Planning and Zoning Commission
Special Meeting Minutes
June 2, 2026

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

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

3. Roll Call and Quorum

Mr. Malerba: Mr. Bartholomew: Mr. Dinice: Mr. Ezzo: Mr. Sadlik: Mr. Misiewicz:
Mr. Kopjanski: Mr. Sojka(Alt)

- Seven regular members and one alternate member were present.
- A quorum was established.

4. Communications: It was reported that there were no new communications.

5. Public Portion

- The Chair opened the public portion.
- The Chair advised that comments regarding the Summit Hill public hearing matter should be held until that agenda item so they could be entered into the public hearing record.
- No members of the public spoke during the general public portion.

6. New Business

6A. St. Mary's Church, 212 Elizabeth Street — Site Plan Application

- The Commission reviewed the application of Fred D'Amico for St. Mary's Church, 212 Elizabeth Street.
- The application sought site plan approval to construct a 1380 square foot pavilion for recreation and prayer services.
- Commission members discussed the proposed use of the pavilion, including whether it would be limited to church-sponsored events.
- The applicant's representatives stated that the pavilion would be used for existing church activities, recreation, prayer services if needed, the annual festival, and other church-sponsored functions.
- The applicant's representatives stated that the church did not intend to rent the pavilion or use it for unrelated private events.
- Commission members requested a written statement of use addressing hours of operation, anticipated schedule, and approximate frequency of use.
- The applicant agreed to provide a statement of use.

Motion: To approve the site plan application of Fred D'Amico for St. Mary's Church, 212 Elizabeth Street, to construct a 1,380-square-foot pavilion for recreation and prayer services, subject to the condition that the pavilion be used for church-sponsored events, activities, services, programs, and functions. Any use of the pavilion for non-church-sponsored events, activities, or private events not sponsored by St. Mary's Church shall

require further review and approval. Approval is contingent upon submission of a statement of use specifying the hours of operation.

- **Moved:** Mr. Sadlik.
- **Second:** Mr. Kopjanski.
- **Vote:** Motion carried unanimously.

7. Public Hearing

7A. Summit Hill LLC — Subdivision Application

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 94B, Mountain Street.

- **Motion:** To open the public hearing by Mr. Dinice.
- **Second:** Mr. Misiewicz.
- **Vote:** Motion carried unanimously.

Applicant Presentation

- Attorney Dominick Thomas, 315 Main Street, Derby, Connecticut, appeared on behalf of Summit Hill LLC.
- Attorney Thomas stated that certificates of mailing and notice letters had been submitted electronically and that original documents were available if requested.
- Attorney Thomas reviewed the history of the property and prior development proposals.
- Attorney Thomas discussed the applicant's position regarding zoning history, R-5 and P zoning classifications, traffic considerations, and applicable subdivision standards.
- Attorney Thomas stated that the applicant had received reports from staff, the Fire Marshal, Department of Public Works, SLR, and the Zoning Enforcement Officer shortly before the meeting.
- The applicant intended to respond to the reports.
- Engineer Manny Silva of Rizzo Engineering Company, 35 Brentwood Avenue, Fairfield, Connecticut, presented the civil engineering plans.
- Mr. Silva reviewed the proposed subdivision layout, road connections, grading, stormwater management, drainage facilities, erosion and sedimentation controls, utility considerations, road profiles, and responses to comments.
- Mr. Silva described the proposed stormwater management approach.
- Items discussed included catch basins with hoods, retention and infiltration facilities, a level spreader, an underground gallery system, water quality treatment components, erosion-control fencing, silt sacks, anti-tracking pads, and construction sequencing.
- Mr. Silva stated that additional details could be provided or revised in response to professional review comments.

- Attorney Thomas requested that the public hearing remain open.
- The applicant requested additional time for the applicant's engineer to work with the Commission's engineer and staff regarding report comments.
- Attorney Thomas agreed to provide a written extension of the public hearing period once the continuation date was established.

Public Comment

- The Chair opened the matter to public for comment.
- Speakers were asked to state their names and addresses for the record.

Public comments were received from the following speakers.

Janet Mann, President of Summit Commons, stated that she was speaking on behalf of approximately 70 unit owners. She requested clarification regarding the location and ownership of the retention pond referenced during the presentation, noting that Summit Commons owns and maintains the pond.
Ms. Mann also requested clarification regarding the property boundary behind Summit Commons and raised concerns about potential construction-related trespassing and traffic access, road width and visibility, garbage-truck access, blasting, possible road widening near trees planted along Summit Commons property, limited parking, wetlands, wildlife, and potential damage to condominium units. She stated that Summit Commons residents intended to remain involved because of their concerns about development behind their homes.

Ryan Beardsley, of 85 Summit Street, stated that he and his family had owned their home for approximately 21 years and described the area as peaceful. He expressed concern that Summit Street was too narrow for large vehicles, including garbage trucks, and that using the road as a throughway would create safety hazards, increased noise, blasting-related impacts, and a greater risk of accidents near the crest of the hill.

Dave Manley, of Cherry Street near the bottom of Summit Street, stated that he had observed large trucks attempting to travel between Cherry Street and Summit Street. He said the trucks had difficulty making the turn, often requiring repeated maneuvering and occasionally driving onto the sidewalk. He described a prior incident in which a truck damaged his sidewalk while attempting to access equipment on the mountain and asked how many yards of rock the applicant anticipated blasting from the site.
Mr. Manley stated that he had heard an estimate that more than 200,000 yards of crushed rock would be removed from the site. He questioned how many dump-truck trips this would require and expressed concern about heavy trucks descending Summit Street, including braking noise, the use of Jake brakes, the road's width, and safety near the crest of the hill. He stated that he had lived in the area for nearly 50 years, described prior incidents in which vehicles lost control and entered his yard, and urged the Commission to consider residents of the surrounding neighborhood.

Lorraine Miller, of Smith Street near the intersection of Smith and Fall Streets, stated that she had lived in the area since 1989. She asked whether the proposed work would affect

the hillside extending from Telescope Mountain to Smith and Fall Streets and expressed concern about potential impacts on wildlife, including coyotes, bears, and deer.

Anthony Napolitano, of 91 Summit Street, described Summit Street as hazardous, particularly near the crest of the hill. He stated that garbage trucks have difficulty navigating the road and sometimes must back up. He also expressed concern that restricting on-street parking would be impractical because many homes in the lower section do not have driveways. He stated that traffic generated by the proposed development could create additional safety hazards.

Mary Metalsky, of 51 Clearview Court in Summit Commons, stated that prior meetings and an SLR report appeared to identify several wetland-related issues on Coon Hollow Road and questioned whether the revised plan addressed them. She noted that a section of Coon Hollow Road floods during heavy rain and develops significant ice during winter conditions. She urged the Commission to visit Summit Street to observe the conditions described by residents, noting that the road had been a significant concern in prior development proposals. She also raised concerns about three years of deforestation, blasting, rock crushing, gravel grinding, noise, potential damage to homes, air quality, water runoff, well contamination, property values, traffic congestion, and whether Derby has sufficient infrastructure to support the proposed development. She urged the Commission to reject the application and pursue an alternative that would preserve the property as green space or otherwise resolve the matter.

Robert Martin, of 202 Smith Street, stated that he opposed the proposal and did not believe the anticipated tax revenue justified the project. He raised concerns about wildlife, blasting, infrastructure impacts, increased traffic, and the effect on Summit Street residents. He stated that he intended to visit Summit Street to better understand the residents' concerns and urged decision-makers to reconsider the proposal.

Meg Millea, of 70 Coppola Terrace, stated that she had listened to the meeting from the beginning and was concerned about ambiguities in the applicant's plans. She expressed concern that responsibility for future stormwater, road-repair, and maintenance issues could fall on homeowners, taxpayers, or future property owners. Referring to recent severe storms, she stated that the stormwater plans were particularly concerning because they appeared to rely on future adjustments by homeowners amid changing weather conditions.

Susan Sovinski, of 23 Cornerstone Drive in Summit Commons, stated that the proposed development would be located behind her condominium near the upper end of Cornerstone Drive. She stated that she was an original owner and had lived there since 1991. She asked who would be responsible if blasting caused cracks in the concrete or walls or otherwise damaged her 35-year-old condominium, and stated that homeowners should not bear the cost of construction-related damage caused by another development.

Joyce Stobierski, of 6 Indian Avenue, at the corner of Mountain and Indian Avenues, expressed concern about potential impacts to her property and noted that markings had already been placed behind her home. She also raised concerns about water runoff, stating

that Indian Avenue already experiences drainage problems and that the immediate area lacks sanitary sewer service.

Charlie Dicenso, of 55 Summit Street, stated that he had built his home in 1980 and recalled prior opposition to using Summit Street for construction access because the road was considered unsafe. He stated that the safety concerns remained and that Summit Street could not accommodate heavy construction vehicles or the additional daily traffic anticipated during and after construction.
Mr. Dicenso also raised concerns about blasting, rock removal, potential damage to homes, and whether the project could effectively become a rock-removal operation. He described prior damage to his home during nearby construction, including cracks in the foundation and damage to a water line, and urged the Commission to visit Summit Street before making a decision.

Mary Metalsky, of 51 Clearview Court, submitted the typewritten statement below on behalf of **Sharon Tylinski, of 44 Cornerstone Drive**, who was unable to attend.

April 21, 2026 Meeting Telescope Mtn. FOR RECORD

What do you see People or Money$? Answer my question! People matter, we are unseen according to Derby officials. What we the people, people who drive Coon Hollow Drive, Summit Commons Condo, people who live at end of the road and Coppola Terrence need a newly paved Road.
Coon Hollow Road Needs, I repeat needs an upgrade. We have dealt with Aero Serve system, and new Gray towers going in. The trucks have messed our roads with pot holes, water across the road.
Enough is enough of this destruction of our road. Coon Hollow Road has not been paved since the Summit Commons Condo were built 35 years ago. Coon Hollow Road looks like a Dump, I repeat a dump. It is a holey turnpike, with pot holes sloppily filled, ice skating pond in the winter from water coming down the Mtn . Have you taken a ride down Coon Hollow Road? There is Mtn side of the road that has logs sliding down, some day they may hit a car in the window. Who is going to pay for that damage? What's important now is a newly paved Coon Hollow Road not new homes! Thank you!

George Kurtyka, of Mohawk Avenue and Second Ward Alderman, stated that Aldermen Ron Sill and Roberto Santos were unable to attend but shared his opposition to the proposed project. He stated that the project would adversely affect the environment and nearby residents and that the anticipated tax revenue would not justify those impacts. Based on his familiarity with the area, he described Summit Street as narrow and difficult to navigate. He also raised concerns about groundwater from Telescope Mountain, stating that an underground stream appeared to flow beneath Route 8, through the neighborhood,

and toward his property, where he had previously installed drainage improvements. Speaking for himself and his fellow aldermen, he stated that he opposed the project.

Tom Zoltowski, of 11 Cornerstone Drive, asked what protections would be in place if substantial blasting and site alteration occurred but the project later became economically infeasible. Although he stated that he was not suggesting the applicant intended to abandon the project, he expressed concern that changing economic conditions over the next three years could leave the community with a partially excavated mountain.

The Chair asked whether anyone else participating by Zoom or attending in person wished to speak. No additional public comments were offered.

Attorney Thomas, the applicant's representative, stated that the applicant would provide detailed responses to the specific concerns at a later date because the public hearing remained open. He explained that municipal improvements would be bonded in accordance with applicable statutes and that blasting is regulated by the Fire Marshal, including required pre-blast surveys and insurance coverage for blasting-related damage. He distinguished the current subdivision application from prior condominium approvals, stated that drainage would be addressed separately, and explained that underground streams constitute groundwater rather than wetlands, which are identified based on soil types, watercourses, and regulated upland review areas. He also addressed construction and future traffic on Summit Street, citing excavation estimates of approximately 175,000, 400,000, and 550,000 cubic yards under different development scenarios. He stated that the lower estimate related to a prior PRD proposal that would have provided access to Coon Hollow Road and allowed the Commission to require improvements to both Coon Hollow Road and Summit Street. He further stated that prior denials and the Board of Aldermen's refusal to permit access from Coon Hollow Road resulted in all traffic being directed to Summit Street rather than distributed between two access points.

Applicant Response and Commission Discussion

- Attorney Thomas addressed public comments concerning blasting procedures, bonding for municipal improvements, prior development proposals, construction traffic, access, and applicable zoning standards.
- He stated that blasting would be subject to applicable oversight and pre-blast survey requirements.
- He further stated that municipal improvements would be bonded as required.
- Commission members asked about existing parcels, the number of residential units that could be developed without subdivision approval, P Zone requirements, and proposed lots divided by zoning district boundaries.
- The Commission discussed the need for continued professional review and coordination among the applicant's engineer, Commission staff, and consultants.
- City planning staff stated that approved subdivision plans constitute final plans.
- Staff advised that all necessary infrastructure and implementation details should be shown, except for house and driveway details specific to individual lots.

- Staff noted that the extent of site disturbance would likely require a stormwater general permit.
- Staff advised the Commission to consider subdivision regulations concerning the preservation of natural terrain, grading, and road layout.

Continuation of Public Hearing

- The applicant agreed to an extension of the public hearing period through the end of July.
- The extension was intended to allow additional review and coordination.
- **Motion:** To keep the public hearing open, with the hearing date to be determined. by Mr. Sadlik.
- **Second:** The motion was seconded by Mr. Misiewicz.
- **Vote:** Motion carried unanimously.
- **Continuation date:** To be determined.

7. Summit Hill LLC Application

- **Motion:** by Mr. Sadlik To table the Summit Hill LLC application.
- **Second:** The motion was seconded by Mr. Misiewicz.
- **Vote:** Motion carried unanimously.

9. Adjournment

- **Motion:** To adjourn at 9:27 p.m. Mr. Sadlik.
- **Second:** The motion was seconded Matt Ezzo.
- **Vote:** Motion carried unanimously.

Table of Motions

Agenda Item	Motion	Moved By	Seconded By	Vote/Result
6A. St. Mary's Church, 212 Elizabeth Street — Site Plan Application	To approve the site plan application for construction of a 1,380-square-foot pavilion, subject to the condition that the pavilion be used for church-sponsored events, activities, services, programs, and functions, with any non-church-sponsored use requiring further review and approval, and contingent on a statement of use providing hours of operation.	Mr. Sadlik	Mr. Kopjanski	Motion carried unanimously.
7A. Summit Hill LLC — Subdivision Application	To open the public hearing.	Mr. Dinice	Mr. Misiewicz	Motion carried unanimously.
7A Continuation of Public Hearing	To keep the public hearing open, with the hearing date to be determined.	Mr. Sadlik	Mr. Misiewicz	Motion carried unanimously.
7A Summit Hill LLC Application	To table the Summit Hill LLC application.	Mr. Sadlik	Mr. Misiewicz	Motion carried unanimously.
9. Adjournment	To adjourn.	Mr. Sadlik	Mr. Ezzo	Motion carried unanimously; meeting adjourned at 9:27 p.m.

Submitted by:

Jennifer Desroches

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 3:55 pm, Sep 21, 2026