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**Legal Notice  
Public Hearing**

**Tolland Planning & Zoning Commission**

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, January 24, 2022, commencing at 7:00 p.m., to hear and discuss the following:

PZC #21-16, Zoning Regulation Amendment- Request to amend Section 16-5 Drive-Through Service to remove the requirement that drive-through menu boards are 300 feet from any residential structure, add a requirement to comply with the Tolland Noise Ordinance, and clarify allowed locations for drive-throughs. Applicant: Town of Tolland.

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

To be advertised twice in the Journal Inquirer: Monday, January 10, 2022 and  
Thursday, January 20, 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 16-5 Drive-Through Service, removing the requirement that drive-through menu boards are 300 feet from any residential structure and adding a requirement to comply with the Tolland Noise Ordinance

Describe the purpose for these proposed changes:

The proposed changes are being requested by the Economic Development Commission to allow for the re-development of existing commercial properties while considering noise/visual concerns to adjacent properties.

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

The request is consistent with the Tolland POCD objective D4 and D2 which state:

"Encourage owners of older commercial and industrial buildings to maintain and update their properties and provide resources."

"Encourage the build out of parcels in business zones."

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: 11/3/21

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.

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**OFFICE USE ONLY**

Fee Amount: \_\_\_\_\_ Approved: \_\_\_\_\_  
Form of Payment: \_\_\_\_\_ Approval Date: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_ Effective Date: \_\_\_\_\_  
(stamp)

**Section 16-5. Drive-through Service**

**A. Summary Table**

	<b>Retail or personal service business</b>	<b>Bank or financial institution</b>	<b>Restaurant – Fast Food &amp; Fast Casual</b>	<b>Pharmacy</b>
<b>Tolland Village Area (TVA)</b>	Not allowed	Site Plan	Special Permit*	Site Plan
<b>Neighborhood Commercial Zones (NCZ-G and NCZ-T)</b>	Not allowed	Site Plan	Not allowed	Site Plan
<b>Community Commercial Zone (CCZ)</b>	Not allowed	Site Plan	Not allowed	Site Plan
<b>Gateway Design District (GDD)</b>	Not allowed	Site Plan	Special Permit	Site Plan
<b>Commercial/Industrial Zone A &amp; B (CIZ-A, CIZ-B)</b>	Not allowed	Site Plan	CIZ-A: Special Permit CIZ-B: Not Allowed	Site Plan
<b>Tolland Business Park (TBP)</b>	Not allowed	Not allowed	Special Permit	Not allowed
<b>Master Plan Overlay Zone (MPOZ)</b>	Not allowed	Site Plan	Site Plan	Site Plan

\*Limited to restaurants that exist at their current location as of the date of adoption (October 19, 2020).

**B. Standards**

Drive-through service may be permitted in locations pursuant to these regulations provided the location is consistent with standards contained in Section 20-8 and is designed to minimize impact on the walkable nature of the area.

1. Traffic and Circulation. Drive-through facilities shall meet the following standards and requirements:
  - a. Any food-related use proposing a drive-through facility shall, unless modified by the Commission, have the primary access onto a state road.
  - b. A traffic study shall be required describing peak hours of operations, volume of customers per hour, stacking lane length needed for anticipated volume of drive-

through vehicles, turning movements, roadway capacity and level of service of nearby streets.

- c. The size of stacking lanes shall be adequate to allow for safe movement of vehicles with a minimum length of 20 feet and width of 10 feet in straight areas and 12 feet along curved segments of the stacking lane.
- d. Drive-through lanes shall be clearly defined by pavement markings and directional signage.
- e. Queue space shall not interfere with:
  - 1) The safe use of the required parking spaces and their required drives.
  - 2) Interior pedestrian and other circulation.
  - 3) The accessway from any public street.

2. Building and Site Design. Drive-through facilities shall meet the following standards and requirements:

- a. To the extent required by the Commission, the drive-through window(s) and stacking lanes shall be buffered from view from public streets and adjacent residential structures using landscaping, decorative fencing or other attractive screening.
- b. The stacking lanes shall be effectively separated from the parking and pedestrian areas through the use of curbing, raised islands or landscape improvements.
- c. Connectivity. Standalone parking areas in conjunction with facilities having drive-through service shall not be permitted, unless vehicular and pedestrian connectivity is provided to adjacent properties and proposed or existing pathways.
- d. Drive-through facilities, including windows and other related facilities shall be architecturally compatible with the building and the existing or planned streetscape.
- e. Outdoor loudspeakers for any drive-through service shall be in compliance with the Town of Tolland Noise Ordinance (Chapter 103 of the Tolland Town Code) at the closest property line.
- f. To limit damage to buildings in the vicinity of drive-through facilities, at least 10 feet of clear height shall be provided for the drive-through lane and bollards shall be located adjacent to drive-through windows to prevent damage to the building from vehicles.
- g. In the Gateway Design District, unless modified by the Commission, any food-related use proposing a drive-through facility shall be part of an integrated development or

consolidated parcel sharing access and parking and where the total gross floor area of all proposed food-related uses with drive-through service is less than 10% of the gross floor area of all buildings on the parcel.

- h. A program for policing and eliminating outdoor litter must be submitted.
- i. The Commission may approve modifications to Sections 16-5.B2.a, 2.b, and 2.c by four (4) concurring votes in special instances when this will improve overall compatibility of the site to surrounding and/or connecting property and with special attention to one (1) or more of the following criteria:
  - 1) Landscaping or orientation of building.
  - 2) Drive-through service or circulation areas.
  - 3) Architecture.
  - 4) Non-motorized linkages to other properties.
  - 5) Other site amenities.

Section 16-5. Drive-through Service

A. Summary Table

	Retail or personal service business	Bank or financial institution	Restaurant or Gas Station/ Convenience Store	Retail-food- / serving establishment Restaurant – Fast Food & Fast Casual	Pharmacy
Tolland Village Area (TVA)	Not allowed	Not allowed <u>Site Plan</u>	Not allowed	Special Permit*	<u>Site Plan</u> <u>Special Permit</u>
Neighborhood Commercial Zones (NCZ-G and NCZ-T)	Not allowed	<u>Special Permit</u> <u>Site Plan</u>	Not allowed	Not allowed	<u>Site Plan</u> <u>Not allowed</u>
Community Commercial Zone (CCZ)	Not allowed	<u>Special Permit</u> <u>Site Plan</u>	Not allowed	Not allowed	<u>Site Plan</u> <u>Not allowed</u>
Gateway Design District (GDD)	Not allowed	<u>Special Permit</u> <u>Site Plan</u>	Special Permit	Not allowed <u>Special Permit</u>	<u>Site Plan</u> <u>Special Permit</u>
Commercial/Industrial Zone A & B (CIZ-A, CIZ-B)	Not allowed	<u>Special Permit</u> <u>Site Plan</u>	Not allowed	Not allowed <u>CIZ-A: Special Permit</u> <u>CIZ-B: Not Allowed</u>	<u>Site Plan</u> <u>Not allowed</u>
<u>Tolland Business Park (TBP)</u>	<u>Not allowed</u>	<u>Not allowed</u>		<u>Special Permit</u>	<u>Not allowed</u>
<u>Master Plan Overlay Zone (MPOZ)</u>	<u>Not allowed</u>	<u>Site Plan</u>		<u>Site Plan</u>	<u>Site Plan</u> ←

\*Limited to restaurants that exist at their current location as of the date of adoption (October 19, 2020).

B. Standards

Drive-through service may be permitted in locations pursuant to these regulations provided the location is consistent with standards contained in Section 20-8 and is designed to minimize impact on the walkable nature of the area.

1. Traffic and Circulation. Drive-through facilities shall meet the following standards and requirements:

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- a. Any food-related use proposing a drive-through facility shall, unless modified by the Commission, have the primary access onto a state road.
  - b. A traffic study shall be required describing peak hours of operations, volume of customers per hour, stacking lane length needed for anticipated volume of drive-through vehicles, turning movements, roadway capacity and level of service of nearby streets.
  - c. The size of stacking lanes shall be adequate to allow for safe movement of vehicles with a minimum length of 20 feet and width of 10 feet in straight areas and 12 feet along curved segments of the stacking lane.
  - d. Drive-through lanes shall be clearly defined by pavement markings and directional signage.
  - e. Queue space shall not interfere with:
    - 1) The safe use of the required parking spaces and their required drives.
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2. Building and Site Design. Drive-through facilities shall meet the following standards and requirements:
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  - c. Connectivity. Standalone parking areas in conjunction with facilities having drive-through service shall not be permitted, unless vehicular and pedestrian connectivity is provided to adjacent properties and proposed or existing pathways.
  - d. Drive-through facilities, including windows and other related facilities shall be architecturally compatible with the building and the existing or planned streetscape.
  - e. Outdoor loudspeakers for any drive-through window-service shall be in compliance with the Town of Tolland Noise Ordinance (Chapter 103 of the Tolland Town Code) at the closest property line. not produce noise level greater than 50 dB at the closest property line, nearest building of a separate use or a public sidewalk off-site.

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~~f. Any drive-through service menu board (order intercom) shall be located at least 300 feet from any adjacent residential structure.~~

g.f. To limit damage to buildings in the vicinity of drive-through facilities, at least 10 feet of clear height shall be provided for the drive-through lane and bollards shall be located adjacent to drive-through windows to prevent damage to the building from vehicles.

h.g. In the Gateway Design District, unless modified by the Commission, any food-related use proposing a drive-through facility shall be part of an integrated development or consolidated parcel sharing access and parking and where the total gross floor area of all proposed food-related uses with drive-through service is less than 10% of the gross floor area of all buildings on the parcel.

h.h. A program for policing and eliminating outdoor litter must be submitted.

h.i. The Commission may approve modifications to Sections 16-5.B2.a, 2.b, and 2.c by four (4) concurring votes in special instances when this will improve overall compatibility of the site to surrounding and/or connecting property and with special attention to one (1) or more of the following criteria:

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