | 43.0%       |
| <i>\$500,000 to \$999,999</i> | 275              | 5.7%        |
| <i>\$1,000,000 or more</i>    | 75               | 1.6%        |
| <b>Median</b>                 | <b>\$301,100</b> | <b>---</b>  |

**Table 9. Mortgage Status, Tolland**

|   | <b>Estimate</b> | <b>%</b>     |
|---|-----------------|--------------|
| <b>Owner-occupied units</b>             | <b>4,785</b>    | <b>100%</b>  |
| <i>Housing units with a mortgage</i>    | <i>3,331</i>    | <i>69.6%</i> |
| <i>Housing units without a mortgage</i> | <i>1,454</i>    | <i>30.4%</i> |



**Table 10. Selected Monthly Owner Costs (SMOC) – With Mortgage, Tolland**

|                                      | <b>Estimate</b> | <b>%</b>     |
|--------------------------------------|-----------------|--------------|
| <b>Housing units with a mortgage</b> | <b>3,331</b>    | <b>100%</b>  |
| <i>Less than \$500</i>               | <i>0</i>        | <i>0.0%</i>  |
| <i>\$500 to \$999</i>                | <i>95</i>       | <i>2.9%</i>  |
| <i>\$1,000 to \$1,499</i>            | <i>507</i>      | <i>15.2%</i> |
| <i>\$1,500 to \$1,999</i>            | <i>631</i>      | <i>18.9%</i> |
| <i>\$2,000 to \$2,499</i>            | <i>657</i>      | <i>19.7%</i> |
| <i>\$2,500 to \$2,999</i>            | <i>636</i>      | <i>19.1%</i> |
| <i>\$3,000 or more</i>               | <i>805</i>      | <i>2.4%</i>  |
| <b>Median</b>                        | <b>\$2,329</b>  | <b>---</b>   |

**Table 11. Selected Monthly Owner Costs (SMOC) –  
Without Mortgage, Tolland**

|   | <b>Estimate</b> | <b>%</b>     |
|---|-----------------|--------------|
| <b>Housing units without a mortgage</b> | <b>1,454</b>    | <b>100%</b>  |
| <i>Less than \$250</i>                  | <i>26</i>       | <i>1.8%</i>  |
| <i>\$250 to \$399</i>                   | <i>18</i>       | <i>1.2%</i>  |
| <i>\$400 to \$599</i>                   | <i>90</i>       | <i>6.2%</i>  |
| <i>\$600 to \$799</i>                   | <i>479</i>      | <i>32.9%</i> |
| <i>\$800 to \$999</i>                   | <i>271</i>      | <i>18.6%</i> |
| <i>\$1,000 or more</i>                  | <i>570</i>      | <i>39.2%</i> |
| <b>Median</b>                           | <b>\$862</b>    | <b>---</b>   |

**Table 12. Selected Monthly Owner Costs as Percentage of Household Income (SMOCAPI), Tolland**

|  | Estimate     | %            |
|--|--------------|--------------|
| <b>Housing units with a mortgage</b>   | <b>3,331</b> | <b>100%</b>  |
| <i>Less than 20.0 percent</i>          | <i>1,866</i> | <i>57.1%</i> |
| <i>20.0 to 24.9 percent</i>            | <i>557</i>   | <i>16.7%</i> |
| <i>25.0 to 29.9 percent</i>            | <i>310</i>   | <i>9.3%</i>  |
| <i>30.0 to 34.9 percent</i>            | <i>173</i>   | <i>5.2%</i>  |
| <i>35.0 percent or more</i>            | <i>361</i>   | <i>10.8%</i> |
| <b>Housing unit without a mortgage</b> | <b>1,454</b> | <b>100%</b>  |
| <i>Less than 10.0 percent</i>          | <i>492</i>   | <i>33.8%</i> |
| <i>10.0 to 14.9 percent</i>            | <i>418</i>   | <i>28.7%</i> |
| <i>15.0 to 19.9 percent</i>            | <i>192</i>   | <i>13.2%</i> |
| <i>20.0 to 24.9 percent</i>            | <i>102</i>   | <i>7.0%</i>  |
| <i>25.0 to 29.9 percent</i>            | <i>73</i>    | <i>5.0%</i>  |
| <i>30.0 to 34.9 percent</i>            | <i>0</i>     | <i>0%</i>    |
| <i>35.0 percent or more</i>            | <i>164</i>   | <i>11.3%</i> |
| <b>Not computed</b>                    | <b>77</b>    | <b>---</b>   |

**Table 13. Gross Rent, Tolland**

|                                   | <b>Estimate</b> | <b>%</b>     |
|-----------------------------------|-----------------|--------------|
| <b>Occupied units paying rent</b> | <b>529</b>      | <b>100%</b>  |
| <i>Less than \$500</i>            | <i>27</i>       | <i>5.1%</i>  |
| <i>\$500 to \$999</i>             | <i>16</i>       | <i>3.0%</i>  |
| <i>\$1,000 to \$1,499</i>         | <i>297</i>      | <i>56.1%</i> |
| <i>\$1,500 to \$1,999</i>         | <i>113</i>      | <i>21.4%</i> |
| <i>\$2,000 to \$2,499</i>         | <i>76</i>       | <i>14.4%</i> |
| <i>\$2,500 to \$2,999</i>         | <i>0</i>        | <i>0.0%</i>  |
| <i>\$3,000 or more</i>            | <i>0</i>        | <i>0.0%</i>  |
| <b>Median (dollars)</b>           | <b>\$1,424</b>  | <b>---</b>   |
| <b>No rent paid</b>               | <b>97</b>       | <b>---</b>   |

**Table 14. Gross Rent as Percentage of Household Income (GRAPI), Tolland**

|  | <b>Estimate</b> | <b>%</b>     |
|--|-----------------|--------------|
| <b>Occupied units paying rent (excluding units where GRAPI cannot be computed)</b> | <b>352</b>      | <b>100</b>   |
| <i>Less than 15.0 percent</i>  | <i>27</i>       | <i>7.7%</i>  |
| <i>15.0 to 19.9 percent</i>  | <i>0</i>        | <i>0.0%</i>  |
| <i>20.0 to 24.9 percent</i>  | <i>13</i>       | <i>17.2%</i> |
| <i>25.0 to 29.9 percent</i>  | <i>41</i>       | <i>3.7%</i>  |
| <i>30.0 to 34.9 percent</i>  | <i>16</i>       | <i>4.5%</i>  |
| <i>35.0 percent or more</i>  | <i>255</i>      | <i>72.4%</i> |
| <b>Not computed</b>  | <b>274</b>      | <b>---</b>   |

**Table 15. Income by Household, Tolland**

|                               | <b>All Households</b> | <b>Families</b>  | <b>Married-Couple Families</b> | <b>Nonfamily</b> |
|-------------------------------|-----------------------|------------------|--------------------------------|------------------|
| <b>Total</b>                  | <b>5,411</b>          | <b>4,289</b>     | <b>3,887</b>                   | <b>1,122</b>     |
| <i>Less than \$14,999</i>     | <i>7.3%</i>           | <i>1.9%</i>      | <i>0.0%</i>                    | <i>27.9%</i>     |
| <i>\$15,000 to \$24,999</i>   | <i>4.1%</i>           | <i>1.9%</i>      | <i>2.1%</i>                    | <i>12.3%</i>     |
| <i>\$25,000 to \$34,999</i>   | <i>4.0%</i>           | <i>2.1%</i>      | <i>2.0%</i>                    | <i>11.3%</i>     |
| <i>\$35,000 to \$49,999</i>   | <i>5.8%</i>           | <i>6.7%</i>      | <i>5.5%</i>                    | <i>7.3%</i>      |
| <i>\$50,000 to \$74,999</i>   | <i>10.6%</i>          | <i>9.8%</i>      | <i>8.7%</i>                    | <i>8.1%</i>      |
| <i>\$75,000 to \$99,999</i>   | <i>9.5%</i>           | <i>9.9%</i>      | <i>10.7%</i>                   | <i>7.8%</i>      |
| <i>\$100,000 to \$149,999</i> | <i>19.1%</i>          | <i>21.0%</i>     | <i>21.9%</i>                   | <i>12.7%</i>     |
| <i>\$150,000 to \$199,999</i> | <i>18.2%</i>          | <i>19.8%</i>     | <i>20.9%</i>                   | <i>10.7%</i>     |
| <i>\$200,000 or more</i>      | <i>21.5%</i>          | <i>26.7%</i>     | <i>28.2%</i>                   | <i>1.8%</i>      |
| <b>Median income</b>          | <b>\$121,120</b>      | <b>\$139,743</b> | <b>\$145,469</b>               | <b>\$63,486</b>  |

- Hartford MSA Median Family Income is \$118,100.
- Hartford MSA Median Household Income is \$85,723
- Median Household Income for the Hartford MSA is what is used to establish housing affordability.
- Tolland's previous income levels were:
  - Household: \$112,740
  - Family: \$130,745
  - Married-Couple Family: \$139,038
  - Nonfamily: \$60,391

**Table 16-A. Households by Income Compared to Existing Owner-Occupied Housing Stock by Value**

| Household Income                                       | <\$15,000     | \$15,000-\$24,999 | \$25,000-\$34,999 | \$35,000-\$49,999 | \$50,000-\$74,999 | \$75,000-\$99,999 | \$100,000-\$149,999 | \$150,000+       |
|--|---------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------------|------------------|
| Households @ Income                                    | 395           | 222               | 216               | 314               | 574               | 514               | 1,034               | 2,148            |
| Est. affordable home Value (HH Income x 2.8) (rounded) | \$42,000      | \$70,000          | \$98,000          | \$140,000         | \$210,000         | \$280,000         | \$420,000           | \$560,000        |
| Existing Housing (Household) Units                     | 84<br>(1.8%)  | 22<br>(0.5%)      | 89<br>(1.9%)      | 142<br>(3.0%)     | 1,425(29.8%)<br>) | 703<br>(14.7%)    | 2,059<br>(43.0%)    | 270<br>(5.6%)    |
| Households w/Adequate Income                           | 395<br>(7.3%) | 222<br>(4.1%)     | 216<br>(4.0%)     | 314<br>(5.8%)     | 574<br>(10.6%)    | 514<br>(9.5%)     | 1034<br>(19.1%)     | 2,148<br>(39.7%) |
| <b>Units Available Vs Adequate Income</b>              | <b>-310</b>   | <b>-200</b>       | <b>-127</b>       | <b>-172</b>       | <b>851</b>        | <b>189</b>        | <b>1,025</b>        | <b>-1,878</b>    |
| Total Households                                       | 5,411         | 5,411             | 5,411             | 5,411             | 5,411             | 5,411             | 5,411               | 5,411            |

- Since the 2019 POCD was developed, the income levels which show a housing surplus have shifted from \$35,000-\$99,999 to \$50,000-\$149,999.

**Table 16-B. Households by Income Compared to Existing  
(Rental) Housing Stock by Value**

| <b>Household Income</b>                                  | <b>&lt;\$15,000</b> | <b>\$15,000-<br/>\$24,999</b> | <b>\$25,000-<br/>\$34,999</b> | <b>\$35,000-<br/>\$49,999</b> | <b>\$50,000-<br/>\$74,999</b> | <b>\$75,000-<br/>\$99,999</b> | <b>\$100,000-<br/>\$149,999</b> | <b>\$150,000+</b> |
|--|---------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|---------------------------------|-------------------|
| Households @ Income                                      | 395                 | 222                           | 216                           | 314                           | 574                           | 514                           | 1,034                           | 2,148             |
| Est. affordable monthly rent Value<br>(HH Income x 0.30) | \$375               | \$625                         | \$875                         | \$1,250                       | \$1,875                       | \$2,500                       | \$3,750                         | \$3,750+          |
| Existing Housing (Household)<br>Units                    | 15<br>(2.4%)        | 28<br>(4.5%)                  | 18<br>(28.8%)                 | 279<br>(44.6%)                | 189<br>(30.2%)                | 0<br>(0%)                     | 0<br>(0%)                       | 0<br>(0%)         |
| Households w/Adequate Income                             | 395<br>(7.3%)       | 222<br>(4.1%)                 | 216<br>(4.0%)                 | 314<br>(5.8%)                 | 574<br>(10.6%)                | 514<br>(9.5%)                 | 1034<br>(19.1%)                 | 2,148<br>(39.7%)  |
| <b>Units Available Vs Adequate<br/>Income</b>            | <b>-380</b>         | <b>-194</b>                   | <b>-198</b>                   | <b>-35</b>                    | <b>-385</b>                   | <b>-514</b>                   | <b>-1,034</b>                   | <b>-2,148</b>     |
| Total Households   | 5,411               | 5,411                         | 5,411                         | 5,411                         | 5,411                         | 5,411                         | 5,411                           | 5,411             |

- A shortage of rental units continues to exist at all income levels.



**Table 17. Household Size, Type, and Children**

| <b>Household Type</b>               | <b>Occupied Units</b> | <b>Occupied %</b> | <b>Owner Units</b> | <b>Owner %</b> | <b>Rental Units</b> | <b>Rental %</b> |
|-------------------------------------|-----------------------|-------------------|--------------------|----------------|---------------------|-----------------|
| <b>Occupied Housing Units</b>       | <b>5,411</b>          | <b>100%</b>       | <b>4,785</b>       | <b>100%</b>    | <b>626</b>          | <b>100%</b>     |
| <i>1 – Person Household</i>         | 722                   | 13.3%             | 461                | 9.6%           | 261                 | 41.7%           |
| <i>2 – Person Household</i>         | 2,207                 | 40.8%             | 1,987              | 41.5%          | 220                 | 35.1%           |
| <i>3 – Person Household</i>         | 1,121                 | 20.7%             | 1,005              | 21.0%          | 116                 | 18.5%           |
| <i>4-or-more– Person Household</i>  | 1,361                 | 25.2%             | 1,332              | 27.8%          | 29                  | 4.6%            |
| <b>Family Households</b>            | <b>4,289</b>          | <b>79.2%</b>      | <b>4,159</b>       | <b>86.9%</b>   | <b>130</b>          | <b>20.8%</b>    |
| <i>Married-Couple Family</i>        | 3,887                 | 71.8%             | 3,785              | 79.1%          | 102                 | 16.3%           |
| <i>Household 65+</i>                | 844                   | 15.6%             | 829                | 17.3%          | 15                  | 2.4%            |
| <i>Other Family</i>                 | 402                   | 7.4%              | 374                | 7.8%           | 28                  | 44.7%           |
| <b>Non-Family Households</b>        | <b>1,122</b>          | <b>20.7%</b>      | <b>626</b>         | <b>13.1%</b>   | <b>496</b>          | <b>79.2%</b>    |
| <i>Household Living Alone</i>       | 522                   | 9.6%              | 461                | 9.6%           | 261                 | 41.7%           |
| <i>Householder 65+</i>              | 283                   | 5.2%              | 231                | 4.8%           | 52                  | 8.3%            |
| <i>Householder Not Living Alone</i> | 400                   | 7.4%              | 165                | 3.4%           | 235                 | 37.5%           |
| <i>Householder 65+</i>              | 56                    | 1.0%              | 56                 | 1.2%           | 0                   | 0.0%            |

**Table 18. Housing Permits by Year, Tolland**

| Year         | Number of Permits |              |          |             |                 | ADU       | Demo      | Net Gain     |
|--------------|-------------------|--------------|----------|-------------|-----------------|-----------|-----------|--------------|
|              | Total Units       | 1 Unit       | 2 Unit   | 3 & 4 Units | 5 Units or More |           |           |              |
| 2023         | 14                | 11           | 0        | 0           | 0               | 3         | 2         | 12           |
| 2022         | 25                | 25           | 0        | 0           | 0               | 1         | 0         | 26           |
| 2021         | 14                | 14           | 0        | 0           | 0               | 4         | 0         | 18           |
| 2020         | 11                | 9            | 2        | 0           | 0               | 2         | 0         | 13           |
| 2019         | 6                 | 6            | 0        | 0           | 0               | 1         | 1         | 7            |
| 2018         | 13                | 13           | 0        | 0           | 0               | 1         | 0         | 14           |
| 2017         | 13                | 13           | 0        | 0           | 0               | -         | 0         | 13           |
| 2016         | 7                 | 7            | 0        | 0           | 0               | -         | 2         | 5            |
| 2015         | 7                 | 7            | 0        | 0           | 0               | -         | 1         | 6            |
| 2014         | 17                | 13           | 4        | 0           | 0               | -         | 3         | 14           |
| 2013         | 10                | 10           | 0        | 0           | 0               | -         | 0         | 10           |
| 2012         | 8                 | 8            | 0        | 0           | 0               | -         | 0         | 8            |
| 2011         | 8                 | 8            | 0        | 0           | 0               | -         | 0         | 8            |
| 2010         | 10                | 10           | 0        | 0           | 0               | -         | 0         | 10           |
| 2009         | 10                | 10           | 0        | 0           | 0               | -         | 0         | 10           |
| 2008         | 18                | 18           | 0        | 0           | 0               | -         | 0         | 18           |
| 2007         | 55                | 39           | 0        | 0           | 16              | -         | 0         | 55           |
| 2006         | 57                | 57           | 0        | 0           | 0               | -         | 0         | 57           |
| 2005         | 95                | 59           | 0        | 0           | 36              | -         | 1         | 94           |
| 2004         | 87                | 87           | 0        | 0           | 0               | -         | 1         | 86           |
| 2003         | 95                | 95           | 0        | 0           | 0               | -         | 1         | 94           |
| 2002         | 98                | 98           | 0        | 0           | 0               | -         | 0         | 98           |
| 2001         | 92                | 92           | 0        | 0           | 0               | -         | 0         | 92           |
| 2000         | 153               | 153          | 0        | 0           | 0               | -         | 1         | 152          |
| 1999         | 149               | 149          | 0        | 0           | 0               | -         | 1         | 148          |
| 1998         | 137               | 137          | 0        | 0           | 0               | -         | 0         | 137          |
| 1997         | 104               | 104          | 0        | 0           | 0               | -         | 1         | 103          |
| <b>Total</b> | <b>1,311</b>      | <b>1,252</b> | <b>6</b> | <b>0</b>    | <b>52</b>       | <b>12</b> | <b>15</b> | <b>1,308</b> |

# Data Trends

- 4.33% of Tolland's Housing Stock currently meets the 8-30g criteria, up from 3.25% when the 2019 POCD was developed. This is largely due to an increase in homes financed through eligible mortgage programs.
- Incomes have increased and home values have increased.
- The most recent 5-year ACS data ends in 2021 and this trend has likely continued since then.
- The trends and analysis identified in the previous POCD are largely unchanged – Tolland could use more affordable and rental housing.

# Goals and Progress to Date

**Goal:** Maintain Tolland's overall rural-suburban development patterns, form, and density, while providing greater opportunities for all income levels.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

**Goal:** Monitor market trends and demand to ensure that the zoning is in sync with consumer needs and wants.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Guide higher density housing and multi-family development to areas that can best support it.\*

*The Town has revised regulations in the TVA and TCZ, and created a Master Plan Overlay Zone opportunity to support multi-family development. Recommend retaining this goal in the new plan.*

- **Goal:** Encourage and promote affordable housing opportunities in all forms.

*The Town has created an Affordable Housing Trust Fund and required new developments with at least 10 units to provide at least 5% Affordable Housing or pay into the Trust Fund. Recommend retaining this goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Continue to partner with non-profit housing providers to create affordable units.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Encourage and seek to increase the multi-family housing stock to between 10% to 15% of total housing.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

*The Town has created an Affordable Housing Trust Fund and required new developments with at least 10 units to provide at least 5%*

*Affordable Housing or pay into the Trust Fund with a density bonus to promote up to 25% affordable units in new developments.*

# Goals and Progress to Date

- **Goal:** Set a target or aspirational goal that 20% to 25% of new housing constructed will be affordable.

*Progress is ongoing, recommend retaining as a goal in the new plan. The Town has created an Affordable Housing Trust Fund and required new developments with at least 10 units to provide at least 5% Affordable Housing or pay into the Trust Fund with a density bonus to promote up to 25% affordable units in new developments.*

- **Goal:** Require five percent of units in any development of five or more units be affordable per 8-30g.

*Goal achieved for developments of ten or more units.*

# Goals and Progress to Date

- **Goal:** Encourage diversity in number of bedrooms in multi-family units per the guidelines in this Plan.

*Revised regulations do not require any sort of specific bedroom count in individual multi-family units, allowing the market to determine the appropriate diversity.*

- **Goal:** Review, revise, and consolidate the affordable housing provisions in the Zoning Regulations, per the recommendations in this Plan.

*Goal achieved.*



# Goals and Progress to Date

- **Goal:** Amend the Zoning Regulations to allow private market elderly housing, with 15% to 25% units affordable and compliant with 8-30g.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Create a “friendly” 8-30g zoning provision.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Create a zoning provision for mixed use development which, among other requirements, requires affordable housing.

*Progress has been made through TVA/TCZ regulation revisions and adoption of Affordable Housing requirements, recommend retaining as a goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Continue to allow and encourage accessory dwelling units.

*Goal achieved with regulations updated to meet recent changes to state statute, recommend retaining as a goal in the new plan.*

- **Goal:** Consider reducing permit fees for affordable housing units.

*Goal achieved – Special Permit fees for new multifamily development have been considerably reduced.*

- **Goal:** Consider providing tax incentives for affordable units in multi-family and mixed-use developments.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Inventory state and town owned surplus properties to determine potential use for housing.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Determine the location for additional income- and asset-restricted senior units and seek funding.

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Continue to utilize tools to ensure that existing housing units are maintained and updated to meet needs, particularly for seniors.\*

*The Town has hired a Grants Manager who actively seeks funding including for maintaining existing Town-owned housing units.*

*Recommend retaining as a goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Continue zero interest rehabilitation loans and look for ways to increase funds for loans.

*Progress is ongoing.*

- **Goal:** Investigate tools to convert existing housing units into affordable units.

*The Town has created an Affordable Housing Trust Fund which can be used for this purpose.*

- **Goal:** Continue tax programs for income-qualified seniors.\*

*Progress is ongoing and the Town has recently revised Ordinance 60 to support this effort, recommend retaining as a goal in the new plan.*

# Goals and Progress to Date

- **Goal:** Share the Town's strategies for meeting housing needs with entities that help to create affordable housing.\*

*Progress is ongoing, recommend retaining as a goal in the new plan.*

- **Goal:** Encourage home-builders to create accessible units, striving for 20% to 25% of all new units to be accessible.

*Progress is ongoing – the Town has modified its zoning regulations to more readily allow for retrofits to meet ADA in existing housing stock, recommend retaining as a goal in the new plan.*

- **Goal:** Continue to alleviate the challenges and costs associated with crumbling foundations

*Progress is ongoing recommend retaining as a goal in the new plan*

# Next Steps

- Finalize draft planning document, including “Progress” section highlighting improvements that the Town has made to its regulatory policies since the 2019 POCD
- Incorporate the results of the Multi-Family Fiscal/Economic Impact Study.
- Work with the Commission to update goals and strategies for the next five years.
- Adoption by September 23, 2024.



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

**MEMO**

---

**TO:** Planning and Zoning Commission

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

**DATE:** April 3, 2024

**RE:** Large Lot Accessory Structures

---

At the request of the Commission, Staff has drafted some potential regulations to allow for larger lots to potentially have larger accessory structures for non-agricultural use. The attached draft regulations create a separate subset of accessory structure designed to allow lots of greater than five acres to construct one structure that is in excess of the size of the principal structure of the home to a maximum size of 10,000 square feet.

As requested, Staff has reviewed the Commission’s ability to determine what constitutes a “farm.” The recommended practice which is followed by most communities is to follow the state definition of “farm” and “agriculture,” which our Zoning Regulations currently do. The Town can further restrict what qualifies as a farm in accordance with the definition in CGS 1-1(q) which states that “Nothing herein shall restrict the power of a local zoning authority under chapter 124.”

In an extensive review of other Town Zoning Regulations and a perusal of the Planners Listserv, I have not found another Town that has constructed Zoning Regulations in a way that requires applicants to provide specific additional documentation to demonstrate that they are a farm in order to build a farm structure. Other Towns tend to follow one of the below approaches:

- 1) Set up in a way which is similar to Tolland, with a general definition and exemption for farm structures used as agriculture.
- 2) Automatically define lots of a certain size as being eligible for farm structures.
- 3) Require all large farm structures to go through the Special Permit process.

**Section 2-2. Terms Defined**

AGRICULTURE – The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry. Agriculture shall not include the cultivation or production of medical marijuana or recreational cannabis.

FARM – A tract of two (2) acres or more, used principally for agricultural activities, forestry, nursery or truck gardening or for raising, keeping or sale of livestock and fowl, but excluding the raising of fur-bearing animals. The cultivation or production of medical marijuana or recreational cannabis shall not be considered a farm.

BUILDING HEIGHT – The vertical distance of a structure measured from the mean elevation of the finished grade at the foundation along the side(s) of the building facing the street(s) to the highest point of flat or mansard roofs or the mean level between the eaves and the ridge of gable, hip or gambrel roofs, except as waived in accordance with these Regulations.

**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 7).
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 17: Accessory Uses and Structures

---

### Section 17-1. General Requirements

#### A. Establishment of Accessory Structures and Uses

1. Accessory buildings, structures and uses shall be located on the same lot as the principal building, structure or use to which they are accessory or on a vacant adjacent lot under the same ownership of the lot with the principal use.
2. Accessory buildings, structures and uses shall not be located on a lot without the prior establishment of a permitted principal use except as permitted in Section A.1.
3. No new lot shall be created that has an accessory building, structure or use without a principal use except as permitted in Section A.1.

#### B. Prohibited Accessory Uses and Structures

1. Overnight parking of a commercial vehicle with a gross vehicle weight of greater than 20,000 pounds is not permitted on any property in the RDD or VCZ zones.
2. Outdoor wood burning furnace.
3. No accessory building or structure shall contain a dwelling unit or be used for residential, living or cooking purposes unless permitted otherwise by these Regulations.

### Section 17-2. RDD and VCZ

#### A. Allowed Without a Permit

The following accessory uses and structures are permitted as of right. Setbacks are not applicable unless otherwise specified.

1. Customary uses and structures: accessory uses and structures customarily and reasonably incidental to residential use including:
  - a. Swing set, child play structure, pergola and similar structures.
  - b. Garden house, dog house, tool house, membrane structure and similar structures provided such structure:
    - 1) Is not for commercial use.
    - 2) Does not house livestock.
    - 3) Is not on footings or a permanent foundation.
    - 4) Does not include electrical wiring or plumbing.

- 5) The size of the structure is no greater than 100 square feet.
2. Underground propane tank.
3. Tennis court, basketball court or other at-grade recreational facility for private use.
4. Deck or patio less than eight (8) inches off ground.
5. Fence or wall no greater than eight (8) feet in height. Where a fence is placed on top of a wall, the height of both combined shall count toward maximum height.
6. Hot tub located on an existing structure or new structure and such structure has obtained any required zoning permits.
7. Temporary use of a dumpster up to 30 days in a calendar year. If the dumpster is for use during a construction project on the premises with a valid building permit, the duration is extended until construction is completed. Such structure shall not impede traffic or sight lines.
8. One (1) temporary portable storage container no greater than 200 square feet or multiple containers totaling no more than 200 square feet cumulatively provided:
  - a. The following time limits are met:
    - 1) For no more than 90 days total per calendar year or 90 consecutive days, or
    - 2) For up to 12 months if related to an approved construction project on the premises and all necessary permits and approvals for the construction project have been issued.
  - b. Such structure shall not impede traffic or sight lines.
  - c. Such structure shall not exceed nine (9) feet in height.
  - d. Only materials in conjunction with the site may be stored in the container.
  - e. Any container not meeting these requirements will be considered similar to a shed and require a permit pursuant to Section 17-2.B.
9. Radio or television reception equipment attached to a structure, including satellite dishes.
10. Keeping of domestic pets including no more than six (6) dogs.
11. Family day care.
12. Off-street parking for the use of the occupants of the premises and their guests, in accordance with Section 19-1, provided that no more than one (1) business vehicle, other than a passenger car, shall be regularly parked on the premises.

13. Private parking or storage of unoccupied boat, trailer or motor home, provided that it shall not create a traffic hazard or nuisance and shall be owned by the owner or renter of the property on which such vehicle is parked.
14. Tag sale, provided that there shall be a maximum of three (3) tag sales on a property in a calendar year with the period of each tag sale not exceeding two (2) consecutive days. All goods and materials displayed for sale in the tag sale shall have been owned by the property owner prior to the sale with no goods and materials brought in specifically for the tag sale.
15. Display of private automobile for sale. No more than one (1) vehicle owned by the resident of the premise may be displayed for sale at any given time for a no more than one (1) month, with a maximum of two (2) vehicles displayed during a one (1) year period.

**B. Requires a Zoning Permit**

The following accessory uses and structures require a zoning permit and shall meet setback requirements:

1. Customary uses and structures. Shed, tool house, membrane structure, or similar structure that does not house livestock or fowl and exceeds one or more limitation listed in Section 17-2.A above.
2. Private detached garage.
3. Private swimming pool and related structures.
4. Fence or wall greater than eight (8) feet in height.
5. Certain signs, subject to the setback requirements of Section 19-2 and any other requirements in that Section.
6. Hot tub not located on an existing structure or a structure which requires a zoning permit. For example, a hot tub being placed on a new concrete pad would require a zoning permit.
7. Permanent generator or air conditioning equipment.
8. Above ground propane tank.
9. One camping cabin on lots of at least four acres, subject to the setback restrictions for "All Other Detached Structures"

10. Private amateur radio tower as an accessory use not to exceed 35 feet in height. Towers must be set back a distance equal to the height of the tower or customary accessory structure setback, whichever is greater.
11. Radio or television reception equipment not attached to a structure, including satellite dishes.
12. Temporary use of a dumpster or portable storage container for a period exceeding that in Section 17-2.A. Such structure shall meet required setbacks for an accessory structure unless located on an existing driveway and its placement does not impeded sight lines along the road. Such structure shall meet other requirements of Section 17-2.A.8.
13. Group day-care home.
14. Minor home occupation, pursuant to Section 16-8.
15. Any use not listed in Section 17-2.A, unless the ZEO determines such use is prohibited, requires Commission approval per these regulations, or is similar in nature to a use listed in 17-2.A and therefore the ZEO determines it does not require a Zoning Permit.

**C. Setback Requirements**

1. Unless otherwise specified in this Section or elsewhere in these regulations, the following minimum setbacks shall apply to accessory structures and uses:

|  | RDD   |   | VCZ  |
|--|---|---|--|
|  | Regular Lot   | Rear Lot  | Regular Lot  |
| <b>Minor Structure</b> - A detached structure or building, the use of which is customary and subordinate to that of the principal structure or use on the same lot, which does not exceed 10 feet in total height or two hundred and fifty (250) square feet in area and is not used for dwelling. |   |   |  |
| Front Setback  | Shall be in accordance with Front Yard Setback for Principal Structure                | Shall be in accordance with Front Yard Setback for Principal Structure                | Shall be in accordance with Front Yard Setback for Principal Structure |
| Side Setback   | 15 feet   | 15 feet   | 15 feet  |
| Rear Setback   | 15 feet   | 15 feet   | 15 feet  |
| Maximum Height   | 10 feet   | 10 feet   | 10 feet  |
| <b>Accessory Structure</b> - A structure in excess of 250 square feet in area or more than 10 feet in height, the use of which is customarily incidental and subordinate to that of the principal structure or use on the same lot.  |   |   |  |
| Front Setback  | Shall be in accordance with Front Yard Setback for Principal Structure                | Shall be in accordance with Front Yard Setback for Principal Structure                | Shall be in accordance with Front Yard Setback for Principal Structure |
| Side Setback   | 25 feet   | 25 feet   | 15 feet  |
| Rear Setback   | 25 feet   | 25 feet   | 25 feet  |
| Maximum Height   | 20 feet   | 20 feet   | 20 feet  |
| <b>Large Lot Accessory Structure</b> - An accessory structure located on a lot of at least five acres in size with a footprint that exceeds that of the principal structure.   |   |   |  |
| <u>Maximum Size</u>  | <u>1,000 square feet per acre of land, with a maximum size of 10,000 square feet.</u> | <u>1,000 square feet per acre of land, with a maximum size of 10,000 square feet.</u> | <u>N/A</u>   |
| <u>Front Setback</u>   | <u>200 feet</u>   | <u>200 feet</u>   | <u>N/A</u>   |
| <u>Side Setback</u>  | <u>100 feet for structures of &lt;5,000 square feet; 150 feet for</u>                 | <u>100 feet for structures of &lt;5,000 square feet; 150</u>                          | <u>N/A</u>   |

Formatted Table

Formatted Table

Formatted Table

|   |   |   |            |
|---|---|---|------------|
|   | <u>structures of &gt;5,001 square feet</u>  | <u>feet for structures of &gt;5,001 square feet</u>   |            |
| <u>Rear Setback</u>                                     | <u>100 feet for structures of &lt;5,000 square feet; 150 feet for structures of &gt;5,001 square feet</u> | <u>100 feet for structures of &lt;5,000 square feet; 150 feet for structures of &gt;5,001 square feet</u> | <u>N/A</u> |
| <u>Maximum Height</u>                                   | <u>Shall be in accordance with Building Height for Principal Structure</u>                                | <u>Shall be in accordance with Building Height for Principal Structure</u>                                | <u>N/A</u> |
| <b>Swimming Pools and All Other Detached Structures</b> |   |   |            |
| Front Setback if located in side or rear yard           | 75 feet   | 75 feet   | 75 feet    |
| Front Setback if located in front yard                  | 200 feet  | 100 feet  | 200 feet   |
| Side Setback  | 25 feet   | 25 feet   | 25 feet    |
| Rear Setback  | 25 feet   | 25 feet   | 25 feet    |
| Maximum Height  | 25 feet   | 25 feet   | 25 feet    |

Formatted Table

2. Corner lots. For the purposes of determining the setbacks for accessory structures, only one of the front property lines shall be considered a front yard which must meet front yard setback requirements. The front yard shall be considered the side where the main dwelling entrance is located and the general direction in which the principal building faces. The ZEO shall make the determination of the front yard.
3. Detached Mechanical Units including Propane tanks, air conditioning equipment or permanent generator.
  - a. Setback and permitting requirements shall not apply if no component of the tank, air conditioning equipment or generator is located no greater than ten (10) feet from the principal structure. A plot plan shall be provided to verify location.
  - b. For any tank, air conditioning equipment or generator wholly or partially located more than ten (10) feet from the principal structure, the following setbacks shall apply:

1) The front yard requirement shall be 75 feet. It may be reduced to the front yard requirement for a principal structure, provided the tank, equipment or generator shall not be located between the house and the street. For example, a propane tank on an arterial road in the RDD may be located 60 feet from the front property line, rather than 75 feet, provided it is located on the side or rear of the house.

2) The side and rear yard setbacks shall be 15 feet.

4. Where an existing building legally exists within the front or side yard setbacks either by way of variance or as an existing nonconforming building, any addition or accessory structure to the rear of the principal building that will not encroach within the front or side yard setback requirement any closer to the property line than the existing principal building may be permitted by way of a zoning permit.

#### D. **Size and Quantity Limitations**

##### 1. Minor Structures, Accessory Structures, Swimming Pools, and All Other Detached Structures:

The combined footprint of all customary accessory structures other than large lot accessory structures and farm structures shall not exceed the footprint of the principal building. An attached garage shall not be included when calculating the footprint of the principal building unless there is living space above the garage. The Commission may allow an accessory structure to exceed this size limitation by Special Permit if it determines that the design of the structure and its placement on the property minimize visual impact from the public way and from abutting residences.

2. Large Lot Accessory Structures: Lots with greater than ten acres may construct one Large Lot Accessory Structure with a total square footage in excess of the footprint of the principal building by Zoning Permit. Such structures shall have a maximum size of 10,000 square feet.

#### **E-F. Height**

Customary accessory structures shall have a maximum height of 25 feet, unless they are large lot accessory structures or farm structures as defined in Section 17-4.

#### **F-G. Lighting**

All exterior lighting in connection with an accessory structure or use shall be located at the minimum height from the ground and the maximum distance from property lines necessary to prevent glare or view of the lighting element from adjacent properties or from a public road. See recommended and acceptable lighting drawings in Appendix E.

### **Section 17-3. Nonresidential Zones**

#### **A. Customary Accessory Uses and Structures**

**Formatted:** List Paragraph, Space After: 0 pt, Outline numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.5"



The following accessory uses and structures shall be allowed in all nonresidential zones:

1. Uses normally accessory to a principal use requiring Site Plan approval, provided that such uses shall be applied for with, and included in, the Site Plan application.
2. Uses normally accessory to a principal use requiring a Special Permit, provided that such uses shall be applied for with, and included in, the Special Permit application.
3. Building mechanical equipment located outside the structure, including radio and television reception equipment, provided that such equipment shall be properly screened. A zoning permit is required if the equipment is ground-mounted (i.e., not on the existing building).
4. Off-street parking and loading subject to Section 19-1. This provision does not apply to parking structures unless permitted otherwise in these regulations.
5. Signs, subject to the setback requirements of Section 19-2 and any other requirements in that Section.
6. Detached accessory structures. Such structures shall require a Zoning Permit. If such structure exceeds 200 square feet, it may require Commission approval pursuant to items 1 and 2, above.
7. Fence or wall no greater than eight (8) feet in height. Where a fence is placed on top of a wall, the height of both combined shall count toward maximum height. Such a fence or wall does not need to meet the required setbacks and does not require a zoning permit.
8. Fence or wall greater than eight (8) feet in height. Such fence or wall shall meet setback requirements for accessory structures and shall require a zoning permit.

**B. Tolland Business Park Zone (TBP)**

The following accessory uses shall be permitted in the TBP, in addition to those of Section 17-3.A. These uses are allowed as of right and do not require a zoning permit unless otherwise stated:

1. Outside overnight parking of vehicles or equipment, provided that no vehicle or equipment shall be parked within any required yard. The Commission may require appropriate screening such as landscaping or fencing.
2. Clinics or cafeterias, for employees only, when conducted within the principal building.
3. Recreation facilities and day-care facilities, provided that such facility is only for the employees on the site and all such buildings and uses shall be planned as an integral part of the office building or research laboratory development and located on the same lot with the use to which they are accessory.

4. Assembly hall for meetings incidental to the business of the principal use.
5. Retail sales or service for employees on the site, provided that a maximum of 10% of floor area or 2,500 square feet, whichever is less, is used. If such retail sales or service is open to the general public, then a Special Permit is required.

**C. Requirements**

1. Customary accessory structures shall be located at least 25 feet from side and rear lot lines and 75 feet from any front property line.
2. Customary accessory structures other than farm structures shall have a combined maximum floor area not greater than the footprint of the principal building on the same lot as such accessory structures.
3. Customary accessory structures shall have a maximum height of 25 feet.

**Section 17-4. Farms**

The following accessory uses are permitted on a farm (see Article 2 for definition of farm).

**A. Allowed without a Permit**

1. Keeping of livestock and other farm animals. See Section 16-9.B for additional requirements.
2. Storage of vehicles and equipment accessory to the on-premise agriculture and farming operations.
3. Barn, shed, silo and similar building accessory to a farming operation, less than 200 square feet and not accessible to the public. The structure shall meet accessory structure setbacks for the zone it is located in.

**B. Requires a Zoning Permit**

1. Barn, shed, silo or similar building accessory to a farming operation greater than 200 square feet or accessible to the public. The structure shall meet accessory structure setbacks for the zone it is located in. Farm structures shall be subject to the height restrictions for a Principal Use in Section 3-11.
2. Road-side farm stand in RDD only. Setbacks are not applicable.
3. Temporary or seasonal events of limited duration on a farm which are accessory to agricultural uses, such as farm-to-table dinners, educational demonstrations, hay rides,

petting zoos, or other similar uses if the event happens fewer than ten times per year and the applicant can demonstrate that there is adequate parking on the property for the event. Setback requirements apply to all parking areas. There shall be no amplified music or amplified sound.

**C. Requires a Special Permit**

4. Temporary or seasonal events of limited duration on a farm which are accessory to agricultural uses, such as farm-to-table dinners, educational demonstrations, hay rides, petting zoos, or other similar uses if the event happens ten or more times per year and/or there is amplified music. The applicant shall demonstrate that there is adequate parking on the property for the event. Setback requirements apply to all parking areas. Music is allowed from 9 AM until 8 PM from Sunday to Wednesday and from 9 AM until 10 PM from Thursday to Saturday.

**CGS 1-1(q) – Definition of Agriculture and Farm**

Except as otherwise specifically defined, the words “agriculture” and “farming” include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, the production of honey, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term “farm” includes farm buildings, and accessory buildings thereto, nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The terms “agriculture” and “farming” do not include the cultivation of cannabis, as defined in section [21a-420](#). The term “aquaculture” means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

*Town of Tolland, CT  
Wednesday, March 6, 2024*

## Chapter 77. Farming

[HISTORY: Adopted by the Town Council of the Town of Tolland as indicated in article histories. Amendments noted where applicable.]

### **GENERAL REFERENCES**

Agriculture Commission — See Ch. **1B**.

Zoning regulations — See Ch. **170**.

## Article I. Right to Farm

[Adopted 10-24-2017 by Ord. No. 92]

### § 77-1. Purpose.

- A. Agriculture plays an important role in Tolland's heritage, economy, and physical landscape and contributes to the overall character of the community. It is the purpose and intent of this article to promote and advance local agricultural activity by limiting circumstances under which such operations may be considered a nuisance. It is further determined that whatever impact may be caused to others through normal and generally accepted agricultural practices, such impact is offset and ameliorated by the benefits of farming to the neighborhood, community and society in general. It is a further intent to reinforce the Town's support for local farming.
- B. This article encourages the pursuit of agriculture, promotes agriculture-based economic opportunities and protects farmland within the Town by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies.

### § 77-2. Definitions.

The terms "agriculture" and "farming" shall have all those meanings set forth in Section 1-1(q) of the Connecticut General Statutes, as amended.

### § 77-3. Right-to-farm declaration.

- A. Notwithstanding any general statute or municipal ordinance or regulation pertaining to the contrary, no agricultural or farming operation, place, establishment or facility or any of its appurtenances, or the operation thereof, shall be deemed to constitute a nuisance, either public or private, due to alleged objectionable:
  - (1) Odor from livestock, manure, fertilizer, or feed.
  - (2) Noise from livestock or farm equipment used in accordance with normal, generally acceptable farming procedures.
  - (3) Dust created during plowing or cultivation operations.

## Section 8.3 Page 16

- (4) Use of chemicals, provided such chemicals and the method of their application conform to practices approved by the State Commissioner of Environmental Protection, the State Commissioner of Public Health, and/or local officials, as applicable.
  - (5) Irrigation and water management associated with normally accepted farming practices.
- B. Inspection and approval of the agricultural and farming operation, place, establishment or facility by the State Commissioner of Agriculture or his/her designee shall be prima facie evidence that such operations follow generally accepted farming practices.
  - C. The provisions of this article shall not apply whenever a nuisance results from the negligent, reckless or improper operation of any such agricultural or farming operation, place, establishment or facility or any of its appurtenances.
  - D. Nothing contained in this article shall restrict the powers of Tolland's Inland Wetlands Commission, Planning and Zoning Commission, or Building or Health Department under Connecticut General Statutes.

## Accommodate Farm Structures

**Issue:** Limitations placed on the height or size of farm structures, access requirements and other restrictions on farm buildings can affect the viability of agricultural operations. Many of these requirements, such as large septic systems, foundation, siting, grading and restroom accessibility, may create unexpected financial burdens as farms transition their operations.

### Possible Solutions:

■ Although much of this lies outside of a municipality's control, it is important to facilitate good communication between farmers and public health and building officials to limit misunderstandings, miscommunication and unnecessary expenses. Work with farmers and the town agricultural commission or advisory board to educate officials about agriculture operations (see "Town Agricultural Commissions" and "Agricultural Structures" on pages 13 and 19).

■ **Consult the CRCOG's model regulations** that recommend the following for farm structures and buildings (see Appendix B):

Agricultural buildings and structures on farm parcels of at least 3 acres are allowed by right, subject to all applicable building codes and standards. All agricultural buildings and structures, except farm stores and seasonal farm stands, shall be located at least 100 feet from any street line and 50 feet from any lot line. The commission may waive these setback requirements when the subject parcel abuts a permanently protected parcel of open space or other agricultural use. Agricultural buildings and structures greater than 1,000 square feet on a farm parcel of less than 3 acres and any limited farm parcel require special permit approval. Buildings housing livestock and/or animal waste and refuse on any parcel shall be located at least 100 feet from any lot line. Agricultural buildings and structures are exempt from height limits.

■ Regulate greenhouses based on their necessity to a farm operation, but maintain consideration of agricultural soils, particularly those that are classified as prime by the NRCS.

■ Work with local farmers and the town agricultural commission or advisory board to craft regulations that will not hinder farm operations. Allow agricultural structures by right in zoning regulations and recognize the flexibility these buildings require on issues such as size, height and access requirements (see "Town Agricultural Commissions" on page 13).



## Minimize Farmer-Nonfarmer Conflicts

**Issue:** Farming can be noisy, smelly and unsightly. Farm machinery can cause traffic delays and back-ups. Non-farmers do not always appreciate these consequences of local agriculture, and complaints to town officials about farm odor and farm practices are unfortunately all too common. In turn, town officials often feel the need to address specific issues through regulations, which can create an inhospitable environment for local farms.

### Possible Solutions:

■ Educate town residents about farming and farms. Consider organizing farm tours to help neighbors understand more about specific farming practices, or a farm festival at which farmers can showcase and talk to town residents about their farm products, machinery or animals (see "Help Residents Understand Agriculture" and "Celebrate Agriculture" on pages 42 and 44).

■ Enact a local right-to-farm ordinance that documents the importance of farming locally and reiterates right-to-farm protections. The ordinance could require that a landowner selling property adjacent to an active farm provide the buyer with notice of the town's support for agriculture and the types of impacts that may be associated with farming activities. Additionally, the ordinance could require that a copy of the ordinance be placed in public areas and/or mailed to residents periodically to illustrate the town's support for agriculture (see "Right-to-Farm" on page 23).

■ Encourage farmers to employ best management practices. Consider working with the University of Connecticut Cooperative Extension, NRCS, state Department of Agriculture, Connecticut Farm Bureau Association and Connecticut Conservation Districts to provide information to local farmers on those practices and on federal and state conservation programs that can provide cost-share assistance to implement them.

■ Require buffers on any new development that abuts agricultural land. Vegetative buffers of an appropriate width, such as 50 to 100 feet based on the type of farming activity, should be provided by the developer, maintained by lot owners and noted in the deeds of affected lots (see "Buffer" on page 22).

■ Create an agricultural zone in which farming is the preferred use and additional restrictions on development may apply. When forming these zones, consider including tools that limit the footprint of any new development, such as conservation subdivisions or TDR, as well as siting requirements for new non-farm construction (see "Overlay Zones and Agricultural Zones," "Conservation Subdivision" and "Transfer of Development Rights" on pages 20 and 22).

## RECOMMENDATION 2

**Create an “Agriculture” or “Agricultural Uses” section in zoning regulations (if one does not already exist).**

### Rationale

- Consolidates regulations regarding agriculture, and makes it easier to incorporate future agricultural regulations.
- Promotes regional consistency in regulations.
- Reduces uncertainty in zoning processes for farm business owners/operators.

## RECOMMENDATION 3

**Include a purpose statement in the “Agriculture” section.**

The purpose statement should include language similar to: “The purpose of these regulations is to promote the economic and operational viability of agricultural businesses.”

Further language addressing specific community goals, perhaps taken from Plans of Conservation and Development, would also be appropriate to include in the purpose statement. This could include farmland protection, food security, maintaining community character, and other community-specific goals.

### Rationale

- Makes explicit the intent to preserve farming, and not just farmland.
- Provide a basis for permitting and enforcement actions.
- Establishes agriculture as a contributor to overall planning goals and objectives.

## RECOMMENDATION 4

**Include or update definitions for the following terms with language similar to that below.**

**Agriculture:** The growing of crops; raising of livestock; and, the storing, processing and sale of agricultural and horticultural products and commodities, including those defined in *Connecticut General Statutes* § 1-1q, as incidental to agricultural operations.\*

---

\* (q) Except as otherwise specifically defined, the words "agriculture" and "farming" shall include cultivation of the soil, dairying, forestry, raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training and management of livestock, including horses, bees, poultry, fur-bearing animals and wildlife, and the raising or harvesting of oysters, clams, mussels, other molluscan shellfish or fish; the operation, management, conservation, improvement or maintenance of a farm and its buildings, tools and equipment, or salvaging timber or cleared land of brush or other debris left by a storm, as an incident to such farming operations; the production or harvesting of maple syrup or maple sugar, or any agricultural commodity, including lumber, as an incident to ordinary farming operations or the harvesting of mushrooms, the hatching of poultry, or the construction, operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for farming purposes; handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market, or to a carrier for transportation to market, or for direct sale any agricultural or horticultural commodity as an incident to ordinary farming operations, or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market or for direct sale. The term "farm" includes farm buildings, and accessory buildings thereto,



**Agricultural Buildings and Structures:** Buildings or structures used in connection with agriculture, including shelter for livestock and storage for farm machinery, equipment and supplies.

**Farm:** A parcel, or parcels, of land of 3 or more acres under single ownership and/or leasehold and used for agriculture.

**Limited Farm:** A parcel of land of less than 3 acres under single ownership or leasehold and used for agriculture.

*Rationale*

- An all-encompassing definition of agriculture helps provide flexibility for farm businesses to adapt to future markets and trends.
- Ties back to the state statute to provide some specificity and a common source to promote regional consistency.
- Clearly incorporates retail and value-added processing as part of agriculture.
- Definitions of farm recognize that farmers frequently work multiple non-contiguous properties, and may facilitate advantageous uses, such as signs or farm stands at appropriate locations.
- Differentiates between larger, more intensive agricultural operations that may or may not have residential uses on the property, and smaller home-based operations to target other regulations, such as exemptions for structures or permitted associated activities, to help support farm businesses with more economic impact.
- Offers future flexibility in farm property use, which is essential to business viability as agricultural markets evolve.
- Helps provide appropriate regulation for larger farms that wish to do more alternative and commercial activities without having to establish new zoning districts, versus small farms, where such uses are less intense and/or appropriate.

**RECOMMENDATION 5**

**Allow the Commission to waive certain requirements for special permit applications that are for agricultural uses.**

Commissions should use their discretion as to how much information they need to make an informed decision on a special permit application for an agricultural use. Consider the size, scope, seasonality and overall impact of the proposed agricultural use relative to the expense of A-2 surveys, the necessity for site plan amendments or other requirements sometimes included in special permit application regulations.

---

nurseries, orchards, ranges, greenhouses, hoopouses and other temporary structures or other structures used primarily for the raising and, as an incident to ordinary farming operations, the sale of agricultural or horticultural commodities. The term "aquaculture" means the farming of the waters of the state and tidal wetlands and the production of protein food, including fish, oysters, clams, mussels and other molluscan shellfish, on leased, franchised and public underwater farm lands. Nothing herein shall restrict the power of a local zoning authority under chapter 124.

### Planning and Zoning Two Month Look Ahead

| Meeting Date                  | Upcoming Items                |                                     |  |  |
|-------------------------------|-------------------------------|-------------------------------------|--|--|
| <b>Monday, April 22, 2024</b> | Affordable Housing Discussion |                                     |  |  |
| <b>Monday, May 13, 2024</b>   | Affordable Housing Discussion |                                     |  |  |
| <b>Monday, June 10, 2024</b>  | Affordable Housing Discussion | 24-3 Large Lot Accessory Structures |  |  |
| <b>Monday, June 24, 2024</b>  | Affordable Housing Discussion |                                     |  |  |

**KEY**

|                  |
|------------------|
| TO BE RECEIVED   |
| HEARINGS         |
| NEW/OLD BUSINESS |
| OTHER            |

**Future Items:**

**Thu Apr 18, 2024**

**12pm - 12:40pm Basic Training Webinar Series - Virtual/online**

**Calendar:** CT Land Use Commissioner Training  
**Created by:** donnadione.uconn@gmail.com

**Sat Apr 27, 2024**

**8:30am - 12pm CLEAR Land Use Academy - Basic Training**

**Where:** UConn Extension - Middlesex County Extension Center, 1066 Saybrook Rd, Haddam, CT 06438, USA  
**Calendar:** CT Land Use Commissioner Training  
**Created by:** donnadione.uconn@gmail.com

**Thu May 16, 2024**

**12pm - 12:40pm Basic Training Webinar Series - Virtual/online**

**Calendar:** CT Land Use Commissioner Training  
**Created by:** donnadione.uconn@gmail.com

**Fri May 17, 2024**

**9am - 5pm SAVE THE DATE - Commissioner Training - HOUSING - In Person**

**Where:** Tentative Location:,105 Miller Street Meriden,CT,06450  
**Calendar:** CT Land Use Commissioner Training  
**Created by:** david.dickson@uconn.edu

**Mon May 20, 2024**

**6pm - 8pm Land Use Commissioner Basic Training for ZBA Members - Virtual/online**

**Calendar:** CT Land Use Commissioner Training  
**Created by:** david.dickson@uconn.edu

**PLANNING & ZONING COMMISSION  
TOLLAND, CONNECTICUT  
REGULAR MEETING MINUTES OF MARCH 11, 2024**

**MEMBERS PRESENT:** Andy Powell, Chair  
Marilee Beebe, Vice Chair  
Amanda Hickey, Secretary  
Joe Matteis  
Erin Stavens  
Brian Mead, alternate

**OTHERS PRESENT:** David Corcoran, Director of Planning & Development  
Chris Moran, Town Council Liaison  
Public

1. **Call to Order:** Andy Powell, Chair, called the meeting to order at 7:00 p.m. in Council Chambers.
2. **Pledge of Allegiance:** Recited.
3. **Seating of Alternates:** None
4. **Additions to Agenda:** Mr. Corcoran noted there were two people at the meeting this evening who would like to have an informational discussion about zoning in the CIZ-B zone. He suggested adding a discussion about it before Item 8.1.
5. **Public Comment:** None.
6. **Public Hearing(s):** None.
7. **Old Business:** None.
8. **New Business**

8.1 (A) Informal Discussion about Zoning in the CIZ-B zone. Doug and Jesse Schneider, who own the property at 65 Kingsbury Avenue, attended the meeting.

Mr. Corcoran said Schneiders bought the property with an existing house that is available for lease from Pat McMahon. They would like to cut it off from their existing business. However, the minimum lot size in that zone is one acre and cutting it off would create a smaller lot size and a non-conforming use in the CIZ. He noted it is within the Sewer Service Area (SSA) and near the water line. The question also is whether this would create a new use.

Doug Schneider said they purchased the property in September of 2023 and it has a house and commercial building along with a proposed commercial building. He said the likelihood they would build the proposed building is about zero, but they could possibly want to put up a smaller building at some point that would be about half that size.

*March 11, 2024 – Tolland Planning & Zoning Commission*

Doug Schneider said Sean Payne of Payne Construction used to rent the house. He said Troy Hazen, who owns the property to the right of theirs, also rented space from them. He said at the time they bought the property, there were a lot of tractor trailers and excavators on the property but they have since cleaned it up. He showed pictures of before and after. Doug Schneider said all the tenants that were there before are gone except one, and they have all new tenants.

Doug Schneider said Sean Payne who had been renting the house recently left them and moved his business to Ellington, so the house is empty now. They would like to split it off and sell it. He said the property was surveyed and it is about .25 to .31 acres in size. However, he noted there are several other small lots in the area with an existing house. He asked if the area is conducive to allowing small lots.

Mr. Corcoran said if they allowed this change, there would need to be a regulatory change to the CIZ-B zone. Doug Schneider asked if they could adopt a regulatory change allowing it only for existing houses. He said they do not want to be in the house rental business.

Mr. Matteis said they didn't have set lot sizes when these houses were built. He noted if they allowed it, there would be serious setback issues. Mr. Corcoran noted they should keep in mind that this is in the CIZ-B zone and the SSA. He said they don't allow new residential homes in the CIZ-B.

Mr. Matteis said if they allowed the cut, they would be creating a new residential use.

Ms. Beebe said they should ask themselves if they do or don't want to encourage further residential development in this zone. Mr. Corcoran noted the structure does not have to be residential. It could be used for a commercial business. He noted also that the entire zone allows for single family residences if they existed prior to 2000. He said they would have to submit an application for a small commercial lot. There is no minimum lot size for commercial lots in the CIZ-B.

Mr. Matteis said allowing the cut would then make the rear lot non-conforming. He said he doesn't like the idea of allowing this, though he understands their reasons for wanting it. He said he feels a one-acre commercial lot is small and that, if they allowed it, they would be creating two non-conforming lots and opening up all the other lots in the zone with houses on them to do the same.

Ms. Beebe said they can't simply zone for the Schneider's lot at 65 Kingsbury Avenue, and that by allowing the cut, they would be creating a non-conforming lot whether there was a house on it or not. It could open a can of worms for all the other mixed use buildings on properties in that zone.

There was consensus that this is something the Commission could not entertain.

- 8.1 (B) Large Lot Accessory Structures – Mr. Corcoran reviewed the discussion at their previous meeting where the Commission asked if they could create an opportunity for property owners to build large buildings on their lots that exceeded the footprint of the main building without having to apply to do so as a farm. He said he would not recommend changing the definition of a farm, but rather establish an opportunity to create another set of allowable accessory structures.

Under the proposed "Large Lot Accessory Structures," he suggested allowing one large lot structure on a property up to 10,000 square feet that can be in excess of the footprint of the principal structure. The structure would have to be on at least ten acres. Larger setbacks would also be required.

*March 11, 2024 – Tolland Planning & Zoning Commission*

Ms. Beebe said she liked the idea if they could find a reasonable accommodation for setbacks.

Mr. Matteis said he was open to it. However, they need to have a mechanism in their regulations to prove you have a farm. He said they will need to address this also. He said this will be important if a property owner chooses to go the farm route and claim they are a farm, *or* if they can't go this alternate route because they can't meet the larger setbacks they establish.

Mr. Powell directed Mr. Corcoran to look into this and confirm an applicant's ability to build a farm building with the existing regulations by confirming they are an actual farm. Ms. Hickey asked if they can also put something on the back end that requires they are continuing to be a farm after the barn is built.

The discussion moved to non-farm properties. Mr. Matteis asked if they could allow up to 1,000 square foot accessory structures per acre up to 10,000 square feet for property owners with 10 acres or more? There were some concerns that this might create a zoning enforcement headache with someone running a 10-person machine shop in a residential zone.

Mr. Corcoran created a map of Tolland that delineated all of the potentially eligible large lot parcels. There were a significant number of parcels. However, they also discussed the fact that few people might be able to afford to build extremely large accessory structures.

The Commission considered requiring setbacks of 250 feet in front and 150 feet on the sides and in the rear. Mr. Matteis suggested leaving things alone on lots less than five acres.

Ms. Beebe discussed rear lots and how this proposal would impact such lots. Should the setbacks be the same for rear lots? Mr. Matteis suggested keeping the side and rear setbacks the same as for regular lots.

There was general agreement that the proposal was a good concept. Mr. Matteis suggested establishing setbacks of 100 feet for accessory structures that are less than 5,000 square feet and 150 feet for accessory structures that are 5,000 square feet or larger. There was general agreement for this also.

The Commission discussed how to ensure that these regulations don't open up a situation where multi-family housing is built disguised as a barn. Mr. Corcoran said the health department and building inspections would uncover that sort of thing. He did note that, under the regulations, a single 1,000 square foot accessory dwelling unit could be built in a 10,000 square foot building.

Mr. Matteis said he liked the idea as it creates an avenue for non-farmers to put up larger accessory structures on their properties. The Commission will review this again before it goes to public hearing.

## **9. Reports**

9.1 Town Council Liaison – Chris Moran, Town Council Liaison, said they made three appointments to the Board of Assessment Appeals. He said at the meeting tomorrow evening, they will be hearing a presentation from an architect about potential exterior renovations to the Tolland County Jail. He said on Wednesday, the Town Manager will be providing his budget presentation. There will then be three hearings on the budget in March, followed by a public meeting on the budget at the high school on April 2.

9.2 Economic Development Liaison – no report.

*March 11, 2024 – Tolland Planning & Zoning Commission*

- 9.3 Capitol Region Council of Governments – Mr. Powell noted they received the meeting schedule which was distributed at their last meeting.
- 9.4 Zoning Enforcement Report – Mr. Corcoran said they are investigating a complaint about a truck servicing operation on Mile Hill Road and they will probably be sending out a Notice of Violation.
- 9.5 Planning Update – Mr. Corcoran said the property up at Exit 69 is moving forward. This is for a potential medical office building. He said the Commission may see the site plan in the next couple of months.

Mr. Corcoran said the cannabis facility is moving forward. The owners have submitted a sign permit application. He said they expect to be receiving a foundation permit from the Santinis soon. He said the NY Deli has gotten through the building permit process. They are still waiting on the gas station.

Mr. Powell asked if Mr. Corcoran had heard back from Steve Williams about the affordable housing project he was considering doing. Mr. Corcoran said Mr. Williams did not feel the deed restriction for affordable housing would work for him.

10. **Other Business:** Mr. Powell noted that the Town Council will be in Council Chambers on the evening of March 25, which is the date of their next meeting. They discussed the fact that they may not have much business on the agenda and that there are no pending applications at this time. There was agreement to schedule their March 25 meeting for Conference Room B. They can cancel the meeting all together if there is nothing pressing to discuss.
11. **Correspondence:** Mr. Powell said he got a copy of HB5390, which is the Work/Live/Ride 2024 bill, which has an opt-in mandate. He said the bill discusses opportunities to build affordable housing closer to transportation. He said he would forward it to Mr. Corcoran to share with the Commissioners.
12. **Public Participation:** None.
13. **Approval of Minutes** – February 26, 2024 Regular Meeting

**MOTION:** Erin Stavens/Amanda Hickey to approve the February 26, 2024 Regular meeting minutes as written. Ms. Hickey, Ms. Stavens, Mr. Matteis and Mr. Powell voted in favor. Ms. Beebe abstained. Motion carried.

**14. Adjournment**

**MOTION:** Marilee Beebe/Erin Stavens to adjourn the meeting and pay the clerk at 8:30 p.m. Mr. Matteis, Ms. Stavens, Ms. Hickey, Ms. Beebe and Mr. Powell voted in favor. Motion carried.

Respectfully submitted,

Annie Gentile  
Clerk