



**Legal Notice
Public Hearing**

Tolland Planning & Zoning Commission

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, February 28, 2022, commencing at 7:00 p.m., to hear and discuss the following:

PZC # 22-1 Zoning Regulation Amendment – Request to amend Section 5-2 "Uses" in the Residential Design District and Section 16-13 "Farm Brewery, Farm Cidery, Farm Distillery, and Farm Winery" to create a "minor farm brewery/cidery/distillery/winery" for small accessory agriculture uses that involve limited off-premise sales of alcohol. Applicant: Town of Tolland.

This application is available in the Development Office located at Town Hall, 21 Tolland Green. Details regarding the location and how to attend this meeting will be published on the Commission's Agenda. During this hearing, correspondences will be received and public comments will be heard. Any party with questions or needing an accommodation, please call (860) 871-3601.

To be advertised twice in the Journal Inquirer: Monday, February 14, 2022 and
Thursday, February 24, 2022



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:

Section 5-2 "Uses" in the Residential Design District

Section 16-13 "Farm Brewery, Farm Cidery, Farm Distillery, and Farm Winery"

Describe the purpose for these proposed changes:

The proposed changes are being requested to create a "minor farm brewery/cidery/distillery/winery" for small accessory agricultural uses that involve limited off-premise sales of alcohol.

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

The request is consistent with the Tolland POCD objective C4 and C25 which state:

"Update the Zoning Regulations to be more farm-friendly."

"Encourage agri-tourism."

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: David Corcoran Date: 12/22/21

Please note:

1. If also proposing to amend the Zoning Map, a separate Map Amendment Form and fee must be submitted.
2. The fee of \$300.00 plus a \$60.00 State 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)

Section 16-13. Farm Brewery, Farm Cidery, Farm Distillery and Farm Winery

A. Intent

The intent of these regulations is to support agriculture in Tolland by allowing expanded economic enterprises on farms while ensuring that activities are compatible with residential zones and minimizing potential impacts to nearby residences. The activities and uses permitted in this Section are intended to be accessory to a farm operation.

B. General Regulations for all Farm Breweries, Cideries, Distilleries, and Wineries

1. Minimum lot size: 15 acres
2. All refuse areas shall be located a minimum of 100 feet from all property lines.
3. The following requirements for local ingredients shall be met:
 - a. For a farm brewery, a minimum of 20% of ingredients, excluding water, shall either be grown on the site or grown within 60 miles of the premises.
 - b. For a farm winery or farm cidery, the amount of the fruit grown on site shall meet that required by state statutes except that only fruit grown on the premises or on a farm elsewhere in Tolland shall count toward the minimum amount required.
 - c. The Commission shall determine which of the above requirement shall be met for a distillery based upon the type of ingredients distilled.
4. The establishment shall not sell, serve, or offer tastings of alcoholic beverages that were not manufactured on the premises.
5. To the extent practicable, truck deliveries and pick-ups between 10 p.m. and 6 a.m. should be avoided.
6. There shall be no amplified music or amplified sound.

C. Permit Requirements:

1. Minor Farm Breweries, Cideries, Distilleries, and Wineries – Zoning Permit
2. Major Farm Breweries, Cideries, Distilleries, and Wineries – Special Permit

D. Permitted Uses and Regulations for Minor Farm Breweries, Cideries, Distilleries, and Wineries

1. In addition to the farming operation and other uses customary and incidental to a farm, retail and wholesale sales of the products grown and manufactured on property owned or leased by the permittee in Tolland as part of a Roadside Stand shall be permitted with a Zoning Permit. Retail sales of beer-, cider-, wine- and alcohol- related merchandise, such as

glasses, mugs, and items that promote the product or are directly related to the use of the product are allowed.

E. Permitted Uses and Regulations for Major Farm Breweries, Cideries, Distilleries, and Wineries

1. In addition to the farming operation, the following uses are permitted on the premises of any major farm brewery, cidery, distillery or winery:

- a. Tastings, for free or for a fee.
- b. Tours.
- c. Retail and wholesale sales of the products grown or manufactured on the premises.
- d. Retail sales of beer-, cider-, wine- and alcohol- related merchandise, such as glasses, mugs, and items that promote the product or are directly related to the use of the product. Merchandise unrelated to the products produced on site may be offered for sale provided that the amount offered is clearly subordinate to related merchandise. In general, no more than 25% of merchandise displayed for sale shall be unrelated merchandise.
- e. Other uses customary and incidental to a farm.

2. All buildings, structures and parking related to the brewery, cidery, distillery, or winery operation shall be located a minimum of 100 feet from all property lines. If the front property line is located on a state route, the Commission may reduce the front yard setback to 50 feet provided it determines such a reduced setback does not impact adjacent residential uses.

3. Unless otherwise restricted by state law, hours open to the public are limited to:

- a. Sunday, noon to 6 p.m.
- b. Monday through Wednesday, noon to 8 p.m.
- c. Thursday through Saturday, noon to 9 p.m.

4. Additional screening may be required for areas used for outdoor tastings or seating in order to reduce disturbances to adjacent residential uses.

5. Areas used for outdoor seating and outdoor tastings shall be located at least 200 feet from all property lines.

6. No more than three (3) food trucks are permitted. On parcels at least two (2) times the minimum lot size, the Commission may allow additional food trucks as part of the Special Permit Process. Establishments may permit visitors to bring food or may serve snacks. The preparation and serving of meals is prohibited, other than by food trucks.

Section 5-2. Uses [in the Residential Design District – additions in yellow]

A. Permitted Uses

The following uses are permitted as of right, subject to these and any other applicable regulations.

1. Single-family dwelling.
2. Single-family mobile home with a 750 square foot minimum floor area for original structure. A permanent foundation, well and septic system are required and it shall meet livability standards of the United States Department of Housing and Urban Development or any other applicable agency.
3. Agriculture except as might otherwise be prohibited or regulated by these regulations, or roadside stands for the sale of seasonal agricultural products
4. Minor Farm Brewery, Farm Cidery, Farm Distillery, or Farm Winery. Should the farm cease operation, such accessory uses also shall cease operation. See Section 16-13 for detailed standards.
5. Temporary amusement, fair or bazaar by a nonprofit organization.
6. Government service: federal or state services permitted; local services permitted if in compliance with General Statutes Section 8-24.
7. Historic or monument site.
8. Temporary use (not to exceed six (6) months) of a mobile home, trailer or other temporary housing on a lot by the owner of such lot during construction or repair of a dwelling under valid permit. Under special circumstances, six (6) month extensions may be granted by the ZEO.
9. Temporary use (not to exceed six (6) months) of a trailer other than for human habitation by the builder, contractor or architect on a lot during construction on said lot. Under special circumstances, six (6) month extensions may be granted by the ZEO.
10. Telephone exchange, substation, sewer or water pumping station, water tank, standpipe or similar public utility use less than 100 square feet in size with no outside service yard or outside storage of supplies unless fully enclosed or screened from public view.

B. Special Permit Uses

The following uses require a Special Permit:

1. Multi-family development – See Section 5-5.
2. Elderly housing or assisted living facility – See Section 5-5.

3. Two-family dwelling.
 - a. The minimum lot size shall be three (3) acres for a conventional lot and seven and a half (7.5) acres for a rear lot.
 - b. The Commission may reduce the minimum lot size to no less than two and a half (2.5) acres for a conventional lot or six (6) acres for a rear lot, if:
 - 1) There are no wetlands, water bodies or water courses on the parcel; and,
 - 2) The Commission finds that there will be minimal visual impact to the neighborhood based on the location of the parcel or the layout of the site. Factors to consider may include: location at the end of a cul-de-sac road or minimal visibility from the road and abutting parcels due to tree cover, topography, or distance to abutting residences.
 - c. Two-family dwelling units shall meet the following standards. The Commission may waive a standard if it determines there will be minimal visual impact to abutting residences and from the road.
 - 1) The architecture of the structure shall be in harmony with the immediate neighborhood;
 - 2) The overall size of the structure shall not substantially exceed that of the residential structures in the immediate neighborhood; and,
 - 3) The placement of garage doors and entry doors generally shall resemble that of a single-family dwelling unit.
 - d. No more than one curb-cut shall serve the parcel.
 - e. Two-family dwelling units shall not be allowed in the State Aquifer Protection Area, as designated on the Zoning Map.
 - f. For any two-family dwelling approved under this provision, expansions in height or to the dwelling footprint shall require a new Special Permit, unless the Commission determines that the proposed expansion is minimal.
4. Private school or private college, when located on a lot of at least five (5) acres and having at least 400 feet of frontage on one street.
5. A privately operated hospital, clinic, nursing or convalescent home or similar institution, provided the lot shall have at least five (5) acres and 400 feet of frontage on a public street.

6. Place of worship, parish house, convent or similar use when located on a lot of at least two (2) acres.
7. Telephone exchange, substation, sewer or water pumping station, water tank, standpipe or similar public utility use, 100 square feet or over, with no outside service yard or outside storage of supplies unless fully enclosed or screened from public view.
8. Private nonprofit club including sportsman's club.
9. Community center.
10. Campground, youth camp or resort, with a minimum lot size of 40 acres. All recreational or other camp facilities shall be located not less than 100 feet from any street line or other lot line. All requirements of Section 16-3 shall also apply.
11. Private, public or commercial golf course, with a minimum lot size of 40 acres; no building located less than 200 feet from any street line or other lot line; and, no part of the course shall be illuminated for night play. All requirements of Section 16-4 shall also apply.
12. Commercial/agricultural use. Such facility cannot exceed 5,000 square feet gross floor area and must meet all the setback requirements for the RDD zone.
 - a. Retail sales of agricultural produce, farm stores, storage, packing, processing or bottling of Connecticut grown farm products, provided a portion of the product is produced on land owned or leased by the proprietor.
 - b. Carriage, wagon or sleigh rides or animal petting areas.
 - c. Seasonal "pick your own" fruit or vegetables.
 - d. Roadside stands, regional.
 - e. Accessory food service.
13. Veterinary hospital for the treatment and care of animals. The minimum lot area shall be two (2) acres. Five (5) acres shall be required if animals will be placed in outside enclosures. All buildings used for boarding and outside enclosures shall have a minimum front, side and rear setback of 75 feet. All animal enclosures shall be constructed to attenuate animal noises sufficient to comply with the Tolland Noise Ordinance.
14. Day-care center or group day-care home, caring for children or adults, provided that no play equipment shall be located in any required setback areas.
15. A sales office located on the premises where a group of dwellings under construction or recently constructed are offered for sale. Only one sign not to exceed four square feet in

area shall be permitted; no banners or other advertising devices shall be permitted. Permit approval shall be limited to not more than one (1) year; one (1) or more six (6) month extensions may be granted by the Commission.

16. Bed and breakfast accommodations within an existing dwelling not to exceed eight (8) bedrooms for paying guests and the serving of breakfast only for guests.
17. Cemetery.
18. Orphanage or children's home.
19. Domestic animal service
 - a. The keeping of six (6) or more dogs or a commercial kennel, with a minimum lot area of five (5) acres. All buildings and enclosures housing the animals shall have a minimum front, side and rear setback of 75 feet. All animal enclosures shall be constructed to attenuate animal noise. Animals may be allowed to exercise in outdoor fenced in areas.
 - b. Domestic animal grooming or domestic animal day care. The required acreage and setback may be reduced by the Commission to not less than two (2) acres and not less than the normal setback required for the zone, provided the facilities are used only for grooming or day care of animals and the following conditions are maintained:
 - 1) Animals, other than those owned by a resident of the premises, shall not be kept overnight.
 - 2) All animals, other than those owned by a resident of the premises, shall be kept inside a building constructed to attenuate animal noises to comply with levels allowed by the Tolland Noise Ordinance.
 - 3) No more than five (5) animals, not including those owned by a resident of the premises, shall be allowed on the premises at the same time.
20. Excavation or removal of earth products; filling operations in accordance with the requirements of Section 16-1.
21. Commercial stable, provided that it shall be located on a lot of at least five (5) acres and that all buildings or enclosures where animals are kept shall have a minimum front, side and rear yard setback of 75 feet. Such use may also include instructing, training, riding and driving, if approved by the Special Permit.
22. Solar array as a principal use, with a minimum lot size of 10 acres, per Section 16-12.

23. Major Farm Brewery, Farm Cidery, Farm Distillery or Farm Winery as an accessory use to a farm. Should the farm cease operation, such accessory uses also shall cease operation. See Section 16-13 for detailed standards.

C. Accessory Uses

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