



TOWN of TOLLAND/ 21 Tolland Green, Tolland, Connecticut 06084

MEMO

TO: Planning & Zoning Commission

FROM: Heidi Samokar, AICP, Director of Planning & Development

DATE: May 18, 2016

RE: **PZC #16-2, Tolland Village Area, proposed amendments to Zoning Regulations**

As you remember, the Commission received a petition signed by residents protesting the zoning amendments proposed by the developer. The petition states in part:

“We, the undersigned, qualified voters/constituents of the Town of Tolland, request that the Planning and Zoning Commission (“PZC”) reject the application from NE Real Estate, LLC which request changes to the current Town of Tolland Zoning Regulations applicable to the Tolland Village Area, as these changes do not adhere to the intent of the Plan of Conservation and Development (“POCD”) adopted in 2009 and amended in 2011. The changes do not meet the goals established in the framework of the POCD, which include preserving Tolland’s character and growing in ways that preserve the quality of life in Tolland.”

Connecticut State Statutes Section 8-3(b) says that “ If a protest against a proposed change is filed at or before a hearing with the zoning commission, signed by the owners of twenty per cent or more of the area of the lots included in such proposed change or **of the lots within five hundred feet in all directions of the property included in the proposed change**, such change shall not be adopted except by a vote of two-thirds of all the members of the commission. ” [emphasis added]

I have reviewed all signatures and calculated how much of the land within 500 feet of the Tolland Village Area zone is owned by those who signed the petition. The area exceeds the 20% threshold (25.5%). The town attorney has concurred. This figure only includes land where all owners of record signed the petition.

This means that the regulations must receive 4 out of 5 Commission-member votes to be amended, as opposed to 3 of 5.