

**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 6, 2021**

**PUBLIC HEARING # 2**  
04-6-2021 AGENDA

**To:**  
Town Plan and Zoning  
Commission

**From:**  
Office of Community  
Development Staff

**Memo Date:**  
April 1, 2021

**Zoning District:**  
Rural Residence (RR)  
Zone

**Applicant / Owner**  
Paul Cavanna

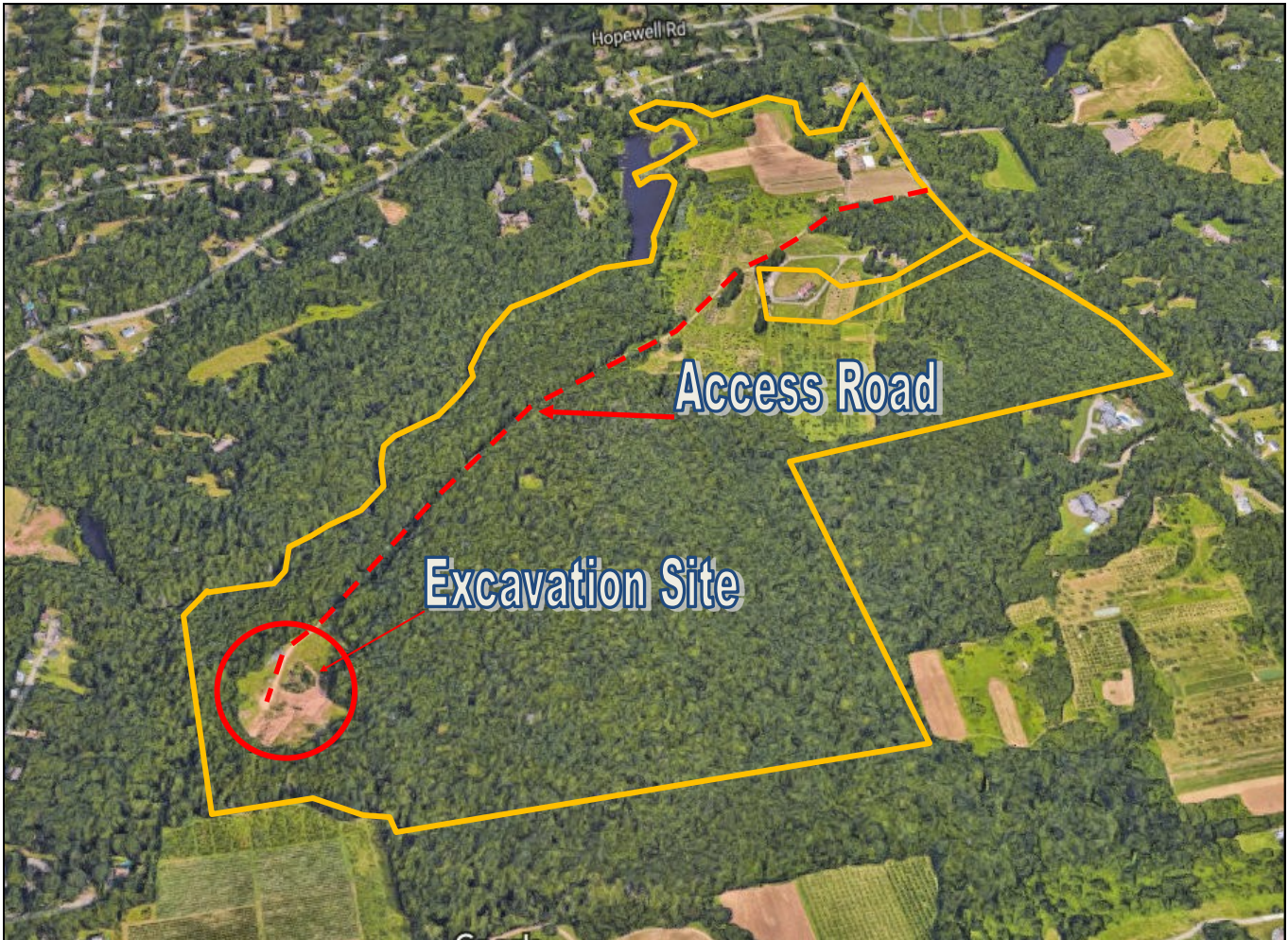
**EXECUTIVE SUMMARY**

- 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 operators 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 has been granted several renewals/new permits since the original approval.
- The existing permit expires on May 5, 2021.
- 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.
- The access road for this excavation operation is within 50 feet of an adjacent property line and has been in this configuration since the original approval in 1985.
- Section 6.2.7.a.3 states: "Any authorized access road to an excavation operation with a valid special permit approved by the Town Plan and Zoning Commission as of December 1, 2018 shall be exempt from the minimum setback requirement for access roads established by Section 6.2.7.a provided there are no changes to such access roads."
- 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 for this excavation operation is within 50 feet of an adjacent property line and has been in this configuration since the original approval in 1985. Section 6.2.7.a.3 states: "Any authorized access road to an excavation operation with a valid special permit approved by the Town Plan and Zoning Commission as of December 1, 2018 shall be exempt from the minimum setback requirement for access roads established by Section 6.2.7.a provided there are no changes to such access roads." 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  
95 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:
  - a. The standards contained in a report from the Fire Marshal, File 21-016, plans reviewed 03-29-2021.
  - b. the following performance and phasing conditions printed on the-referenced plans:
    - i. 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.
    - ii. Runoff shall be directed via berms or grassed waterways. The sedimentation basin shall be regularly cleaned.
    - iii. This permit shall not authorize blasting or removal of bedrock.
    - iv. The access road off Woodland Street shall contain a crushed stone apron 20-foot wide and 50-feet long which shall be renewed as required to prevent excess accumulation of dirt on Town roads.
    - v. The regraded west and north slopes of Phase I shall not exceed 3:1.
    - vi. As each section of Phase I of the 7-acre excavation area is completed and regraded, restoration shall be done immediately and shall include:
      1. application of at least 4” of topsoil;
      2. seeding according to Natural Resource Conservation Service direction; and
      3. application of straw and or other suitable mulch.
    - vii. Erosion and sedimentation control measures, dust control, and restoration methods shall be subject to review and amendment by the Environmental Planner.

- viii. The operating schedule shall be as follows:
    - 1. 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.
    - 2. Equipment Start-up and /or idling on or adjacent to the site shall not be permitted prior to the approved hours of operation.
  - ix. 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
  - x. 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.
  - xi. This Special Permit shall expire May 5, 2023.
2. In adherence to:
- a. The Police Department's memorandum dated March 29, 2021.
  - b. The Health Department Director's memorandum dated March 30, 2021.

APPROVED:                    TOWN PLAN & ZONING COMMISSION  
   APRIL 6, 2021

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ROBERT J. ZANLUNGO JR., CHAIRMAN



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

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

\_\_\_NEW CONSTRUCTION      CHANGE OF USE      SUBDIVISION      COMMERCIAL

OCCUPANCY CLASSIFICATION:      FILE # **21-016**

PROPOSED FIRE PROTECTION:  
ENGINEER'S PLAN:      INITIAL PLAN      REVISED PLAN

ENGINEER:

ADDRESS:      PHONE:

DATE PLANS RECEIVED: **3-29-21**      DATE PLANS REVIEWED: **3-29-21**

COMMENTS: **Blasting Activity to follow Federal, State, and Industry Standards**

A handwritten signature in black ink, appearing to read "Chris Siwy", is written over a light blue rectangular background.

REVIEWED BY

**Deputy Chief Chris Siwy –Fire Marshal**


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cc:      Applicant  
         File





# Memo

**To:** Jonathan E. Mullen, ACIP, Planner  
**From:** Icy Don Kendrick, R.S., M.S, Sanitarian   
**CC:**  
**Date:** March 30, 2021  
**Re:** Renewal of Excavation Permit for Paul Cavanna, 63 Woodland Street

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This office has reviewed the plan for the above referenced permit dated 4/23/85, original approval 6/4/1985 (Map #4292). The plan was received by our office on 3/29/2021.

No sanitary impact is anticipated with this project, approval with respect to the CT Public Health Code is forwarded for Commission consideration.

Revised 9-22-17



# GLASTONBURY POLICE DEPARTMENT

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

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## MEMORANDUM

To: Town Plan and Zoning Commission

From: Marshall S. Porter; Chief of Police

Date: March 29, 2021

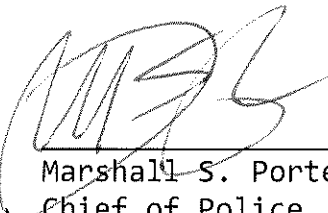
Subject: Cavanna Excavation Permit Renewal- 63 Woodland St.

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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, 7:00 a.m. to 4:00 p.m. and Saturdays, 9:00 a.m. to 4:00 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