CITY OF DERBY
PLANNING AND ZONING COMMISSION
Regular Meeting Minutes
September 15, 2026

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

2. Pledge of Allegiance

3. Roll Call
Present: Mr. Malerba, Mr. Dinice, Mr. Kopjanski, Mr. Misiewicz, Mr. Sadlik, and Mr. Sojka (Alt). Mr. Ezzo arrived at 7:07 p.m. **Absent:** Mr. Bartholomew. The record reflected five regular members and one alternate present at roll call; a quorum was declared.
Mr. Sojka was seated for the Summit Hill matter.

4. Additions, Deletions, and Corrections to the Agenda
A motion was made and seconded to add Item 9, "Zone Enforcement Officer Update," to the agenda.
Motion: Mr. Sadlik.
Second: Mr. Misiewicz.
Vote: motion carried without opposition.

5. Communications
No communications were reported.

6. Public Portion
The chair opened the public portion and invited comments from those present and participating by Zoom. Vince McDermott reported that the meeting camera view was obstructed. Staff advised that the audio remained available and the meeting continued to be recorded. No further public comments were offered, and the public portion was closed.

7. Approval of Minutes — August 18, 2026
Motion: Mr. Misiewicz moved to table approval of the August 18, 2026 minutes because the minutes were not available for his review.
Second: Mr. Dinice.
Vote: motion carried without opposition.

8. Old Business

8A. Summit Hill LLC — Subdivision Application
The Commission continued deliberations on the application for a 45-lot R-5 and P Zone subdivision on property identified as Assessor's Map 9-6, Lots 47 and 47B, Summit Street, and Assessor's Map 8-9, Lots 94 and 94B, Mountain Street.
Commission members discussed asserted deficiencies in the engineering submissions, preservation of natural features, excavation scheduling, truck traffic and neighborhood impacts, easements affecting lot area, and the absence of approvals or will-serve letters for public water and sewer service. The Commission also discussed whether the applicant had established a sufficient second means of ingress and egress over Mountain Street; the proposed right-of-way and roadway dimensions; applicable City Charter, ordinance, and subdivision standards; and the possible need for a waiver if more than 20 lots would be served by a dead-end street. It was noted that no such waiver had been requested.

Staff advised that the public hearing closed on August 18, 2026; the mandatory action date was October 22, 2026; and failure to act within the statutory period could result in automatic approval. Staff provided a chronological index of application documents and offered copies of materials not yet available online. Members were encouraged to review the latest revised plans and staff comments. The City Engineer stated that an additional technical review letter would be submitted.
Motion: Mr. Sadlik moved to table the application until the next meeting.
Second: Mr. Kopjanski.
Vote: motion carried without opposition.

A subsequent motion was made.
Motion: Mr. Sadlik moved to hold a special meeting on October 13, 2026, at 7:00 p.m., subject to City Hall availability.
Second: Mr. Misiewicz.
Vote: motion carried without opposition.

8B. Cornerstone Christian Center — 71 Pleasant View Road

The Commission reviewed concerns regarding exterior lighting and the buffer between the church property and the adjoining residential property. The Zoning Enforcement Officer **Kevin White**, summarized prior communications and cited applicable zoning provisions.
Alfred Watts, pastor at Cornerstone Christian Church, stated that utility-installed shields had been added and certain lights near the property line had been retired. The adjoining property owners stated that light continued to affect their residence and that the lighting fixtures and poles did not comply with applicable standards.
Commissioner Kopjanski directed the Zoning Enforcement Officer to inspect the site at night with a light meter, with the parties present if practicable, and to review the submitted buffer plan and applicable fencing and landscaping requirements with staff. The parties expressed a willingness to work toward a compliant solution.
Tim Marren, 195 Sentinel Hill Road, stated that the exterior lighting clearly illuminated his residence and that photographs documented the impact. He urged Commission members to visit the church parking lot and his property to observe the lighting conditions firsthand, noting that the lights appeared excessively bright and taller than permitted by City standards.
Motion: Mr. Ezzo moved to table the matter pending site and plan review until the next regularly scheduled meeting.
Second: Mr. Sadlik.
Vote: motion carried without opposition.

9. Zone Enforcement Officer Update

Kevin White, Zoning Enforcement Officer, requested guidance regarding home occupations and cottage food operations in residential zones. Members discussed special-exception review, notification of neighboring property owners, potential impacts such as odors, traffic, deliveries, employees, and parking, and compliance with state and health requirements. Staff reviewed the applicable state statute and advised that municipal zoning regulations may not prohibit cottage food operations in residential zones, although reasonable procedural and operational requirements may be imposed.
The Commission reached a consensus that applicants should submit an application for Commission review containing sufficient information about the proposed operation. Staff agreed to review the state statute and develop an appropriate application and review process.
No formal action was taken.

10. Payment of Bills

Motion: Mr. Sadlik moved to approve payment of one bill totaling $4,793.75, allocated between two subaccounts.
Second: Mr. Kopjanski.
Vote: motion carried without opposition.

11. Adjournment

Motion: was made to adjourn by Mr. Sadlik.
Second: Mr. Misiewicz.
Vote: motion carried without opposition. The meeting adjourned at 8:19 p.m.

Table of Motions

Agenda Item	Motion	Moved By	Seconded By	Result
4. Additions, Deletions, and Corrections to the Agenda	Add Item 9, "Zone Enforcement Officer Update," to the agenda.	Mr. Sadlik	Mr. Misiewicz	Carried without opposition.
7. Approval of Minutes — August 18, 2026	Table approval of the August 18, 2026 minutes because the minutes were not available for review by Mr. Misiewicz.	Mr. Misiewicz	Mr. Dinice	Carried without opposition.
8A. Summit Hill LLC — Subdivision Application	Table the application until the next meeting.	Mr. Sadlik	Mr. Kopjanski	Carried without opposition.
8A. Summit Hill LLC — Subdivision Application	Hold a special meeting on October 13, 2026, at 7:00 p.m., subject to City Hall availability.	Mr. Sadlik	Mr. Misiewicz	Carried without opposition.
8B. Cornerstone Christian Center — 71 Pleasant View Road	Table the matter pending site and plan review until the next regularly scheduled meeting.	Mr. Ezzo	Mr. Sadlik	Carried without opposition.
10. Payment of Bills	Approve payment of one bill totaling $4,793.75, allocated between two subaccounts.	Mr. Sadlik	Mr. Kopjanski	Carried without opposition.
11. Adjournment	Adjourn the meeting.	Mr. Sadlik	Mr. Misiewicz	Carried without opposition; meeting adjourned at 8:19 p.m.

Respectfully submitted,
Jennifer Desroches

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 12:10 pm, Sep 18, 2026