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**Legal Notice
Public Hearing**

Tolland Planning & Zoning Commission

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, May 23rd, 2022, commencing at 7:00 p.m., to hear and discuss the following:

PZC #22-4, Zoning Regulation Amendment- Request to revise Section 16-5 Drive-Through Service and Section 14-2 Table of Uses to expand allowable locations for drive-thrus to include the TVA and CCZ, allow for gas station/convenience store drive-thrus by special permit in the GDD and revise drive-thru design and dimensional requirements. Applicant: Town of Tolland.

PZC #22-5, Zoning Regulation Amendment – Request to amend Sections 16-17 Affordable Housing, Section 9-4.C pertaining to Multi-Family Development in the CCZ and Section 10-4.C.9 pertaining to Other Requirements in the GDD to extend the effective date of the new Affordable Housing requirements to give Town Council additional time to pass the Affordable Housing Trust Fund.

Copies of these applications are 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, May 9, 2022 and
Thursday, May 19, 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 16-17 Affordable Housing, Section 9-4.C pertaining to Multi-Family Development in the CCZ
 Section 10-4.C.9 pertaining to Other Requirements in the GDD

Describe the purpose for these proposed changes:

Extend the effective date for the new Affordable Housing requirements to give Town Council additional time to pass the Affordable Housing Trust Fund.

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

The request is consistent with the Tolland POCD objectives:

- E4: Encourage and promote affordable housing opportunities in all forms.
- E6: Encourage and seek to increase the multi-family housing stock to between 10% to 15% of total housing.
- E8: Require five percent of units in any development of five or more units be affordable per 8-30g

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:** 4/11/2022

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 9-4.C Multi-Family Development in the Community Commercial Zone

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

1. Maximum permitted density. The maximum permitted density (number of bedrooms) of multi-family affordable developments may be increased by up to 40% subject to approval by the Commission.
2. To receive the additional density, residential developments shall be in conformance with the following conditions:
 - a. For each dwelling unit constructed in excess of the number permitted by applicable density limits, the developer shall construct one (1) unit of affordable housing within the proposed development.
 - b. The affordable units shall be reserved for sale or rental to persons and families of low and moderate income, as defined in Section 8-39a of the General Statutes for a period of a least 30 years.
 - c. In conjunction with an application for approval of Site Plan and Special Permit, the applicant shall submit an affordability plan.
3. Certification. The developer or his or her successors shall certify to the town on an annual basis that the units developed as affordable housing are being leased or have been sold to eligible persons or families, at prices or rents consistent with the regulations of the General Statutes.
4. This section (9-4.C) shall become void on ~~July 1, 2022~~[January 1, 2023](#) or at such time as the Town Council adopts the Town of Tolland Affordable Housing Trust Fund, and shall be replaced by Section 16-17. The remaining sections of 9-4 shall be renumbered to account for the removal of Item C.

Section 10-4.C.9 Other Requirements in the Gateway Design District

1. All business establishments shall conform to the environmental and performance standards specified in Section 19-7 and to the requirements of all other applicable town regulations.
2. Except as otherwise permitted, all production, repair, treatment, storage and display of goods shall be accessory to the principal use of the premises.
3. No outside storage of goods or merchandise and no goods or merchandise shall be sold from a trailer or truck situated on a lot unless permitted by the Commission.

4. Loading docks and receiving areas shall be carefully located for accessibility and designed as an integral part of the building and shall not detract from the building and site.
5. All dumpsters shall be placed on a concrete pad, and suitably screened with trees, shrubs, fencing or other appropriate means (e.g., the building itself). Their placement with respect to buildings shall be as approved by Public Safety personnel.
6. Areas for truck parking, recycling, trash collection and compaction shall not be visible from abutting streets including I-84 and the ramps.
7. The areas and facilities listed in 4, 5 and 6 above, if not totally enclosed, shall be at least 50 feet from any public road, public sidewalk or pedestrian way.
8. Loading docks, truck parking, utility meters, HVAC equipment, trash collection, trash compaction and other service functions, shall be incorporated into the overall design of the building and landscaping.
9. All multifamily developments shall conform with the following:
 - a. Minimum lot area: 5 acres.
 - b. Maximum density: nine (9) bedrooms per developable acre.
 - c. Maximum number of dwelling units per building: 12.
 - d. Buildings shall be designed to avoid monotonous patterns of construction or repetitive spaces or modules between buildings.
 - e. Roofs shall have adequate pitch and flat roofs shall not be permitted.
 - f. The location of structures shown on the Site Plan shall be arranged to be harmonious and compatible with the adjacent existing structures and with the general development of the neighborhood.
 - g. The Commission may require changes in the Site Plan to meet the specific requirements of the development type and may make additional requirements to promote and protect the sound and orderly growth of the community.
 - h. The owner of the multi-family development shall be responsible for all maintenance and snow removal from drives and mowing, upkeep and maintenance of all grounds.
 - i. Safe pedestrian and bicycle circulation shall be provided to safely interlink the development with its own facilities and with nearby shopping, service, institutional and governmental facilities and in accordance with pathways designated on the zoning map.
 - j. The entrance to the development shall be landscaped in accordance with Section 19-3.

- k. School and public transportation shelters may be required, if appropriate.
- l. Garbage, refuse and recycling facilities shall be provided for residents and kept in enclosed areas convenient to each building. Periodic pick-up of garbage, refuse and recycling shall be the responsibility of the owner of the multi-family development, as well as maintaining the area in a sanitary and attractive condition.
- m. Roof-mounted satellite dishes over one (1) meter in diameter and individual television and radio antennas shall not be permitted.
- n. No common hallway shall serve more than two (2) dwelling units on each floor.
- o. Minimum noise standards of the Federal Housing Administration shall be met or exceeded.
- p. No part of a building which is below grade shall be used for dwelling purposes except as approved by the Commission.
- q. Each dwelling unit shall have individual utilities and metering.
- r. A minimum of 20% of the parcel shall include green space which may include, but is not limited to, open space, natural vegetated areas, landscaped areas, lawn areas, permeable walking paths, sitting areas, outdoor permeable recreational areas, and/or community gardens. The green space shall be owned and maintained by owner of the multi-family development.
- s. In order to promote the development of affordable housing to meet local housing needs and to increase the diversity of housing within the town in accordance with Section 8-2g of the General Statutes, the Commission may authorize an increase in density of up to 40% when a developer proposes to construct a minimum of 10% workforce housing in accordance with the following provisions:
 - 1. The workforce housing units shall be subject to a deed restriction or other mechanism acceptable to the Commission containing covenants or restrictions which shall require that, for at least 40 years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as affordable to the workforce.
 - 2. An Affordability Plan, prepared in accordance with General Statutes 8-30g and RCSA (Regulations of CT State Agencies) 8-30g-7 of the State regulations, rules and guidelines shall be submitted. The Plan shall provide all of the necessary information and documentation to ensure the construction and continued operation of workforce housing, including the following:

- a. The person or organization responsible for administering the plan, including administration of the application procedures and screening criteria to determine the income eligibility of applicants, and reporting and enforcement mechanisms.
- b. Affirmative fair marketing procedures governing the sale or rental of the workforce housing units in accordance with General Statutes 8-30ee and regulations promulgated thereunder.
- c. Proposed sale or rental prices of the workforce housing units and the basis for determination.
- d. Identification and timetable for the completion and even distribution of the workforce housing units among the market-rate units in the development.
- e. Other information as may be required by the Commission.

3. Workforce housing units shall meet the following standards:

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

4. This subsection (10-4.C.9.s) shall become void on ~~July 1, 2022~~ January 1, 2023 or at such time as the Town Council adopts the Town of Tolland Affordable Housing Trust Fund and shall be replaced by Section 16-17. The remaining sections of 10-4 shall be renumbered to account for the removal of item s.

t. All Special Permit and Site Plan requirements in Article 20.

u. The application or Site Plan shall show:

- 1. The number of units.
- 2. The density of the proposed development in terms of bedrooms per developable acre.

3. The acreage of all buildings and parking.
4. A breakdown of dwelling unit types if more than one type is planned.
5. The projected dwelling unit floor areas.
6. A phasing plan if the development is to be constructed over a period of years.
7. Traffic Impact data when requested by the Commission or required by these regulations.
8. Building elevations.

Section 16-17. Affordable (Inclusionary) Housing

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

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

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

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

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

If a minimum of 10% Qualified Affordable Housing units are to be constructed, the applicant may request to purchase a density bonus up to an additional 10% of the total proposed units, by paying a fee-in-lieu equal to \$50,000 per unit for each additional market rate unit. The Commission reserves the right not to accept a fee-in-lieu of affordable housing or not to grant a density bonus and require that the 5% Qualified Affordable Housing units, as required by this Section, be constructed. The amount

(percent) of affordable units shall be evenly distributed throughout the development and evenly distributed across phases. Affordable units shall be proportionate to each phase, and the fee-in-lieu shall be paid before the Certificates of Occupancy are issued more than 50% of the units in the phase or the affordable units shall receive a Certificate of Occupancy before such Certificates are issued for more than 50% of the units in the phase.

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

This inclusionary zoning provision shall become effective on ~~July 1, 2022~~ January 1, 2023 or at such time as the Town Council establishes the Town of Tolland Affordable Housing Trust Fund, whichever comes first.