

**TOWN PLAN AND ZONING COMMISSION
GLASTONBURY, CONNECTICUT**

Tuesday, April 16, 2019
REGULAR MEETING

7:00 P.M.

Council Chambers
2nd Floor – Town Hall
2155 Main Street

Sharon H. Purtil, Chairman
Keith S. Shaw, Vice Chairman
Michael Botelho, Secretary

Christopher Griffin
Raymond Hassett
Robert J. Zanolungo, Jr.

ALTERNATES: Scott Miller; Alice Sexton; Matthew Saunig

AGENDA

PUBLIC HEARING

Application of Paul Cavanna for renewal of a Section 6.2 Excavation Special Permit for excavation of earth products, Phase 1 of a 7-acre excavation area – 63 Woodland Street – Rural Residence Zone

REGULAR MEETING

1. Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items
2. Acceptance of Minutes of the March 19, 2019 Regular Meeting
3. Section 4.12.8 Referral from the Town Manager – determination if proposal for alternate screening of pump station is a minor amendment – Glastonbury Glen PAD
4. **CONSENT CALENDAR**
 - a. Scheduling of Public Hearings for Regular Meeting of May 7, 2019: **to be determined**
5. Chairman's Report
6. Report from Community Development Staff

MEMORANDUM

OFFICE OF COMMUNITY DEVELOPMENT

SECTION 4.12.8.a REFERRAL FROM THE TOWN MANAGER TO TOWN PLAN AND ZONING COMMISSION FOR DETERMINATION IF PROPOSED AMENDMENTS TO AN APPROVED FINAL DEVELOPMENT PLAN FOR A PLANNED AREA DEVELOPMENT ARE MINOR
 PLANNED AREA DEVELOPMENT (PAD)
 GLASTONBURY GLEN (PAD) ASSESSOR'S LOT E-3AA ORCHARD STREET AND A PORTION OF ASSESSOR'S LOT S-54 HEBRON AVENUE
 MEETING DATE : APRIL 16, 2019

<p>Regular Meeting Item # 3 04-16-19 AGENDA</p> <p>To: Town Plan and Zoning Commission</p> <p>From: Office of Community Development Staff</p> <p>Memo Date: April 12, 2019</p> <p>Zoning District: Planned Area Development (PAD) Zone</p> <p>Applicant/Owner: T&M Building Co. Inc. , Member, Glastonbury Glen</p>	<p><u>EXECUTIVE SUMMARY</u></p> <ul style="list-style-type: none"> • The Glastonbury Glen Planned Area Development (PAD) was originally approved December 5, 2017. • The applicant is seeking to modify a condition of approval associated to the Site Development Plan. • Section 4.12.8.a of the Building– Zone Regulations gives the Town Manager the authority to make minor amendments to the final development plan for a PAD. • This section also states that should there be a question as to whether or not a change is considered “major” or “minor”, the Town Manager can refer the issue to TPZ for a determination. <p><u>REVIEW</u></p> <p>Included for Commission review are the following:</p> <ul style="list-style-type: none"> • A memorandum from the Town Manager’s Office detailing the proposal • Condition 2.a.i of the original approval for Glastonbury Glen • A memorandum from the applicant detailing the proposal • Site plans and elevation drawings
---	---



Aerial view of approved Glastonbury Glen PAD site looking north

SITE DESCRIPTION

The site is approximately 15.5 acres of relatively flat land located on the east side of Orchard Street. The site is wooded with the exception of an area of clearing at the northeast corner of the site.

ADJACENT USES

North and East — Single family residential, and farm land
South and West— Single family residential including the Orchard PAD

PROPOSAL (Plan Refer to Plan Sheets CT-1, C-SP1 and V-1)

The applicant is proposing to modify condition 2.a.i. of the Town Council motion of approval which states “All above ground pump controls and generators shall be enclosed within a structure. The structure shall be designed with similar siding [and] roofing materials to match the proposed homes. Final size and design are to be submitted, to and approved, by the Town Manager as a minor amendment to the PAD [and the Town Engineer,] after pump station details/shop drawings are approved by the Town Engineer.” The applicant is proposing an alternative screening solution by enclosing the pump controls and generators with fencing and landscaping, and is seeking a determination as to whether this alternative would be considered a major or minor amendment. For a full description of the proposed modification, please see the memorandum from the Town Manager and applicant’s submission included in your Commissioners’ packets.

P&Z FILING / ZONE CHANGE BY BDC SHEET C-LS2 SHEET 15 OF 15"

"PROPERTY SURVEY CATHOLIC CEMETERIES ASSOCIATION OF THE ARCHDIOCESE OF HARTFORD, INC. ORCHARD STREET GLASTONBURY, CT PREPARED FOR: ROBERT URSO 18-3 ARTHUR LANE SOUTH WINDSOR, CT 06074 (860) 268-2452 DESIGN PROFESSIONALS 21 JEFFREY DRIVE P.O. BOX 1167 SOUTH WINDSOR, CT 06074 860-291-8755 –T 860-291-8757 – F WWW.DESIGNPROFESSIONALSINC.COM PROJECT NO. 3628 DATE: 1-23-2017 DRAWN BY: MHA/RMM CHECKED BY: LRG SHEET VP-1"

"LOT LINE MODIFICATION/ZONE CHANGE PLAN CATHOLIC CEMETERIES ASSOCIATION OF THE ARCHDIOCESE OF HARTFORD, INC. ORCHARD STREET GLASTONBURY, CT PREPARED FOR: ROBERT URSO 18-3 ARTHUR LANE SOUTH WINDSOR, CT 06074 (860) 268-2452 DESIGN PROFESSIONALS 21 JEFFREY DRIVE P.O. BOX 1167 SOUTH WINDSOR, CT 06074 860-291-8755 –T 860-291-8757 – F WWW.DESIGNPROFESSIONALSINC.COM PROJECT NO. 3628 DATE: 1-23-2017 DRAWN BY: MHA/RMM CHECKED BY: LRG 7/11/2017 ADD CONSERVATION EASEMENT BY RMM 9-18-2017 ADD COORDINATES, BENCH MARKS & ZONE LINE BY BDC SHEET V-1"

And

1. In Compliance with:

- a. The conditions as contained in a recommendation from the Conservation Commission dated September 20, 2017.
- b. The conditions contained in the Wetland Permit issued by the Inland Wetlands and Watercourses Commission dated September 20, 2017.
- c. The conditions as contained in the recommendations from the Community Beautification Committee dated July 12, 2017.
- d. Standards contained in a report from the Fire Marshal, File #16-093F, plans reviewed 10-10-17.

2. Adherence to:

- a. The Town Engineer's memorandum dated October 12, 2017.
 - i. All above ground pump controls and generator shall be enclosed within a structure. The structure shall be designed with similar siding and roofing materials to match the proposed homes. Final size and design are to be submitted and approved by the Town Manager as a minor amendment to the PAD and the Town Engineer, after pump station details/shop drawings area approved by the Town Engineer.
- b. The Chief Sanitarian's memorandum dated October 10, 2017.
- c. The Director of Police Services memorandum dated October 4, 2017.

And

ALSO MOVED, that the Town Council hereby finds that the Glastonbury Glen Planned Area Development meets the requirements of Section 4.12.5 (a-f) – "Findings Required" of the Building-Zone Regulations in that it fulfills the following criteria:

- a. The standards and conditions of Section 12 of these Regulations have been met.

MEMORANDUM

To: Khara Dodds, Director of Planning/Land Use Services
From: Richard J. Johnson, Town Manager
Date: March 28, 2019
Re: **Glastonbury Glen PAD**

At its meeting of Tuesday, March 26, 2019, the Council referred a proposed amendment to the Glastonbury Glen PAD to the Town Plan and Zoning Commission for a report and recommendation.

As background, the Glastonbury Glen PAD is an 18 unit residential project located off Orchard Street. The PAD was approved in December 2017. The developer is seeking a change in the Conditions of Approval concerning the structure now required to enclose the emergency standby generator system for the sanitary sewer pumping system. The proposal is to amend the Conditions to allow for fencing and landscaping in lieu of the now required structure.

Since this is a specific Condition of Approval, I referred the matter to the Town Council for a determination. Per the Building Zone Regulations, when the Town Manager has a question on a proposed change (minor or major), the matter will be forwarded to the Council for a determination upon receiving a recommendation from the Town Plan and Zoning Commission.

Please schedule this matter for a review by the Town Plan and Zoning Commission and advise accordingly.

Lastly, a change in an Approved Final Development Plan which is not considered to be a minor change, shall be considered and processed as a completely new Application for Change of Zone.

RJJ/sal
Attachment

MEMORANDUM

OFFICE OF COMMUNITY DEVELOPMENT

**SECTION 6.2 EXCAVATION PERMIT RENEWAL
PHASE I OF A 7 ACRE EXCAVATION AREA
63 WOODLAND STREET
MEETING DATE : APRIL 16, 2019**

PUBLIC HEARING
04-16-19 AGENDA

To:
Town Plan and Zoning
Commission

From:
Office of Community
Development Staff

Memo Date:
April 16, 2019

Zoning District:
Rural Residence (RR)
Zone

Applicant / Owner
Paul Cavanna

EXECUTIVE SUMMARY

- The applicant is seeking renewal of a Section 6.2 Excavation Permit for 63 Woodland Street.
- In accordance with Section 6.2 of the Building-Zone Regulations, excavation operations have to apply every two years for a renewal of this Special Permit.
- The original permit was granted by the Town Plan and Zoning Commission in April 1985.
- The applicant was granted several renewals/new permits since the original approval.
- The existing permit expires on May 5, 2019.
- The original approval allowed for a total of 200,000 cubic feet of material to be excavated from this site, of which less than half has been removed to date.
- In keeping with the 2001 and subsequent approvals the applicant is requesting use of a portable screener for processing and screening on-site material.
- Text amendments to Section 6.2 now require the access road have a 50-foot minimum setback from any property line and that a landscaping plan be required where an access road is within 100 feet of a property line.
- The access road is within 50 feet of an adjoining property.
- The applicant also owns the adjoining property in question, which was created in 1997 as part of a Connecticut General Statutes Section 8-25 "Free Cut" lot split .
- The location of the access road predates the lot split and is considered legal nonconforming.

REVIEW

Included for Commission review are the following:

- Town of Glastonbury staff memoranda
- Site plans



Aerial view of 63 Woodland Street looking north

SITE DESCRIPTION

The subject site is a 175 +/- acre lot located on the east side of Woodland Street in the Rural Residence (RR) Zone. Access to the site is via a curb cut off Dug Road leading to an existing gravel drive that heads southwest toward the excavation site.

ADJACENT USES

Single family residences abut the property to the north and west. Farmland abuts the property to the east and south.

PROPOSAL

The renewal request proposes excavation in a 7 +/- acre portion of the site located in the southwest corner of the lot. Approximately 200,000 cubic feet of material is approved to be removed from the site (to date less than half of that amount has been removed from the site). In keeping with the 2001 approval and approvals thereafter, the applicant is requesting use of a portable screener for processing and screening on-site material.

ZONING ANALYSIS

The access road is within 50 feet of the property line of the adjoining property to the east; the applicant owns said property. The access road would be considered a pre-existing non-conforming use because its existence pre-dated the creation of the adjoining lot and has been in existence since the applicant started excavation operations in the 1980s. Additionally, in evaluating the landscaping plan requirement, with consideration of the criteria as identified in Section 6.2.6, not only is this considered satisfied in terms of the nonconforming uses status of the access road, because the applicant owns adjoining lot, any adverse impact caused by the access road to the adjoining property would be considered minimal and the landscaping plan would not be required.

Pertinent staff correspondence and draft motions are attached.

APPLICANT/OWNER: PAUL CAVANNA
63 WOODLAND STREET
SOUTH GLASTONBURY, CT 06073

FOR: 63 WOODLAND STREET

MOVED, that the Town Plan and Zoning Commission approve the application of Paul Cavanna for renewal of Section 6.2 Excavation Special Permit - for excavation of earth products, Phase I of a 7- acre area – 63 Woodland Street – Rural Residence Zone, in accordance with the following plans:

“PROPOSED EXCAVATION SPECIAL PERMIT SECTION 6.2 PREPARED FOR PAUL AND GEORGE CAVANNA PHASE I PROPOSED EXCAVATION CAVANNA FARMS WOODLAND STREET, GLASTONBURY 4-23-85 SCALE 1”=100”

“PROPOSED EXCAVATION SPECIAL PERMIT SECTION 6.2 PREPARED FOR PAUL AND GEORGE CAVANNA CAVANNA FARMS WOODLAND STREET GLASTONBURY, CONN. SCALE 1” = 200”

(These mylars are filed in the Town Clerk’s Office: Map #4292A & 4292B)

And

1. In compliance with the following performance and phasing conditions printed on above-referenced plans:
 - a. As indicated on plans, a 100 foot wide buffer of undisturbed soils and vegetation shall be maintained between Phase I excavation/grading and the 100-year Flood Zone of Roaring Brook and Slab Gutter Brook for purposes of erosion control, streambelt preservation, and noise attenuation.
 - b. Runoff shall be directed via berms or grassed waterways. The sedimentation basin shall be regularly cleaned.
 - c. This permit shall not authorize blasting or removal of bedrock.
 - d. The access road off Woodland Street shall contain a crushed stone apron 20-feet wide and 50-feet long which shall be renewed as required to prevent excess accumulation of dirt on Town roads.
 - e. The regraded west and north slopes of Phase I shall not exceed 3:1.
 - f. As each section of Phase I of the 7-acre excavation area is completed and regraded, restoration shall be done immediately and shall include:
 - i. application of at least 4” of topsoil;
 - ii. seeding according to Natural Resource Conservation Service direction; and
 - iii. application of straw and or other suitable mulch.
 - g. Erosion and sedimentation control measures, dust control, and restoration methods shall be subject to review and amendment by the Environmental Planner.
 - h. The operating schedule shall be as follows:
 - i. Monday through Friday (exclusive of State holidays) 7:00 a.m. to 4:00 p.m.; and Saturday 9:00 a.m. to 4:00 p.m.

- ii. Equipment Start-up and /or idling on or adjacent to the site shall not be permitted prior to the approved hours of operation.
 - i. The requirement of a gate is hereby waived, unless requested by the Police Department. The Police Department shall also determine if a flagger is needed during hauling operations at the Woodland Street driveway
 - j. Accumulated sediment deposits shall be removed from the sedimentation basins as needed or as directed by the Environmental Planner, in order to maintain the sediment storage capacity of the basins.
 - k. This Special Permit shall expire May 5, 2021.
2. In adherence to:
- a. The Police Department's memorandum dated February 9, 2019.
 - b. The Health Department Director's memorandum dated March 12, 2019.

APPROVED: TOWN PLAN & ZONING COMMISSION
April 16, 2019

SHARON H. PURTILL, CHAIRMAN



GLASTONBURY POLICE DEPARTMENT

2108 MAIN ST./P.O. BOX 535/GLASTONBURY, CT 06033-0535/(860)633-8301/FAX (860)652-4290

MEMORANDUM

To: Town Plan and Zoning Commission

From: Marshall S. Porter; Chief of Police


Date: April 9, 2019

Subject: Cavanna Excavation Permit Renewal- 63 Woodland St.

Members of the Police Department have reviewed the application of Paul Cavanna for a renewal of a Section 6.2 Excavation Special Permit for excavation of earth products, Phase 1 on a 7-acre excavation area- 63 Woodland Street- Rural Residence Zone.

The police department has no objection to this proposal provided:

1. Hours of operation/removal of earth products are limited to Monday - Friday, 7:30 a.m. to 5:00 p.m.
2. Operation/removal operations will not occur on State Holidays (except Columbus Day and Veterans Day).



Marshall S. Porter
Chief of Police

MSP:jph



TOWN OF GLASTONBURY
FIRE MARSHAL'S OFFICE
SITE PLAN/SUBDIVISION REVIEW

PROJECT: Cavanna Farm Excavation Phase 1 LOCATION: 63 Woodland Street

DEVELOPER: Paul Cavanna

NEW CONSTRUCTION CHANGE OF USE SUBDIVISION COMMERCIAL

OCCUPANCY CLASSIFICATION: F.M.O. FILE # 19-016

PROPOSED FIRE PROTECTION:

ENGINEER'S PLAN # INITIAL PLAN 4-23-85 REVISED PLAN _____

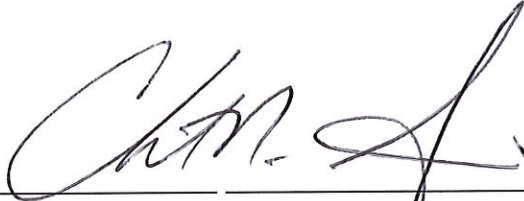
ENGINEER:

ADDRESS AND PHONE:

DATE PLANS RECEIVED: 4-11-19

DATE PLANS REVIEWED: 4-11-19

COMMENTS: No comments

REVIEWED BY: 

Deputy Chief Christopher N. Siwy- Fire Marshal

PAGE 1 OF 1
cc: App/File

April 12, 2019

MEMORANDUM

To: Town Plan and Zoning Commission
Khara C. Dodds, Director of Planning & Land Use Services

From: Daniel A. Pennington, Town Engineer/Manager of Physical Services



Re: 63 Woodland Street
Section 6.2 Excavation Special Permit

The Engineering Division has reviewed plans for the above-referenced application and has no comments or concerns relative to this proposal.

DAP/ce



Town of Glastonbury
Health Department

Memo

April 12, 2019

To: Jonathan E. Mullen, AICP, Planner

Fr: Wendy Mis, MPH, RS, Director of Health

Re: Paul Cavanna
Renewal of Section 6.2 Excavation Special Permit

This office has received a plan dated 4/23/85 for Proposed Excavation Cavanna Farm.

The excavation operation must maintain erosion checks and windblown sediment controls. No additional sanitary impact is anticipated with this excavation, and approval with respect to CT Public Health Code is forwarded for Commission consideration.