# DERBY PLANNING AND ZONING COMMISSION
# REGULAR MEETING MINUTES
# June 16, 2026

1. **Call to Order** The meeting was called to order at 7:02 p.m.
2. **Pledge of Allegiance**. The Commission stood for the pledge.
3. **Roll Call**

Members present included Mr. Malerba, Mr. Bartholomew, Mr. Denise, Mr. Misiewicz, Mr. Sadlik, Mr. Sojka, (alt). Mr. Ezzo entered the meeting at 7:06 p.m. The record reflect that six regular members and one alternate member were present, establishing a quorum.
Mr. White was present via Zoom.

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

The agenda was corrected to remove an erroneous "9" under Receipt of Application. The item was clarified as Item 8A, with subsequent items renumbered accordingly.

5. **Communications**

There were no new communications.

6. **Public Portion**

Mark Garofalo, Town Clerk, addressed the Commission regarding 8A - Griffin Hospital and 9A - Custom Athletic Lab, LLC. He noted ongoing parking concerns in the neighborhoods surrounding Griffin Hospital and urged the Commission to remain mindful of those concerns when reviewing Griffin Hospital matters. He also requested that the Commission consider parking adequacy and appropriate restrictions for Custom Athletic Lab, LLC, given its location in a mixed residential neighborhood. No other members of the public wished to speak, and the public portion was closed.

7. **Approval of Minutes**

The minutes from the May 19,2026 meeting were not available for review.
**Motion** was made to table approval of May 19,2026 minutes until the next meeting.
Dave Kopjanski
**Secon**d by Albert Misiewicz
**Vote**: passed unanimously.

8. **<u>Receipt of Application</u>**

**8A - Griffin Hospital, 130 Division Street** — Site plan modification application for installation of a CHP generator located off Spring Street.
**Motion** was made by Albert Misiewicz to receive the application.
**Second** by Dave Kopjanski
**Vote**: passed unanimously.

## 9.New Business

**9A - Custom Athletic Lab, LLC, 155 New Haven Avenue** — Site plan application for baseball batting cages with a related training area and instruction, including a small business office.

**Applicant representation:** Attorney Dominick Thomas appeared for the applicant.

- **Proposed use:** Indoor commercial recreation facility at 155 New Haven Avenue.
- **Layout:** Two batting cages, open turf training area, office, and storage.
- **Operations:** Appointment-only use with no more than three employees on site.
- **Users:** Primarily youth participants, generally dropped off and picked up.
- **Parking requirement:** Seven spaces required; twelve proposed for the use.
- **Site parking:** Approximately fifty-three total spaces on site.
- **Staff comments:** Parking, noise, events, lighting, and signage were addressed.
- **Noise:** Batting cage noise is not expected to leave the building.
- **Events:** Special events would be rare and generally held on weekends.
- **Lighting/signage:** No new lighting proposed; signage subject to ZEO review.
- **Turf area:** The Commission asked about its proposed use.
- **Activities:** Baseball training only, including fielding, throwing, pitching, and pop-up drills.
- **No scrimmages:** The turf area would not be used for scrimmages.
- **Hours:** Primarily 3:00 p.m. to 7:30 or 8:00 p.m.
- **Access:** Membership- and appointment-based; no walk-ins.
- **Viewing:** Parents may view training sessions remotely.
- **Parking concerns:** The Commission discussed parking adequacy and neighborhood impacts.
- **Overflow parking:** Could be coordinated with the property owner if needed.
- **Street parking:** Parking on the adjacent street was not intended.
- **Owner comments:** Dan Blisman had no objection to spaces five through seven as shown.
- **Accessible parking:** One accessible space would be reviewed by the appropriate official.

**Ryan McEvoy - I prepared a draft motion for this application dated June 16th, 2026**. Application Custom Athletics Lab, LLC. Commercial Recreation Center Indoor, 155 New Haven Avenue. Application for site plan approval. Assess map 6-4 lot 42. Motion following review of the plans and supporting documentation. Submit in support of this application, the Derby Planning and Zoning Commission hereby approves the site plan application for Custom Athletics Lab, LLC. On property shown on Derby Assessors Map 6-4 lot 42 subject to the following conditions. This approval shall be based upon the following documents submitted in support of this application. Items one through 5. I won't read them with the following stipulated conditions, **1**. any modifications to the above reference drawn shall be submitted to plan zoning commission for review and action necessary. **2**. signage shall be reviewed by the zoning enforcement officer, and **3.** handicap accessible spaces. Any one handicap accessible space shall be reviewed by the building official.

**Motion** was made by Raymond Sadlik to approve the application.

**Second** by Dave Kopjanski

**Motion to amend** to add that any use of the open turf space shown on the plan must also comply with the parking requirements for indoor recreational use.
**Motion** amendment was accepted Ray Sadlik
**Second** by Dave Kopjanski
**Vote:** Following discussion, the motion, as amended, passed unanimously.

**9B - Griffin Hospital, 130 Division Street** — Site plan modification application for installation of a CHP generator located off Spring Street.

- **Applicant representation:** Attorney Thomas appeared on behalf of Griffin Hospital.
- **Prior record:** He stated that the application was the same as previously presented and requested that prior presentations and electronic materials be incorporated into the record.
- **ZBA approval:** The principal change was the Zoning Board of Appeals' June 9, 2026 approval, by a four-to-one vote, of a variance reducing the setback for the CHP sound-dampening unit to zero.
- **Commission counsel:** Counsel agreed that the prior record could be incorporated unless Commission members had specific questions.
- **ZBA approval and plans:** The Commission discussed whether the ZBA approval and supporting plans corresponded with the application before the Commission.
- **Variance recording:** It was stated that the ZBA approval applied to the CHP area shown on the plan and that the variance would be recorded on the Derby Land Records.
- **Sound concerns:** The Commission also discussed prior testimony from a nearby neighbor and related sound concerns.

**Motion: The application dated June sixteenth, 2026. Griffin Hospital Generator.** 130 Division Street application for site plan approval assessors map 8, 9, lot 95. The motion following review of the plans and supporting documentation submitted in support of this application. The Derby Planning Zoning Commission hereby approved site plan application for Griffin Hospital on property shown on Derby assessors map 8, 9, line 95 subject to the following conditions. I'm going to read the following documents. The approval should be based on the following documents submitted in support of this application. 1. application for site plan approval dated June 10th of this year. 2. statement of use site plan modification application dated June 1st of this year. 3. plans entitled Griffin Hospital, 130 Division Street, Derby, Connecticut, dated March 2025, revised to July 2025, which includes sheets CS 1-0, the cover sheet, sheet GA 1.0, the general arrangement, CHP yard, see sheet GA 1.1 general arrangement partial L plan. 4. photo simulation entitled proposed Griffin Hospital CHP. 5. photo simulation entitled Seymour Street View. 6. A figure entitled Noise Consideration Dated March 16th prepared by Kinsley Energy Systems And 7. will be testimony from the applicant commission and city staff at the June 16th regular scheduled meeting, including testimony from the applicant at the- April 21st. and May 19th public hearings. With the following stipulated conditions, **1**., any modifications to the above reference drawn shall be submitted to the planning and zoning commission for review and action

if necessary. **2.** after the generator is installed, sound measurements at distances of 0 feet from the property line, 10 feet, 45 feet, and 130 feet from the CHP generator shall be provided to the zoning enforcement officer to confirm that the generator does not exceed the noise levels shown in reference document number 6 and applicable city ordinances which may be stricter than what is shown on the reference materials. And then **3**. I'm adding that this approval should not be valid until the recording of the variance granted on June 9th 2026, by the ZBA is recorded on the Derby Land records. That's all I have, Mr. Chair.

**Moved** by Matt Ezzo to approve the Griffin Hospital site plan modification application subject to the stated conditions.
**Second** by Albert Misiewicz
**Vote:** motion passed unanimously.

**10A. Discussion on Possible Zone Text Amendements**
The Commission discussed potential zoning regulation amendments, including recent state legislation affecting residential uses in commercial zones and related parking standards. It was noted that recent state statutes may require municipalities to consider allowing certain residential uses in commercial districts with reduced or eliminated parking requirements. Counsel and staff advised that the regulations should be reviewed promptly and that consultants may be needed to prepare conforming amendments.
The Commission also discussed the need to develop a broader list of zoning regulation updates, including possible revisions to subdivision regulations, stormwater and erosion control references, downtown design standards, window and door gate provisions, and other related items. Members agreed to prepare individual lists of suggested changes for discussion at a future meeting.

**11. Payment of Bills**
The Commission reviewed invoices in the amounts of $3,307.50 and $1,811.25.
**Motion** was made to pay the invoices by Raymond Sadlik
**Second** by Albert Misiewicz
**Vote:** motion passed unanimously.

**12. Adjournment**
**Motion** was made to Adjourn by Paul Dinise
**Second** by Albert Misiewicz
**Vote:** motion passed unanimously,

# Table of Motions

| Agenda Item | Motion / Action | Moved By | Seconded By | Vote / Result |
|---|---|---|---|---|
| **7. Approval of Minutes** | Table approval of the May 19, 2026 meeting minutes until the next meeting. | Dave Kopjanski | Albert Misiewicz | Passed unanimously. |
| **9A Receipt of Application — Griffin Hospital, 130 Division Street** | Receive the site plan modification application for installation of a CHP generator located off Spring Street. | Albert Misiewicz | Dave Kopjanski | Passed unanimously. |
| **10A New Business — Custom Athletic Lab, LLC, 155 New Haven Avenue** | Application Custom Athletics Lab, LLC. Commercial Recreation Center Indoor, 155 New Haven Avenue. Application for site plan approval. Assess map 6-4 lot 42. Motion following review of the plans and supporting documentation. Submit in support of this application, the Derby Planning and Zoning Commission hereby approves the site plan application for Custom Athletics Lab, LLC. On property shown on Derby Assessors Map 6-4 lot 42 subject to the following conditions. This approval shall be based upon the following documents submitted in support of this application. Items one through 5. I won't read them with the following stipulated conditions, **1**. any modifications to the above reference drawn shall be submitted to plan zoning commission for review and action necessary. **2**. signage shall be reviewed by the zoning enforcement officer, and **3.** handicap accessible spaces. Any one handicap accessible space shall be reviewed by the building official. | Raymond Sadlik | Dave Kopjanski | Passed unanimously. |
| **10B Business — Griffin Hospital, 130 Division Street** | **The application dated June sixteenth, 2026. Griffin Hospital Generator.** 130 Division Street application for site plan approval assessors map 8, 9, lot 95. The motion following review of the plans and supporting documentation submitted in support of this application. The Derby Planning Zoning Commission hereby approved site plan application for Griffin Hospital on property shown on Derby | Matt Ezzo | Albert Misiewicz | Passed unanimously. |

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| | recorded on the Derby Land records. That's all I have, Mr. Chair. | | | |
| **12 Payment of Bills** | Pay the reviewed invoices in the amounts of $3,307.50 and $1,811.25. | Raymond Sadlik | Albert Misiewicz | Passed unanimously. |
| **13 Adjournment** | Adjourn the meeting. | Paul Dinise | Albert Misiewicz | Passed unanimously. |

Submitted by:

Jennifer Desroches

