

Town of Union, Connecticut

1043 Buckley Highway, Union, CT 06076

"This institution is an Equal Opportunity Employer"

Planning and Zoning Commission

Special Permit- Conditions of Approval

Site located at 154 Cemetery Road

Applicant- Brian Sheldon

November 2, 2022

MOTION TO APPROVE the application for a Special Zoning Permit of Mr. Brian Sheldon for earth removal at 154 Cemetery Road subject to the following conditions and modifications:

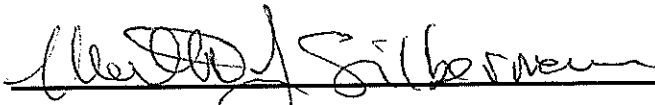
1. In accordance with Section 3.03.06 of the Zoning Regulations, this Special Permit shall expire in one (1) year following the effective date hereof, which shall be the date of publication of the legal notice of this decision.
2. All excavation operations shall be in accordance with the plans filed by the applicant as revised through August 16, 2022, and Section 3.03 of the Union Zoning Regulations.
3. All truck traffic related to the excavation shall following the following route: Empty trucks shall reach the excavation by traveling westerly from Buckley Highway/Route 171, and trucks with material in any amount shall exit by traveling westerly from the excavation to State Route 190. No truck associated with the excavation shall travel easterly on Cemetery Road from Route 190 to Route 171.
4. The excavation operation shall be conducted Monday through Friday only, excluding Federal, State, and Town holidays, provided that, upon at least 24 hours written notice to the Zoning Enforcement Officer, the operation may operate on a Saturday between the hours of 8 am and 12 noon no more than thirty (30) days per year for each year of the permit term. There will be no permitted Saturday work if a holiday lands on the preceding Friday or following Monday.
5. The excavation operation shall be conducted only during the hours of 7 am to 5 pm, provided that, upon at least 24 hours written notice to the Zoning Enforcement Officer, the operation may commence at 6 am no more than thirty (30) days per year for each year of the permit term.
6. There shall be no more than twenty (20) truck round trips per day (e.g., four trucks arriving empty and then hauling out up to five loads of material per day).
7. An erosion and sedimentation control bond shall be posted as required by the Inland Wetlands Permit.
8. By the acceptance of this Special Permit, the applicants agree that, at reasonable times and upon reasonable notice, the Zoning Enforcement Officer may enter onto the permit premises

for the purpose of conducting inspections and to assure compliance with the terms of this Special Permit.

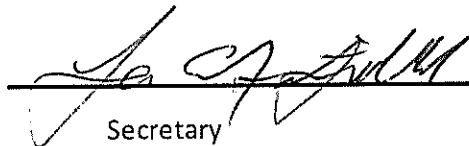
9. In granting this Special Permit, the Commission has given due consideration to the decision of the Union Inland Wetlands and Watercourses Commission dated on even date hereof.
10. The Commission intends for the foregoing conditions and modifications to apply for the first year of the excavation and will revisit them upon subsequent renewal or renewals, increasing or decreasing any of the permit parameters as experience in the prior permit year indicates.
11. There will be no crushing or blasting of material on site.
12. There will be no bringing of off-site material on site.
13. A fifty-foot anti-tracking pad must be maintained.
14. If the applicant or landowner fails to comply with these conditions, the Commission may take enforcement action authorized by state law and/or the Commission's regulations, including but not limited to the issuance of a cease-and-desist order to take effect immediately. In addition, in the event of any such failure to comply, the Commission may, after reasonable notice and opportunity for the applicant and landowner to be heard, suspend, or revoke the special permit.
15. The conditions of this approval shall be binding upon the applicant, the land owners, and their respective successors and assigns.
16. This approval shall expire one (1) year from the date of approval, or upon the completion of the project, whichever comes first.

Certificate of Approval

I hereby certify that at the meeting, dated 11-2-22, the Union Planning & Zoning Commission granted the above-mentioned approval and conditions.


Chairman

11-2-22
Date Signed


Secretary

11-2-22
Date Signed