Planning and Zoning Commission
Regular Meeting Minutes
August 18, 2026

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

2. **Pledge of Allegiance:** The Pledge of Allegiance was recited.

3. Roll Call
Present were Mr. Malerba, Mr. Dinice, Mr. Misiewicz, Mr. Kopjanski, Mr. Bartholomew, and Mr. Ezzo. Mr. Sadlik and Mr. Sojka were excused. A quorum was present.

4. Additions, Deletions, or Corrections to the Agenda
Requested to add an item under New Business 11B for an initial discussion regarding Public Act 25-1 and proposed zoning regulation amendments to incorporate statutory requirements.

Motion: Mr. Dinice moved to add the Public Act 25-1 discussion under New Business as Item 9B.
Second: by Mr. Misiewicz.
Vote: The motion carried unanimously.

5. **Communications:** No communications were reported.

Public Portion
The Chair opened the public portion and requested that comments concerning the Summit Hill public hearing item be reserved for the public hearing. Kevin White provided an update regarding the abatement order involving the church lighting and buffering issue. He stated that a second letter had been sent, that the church had disputed the initial notice, and that additional time had been provided for a response before fines could be initiated. The matter was requested to be placed on the next agenda.

Approval of Minutes: No action was taken.

5. Public Hearing: Summit Hill LLC Subdivision Application
The Commission continued the public hearing on the Summit Hill LLC subdivision application for a 45-lot R-5 and P Zone subdivision on property known as Assessor's Map 9-6, Lots 47 and 47B, Summit Street, and Assessor's Map 8-9, Lots 94 and 94, Mountain Street.

Applicant Presentation
Public Comment
Members of the public opposed the application and raised concerns about stormwater capacity, retention ponds, blasting impacts, and potential damage to nearby condominium units and homes, insurance coverage, property boundaries, truck traffic, road safety, diesel emissions, rock crushing, noise, property values, removal of mature trees, impacts on wetlands and steep slopes, utility capacity, and whether the proposed excavation and material removal constituted an earth-material operation rather than

customary subdivision activity.

Public speakers included **Janet Mann, Charlene McEvoy, John Capparelli, George Kurtyka, Mary Metalski, Sue Savinsky, Sharon Talansky, and Charlie Dicenzo**. They asked the Commission to carefully evaluate unresolved engineering, environmental, access, utility, earth-removal, and zoning issues before acting on the application.

Consultant Review and Commission Questions

Vince McDermott and Ryan McEvoy of SLR presented comments on behalf of the City. They reported that revised materials had been received shortly before the meeting and that, although some issues had been addressed, significant deficiencies remained. SLR identified concerns involving preservation of natural terrain, extensive regrading, street layout and right-of-way width, roadway safety, sight lines, stormwater design, individual lot hydrology, erosion and sediment control, steep slopes, geotechnical information, utility-service documentation, and the suitability of the proposed lots for development. Based on the materials reviewed, SLR stated that the application was not ready for approval.

Commission members asked about the status of the final subdivision plans, easement impacts on lot areas, retaining-wall access, fence maintenance, sidewalks, streetlights, public-safety referrals, utility documentation, roadway alignment, the estimated construction duration, and whether additional legal advice should be obtained. The applicant agreed to extend the public hearing to allow further engineering and legal review. Commission members discussed whether to keep the hearing open or close it and deliberate on the existing record.

Motion: Mr. Ezzo moved to close the public hearing.
Second: by Mr. Dinice.
Vote: The motion carried unanimously.

The Chair noted that the public hearing was closed. Materials received by the City were stated to be available on the City website, and materials submitted during the meeting would be posted. The Commission recessed at 9:54 p.m. and reconvened at 10:04 p.m.

New Business

9A. BOA Referral – CGS Section 8-24: Division Street and Seymour Avenue Safety Improvements

Jeff Hopper, Project Engineer, and **Michael Bauer**, Project Designer, of Luchs Consulting Engineers, presented the Division Street and Seymour Avenue Safety Improvements Project. The project is being coordinated with the City of Derby, Griffin Hospital, NVCOG, the local Traffic Authority, and CTDOT District 4. The project is intended to improve pedestrian safety near Griffin Hospital and on surrounding roadways through ADA-compliant sidewalks and curb ramps, rectangular rapid-flashing beacons, high-visibility crosswalks, site lighting, full-depth roadway reconstruction, milling and overlay, drainage improvements, and related pavement markings.
The presenters explained that the project includes work on Division Street, Seymour Avenue,

the area surrounding Griffin Hospital, and related intersections. Most work will occur within the right-of-way, with temporary construction rights needed for driveway restoration. The estimated construction cost is approximately $4 million. Construction will be funded through the LOTCIP program, while design costs are supported by the City of Derby and Griffin Hospital.

Motion: Mr. Misiewicz moved to provide a positive referral to the Board of Aldermen/Alderwomen for the Division Street and Seymour Avenue safety improvements, finding the proposed improvements consistent with the Plan of Conservation and Development.
Second: by Mr. Dinice.
Vote: The motion carried unanimously.

9B. Public Act 25-1 – Zoning Regulation Updates

Mr. McDermott discussed Public Act 25-1 and zoning regulation amendments that may be required concerning housing and middle housing. He recommended that the Commission establish a subcommittee to work with SLR on amendments tailored to Derby. The Chair asked interested members to contact him by the end of the week so the process could begin. It was noted that subcommittee meetings would need to be properly noticed and conducted in accordance with applicable meeting requirements.

Old Business

Summit Hill LLC Subdivision Application – Discussion and Possible Action

Following the close of the public hearing, the Commission discussed the Summit Hill LLC subdivision application. The Chair recommended further review of the materials before the Commission took action.
Motion: Mr. Misiewicz moved to table discussion and possible action on the Summit Hill LLC subdivision application until the next regular meeting.
Second: by Mr. Ezzo.
Vote: The motion carried unanimously.

Payment of Bills

The Chair reviewed the invoices listed in the meeting packet in the amounts of $2,772.50, $2,518.75, $1,645.00, and $1,610.00.
Motion: Mr. Dinice moved to pay the bills as presented.
Second: By Mr. Misiewicz.
Vote: The motion carried unanimously.

Adjournment

Motion: Mr. Kopjanski moved to adjourn.
Second: by Mr. Misiewicz.
Vote: The motion carried unanimously. Meeting adjourned at 10:26 p.m.

Table of Motions

Item No.	Motion	Made By	Second By	Vote/Action
4 Corrections to Agenda	Add the Public Act 25-1 discussion under New Business as Item B.	Mr. Dinice	Mr. Misiewicz	Carried unanimously.
8. Public Hearing	Close the public hearing for the Summit Hill LLC subdivision application.	Mr. Ezzo	Mr. Dinice	Carried unanimously.
9A BOA Referral	Provide a positive referral to the Board of Aldermen/Alderwomen for the Division Street and Seymour Avenue safety improvements, finding the proposed improvements consistent with the Plan of Conservation and Development.	Mr. Misiewicz	Mr. Dinice	Carried unanimously.
10 Old Business	Table discussion and possible action on the Summit Hill LLC subdivision application until the next regular meeting.	Mr. Misiewicz	Mr. Ezzo	Carried unanimously.
11 Payment of Bills	Pay the bills as presented.	Mr. Dinice	Mr. Misiewicz	Carried unanimously.
12 Adjournment	Adjourn the meeting.	Mr. Kopjanski	Mr. Misiewicz	Carried unanimously; meeting adjourned at 10:26 p.m.

Submitted by:
Jennifer Desroches

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 9:56 am, Sep 04, 2026