Derby Planning and Zoning Commission
Regular Meeting Minutes
May 20, 2025

1. **Call to Order** The meeting was called to order at 7:03 p.m.

2. **Pledge of Allegiance:** The Commission recited the Pledge of Allegiance.

3. **Roll Call**

Present were Mr. DiGiovanni, Mr. Dinice, Mr. Harris, Mr. Kopjanski, Mr. Sadlik, Mr. Malerba, and Mr. Sojka. Mr. Misiewicz and Mr. Bartholomew were absent. The record reflected five regular members and two alternate members present. A quorum was established.

4. **Additions, Deletions, or Corrections to the Agenda**

There were no additions, deletions, or corrections to the agenda.

5. **Communications:** There were no communications reported.

6. **Public Portion**

Marc Garofalo, Town Clerk, addressed the Commission regarding the use of the "Informal Discussion" portion of the agenda. He cautioned that listing items generally as informal discussions may not provide sufficient public notice of the subject matter to be discussed. He referenced matters including Bellevue Drive and Olivia Street and encouraged the Commission to provide clearer information on future agendas so the public understands what will be discussed. No other members of the public wished to speak. The public portion was closed.

7. **Approval of Minutes:** The April minutes had not been received by all the members.

Motion: Mr. Harris moved to table approval of the April minutes until the next meeting.
Second: Mr. Sojka seconded the motion.
Vote: Motion carried unanimously.

8. **Receipt of Applications:** There were no new applications.

9. **Public Hearing:**

9A Public Hearing – Griffin Hospital, 130 Division Street: The Commission opened the public hearing for Griffin Hospital's site plan modification application for a modular building to become a permanent addition to Griffin Hospital, replacing the existing magnetic resonance imaging trailer on the Spring Street side of the hospital.

Attorney Dominic Thomas appeared on behalf of the applicant. Prior to the presentation, the Commission addressed the seating of alternate members for the public hearing.

Motion: Mr. Kopjanski moved to seat alternate members Mr. Malerba and Mr. Sojka for the public hearing.
Second: Mr. Sadlik seconded the motion.
Vote: Motion carried unanimously.

Attorney Thomas summarized the supplemental materials submitted in response to questions raised at the prior meeting, including revised renderings, elevations showing materials, the existing connection to the trailer, survey information, and correspondence from the Fire Marshal and Police Chief. He also noted that the required variance had been approved, that public notices

had been mailed, and that only limited public response had been received, including one letter in support from the non-hospital property owner on the relevant block of Spring Street.
Andrew White, professional engineer with Tighe & Bond, reviewed the intersection sight distance plan along Spring Street. He stated that the proposed MRI building would not impede sight distance from the loading dock area and that the grading surrounding the building would match or feather into existing grades without creating new obstructions. Commission members asked about possible low-level landscaping along the fence, and the applicant indicated that this would be discussed with Griffin Hospital.
No members of the public, either in person or online, wished to speak regarding the public hearing.
Motion: Mr. Sojka moved to close the public hearing.
Second: Mr. Harris seconded the motion.
Vote: Motion carried unanimously.

10. Old Business – Griffin Hospital, 130 Division Street: The Commission considered possible action on the Griffin Hospital site plan modification application.

Motion: Mr. Sadlik moved to approve the Griffin Hospital site plan modification application for the MRI addition at 130 Division Street, based on the plans and supporting documentation submitted, subject to the condition that any modifications to the referenced drawings, including placement of generators and/or chiller units, be submitted to the Planning and Zoning Commission for review and action, if necessary.
Second: Mr. Harris seconded the motion.
During discussion, Mr. Kopjanski raised concerns regarding parking, including the elimination of Marked spaces and whether existing parking information should have been included with the application. Staff explained that hospital parking demand is typically evaluated by bed count or employee count, that no additional beds were proposed, and that the affected spaces were described as service-related rather than public or employee parking.
Vote: The motion carried.

11. Informal Discussion:
11A – Planning and Zoning Subcommittee Report on Application Procedures: Mr. Harris reported that the subcommittee met with Kevin White to discuss revisions to the site plan application process. The group reviewed a proposed pre-application checklist intended to help applicants, particularly those unfamiliar with the process, identify key submission requirements before incurring the full cost of a formal application. The subcommittee expected to finalize the checklist and present it to the Commission in June for further discussion and possible implementation. The Commission also acknowledged that this was Mr. Kopjanskis final meeting as a Commission member due to his relocation and thanked him for his service. Mr. Kopjanski stated that he would continue assisting the subcommittee through completion of the application procedure work.

11B – 35 Bellevue Drive: The Commission discussed whether an informal discussion was appropriate for a potential re-subdivision involving three lots served by a single driveway. Counsel advised that, because the matter could require a public hearing, the Commission should avoid

offering informal opinions that could be viewed as prejudgment or as part of the formal application process without proper public notice. Staff and counsel reviewed the subdivision regulation language encouraging informal consideration and concluded that the potential applicant should first meet with staff, including the planner, zoning enforcement officer, and counsel, to review the regulations and obtain staff interpretation before deciding whether to file a formal application.

11C – 115 Olivia Street: Staff reported that the property owner was interested in reestablishing a convenience store use in a building with apartments above and no on-site parking. The building had historically contained commercial uses, including an upholstery shop and barber shop, and the commercial space was currently vacant. Counsel and staff discussed whether the property may have preexisting nonconforming commercial use and whether the proposed convenience store would increase the existing parking nonconformity. The Commission directed staff and counsel to review the property history and applicable regulations and to advise the applicant on the appropriate process, including possible zoning enforcement review, an appeal, or a variance, if necessary.

Potential Additional Special Exception Use in the I-1 Zone: Counsel reviewed a proposed text amendment that would allow, by special exception, limited redemption center and metal reclamation uses in the I-1 zone. The discussion related to the City's anticipated acquisition of the Rubino Brothers property at 2 Factory Street and the City's related relocation obligations. Counsel explained that the proposed use was intended to be narrowly defined and would not permit a motor vehicle junkyard or motor vehicle junk business. The use would involve collection, sorting, temporary storage, and shipping of reclaimable ferrous and non-ferrous metals for processing elsewhere. Commission members discussed allowable outdoor storage, screening, height limitations, the relationship between indoor and outdoor storage, possible automobile battery storage, fire safety concerns related to lithium batteries, and properties in the I-1 zone that may qualify under the proposed criteria. Staff noted that the use would require special exception and site plan approval, allowing the Commission to impose appropriate conditions related to screening, layout, storage, hours, and similar concerns. The consensus was to move the text amendment process forward, with staff and counsel to refine the language, including clarification regarding batteries, before formal submission and referral to the required regional councils of government.

12. Payment of Bills:
Motion: Mr. Sadlik moved to pay the bills, if deemed correct.
Second: Mr. Sojka seconded the motion.
Vote: Motion carried unanimously.

13. Adjournment:
Motion: Mr. Sadlik moved to adjourn the meeting at 8:25 p.m.
Second: Mr. Sojka seconded the motion.
Vote: Motion carried unanimously.

Table of Motions

Agenda Item	Motion	Moved By	Seconded By	Vote
7 Approval of Minutes	Table approval of the April minutes until the next meeting.	Mr. Harris	Mr. Sojka	Carried unanimously.
9 Public Hearing – Griffin Hospital	Seat alternate members Mr. Malerba and Mr. Sojka for the public hearing.	Mr. Kopjanski	Mr. Sadlik	Carried unanimously.
9 Public Hearing – Griffin Hospital	Close the public hearing.	Mr. Sojka	Mr. Harris	Carried unanimously.
10A Old Business – Griffin Hospital	Approve the Griffin Hospital site plan modification application for the MRI addition at 130 Division Street, subject to the stated condition regarding modifications to the referenced drawings, including placement of generators and/or chiller units.	Mr. Sadlik	Mr. Harris	Carried unanimously.
12 Payment of Bills	Pay the bills, if deemed correct.	Mr. Sadlik	Mr. Sojka	Carried unanimously.
13 Adjournment	Adjourn the meeting at 8:25 p.m.	Mr. Sadlik	Mr. Sojka	Carried unanimously.

Respectfully submitted,

Jennifer Desroches

