

**Legal Notice  
Public Hearing**

**Tolland Planning & Zoning Commission**

The Tolland Planning & Zoning Commission will hold a Public Hearing on Monday, July 22, 2024 commencing at 7:00 p.m., to hear and discuss the following:

**PZC #24-7 – Zoning Regulation Amendment** – Request to amend Section 16-8.B and 16-8.F of “Home Occupation” to permit up to five commercial vehicles by Special Permit as part of a Major Home Occupation on properties of at least eight acres. Applicant: Parveen Akhter c/o Dorian Reiser Famiglietti.

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, July 8, 2024 and  
Thursday, July 18, 2024



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 16-8 B and 16-8 F Home Occupation Permits - see attached for  
proposed text amendments

Describe the purpose for these proposed changes:

To permit additional commercial vehicles (up to a maximum of 5) on sites  
that are equal to or greater than 8 acres, provided all other requirements  
for a Major Home Occupation and Special Permit are satisfied.

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

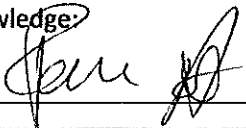
See attached

### Applicant Information

**Applicant Name:** Parveen Akhter c/o Dorian Reiser Famiglietti  
**Mailing Address:** Kahan Kerensky Capossela LLP, 45 Hartford Tnpk, Vernon, CT 06066  
**Phone Number:** 860-812-1766      **Email Address:** dfamiglietti@kkc-law.com

(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:  Date: 6-4-2024

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: (stamp)		Effective Date:	_____

**Addendum to Application**  
**Zoning Regulation Amendment**

Applicant: Parveen Akhter

Date: June 4, 2024

Proposed text amendments (new language in italics):

Addition to Section 16-8 B, Permits Required

*4. Any such permit shall be non-transferable*

Revision to Section 16-8 F, Major Home Occupations

6. Equipment and Commercial Vehicles:

a. No more than six (6) business vehicles, one (1) commercial vehicle, and one (1) hauling trailer may be stored on site; *however, on sites of eight (8) acres or more, the commission may permit up to four (4) additional commercial vehicles on site.*

Consistency with Plan of Conservation and Development:

The Tolland Plan of Conservation and Development (10/12/2019) recommends updating the home occupation regulations as the need arises. It further recognizes, on page 29, that "Home occupations are more common-place yet often invisible and unknown to neighbors and the Town. Land use regulations and the permitting process need to accommodate and adjust to these changes, recognizing that the place of home is no longer a space of domesticity, but now includes activities of commerce. The Planning and Zoning Commission should review and update the regulatory definitions and provisions related to home occupations."

## **Section 16-8. Home Occupation**

### **A. Purpose**

These regulations are intended to:

1. Ensure the home occupation is clearly secondary to the use of the building as a residence.
2. Ensure the size, architecture, intensity, and characteristics of the home occupation is compatible with the neighborhood.
3. Maintain and preserve the residential character of the dwelling and the residential character of the neighborhood.
4. Guarantee to residents freedom from excessive noise, excessive traffic, nuisances, fire hazards, offensive odors and pollutants, and other possible effects of commercial uses being conducted in residential areas.
5. Allow for appropriate business uses on residential premises in order to expand economic opportunities for Tolland residents.

### **B. Permits Required**

1. Home Office – A Home Office is allowed in all zones without a Zoning Permit.
2. Minor Home Occupation – A Minor Home Occupation is permitted in all zones and requires a Zoning Permit.
3. Major Home Occupation – A Major Home Occupation is allowed in all zones and requires a Special Permit.

~~3.4.~~ Any such permit shall be non-transferable

### **C. General Regulations for All Home Offices and Home Occupations**

1. Business shall be conducted by the inhabitants of the principal dwelling.
2. The dwelling shall retain the character of a residence.
3. The use shall be clearly incidental and secondary to the residential use of the parcel.
4. Access shall not create a traffic hazard on town or state roads.
5. All parking requirements shall be met on-site.
6. The use shall not create objectionable noise, odor, vibrations or unsightly conditions noticeable off the premises.

7. No storage of hazardous materials, other than normal household materials is allowed, unless approved by the Tolland Fire Marshal.
8. To protect water resources in environmentally sensitive areas, no maintenance or washing of vehicles associated with the business shall be performed onsite, unless a best practices plan is approved by the Commission.
9. No vehicle or equipment may be idled for more than three (3) minutes except for maintenance purposes.
10. No gas storage shall be permitted on the site in excess of what is customarily used by a residence, unless approved by the Tolland Fire Marshal.
11. The business owner shall be responsible for waste and recycling disposal in excess of typical residential volumes.
12. Multiple Home Occupations:
  - a. Up to two (2) Minor Home Occupations on a parcel is permitted.
  - b. One (1) Major Home Occupation and one (1) Minor Home Occupation on a parcel is permitted.
  - c. No more than one (1) Major Home Occupation is permitted on a parcel.
  - d. When there is more than one (1) Home Occupation on a parcel the standards are cumulative. For example, if two (2) Minor Home Occupations were located on a parcel, only one (1) commercial vehicle and one (1) trailer is permitted on the parcel.
  - e. There are no limitations on the number of Home Offices allowed on a parcel.

#### **D. Regulations for a Home Office**

1. A Home Office is permitted in single-family, two-family and multi-family dwelling units.
2. There is no minimum lot requirement for a Home Office.
3. No employees other than the inhabitants of the dwelling unit shall work at or conduct business on the premises.
4. No customers may visit the premises.
5. No external evidence of the business shall be visible.
6. No business signs shall be erected.
7. No vehicular traffic beyond what is customary for a dwelling unit is permitted.

#### **E. Regulations for a Minor Home Occupation**

1. A Minor Home Occupation is permitted in single-family, two-family and multi-family dwelling units.
2. For two-family and multi-family dwellings, the applicant shall submit written permission from the property owner (if the applicant is not the property owner) and from the condominium association (if applicable) authorizing the allowance of the Home Occupation.
3. Number of Employees: There shall be no more than one and one half (1.5) non-resident full-time equivalent employees on the premises.
4. On-site Customers: No more than eight (8) customers or clients per day shall be allowed to visit the premises. There may be rare exceedances of this limitation, for example if the business has a two-week busy period in a year.
5. There is no minimum lot requirement for a Minor Home Occupation.
6. Size Restrictions:
  - a. The Home Occupation shall not occupy more than 25% of the total floor area of finished living space. The use of unfinished living space does not count towards the limitation (e.g., unfinished basement).
  - b. Fully enclosed attached garage space used to store vehicles shall not count toward the size limitations provided the garage existed prior to August 12, 2021. The use of finished living space above a garage would count toward the limitation.
  - c. There is no size limitation for a Home Occupation in a permitted accessory structure.
7. Equipment shall be screened from view from the street and abutting properties.
8. No more than one (1) business or (1) commercial vehicle and one (1) hauling trailer shall be parked on the site.

**F. Regulations for a Major Home Occupation**

1. The minimum lot size is four (4) acres.
2. Major Home Occupations are not permitted in multi-family developments.
3. Number of Employees: There shall be no more than three (3) non-resident full time equivalent employees on the premises.
4. On-site Customers: The total number of on-site customers or clients shall be set by the Commission. The Commission shall take into consideration:
  - a. The ability to provide an adequate number of on-site parking spaces,

- b. the ability to screen on-site parking spaces from the street and from adjacent residential properties,
  - c. the ability of the street to handle the anticipated traffic,
  - d. the number of trips per day and frequency of trips, and
  - e. the Special Permit Criteria below and in Section 20-8.
5. Size restrictions:
- a. The Home Occupation shall not occupy more than 30% of the total floor area of finished living space. The use of unfinished living space does not count towards the limitation (e.g., unfinished basement).
  - b. Fully enclosed attached garage space used to store vehicles shall not count toward the size limitations provided the garage existed prior to August 12, 2021. The use of finished living space above a garage would count toward the limitation.
  - c. There is no size limitation for a Home Occupation in a permitted accessory structure.
6. Equipment and Commercial Vehicles:
- a. No more than six (6) business vehicles, one (1) commercial vehicle, and one (1) hauling trailer may be stored on site; however, on sites of eight (8) acres or more, the commission may permit up to four (4) additional commercial vehicles on site.-
  - b. All business vehicles and equipment shall be stored in an enclosed structure or screened from the street and abutting residential property to the satisfaction of the Commission.
7. Special Permit Criteria for a Major Home Occupation: In addition to the standards contained in Section 20-8, the Commission shall determine that the following standards are met:
- a. Traffic, noise, and visual impacts are not incompatible with the surrounding neighborhood or are mitigated due to size of parcel, remoteness of parcel, screening, or other measures.
  - b. The use as a home occupation is clearly secondary to the residential use of the parcel.

#### **G. Submittal Requirements**

1. The following shall be submitted with an application for a Minor or Major Home Occupation, unless the ZEO or Commission, respectively, determines that such information is not necessary due to a special nature of an application:



- a. Completed application form and fee.
- b. A detailed statement describing all aspects of the proposed activity and describing compliance with the requirements of this Section.
- c. An accurately drawn plot plan depicting property lines, structure locations, access drive(s), existing and proposed parking spaces, screening as required, and any other pertinent features.
- d. An accurately drawn floor plan depicting the area to be utilized by the home occupation.
- e. Architectural elevations for any proposed additions or new structures.
- f. Sign design and location, if any.

In addition, for a Major Home Occupation all materials required in accordance with Article 20, Special Permits and Site Plans, shall be submitted unless the Commission determines such information is not necessary in order to act on the application.