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TOWN PLANNING & ZONING OFFICE
TOLLAND, CT.

**Legal Notice
Public Hearing**

Tolland Planning & Zoning Commission

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, February 14, 2022, commencing at 7:00 p.m., to hear and discuss the following:

1. PZC #21-17 Zoning Regulation Amendment– Request to amend Section 2-2 “Definitions” clarifying that recreational cannabis and medical marijuana are retail uses and removing the exclusion of marijuana as agriculture, amend Section 14-2 “Table of Uses” to remove restrictions on siting of Medical Marijuana Dispensaries and clarify the location of Micro-Cultivator Facilities, and repeal Section 16-14 “Licensed Medical Marijuana Dispensaries or Production Facilities”, which provides additional restrictions on Medical Marijuana facilities. Applicant: Town of Tolland.
2. PZC #21-18 Zoning Regulation Amendment – Request to amend Section 2-2 “Definitions”, Section 3-13 “Projections into Yards”, Section 17-2 “RDD & VCZ” Setbacks, and Section 17-6 “Accessory Dwelling Units” to minimize the number of required variances for small accessory structures. Applicant: Town of Tolland.

These applications are 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, January 31, 2022 and
Thursday, February 10, 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?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Zoning Regulations | <input type="checkbox"/> Wetlands Regulations |
| <input type="checkbox"/> Subdivision Regulations | <input type="checkbox"/> Plan of Conservation & Development |

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

Section 2-2 "Definitions", Section 3-13 "Projections into Yards",
Section 17-2 "RDD & VCZ" Setbacks, Section 17-6 "Accessory Dwelling Units"

Describe the purpose for these proposed changes:

The proposed changes are being requested by the Zoning Board of Appeals to minimize the number of required variances for small accessory structures.

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

The request is consistent with the Tolland POCD objective D5, which states:
"Reduce unnecessary or unintentional permitting roadblocks for building updates and renovations."

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: (stamp)		Effective Date:	_____

Section 2-2. Definitions (cont'd)

DECK – A porch-like structure or portion of a structure usually without a roof, usually constructed of wood with structural supports.

STRUCTURE – Anything constructed or erected, the use of which requires location on the ground or water or attachment to something having location on the ground or water. A structure shall include, but not be limited to, buildings, swimming pools, tennis courts, towers, paddle or platform tennis courts, docks, balconies, open entries, porches, decks, signs, permanent awnings, ground-mounted antennas, ground-mounted solar panels and satellite dishes and fences or walls more than eight (8) feet in height, other than retaining walls.

STRUCTURE, ACCESSORY – 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.

STRUCTURE, MINOR – 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.

SWIMMING POOL – A water-filled structure, permanently constructed or portable, with a depth of more than 24 inches and a water surface area of more than 60 square feet, used for bathing or swimming.

TERRACE or PATIO – An improved, surfaced or graded area located on the ground with no structural supports other than subsurface base material and retaining walls. A terrace or patio located not more than eight (8) inches above grade shall not be deemed a structure.

Section 3-13. Projections into Yards

A. Architectural Features

Architectural features such as pilasters, chimneys, belt courses, sills and cornices, but not including any vertical projections, may extend into a required yard not more than two (2) feet.

B. Fence or Wall

A fence or a wall used as a fence may be erected in any required yard if not over eight (8) feet high. Where a fence is placed on top of a wall, the height of both structures shall be cumulative when determining the height.

C. Deck, Stoop, Steps and Terraces

A deck not over eight (8) inches high, stoops, an access landing not over three (3) feet high or 24 square feet in area with or without stairs, and terraces may be erected in any required yard.

D. Handicap Ramp

Handicap ramps may extend into a required yard in accordance with Section 16-19

E. Open Porch

An open porch, veranda, or portico not more than 10 feet in depth may project into the required front or side yard of a residential property. An open porch shall not be enclosed by glass, screens, or other materials.

Section 17-2 RDD & VCZ

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
Minor Structure - 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
Accessory Structure - 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
Swimming Pools and All Other Detached Structures			
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

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 Limitations

The combined footprint of all customary accessory structures other than 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.

Section 17-6 Accessory Dwelling Units

A. General Requirements

13. If the accessory dwelling unit will be located in a detached garage, the structure shall comply with all applicable setback requirements for accessory structures.