

## STAFF REPORT

## OFFICE OF COMMUNITY DEVELOPMENT

<b>Application:</b> 4303	<b>Submittal Date:</b> Dec 10, 2022
<b>Meeting Date:</b> Feb 7, 2023	<b>Date of Receipt:</b> Dec 13, 2022
<b>Agenda Item:</b> Public Hearing #1	<b>Application Type:</b> 12 Special Permit with Design Review

**Applicant/ Owner:**

Thor Norgaard, Mjolnir Construction

**Proposal:**

Proposed construction yard

**Proposal Address:**

240 Oakwood Drive

**Zone:**

Planned Commerce Zone

**Existing Land Uses:**

Construction storage

**Prior Reviews/ Permits:**

- ASDRC
- Conservation Commission

**Attached for Review:**


- Draft motion
- ASDRC Report
- Department memoranda (Conservation Commission, Fire, Police, Health, Engineering)
- Application and project narrative
- Plans

**Executive Summary**

- To establish a construction yard

▪ **Site Description**

The 3.23 +/- acre property is located within the Planned Commerce Zone. The property is not encumbered by a conservation easement. The town soils map does not locate wetland soils or watercourses on or within 100 feet of the property. Frontage of the property is located within the Groundwater Protection Zone 1. Site topography ranges from 2% grade in the Oakwood Drive frontage one-third of the parcel to 45% grade in the eastern portion of the parcel. The site is currently to store limited material in support of the primary business locations across the street.

 **Town of Glastonbury GIS**



Site location

## **Proposal**

The applicant seeks approval from the Town Plan and Zoning Commission for a construction yard with a truck scale, small building, material processing & stockpile areas, equipment storage and stormwater basin at 240 Oakwood Drive. Access to the site will be through a single entrance curb cut at the southwest property corner and single exit curb cut at the northwest property corner along Oakwood Avenue. Please refer to the attached Project Narrative for further details.

*Water-Quality Improvements:* The plan includes installation of a storm water basin and a sediment basin. Stormwater flows east to west towards Oakwood Drive. The sediment basin is proposed to the east of the stormwater basin, to capture any sediment from the processing yard to the east of the lot and is designed as a wet bottom basin. The stormwater basin is designed as a dry bottom basin with underdrain in the bottom center. The plan identifies required ongoing monitoring and maintenance to ensure proper function in both basins.

*Erosion Controls:* The plans identify best management practices to conserve soil and protect water quality, including the use of erosion control blankets during the regrading of the slope. The erosion control plans are in conformance with the 2002 CT E&S Guidelines.

*Lighting:* There will be a total of four, 16-foot tall, pole-mounted LED lights. Model Type SL2S will be located at the southwest entrance and northwest exit accessway. Model Type SL4SD will be located east of the stormwater basin. Movable lighting may be used when actively utilizing the storage yard at night.

*Structures:* The site will include an operator's shed for the scale and bins for storing materials at the rear of the site.

## **Planning and Zoning Analysis**

Per Section 12.4 of the Town Building-Zone Regulations, staff finds that the proposed construction yard with recommended conditions of approval is:

- Appropriate in terms of its location among similar uses;
- In conformance with town regulations if revised to adhere with the recommendations of the attached Conservation Commission, Health, Engineering, Police, and Fire Marshall memos;
- In conformance with safety, health and environment if revised to adhere with the recommendations of the attached Conservation Commission, Health, Engineering, Police, and Fire Marshall memos;
- Is of quality overall design, architectural treatment and aesthetic character, as reviewed by the Architectural and Site Design Review Committee (ASDRC).

The ASDRC made a favorable recommendation with regard to architectural and landscape design as noted in the attached ASDRC report. The committee's design guidance was incorporated into the revised proposal.

The project is consistent with the following town-wide policies of the *Plan of Conservation and Development*: Stormwater Management and Commercial Development (see Project Narrative for further details).

## DRAFT MOTION

TOWN PLAN AND  
ZONING COMMISSION

SECTION 12 SPECIAL PERMIT WITH DESIGN  
REVIEW

APPLICANT/OWNER: THOR  
NORGAARD/MJOLNIR CONSTRUCTION  
225 OAKWOOD DRIVE  
GLASTONBURY CT 06033

FOR: 240 OAKWOOD DRIVE

MOVED, that the Town Plan & Zoning Commission approve the application of 240 Oakwood, LLC, for a Section 12 Special Permit with Design Review regarding creation of a construction yard with material processing – 240 Oakwood Drive – Planned Commerce Zone & GWP Zone 1, in accordance with plans on file with the Office of Community Development, and in accordance with the following conditions of approval:

1. In compliance with:
  - a) The recommendations set forth by the Conservation Commission/Inland Wetlands and Watercourses Agency, in their recommendation for approval to the Town Plan and Zoning Commission issued at their Special Meeting of November 3, 2022
  - b) The recommendation of the Architectural and Sites Design Review Committee (ASDRC) as contained in the ASDRC Report for January 17, 2023.
2. In adherence to:
  - a) The Town Engineer's memorandum dated January 31, 2023.
  - b) The Fire Marshal's memorandum dated January 9, 2023.
  - c) The Director of Health' memorandum dated January 25, 2023.
  - d) The Police Chief's memorandum dated January 24, 2023.
3. After one year of operation, the applicant shall submit documentation of the number of night deliveries, including number of loads and dates of deliveries, and Community Development staff will review town records for related complaints. Staff will consult with the Chairman of the Town Plan and Zoning Commission to determine if site operations maintain a quality noise environment for nearby residents and recommend modified hours of operation, as needed.

4. 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  
FEBRUARY 7, 2023

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ROBERT J. ZANLUNGO JR., CHAIRMAN



# Architectural & Site Design Review Committee Report

MEETING DATE: December 13, 2022  
 APPLICANT: Thor Norgaard  
 PROPERTY ADDRESS: 240 Oakwood Drive  
 ZONE: Planned Commerce

### ASDRC MEMBERS PRESENT:

M. Branse     B. Davis     D. DeVries-Dalton     D. Flinchum     J. Kamm  
 A. Luzi     R. Shipman

APPLICATION:  New Construction     Addition     Exterior Renovation     Demolition  
 Other: \_\_\_\_\_


ACTION:  ASDRC forwards a favorable recommendation for design as submitted  
 ASDRC forwards a favorable recommendation for design with guidance as noted  
 ASDRC forwards a non-favorable recommendation for design  
 Other: \_\_\_\_\_

### DESIGN GUIDANCE

1. Locate the security fence to the east of the detention basin.
2. Incorporate native deciduous trees (Shadblow Serviceberry, Dogwood or similar species) with evergreens along Oakwood Drive so as not to have a solid vegetative barrier.
3. Provide screening shrubbery (Allegheny Viburnum, Rhododendron maximum or similar species) at the southwest corner of the site.
4. Add evergreen shrubs (Holly, Rhododendron or similar species) between deciduous trees along eastern edge of detention basin.

### VOTE ON FORWARD OF RECCOMENDATION:

For: 6    Against: 0  
 Discussion – See Attached

  
 \_\_\_\_\_  
 Chairman, ASDRC

**MEMORANDUM**

To: Town Plan and Zoning Commission

From: Suzanne Simone, Environmental Planner



Date: November 15, 2022

**Re: Referral from Conservation Commission to the Town Plan and Zoning Commission  
240 Oakwood Drive, Proposed Material Processing Yard**

At its special meeting of November 2, 2022, the Conservation Commission reviewed the above-mentioned application and approved the following motion:

MOVED, that the Conservation Commission recommends to the Town Plan & Zoning Commission approval of a Special Permit for a proposed construction yard with a truck scale, small shop, material processing & stockpile areas and equipment storage at 240 Oakwood Drive, in accordance with plans entitled "Proposed Material Processing Yard, 240 Oakwood Drive, Glastonbury CT, Dated February 7, 2022, Revised October 21, 2022" 17 Sheets, and Landscaping Plan Dated October 21, 2022 with the following recommendations:

1. Erosion controls shall be installed correctly and maintained in proper working condition and shall be repaired and replaced as needed until the site is vegetatively stabilized.
2. The temporary stockpile area (TSA) shall be encircled with silt fence and shall be seeded if the soil is planned to remain for longer than 21 days.
3. The erosion control blankets shall be installed within 3 days of establishing final regrade on the slope.
4. The Construction Sequence, Erosion Control Notes and Maintenance Schedule shall be adhered to.

The Conservation Commission recommended the Canadian hemlock be removed from the landscape plan due to the species' susceptibility to woolly adelgid and be replaced with native white pine.

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GLASTONBURY POLICE DEPARTMENT

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**TO:** TOWN PLAN AND ZONING COMMISSION  
**FROM:** MARSHALL S. PORTER, POLICE CHIEF  
**SUBJECT:** 240 OAKWOOD, LLC; SECTION 12; SPECIAL PERMIT  
**DATE:** 01/24/23



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We have reviewed 240 Oakwood, LLC's application for a Section 12 Special Permit Regarding a Materials Processing Yard at 240 Oakwood Drive.

We have no objection to this proposal. As requested, we have examined the site line and determined there will be no conflicts with bus yard traffic from 311 Oakwood Drive.

The applicant agreed to limit hours of manufacturing and processing of materials from 6 am-5 pm (as indicated in their memo to P&Z dated December 12, 2022). Given the business has the potential to accept materials from contractors 24/7, I recommend clarifying whether this restriction will also apply to material deliveries. I further recommend clarifying whether operations will take place on Saturdays and Sundays. Lastly, I would consider limiting the start time to 7 am.

A handwritten signature in black ink, appearing to read "M.S. Porter".

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Marshall S. Porter  
Chief of Police



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

PROJECT: **240 Oakwood LLC Thor Norgaard** LOCATION: **Oakwood Dr 240**

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

OCCUPANCY CLASSIFICATION: **Industrial** FILE # **23-002**

PROPOSED FIRE PROTECTION: **via MDC water main & GFD**

ENGINEER'S PLAN: **A-20-054LAY** INITIAL PLAN **2-7-22** REVISED PLAN

ENGINEER: **Dutton Associates**

ADDRESS: **87 Eastern Blvd Glastonbury CT** PHONE: **860-633-9401**

DATE PLANS RECEIVED: **1-19-23** DATE PLANS REVIEWED: **1-19-23**

COMMENTS:

**Please post address numerals on gate or sign that are visible from Oakwood Drive.**

**Remote emergency shut off device for disconnecting electrical power supply to the tank fuel pumps will need to be located on the scale house. The emergency shut off device will need to be marked with a permanent sign suitable for exterior element exposure. A fire extinguisher will be needed in the fuel dispensing area or at the emergency power disconnect.**

**A spill kit is recommended to be maintained in the scale house**

**Local ordinance requires gates to be provided with a public safety rapid access vault.**

REVIEWED BY

**Deputy Chief Chris Siwy –Fire Marshal**

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cc: Applicant  
File





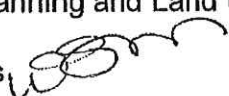
***Town of Glastonbury***  
***Health Department***

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## **Memo**

January 25, 2023

**To:** Shelley Caltagirone  
Director of Planning and Land Use Services

**Fr:** Wendy S. Mis   
Director of Health

**Re:** 240 Oakwood Drive  
Manufacturing and Construction Yard

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This office has received a plan set from Dutton Associates, LLC dated 2/7/22, last revised 6/10/22 for a proposed contractor yard at 240 Oakwood Drive.

Documentation indicates that toilet facilities for employees are available across the street at another property owned by the applicant.

The applicant is also seeking to drill an on-site well to be used for dust control. Since the site is served by MDC, the applicant will need to work with MDC and the CT Department of Public Health to receive permission to submit a well drilling permit to Glastonbury Health Department.

Approval with respect to CT Public Health Code is forwarded for Commission consideration.

January 31, 2023

**MEMORANDUM**

To: Town Plan and Zoning Commission  
Shelley Caltagirone, Director of Planning and Land Use Services

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



Re: Special Permit with Design Review  
240 Oakwood Drive - Proposed Material Processing Yard

The Engineering Division has reviewed the plans for the proposed material processing yard located at 240 Commerce Street prepared by Dutton Associates, LLC last revised October 31, 2022 as well as the drainage computation dated October 21, 2022 with supplemental memorandum from Mark Reynolds dated October 25, 2022 and offers the following comments:

1. The drainage computations provided by the applicant indicate that the proposed storm water management system was appropriately sized to support the development and is consistent with Town standards.
2. Revise the drainage pipe on the sheet 11 profile to reflect 15" RCP in the Town ROW for consistency with the utility plan on sheet 8. Verify that pipe lengths shown on the profile correlate with the plan sheet.
3. Project plans should include more legible construction details for the proposed above ground fuel storage tank and footing. Consideration should be given to providing a concrete fueling pad abutting the fuel tanks rather than bituminous concrete which is easily damaged by fuel spills. Concrete fueling pads should also include containment grooves to contain minor spills.
4. The landscaping plan for this project depicts various plantings to be installed within the right-of-way of Oakwood Drive. The road Right of Way is an area that is typically reserved for public improvements such as sidewalks and utilities. Private landscaping improvements are not recommended in the Town right-of-way as they are subject to damage from snow removal operations and by utility installation and maintenance activities. If private landscaping is approved for installation in this area, additional notes should be added to the site plan indicating that private landscaping improvements installed within the Town right-of-way shall be maintained by the property owner and shall be subject to a maintenance agreement with the Town of Glastonbury. A draft agreement for this purpose should be provided by the applicant for review and approval by the Town Engineer.
5. A Waiver of Claim will be required to be filed with this office for the proposed storm drainage connection to the town system at the time of application for a ROW permit.
6. PDF copies of the final P.E. stamped plans and drainage computations shall be submitted to the Engineering Division for our records