



Tolland Planning & Zoning Commission
21 Tolland Green, Tolland, Connecticut 06084

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P&Z #19-7 - Proposed Amendments to Zoning Regulations to Allow Pre-Development Site Grading by Special Permit in the Tolland Village Area, Technology Campus Zone, Commercial / Industrial Zone A & B, and Tolland Business Park Zone

For Public Hearing, June 10, 2019, 7 p.m.

The Tolland Planning and Zoning Commission proposes the following amendments. Exact numbering may change based on the outcome of additional scheduled public hearings.

ARTICLE 7: Tolland Village Area, Section 7-6. Special Permit Uses

ADD: D. Zone-Wide

By Special Permit, the Commission may approve Pre-Development Site Grading. An Area Development Plan is not required.

ARTICLE 11: Technology Campus Zone, Section 11-2.C. Special Permit Uses

ADD: Pre-Development Site Grading

ARTICLE 12: Commercial / Industrial Zone A & B, Section 12-2.C. Special Permit Uses

ADD: Pre-Development Site Grading

ARTICLE 13: Tolland Business Park, Section 13-2.B. Special Permit Uses

ADD: Pre-Development Site Grading

ARTICLE 16: SPECIAL PROVISIONS

NEW:

Section 16-15. Pre-Development Site Grading

A. Purpose

The purpose of these regulations is to allow property owners to prepare their property for future development in the absence of a specific development plan, for a limited duration and only to the degree necessary to prepare the site. In addition, it is the intent to prevent conditions detrimental to the public health, safety and general welfare, including erosion, creation of dangerous open pits, stagnant water bodies, drainage problems, or nuisances.

B. Submittal Requirements

In addition to submittal requirements for a Special Permit and Site Plan, in accordance with Sections 20-8, 20-9 and 20-10, the following shall be submitted:

1. A statement of the purpose for the Special Permit.
2. A Site Plan indicating existing and proposed contours at 2-foot intervals, proposed grades, areas of cut and fill, phasing, and all other information required for a Site Plan and Special Exception.
3. Calculations of the amount of earth materials to be removed in cubic yards and a schedule for such removal.
4. The expected number of daily truck trips and proposed route to and from the site.
5. A landscaping plan indicating how all phases will be screened from public view.
6. A description of how the final proposed grading will comply with development standards within the zone (e.g., driveway grades, slopes, etc.)
7. Proposed commencement and completion dates.

C. General Regulations

1. Measures to screen each phase from public view shall be in place before any grading work for such phase can commence.

2. Gravel, stone, sand or other earth products may be processed on the site. As part of its approval, the Commission may set limitations on the days of week and time of day that processing equipment may be operated.
3. The operator shall employ measures to minimize dust.
4. The importation of any materials not for use on the site is prohibited.
5. Storage of construction equipment not being actively used for the excavation or its related construction activity is prohibited.
6. Processing any material that originated off-site is prohibited.
7. After the grading is completed, the premises shall be cleared of debris and equipment.
8. No excavation shall occur within 100 feet of a residential zoning district (RDD or VCZ). The Commission may reduce this distance if grading closer to the property will enable future desired connections to abutting properties (e.g., for road, sidewalk or pathway connections) or if the abutting property is also subject to a Special Permit pursuant to this Section.
9. There shall be no stockpiling or processing of materials within 200 feet of property lines.
10. Topsoil shall be stored on the property for re-spreading to a minimum depth of four (4) inches over the disturbed area. The area for the storage of topsoil shall be shown on the plans approved by the Commission. All stockpiled topsoil shall be seeded with appropriate perennial grasses and surrounded by appropriate erosion controls.
11. The activity shall occur at a diligent and constant rate which is not related to market conditions for removed materials.
12. Pursuant to State Statutes, all work in accordance with the Site Plan for grading shall be completed within five (5) years of the date of approval. The applicant may request an extension.
13. No unsafe slopes or grades, pits, or depressions shall remain after restoration.
14. No accumulation of boulders or debris shall remain on the surface after restoration.

D. Special Permit Standards

In addition to the decision criteria in Section 20-8, in approving the Special Permit, the Commission shall find:

1. The proposed grading is necessary to permit future development on the site.
2. The scope of the grading and related activities shall not exceed that which is reasonably required to achieve the stated purpose for the grading.

E. Performance Guarantees

Pursuant to Section 4-6 of these regulations, the Commission may require a performance guarantee for erosion and sediment control measures.

F. Fee

The fee for applications pursuant to this section shall be the fee for "Removal of Earth Products" in addition to other applicable fees including engineering review fees.