

MEMORANDUM

OFFICE OF COMMUNITY DEVELOPMENT

SECTION 12.9 MINOR CHANGE TO A SPECIAL PERMIT FOR
EXTERIOR ARCHITECTURAL CHANGES TO RESTAURANT BUILDING AND A
SECTION 6.6 SPECIAL PERMIT REQUEST FOR AN OUDOOR CAFÉ IN THE PLANNED BUSINESS AND DEVELOPMENT ZONE
FOR A NEW DAIRY QUEEN CHILL & GRILL
2834 MAIN STREET
MEETING DATE : MARCH 16, 2021

PUBLIC HEARING
03-16-2021 AGENDA

To:
Town Plan and Zoning
Commission

From:
Office of Community
Development Staff

Memo Date:
March 12, 2021

Zoning District:
Planned Business and
Development (PBD)
Zone / Flood (F) Zone

Applicant:
Michael Cassetta

Owner
RHC Associates

EXECUTIVE SUMMARY

- The site of the proposed project has been used for a restaurant for 50 years.
- The applicant is proposing exterior architectural changes to the existing restaurant building at 2834 Main Street for a new Dairy Queen including; new building materials; color; awnings; building lights; signage and a parapet tower at the northwest corner of the building over the entrance.
- The applicant is also proposing an outdoor dining area on the west end of the building.
- Section 6.6 of the Building Zone Regulations states, "There shall be no window counter service, outdoor seating or eating at or on the premises, except that the Town Plan and Zoning Commission may in its discretion and for good cause in the case of a comprehensive Plan of Development with due consideration for litter, public health, insect pests and overall site considerations, permit an outdoor café with service to customers seated at table only as an accessory use to a retail trade - eating and drinking facility."
- The applicant has also repaved the parking lot which resulted in a net gain in on-site flood storage capacity for the portion of the lot located in the Flood Zone.
- The Plans Review Subcommittee reviewed the proposal at their meeting of November 19, 2020. There they advised the applicant on landscaping, on-site lighting, signage and the materials to be used to construct the dumpster enclosure.
- The Community Beautification Committee (CBC) reviewed the project at their December 9, 2020 and January 13, 2021 meetings.
- At the January 13, 2021 meeting the CBC approved the proposed landscape plan.
- The Water Pollution Control Authority (WPCPA) reviewed the proposal at their meetings of December 12, 2020, January 20, 2021 and February 10, 2021.
- At the February 10, 2021 meeting, WPCA granted the applicant a Grease Management Waiver.

REVIEW

Included for Commission review are the following:

- Town of Glastonbury staff memoranda
- A copy of the application
- A site plan
- Elevation drawings
- Minutes from the November 19, 2020 meeting of the Plans Review Subcommittee.
- Minutes from the December 9, 2020 and February 10, 2021 meetings of the Water Pollution Control Authority
- Minutes from the December 9, 2020 and January 13, 2021 meetings of the Community Beautification Committee



Aerial view of 2855 Main Street looking west

SITE DESCRIPTION [See plan set sheet entitled “Property/Topographic Survey Showing Existing Conditions”]

The subject site is an 1.08 acre parcel with a 2,930 square foot restaurant building (formerly occupied by Boston Market) located at the center of the property. Access to the site is through a curb cut at the southwestern corner of the site at the signalized intersection of Main Street and Pratt Street.

ADJACENT USES

The site has retail and office uses to the north, west and south, with residential to the east.

PROPOSAL [See plan set sheet entitled “Zoning Improvement Location Survey - Proposed & Site Layout Plan”]

The applicant proposes to convert the existing building at 2834 Main Street formerly occupied by Boston Market to a Dairy Queen Chill & Grill franchise. The applicant intends to keep the existing parking layout and circulation pattern. The project calls for exterior architectural changes, new signage, a replacement dumpster enclosure, a new outdoor seating area and a bike rack.

PARKING, VEHICULAR CIRCULATION AND DUMPSTER ENCLOSURE [See plan set sheet entitled “Zoning Improvement Location Survey - Proposed & Site Layout Plan”]

The required parking for the proposed restaurant is 26 spaces; 19 spaces to accommodate 56 indoor seats and 7 spaces to accommodate 20 outdoor seats. There are a total of 48 parking spaces including 2 handicapped accessible spaces on the site. The parking spaces are located along the perimeter of the paved parking area. Customers will enter the site at the signalized intersection of Main Street and Pratt Street and head east in a counterclockwise pattern. To ensure that patrons do not turn left upon entering the site to access the front parking spaces, the Police Chief, in his memorandum dated March 3,

2021 recommends as a condition of approval that a “No Left Turn” sign is installed at the northeast corner of the entrance to the site.

The applicant intends to reuse the existing drive-through window located on the north side of building. The drive-through queue will start at the southeast corner of the building and wrap counterclockwise around the building towards the drive through window. The applicant will install a new drive through menu board at the eastern end of the building at which patrons will place their orders for pick up at the drive through window.

The dumpster enclosure will be rebuilt on the existing concrete pad with a 6-foot tall chain link fencing with vinyl privacy slats. A bike rack will also be installed at the northwest corner of the building.

ARCHITECTURE AND SIGNAGE [See plan set sheet F-5 entitled “Exterior Elevations and Finishes”]

The architectural details of the building will be modified to reflect the Dairy Queen branding. The applicant has removed the canopies used by Boston Market on the north south and east sides of the building. The canopies will be replaced with a 1-foot, 6-inch tall black metal overhang. The overhang will be placed on the building in segments of different lengths and depths. Overhang segments will be located above the entrance at the northwest corner of the building, over the front windows at the southwest corner of the building, over the drive through window, and along the north and south elevations of the building. The northwest corner of the building will be rebuilt as a tower where the entrance will be located. The applicant intends to replace the brick and wood clapboard siding on the lower portion of the building with a stone veneer water table. The stone veneer will be located along the west (front) side of the building and around the north and south sides to the middle of the building. The applicant will replace the brick on eastern (rear) portion of the building with cement board clapboard siding. The cement board, and existing Exterior Insulation and Finish System (EIFS) along the top portion of the building will be painted.

Signage for the new restaurant will consist of two, 13 ½ square foot “DQ” logo signs on the west and north sides of the tower. The applicant is also proposing a 7 square foot, channel letter, “Chill & Grill” sign on the west elevation above the metal awning. There will also be a 13 ½ square foot ground sign mounted on a 4-foot wide concrete base. According to Section 10.3.c of the Building Zone regulations regarding single building parcels with a single business use, the total area of ground and or wall signage in square feet for a parcel is equal to the linear foot length of the building wall containing the main entrance. The applicant has calculated the length of the main entrance wall to be 34 ± linear feet. The total area for all proposed signage will exceed 34 square feet. Section 10.3.c states “The Town Plan and Zoning Commission, as part of the approval of a Section 12 Special Permit with Design Review, may require modifications to the permitted size, location, height and number related to a sign or group of signs.”

LANDSCAPING, LIGHTING AND OUTDOOR DINING [See plan set sheet LS-1 entitled “Site Landscape Plan”; plan set sheet entitled “Proposed Patio Layout Plan” & plan set sheet #10 entitled “Photometric Plan”]

The applicant's landscape plan was reviewed by the Community Beautification Committee at their December 9, 2020 meeting and again at their January 13, 2021 meeting. The Committee approved the revised plan at the January 13, 2021 meeting. The Office of Community Development is recommending as a condition of approval that the applicant install Exbury Azaleas on the south side of the building.

Lighting for the site will include reuse of the existing 15 –foot tall light poles at the perimeter of the parking lot. New, night-sky compliant, LED light fixtures will be installed on the existing poles. There will also be recessed lights installed under the canopies; two lights under the front canopy and 3 on each side. The submitted lighting plan shows there will be no spillage of light on to adjacent properties.

The applicant has installed a concrete outdoor dining area at the western end of the building south of the entrance. The outdoor dining area will be enclosed by a 4-foot tall; black aluminum fence. with concrete posts. The proposed plans show that there will be 5 tables with 4 seats at each table. As previously mentioned the 20 table seats are included in the overall seat count for the restaurant. The Office of Community Development is recommending as a condition of approval that there shall be no logos, or lettering on any umbrella or shade structure used in the outdoor dining area.

STORMWATER MANAGEMENT AND ON-SITE GREASE MANAGEMENT [See plan set sheet entitled “Site Development Plan”, and Water Pollution Control Authority meeting minutes from December 12, 2020 & February 10, 2021]

The applicant will use the existing onsite stormwater collection system consisting of 3 catch basins located at the northwest, southwest and southeast corners of the parking area. The catch basins will direct runoff east to an outlet structure that drains into a Salmon Brook tributary at the east side of the property.

The Water Pollution Control Authority reviewed the proposed plan at their December 12, 2020, January 20, 2021 and February 10, 2021 meetings. At the February 10, 2021 meeting the WPCA granted a Grease Management Waiver request to the applicant to allow them to use an interior grease trap as opposed to an exterior subsurface grease trap. The waiver was granted on the condition that the applicant place funds in escrow with the town, and the applicant retains a licensed engineer to conduct a program of grease monitoring over the next 2 years to ensure that grease concentration levels discharged into the sanitary sewer are at acceptable levels.

WETLANDS [See plan set sheet entitled “Property/Topographic Survey Showing Existing Conditions”]

A tributary to Salmon Brook runs north to south across the eastern portion of the lot and there are also wetland soils present in this area. There will be no direct wetlands impact for this project however there will be construction in the 100-foot upland review area. A staff administered wetlands approval was granted by the Wetlands Agent.

FLOOD ZONE [See plan set sheet entitled “Property/Topographic Survey Showing Existing Conditions”]

The eastern portion of the lot where the dumpster and rear parking spots are located is in the 100– year FEMA Flood Zone. No new construction is proposed for this area. The dumpster enclosure will be reconstructed and slightly enlarged however the enlargement will take the place of an existing parking space and will not decrease flood storage capacity onsite. Further the applicant has slightly increased the amount of on-site compensatory storage by removing several layers of pavement while repaving the parking lot. The applicant has submitted an as-built site plan showing the new parking area elevation which was reviewed to the satisfaction of the Office of Community Development.

ZONING ANALYSIS AND CONSISTENCY WITH THE PLAN OF CONSERVATION AND DEVELOPMENT

The use is permitted in the Zone with a Special Permit and the existing building is legal non-conforming with regard to front, side and rear yard setbacks. The applicant is requesting to have an 20 seat outdoor dining area. Section 6.6.c of the Building Zone Regulations states, "There shall be no window counter service, outdoor seating or eating at or on the premises, except that the Town Plan and Zoning Commission may in its discretion and for good cause in the case of a comprehensive Plan f Development with due consideration for litter, public health, insect pests and overall site considerations, permit an outdoor café with service to customers seated at table only as an accessory use to a retail trade - eating and drinking facility." The Office of Community Development is recommending as a condition of approval that any lettering, logos, or designs shall be prohibited on any umbrellas in the outdoor patio area.

The project is consistent the following policies of the 2018—2028 Plan of Conservation and Development:

Planning Area 4—Town Center

Economics

- Continue efforts to enhance the streetscapes along Main Street and Hebron Avenue through landscaping and architectural improvements. Continue to support outdoor dining proposals where appropriate.
- Support the continued redevelopment of the Town Center in a manner that encourages congregation of its residents for community gathering spots.

Pertinent staff correspondence and draft motions are attached.

TOWN PLAN AND ZONING COMMISSION

SECTION 6.6 SPECIAL PERMIT REQUEST FOR
OUTDDOOR CAFÉ AND
SECTION 12.9 MINOR CHANGE

APPLICANT: MICHAEL CASSETTA
323 WETHERSFIELD ROAD
BERLIN, CT 06037

OWNER: RHC ASSOCIATES
200 2ND AVENUE S #502
ST. PETERSBURG, FL 83014

FOR: 2834 MAIN STREET

MOVED, that the Town Plan and Zoning Commission approve the of Michael Cassetta for a Section 6.6 Special Permit regarding an accessory outdoor café and a Section 12.9 Minor Change for a Dairy Queen – 2834 Main Street – Planned Business & Development Zone and Flood Zone – RHC Associates, owner– in accordance with the following plans:

To be quoted

And

1. In compliance with:
 - a. Standards contained in a report from the Fire Marshal, File #21-0012, plans reviewed 03-2-21
2. In adherence to:
 - a. The Town Engineer’s memorandum dated March 8, 2021.
 - b. The Police Chief’s memorandum dated March 3, 2021.
 - c. The Health Sanitarian’s memorandum dated March 8, 2021.
3. Lettering, logos, or graphics shall not be permitted on umbrellas in the outdoor dining area.
4. The applicant shall install Exbury Azaleas on the south side of the building.
5. This is a Section 12.9 Minor Change. If unforeseen conditions are encountered during construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.

APPROVED: TOWN PLAN & ZONING COMMISSION
MARCH 16, 2021

ROBERT J. ZANLUNGO JR., CHAIRMAN



Town of Glastonbury

2155 MAIN STREET • P.O. BOX 6523 • GLASTONBURY, CONNECTICUT 06033-6523

November 24, 2020

Michael Cassetta
michael.cassetta@gmail.com

RE: Approved Wetlands Regulated Activity at 2834 Main Street

Dear Mr. Cassetta:

Pursuant to Section 12 of Glastonbury's Inland Wetlands and Watercourses Regulations, you are hereby **approved to conduct your activities of reclaiming and repaving the parking lot within the wetlands' upland review area at 2834 Main Street**, as represented by the plans dated Oct. 06, 2020 and revised 11/20/20 submitted to our office. This approval is contingent upon your responsibility:

1. **to publish this approval (one time) in a newspaper** that circulates in Glastonbury within 10 days of the date of this approval letter to you or post it duly on the Town's website;
2. **to await a 15-day appeal period** (15 days from the date of newspaper publication or date posted on the Town's website) before starting this project within the upland review area; and
3. **to make certain that this paving project results in no incremental fill** being placed within the Town's 100-year flood zone (elev 28.0 feet) by submitting an as-built topographic survey map for the applicable portion of the parking lot once completed.

Failure to comply with these requirements will automatically nullify this approval and conducting your activity would constitute a wetlands violation.

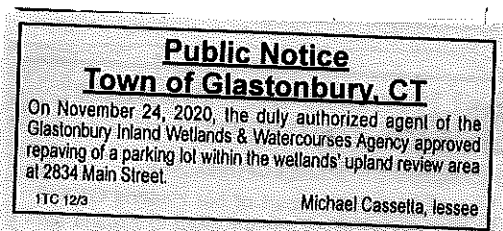
Attached for your consideration and potential use is a draft public notice advertisement that needs to be published once by you in a newspaper that circulates in Glastonbury.

Please call (860) 652-7511 to advise us when the notice is to appear and in what newspaper, or if you have any questions.

Sincerely,

Tom Mocko
Environmental Planner

cc: Jim Cassidy, jcassidy@hpcengr.com



WETAGTAP42
/enclosure
TM: gfm

**PUBLIC NOTICE
TOWN OF GLASTONBURY, CT**

On November 24, 2020, the duly authorized agent of the Glastonbury Inland Wetlands & Watercourses Agency approved a repaving of a parking lot within the wetlands' upland review area at 2834 Main Street.

Michael Cassetta, lessee



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

PROJECT: **Dairy Queen Al-Fresco Patio** LOCATION: **2834 Main Street**

___NEW CONSTRUCTION CHANGE OF USE SUBDIVISION **xx** COMMERCIAL

OCCUPANCY CLASSIFICATION: **Group B** FILE # **21-0012**

PROPOSED FIRE PROTECTION: **via MDC water main & the GFD**
ENGINEER'S PLAN: **3173** INITIAL PLAN REVISED PLAN **2-23-21**

ENGINEER: **James P. Cassidy -Hallisey, Pearson & Cassidy**

ADDRESS: **630 Main Street, Unit #1A Cromwell CT** PHONE: **860-529-6812**

DATE PLANS RECEIVED: **3-2-21** DATE PLANS REVIEWED: **3-2-21**

COMMENTS: **The patio configuration appears to meet the requirements of the applicable codes, provided that the arrangement of the interior furnishings allows for the full and instant use of the double door assembly of the vestibule draft stop and the interior layout has been configured in accordance with the submitted drawings for the renovation project.**

REVIEWED BY

Deputy Chief Chris Siwy –Fire Marshal

PAGE 1 OF 1

cc: Applicant
File

March 8, 2021

MEMORANDUM

To: Town Plan and Zoning Commission
Jonathan E. Mullen, Town Planner

From: Stephen M. Braun P.E., Assistant Town Engineer



Re: Section 6.6 Special Permit for Outdoor Accessory Cafe
Section 12.9 Minor Change
Proposed Dairy Queen - 2834 Main Street

The Engineering Division has reviewed the construction plans for the proposed Dairy Queen restaurant to be located at 2834 Main Street prepared by Hallisey, Pearson and Cassidy Civil Engineers and Land Surveyors last revised February 23, 2021 and offers the following comments:

1. Applicant should review the dumpster pad orientation relative to abutting parking spaces to confirm that the refuse truck can access the dumpster when necessary.
2. The proposed stop bar at the entrance driveway shall be relocated such that it is a minimum of 4 feet behind the existing sidewalk to ensure that vehicles that are queued for the traffic signal do not block the sidewalk.
3. Depict and label the proposed location of the 1,000 gallon exterior grease trap to be installed per the WPCA waiver agreement. Provide a general plan note referencing the installation requirements outlined in the agreement on Site Development Plan. Add Town of Glastonbury standard exterior grease trap detail to sheet 5 of 6.
4. Provide the Town of Glastonbury Engineering Division standard inspection note on the site development plan sheet 3 of 6.
5. Provide a long-term maintenance plan and schedule on sheet 3 of 6 for all storm drainage system components.
6. Provide a table depicting Pre and Post Directly/Indirectly Connected Impervious Cover onsite for MS4 Tracking purposes on sheet 3 of 6.
7. Provide an Approval Letter sheet within the plan set and a Community Development approval block on all sheets to be filed.
8. Coordinates of the property corners should be labeled on sheet 1 of 6. The existing finish floor elevation of the building and storm drainage inverts should also be labeled on sheet 3 of 6.
9. Applicant shall submit PDF copies of final signed and sealed plans to the Engineering Division for our records.



Town of Glastonbury

Health Department

MEMORANDUM

Date: March 8, 2021

To: Town Planning & Zoning, Conservation & WPCA Commissions

From: Debbie Sergeant, R.S., Sanitarian *DBS*

Re: 2834 Main Street, Dairy Queen

The Department has reviewed the submitted plans by Hallisey, Pearson & Cassidy (dated 2/23/2021) for a Section 6.6 Special Permit regarding an accessory outdoor café and a Section 12.9 Minor Change at the above address. Approval with respect to the Public Health Code is forwarded for Commission consideration.



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: March 3, 2021

Subject: Dairy Queen- Minor change- addition of accessory outdoor café.

Members of the Police Department have reviewed the application of Michael Cassetta for a Section 6.6 Special Permit regarding an accessory outdoor café and a Section 12.9 Minor Change for Dairy Queen-2834 Main Street- Planned Business & Development Zone and Flood Zone- RHC Associates, owner.

- The police department has no objection to this proposal provided that
 - 1) A sign is installed at the exit to the front lot by the incoming driveway advising motorists "No entry" and directing vehicular traffic counter clockwise around the building. This is needed in conjunction with the already proposed pavement markings that could become obscured by snow or other inclement weather on the parking lot surface.



Marshall S. Porter
Chief of Police

MSP:jph

TOWN PLAN AND ZONING COMMISSION
PLANS REVIEW SUBCOMMITTEE
Portion of MINUTES OF NOVEMBER 19, 2020 SPECIAL MEETING

The meeting commenced at 8:17 AM through Zoom Video Conferencing.

Present: Subcommittee Members Sharon Purtill and Robert Zanolungo;
Khara C. Dodds, AICP, Director of Planning and Land Use Services and
Jonathan E. Mullen, AICP, Planner

2834 MAIN STREET – proposal for a Dairy Queen replacing Boston Market with installation of an outdoor patio along westerly side of building – Planned Business & Development Zone – Hallisey, Pearson & Cassidy Engineering Associates – Michael Cassetta, applicant

Jim Cassidy of Hallisey, Pearson & Cassidy Engineering Associates, explained that the proposal is to convert the former Boston Market restaurant building at 2834 Main Street into a Dairy Queen Chill and Grill. Mr. Cassidy went over the site plan and noted that there was a watercourse located on the eastern side. He stated that the applicant intended to reuse the existing 47 parking spaces and keep the existing vehicular traffic pattern.

Mr. Cassidy then said changes to the site would include a new patio off the front (west) side of the building, removal of the walkways on the north and south sides of the building, installation of a bike rack, a new dumpster pad and enclosure, and new landscaping. Changes to the building included a stone veneer water table at the base of the building, cement board siding along the middle section of the building, and repainting the existing EIFS along the top of the building.

Mr. Cassidy reported that the applicant intended to repave the parking lot, the rear portion of which is located in the 100-year flood zone. He said he would submit to the Town an as-built plan demonstrating that the repaving would not decrease the flood storage capacity of the site. Chairman Purtill asked if the applicant needed all the parking on the site or could some of it be converted to green space. The franchisee, Michael Cassetta, stated he intends to keep the parking because he employs 45± people and needs the extra spaces. Commissioner Purtill asked the staff if it was okay for the site to have excess parking. Khara Dodds confirmed that the applicant would be okay to keep the existing parking as long as they did not expand.

Mr. Cassetta then went over the proposed signage for the building that included wall and ground mounted business identification signage. Mr. Cassetta is proposing three “brand” signs located on the east end of the north and south building elevations. He added that he would remove the signs if the TPZ had objections. Mr. Mullen recommended that the applicant revise the elevation drawings for the TPZ meeting to show the building without the “brand” signs.

Chairman Zanolungo asked what materials would be used for the dumpster to which Mr. Cassetta replied that the dumpster would be made of cedar fencing. The Subcommittee expressed concern about the durability of a wood enclosure compared to a vinyl enclosure. Mr. Cassetta said that the Dairy Queen corporate office requires the enclosure be made of cedar.

Commissioner Purtill asked about the site lighting. Mr. Cassetta replied that the existing light poles would be fitted with new LED fixtures and a light would be installed over the rear employee entrance. He added that the existing monument sign would be refurbished and used for the Dairy Queen sign. Ms. Dodds advised the applicant to ensure that landscaping is installed around the base of the monument sign.

**Town of Glastonbury
Community Beautification Committee
Regular Meeting Minutes of Wednesday, January 13, 2021**

1. Roll Call

Present: Robert Shipman, Chairman
Jarrod Sansoucy, Secretary
Debra DeVries-Dalton
Jody Kretzmer
Candice Mark

Excused: Kate Morgan

The meeting commenced at 7:10pm.

2. ACCEPTANCE OF MINUTES - Minutes of the Regular Meeting of December 9, 2020

Jody made a motion to accept the minutes as presented; Bob seconded; all in favor 6-0.

3. 2834 Main Street – revisions to proposed landscaping for the Dairy Queen (replacing Boston Market) – Planned Business & Development Zone – Hallisey, Pearson & Cassidy Engineering Associates – Michael Cassetta, applicant

Justin Packard presented the revised plan to the Committee. He added trees, per the Committee's suggestion, in the two front islands; Paperbark maple trees. The plan called for 3-inch caliper. Bob and others suggested to change that to 2 to 2.5-inch caliper trees as it would be easier to get them and better off smaller to start.

Bob was happy with the changes that they made; he did suggest that they use Arnolds Promise Witch Hazel for the back (eastern) plantings. Bob mentioned they will need a good watering plan for the maple trees -- since they will be in a sea of concrete and hard surfaces -- to make sure they live a healthy life.

Candice and Debra suggested using a shorter switch grass for the front gardens under the maple trees.

Jody was concerned that the northernmost garden proposed, with a maple tree, is a bit smaller due to a bike rack, and hopes the tree and grasses will not be crowded. Jody also noticed that the eastern property line seems to be filled with lots of garbage. He questioned if they have a plan to clean up the area, to which the applicant responded yes.

Behind the building, or to the east, the applicant wondered if they could keep the existing bushes instead of putting grass in, as the bushes look to be in good shape; they would prune them and stone the area. The Committee agreed, as long as the area is cleaned and they use a nice layer of mulch instead of stone.

Debra made a motion to approve the revised plan; Jarrod seconded; all in favor 6-0.

4. ELECTION OF OFFICER

It was decided to postpone an election until everyone is present. Candice will write a letter or reach out to the Town's Democratic Committee to see if a replacement for Della's open spot can be found.

5. OTHER BUSINESS - NONE

The meeting adjourned at 7:40pm.

Respectfully submitted,

Jarrod Sansoucy

**Town of Glastonbury
Community Beautification Committee
Portion of Regular Meeting Minutes of Wednesday, December 9, 2020**

1. Roll Call

Present: Robert Shipman, Chairman
Jarrod Sansoucy, Secretary
Debra DeVries-Dalton
Jody Kretzmer
Kate Morgan
Candice Mark

Absent: Candice Mark

2834 Main Street – revisions to proposed landscaping for the Dairy Queen (replacing Boston Market) – Planned Business & Development Zone – Hallisey, Pearson & Cassidy Engineering Associates – Michael Cassetta, applicant

Jim Cassidy, Justin Packard and Michael Cassetta (franchisee) presented.

Debra was concerned the grass variety chosen might be invasive, mentioning that they are contained by a curb and concrete, and they should look into alternatives.

Jarrold suggested adding at least two trees to the quarter circle garden beds near the new patio; all members agreed. Paper Bark Maple, Ginko Golden Conical and Sargent Cherry were suggested.

Bob said, and members agreed, a lot of the plantings are grasses and it would be nice to have some low evergreens around the foundation, such as Yew Densifomis, Arborvitae Fire Chief or similar.

Jody mentioned that bushes may collect trash from messy patrons and to keep it simple; Kate agreed with these suggestions.

Bob mentioned spreading wood chips along the back or east side parking area and an area along the woods and suggested to add some (six in total) wood line trees/ bushes to this area to help soften and to add more to the green to the north end of town; trees such as Dogwood, Shadblow, Winterberry, Witch Hazel, and Eastern Red Cedar.

Jody liked the idea of trees in the front two gardens but noted concern about the size and causing sidewalk and paving issues in the future. All agreed that the above suggested trees should not cause a problem.

No vote was taken as the committee requested the applicant return to our January meeting with the changes suggested above.

WATER POLLUTION CONTROL AUTHORITY – DECEMBER 9, 2020

Portion of WATER POLLUTION CONTROL AUTHORITY MINUTES

REGULAR MEETING – WEDNESDAY, December 9, 2020

6:00 p.m. via ZOOM video conferencing

Board Members:

Louis M. Accornero, Chairman; John M. Tanski, Vice Chairman; John A. Davis, Jr., Secretary; James Campbell; Nils G. Carlson; Richard P. Lawlor EXCUSED; & James D. Parry

Gregory J. Mahoney, Senior Engineering Technician and Michael J. Bisi, Superintendent of Sanitation, were also in attendance.

1. Developments

A. Proposed Dairy Queen Restaurant (formerly Boston Market)

2834 Main Street

Sewer Impact Report- F.O.G. Management Requirements

The applicant, Michael Cassetta, spoke, explaining why they want to keep the existing internal AGRU grease recovery unit rather than install an exterior grease trap. He said when Boston Market was using the building they had four hoods and flat grills and were creating a lot of grease from the chickens. Dairy Queen will have a fryolator and a chain-broil grill which produce much less grease. After being used in the fryolator, the grease is automatically pumped into a receptacle which, when filled, is removed and taken away by a contractor. The grill also has a receptacle for grease which is also removed every night. The problem with an external grease trap is that they do not know exactly where the sewer line exits the building and goes out to the street. They do know it is under the drive-through window and its concrete pad.

Mr. Parry asked what process did Boston Market use? Mr Mahoney responded, saying he was unsure about their operation, but when the DEEP began requiring F.O.G. discharge permits in 2015, existing restaurants were not expected to rip up their parking lot and install external traps; the restaurants were allowed to use internal traps. When WPCA recently updated their policies, they called for external traps to be added whenever a property went under redevelopment.

Mr. Tanski inquired if there was any data how much grease is used by these operations?

Mr. Mahoney said they size the tanks using the determination from the State Health Code of 5 gallons per person per meal based on take-out. They are finding that the AGRUs are not being cleaned out appropriately because the clean out is left to staff and staff, when they do clean them out, dump the waste in the dumpster enclosures where it leaks out and into the catch basins. The external tanks are cleaned out every three months by a contractor and staff does not get involved.

Mr. Parry questioned, with the external tanks, if no grease goes in the waste stream at all. Mr. Mahoney said there is grease, from the greasy dishes and apparatus being cleaned. Mr. Cassetta interjected that they use all paper products and have very few greasy dishes/pans to clean.

Mr. Davis asked Mr. Mahoney if he had a recommendation or motion –should they be “grandfathered” in to which Mr. Mahoney added that both Engineering and the Health Department recommend the external grease trap, so the Authority needs to decide what they want to do. Mr. Tanski asked the applicant what the fiscal impact would be if he had to install the external trap. Mr. Cassetta said it could cost between \$15,000 and \$25,000, depending on where the sewer line is. Mr. Cassetta added that he owns several Dairy Queens and only one has the external grease trap and that is because it was a completely new development.

Mr. Bisi asked Mr. Mahoney if the applicant was made aware during the approval process that he would need an external grease trap, to which Mr. Mahoney replied, yes, both the Engineering and Health departments stated they would be requiring it.

Mr. Bisi added that they have only made one exemption to their policy – for the Main Street Dunkin’ Donuts that doesn’t fry anything on-site, and he strongly cautioned against making an exception in this case as they will see many more cases like this in the future.

Mr. Tanski asked if more grease is contained in the external trap as compared to the internal trap. Mr. Mahoney said it is much more a maintenance issue, with staff not maintaining the trap properly. Mr. Cassetta said he would be happy to provide the Authority with a copy of a contract to have the internal trap drained every three months.

Mr. Davis asked Mr. Mahoney how many facilities have that separate tank that Mr. Cassetta is referring to where it is not going through the AGRU at all. Mr. Mahoney replied he did not know as it is based on whether you have fryolators. Mr. Cassetta added that within the last five years, a lot of establishments have purchased fryolators that have a pump that automatically filters the oil and pumps it into a rendering tank.

Mr. Campbell asked if there were examples of environmental or safety issues caused by poorly maintained AGRUs that resulted in the recommendation for external tanks. Mr. Mahoney responded that he did not know of any specifically; he believes the concern is with the on-site grease storage. Mr. Davis said he agreed with Mr. Tanski who said earlier they could base their recommendation on a contingency plan that says they can keep the internal storage, but if it is not maintained, they would need to install an external tank.

Mr. Tanski suggested referring this item to the Engineering Subcommittee to consider waiver language and review of the facility. Mr. Bisi said it would be good to check with the State and also that he has seen this facility’s parking lot excavated recently so he does not believe installing the external grease trap can be considered a hardship.

Mr. Davis MOVED that the Water Pollution Control Authority FORWARD this item to the Engineering Subcommittee.

Mr. Tanski SECONDED the MOTION and it was unanimously APPROVED.

WATER POLLUTION CONTROL AUTHORITY – FEBRUARY 10, 2021

Portion of WATER POLLUTION CONTROL AUTHORITY MINUTES

REGULAR MEETING – WEDNESDAY, February 10, 2021

6:00 p.m. via ZOOM video conferencing

Board Members:

Louis M. Accornero, Chairman; John M. Tanski, Vice Chairman; John A. Davis, Jr., Secretary; James Campbell; Nils G. Carlson; Richard P. Lawlor; & James D. Parry EXCUSED

Gregory J. Mahoney, Senior Engineering Technician and Michael J. Bisi, Superintendent of Sanitation, were also in attendance.

D. Legal Subcommittee

1. Proposed Dairy Queen Restaurant (formerly Boston Market)

2834 Main Street

Subcommittee Recommendation: Grease Management Waiver Agreement

Mr. Tanski reported the subcommittee met and the applicant, Michael Cassetta was also present at that meeting. The subcommittee received a recommendation from town staff, which they approved, as outlined in a memorandum from Mr. Mahoney included in the Authority's packet. Mr. Cassetta had a draft escrow agreement – also included in the packet.

Mr. Mahoney spoke about the chosen escrow amount and reviewed the quotes on which it was based. He added that now the Authority needed to decide whether they go ahead with the waiver agreement or stick to their policies.

Mr. Carlson suggested they give a 5-year waiver which would allow the applicant to get up and running and then put the exterior grease trap in.

Mr. Tanski said the plan staff envisioned was a 2-year escrow with quarterly test data from a third party consultant and if they consistently met the F.O.G. standards, the amount in escrow would be returned and they could continue with the above-ground system. Although not in the agreement, the applicant has the right at any time, to put the new system in.

Mr. Bisi requested that if the Authority grants a waiver, they should clarify the reason, as many, many other restaurants have installed the new system. He also does not think the reason should be financial. The applicant, Michael Cassetta, reiterated what the agreement entailed.

Mr. Campbell asked why Mr. Cassetta did not want to spend the approximately \$4,300 now instead of tying up \$7,500 in escrow for 2 years? Mr. Cassetta said they do not want to undo everything they have already done such as repaving.

Mr. Bisi asked where the \$15,000 estimate discussed previously came from? Mr. Cassetta said he had asked his engineer for the worst-possible scenario.

Chairman Accornero also questioned why Mr. Cassetta wants a waiver if it is only going to cost \$4,300 now to put the new system in.

Mr. Mahoney reminded members that Mr. Cassetta was told by two different departments at an Administrative Review meeting that he would need to put a new system in

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Mr. Davis asked what if the old system fails the first test of the waiver? Mr. Mahoney said Mr. Cassetta would be given 30 days to install a new system.

Mr. Bisi reiterated the choices of action before the Authority.

Mr. Tanski asked if the applicant still wanted the waiver. Mr. Cassetta said yes. Mr. Tanski said he is still inclined to vote for the waiver.

Mr. Tanski, MOVED that the Town of Glastonbury Water Pollution Control Authority APPROVE the Legal Subcommittee's Recommendation regarding an Undertaking, Waiver and Escrow Agreement for the proposed Dairy Queen at 2834 Main Street and FORWARDED a FAVORABLE RECOMMENDATION to the Town Manager.

Mr. Campbell SECONDED the MOTION. Mr. Carlson and Mr. Tanski voted yes; Mr. Davis and Mr. Campbell voted no. Mr. Lawlor was not present at the time the vote was taken. The Chairman then voted yes, and the MOTION was approved 3-2.