CITY OF DERBY
PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
September 16, 2025

1. Call to Order: The meeting was called to order at 7:01 p.m.

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

3. Roll Call

Present: Mr. DiGiovanni, Mr. Dinice, Mr. Misiewicz, Mr. Sojka (Alternate), and Mr. Malerba (arrived at 7:04 p.m.).
Excused: Mr. Sadlik. **Absent:** Mr. Kopjanski and Mr. Bartholomew.
The record reflected that four regular members and one alternate were present at the opening of the meeting. Without objection, Mr. Sojka was seated as a voting member for the meeting.

4. Additions, Deletions, or Corrections to the Agenda

There were no additions, deletions, or corrections.

Motion: Mr. Dinice moved to adopt the agenda as presented.
Second: Mr. Sojka.
Vote: Carried without opposition.

5. Communications

No communications were received other than materials relating to items already on the agenda.

6. Public Portion

The Chair invited public comment on matters other than Item 9A. No members of the public spoke. The public portion was closed.

7. Approval of Minutes

No minutes were available for approval.
Motion: Mr. Misiewicz moved to table approval of the minutes until the next meeting.

Second: Mr. Sojka.
Vote: Carried without opposition.

8. Receipt of Applications

8A. AEPM International, LLC — 237 Roosevelt Drive

The Commission received a site plan application to expand the St. Vincent de Paul food bank and thrift shop by approximately 2,642 square feet, consisting of 1,321 square feet on each of two floors. The applicant corrected the entity name in the application record to AEPM International.

Michael Marcinic of AEPM International, 241 Main Street, Ansonia, representing the applicant, described the proposed expansion of food bank receiving, loading, sorting, and storage areas. The Commission discussed parking calculations, the appointment-based operation of the food bank, a possible joint-parking arrangement with the neighboring Dew Drop Inn property, and whether a special exception might be required to reduce parking. The applicant agreed to provide revised plans and supporting information showing parking calculations by use, the

loading area, the building expansion on an A-2 survey, landscaping and screening improvements, and a landscaping maintenance schedule.

Motion: Mr. Misiewicz moved to receive the site plan application.
Second: Mr. Kopjanski.
Vote: The motion carried without opposition.

The Commission directed that a public hearing be scheduled for the next meeting and that the matter be noticed as a site plan and, if necessary, a special exception relating to parking.

8B. Glitzy Twins, LLC d/b/a Lucius and Company — 155 New Haven Avenue

The Commission received a site plan application for a hair salon. Staff advised that the use is permitted in the B-2 zone and does not require a public hearing, although notice to abutting property owners is required.
The Commission discussed parking spaces located wholly or partly within the public right-of-way, exterior lighting, landscaping, and the need for a current signed and sealed site plan showing square footage and parking calculations. The property owner stated that adjustments had been made to address a neighboring resident's lighting concern and that updated landscaping and paving information would be submitted.

Motion: Mr. Kopjanski moved to receive the application.
Second: Mr. Sojka.
Vote: Carried without opposition.

9. Public Hearing

9A. Superior Water and Radon Systems, LLC — 433 Roosevelt Drive

Attorney Dominic Thomas appeared on behalf of the applicant, accompanied by owner Thomas Zikas, regarding a special exception application for a water and radon systems trade-contractor office and storage use. The applicant clarified that no product assembly would occur on the premises; system components would be assembled at customer locations.

The applicant stated that the business would relocate from Seymour; employ three employees and two owners; generally operate from 7:00 a.m. to 5:00 p.m., Monday through Friday, with other hours as needed; and receive deliveries during normal business hours. Minor construction would connect the two existing buildings.

The Commission reviewed aquifer-protection requirements, the South Central Connecticut Regional Water Authority's September 16, 2025 letter, chemical spill containment, parking, accessible parking, curb cuts, landscaping, gravel areas, fencing, garage doors, lighting, vehicle storage, deliveries, and measures to discourage vehicles from cutting through the property.

Public Comment:
Andrew Baklik, 501 Roosevelt Drive, supported the business and requested that the operator remain responsive to neighbors, particularly concerning after-hours deliveries, refuse collection, and other potential disturbances.
Mark Garofalo, 95 Academy Hill Road and Town Clerk, welcomed the business, emphasized compliance with accessible-parking requirements, and encouraged earlier submission of application materials to support transparent review.

Motion: Mr. Misiewicz moved to close the public hearing.
Second: Mr. Sojka.
Vote: Carried without opposition.

10. New Business

10A. Superior Water and Radon Systems, LLC — Special Exception Decision

The Commission found that the application and supporting documentation complied with § 185-48(A)–(F) of the zoning regulations. The Derby Planning and Zoning Commission made the following findings:

1. The application and supporting documentation, as presented, are in accordance with § 185-48(A)–(F).
2. The application proposes converting existing space within the building for a contracting business. Minor building modifications are proposed to connect the two existing buildings.
3. Minor site-plan modifications and landscaping improvements are proposed as part of the application. Following review of the plans and supporting documentation submitted in support of this application, the Derby Planning and Zoning Commission hereby approves the special exception application for Superior Water and Radon Systems, LLC, for property shown on Derby Assessor's Map 11-4, Lot 52A, subject to the following conditions:

   1. The special exception approval shall not become effective until it and all conditions are filed on the Derby land records in accordance with Connecticut law.

   2. The applicant shall adhere to the recommendations in the letter from the South Central Connecticut Regional Water Authority dated September 16, 2025.

   3. The existing curb cut along Cedric Avenue, just south of the existing catch basin, shall be removed, and bituminous concrete curbing shall be restored. This driveway removal shall be coordinated with the Derby Public Works Department.

   4. Additional landscaping shall be provided along the existing building on Cedric Avenue.

   5. The existing fence along Cedric Avenue shall be maintained.

   6. Accessible parking shall be reviewed with the Derby Building Official and provided if required.

   7. The statement of use shall be modified to state that deliveries to the site shall occur during normal business hours.

   8. The site plan shall be modified to clarify the locations of the existing garage doors that will remain.

   9. Any modifications to the referenced drawing shall be submitted to Planning and Zoning Commission staff for review.

   The approval shall be based upon the documents submitted in support of the application, identified as Items 1 through 10.

Motion: Mr. Kopjanski moved to approve the special exception application subject to the stated conditions.
Second: Mr. Misiewicz.
Vote: The motion carried without opposition.

11. Old Business

Planning and Zoning Subcommittee — Pre-Application Checklist

The subcommittee reported on proposed procedures for revised application materials. Members discussed establishing a seven-day submission target for substantive revisions so that the Commission, staff, and the public have adequate time for review.

Corporation Counsel advised that statutory receipt and decision deadlines must be observed and that the Commission may keep a public hearing open, continue consideration, or delay action when late-filed information cannot be adequately reviewed. Staff suggested adding notice to the application form stating that substantive revisions submitted less than one week before a meeting may not be considered at that meeting and may delay Commission action.

The Commission reached consensus that Corporation Counsel should draft legally compliant language, with examples distinguishing substantive revisions from minor changes, for future review.

12. Payment of Bills

Motion: Mr. Misiewicz moved to approve payment of the bills, if found correct.
Seconded by: Mr. Dinice.
Vote: The motion carried without opposition.

13. Adjournment

Motion: Mr. Malerba moved to adjourn at 8:30 p.m.
Second: Mr. Sojka.
Vote: Carried without opposition.

Summary Table of Motions

Item No. and Description	Motion	Moved By	Seconded By	Vote
4. Additions, Deletions, or Corrections to the Agenda	Adopt the agenda as presented.	Mr. Dinice	Mr. Sojka	Carried without opposition.
7. Approval of Minutes	Table approval of the minutes until the next meeting.	Mr. Misiewicz	Mr. Sojka	Carried without opposition.
8A. AEPM International, LLC — 237 Roosevelt Drive	Receive the site plan application.	Mr. Misiewicz	Mr. Kopjanski	Carried without opposition.
8B. Glitzy Twins, LLC d/b/a Lucius and Company — 155 New Haven Avenue	Receive the application.	Mr. Kopjanski	Mr. Sojka	Carried without opposition.
9A. Superior Water and Radon Systems, LLC — Public Hearing	Close the public hearing.	Mr. Misiewicz	Mr. Sojka	Carried without opposition.
10A. Superior Water and Radon Systems, LLC — Special Exception Decision	Approve the special exception application subject to the stated conditions.	Mr. Kopjanski	Mr. Misiewicz	Carried without opposition.
12. Payment of Bills	Approve payment of the bills, if found correct.	Mr. Misiewicz	Mr. Dinice	Carried without opposition.
13. Adjournment	Adjourn at 8:30 p.m.	Mr. Malerba	Mr. Sojka	Carried without opposition.

Respectfully submitted,
Jennifer Desroches

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 9:16 am, Sep 11, 2026