

PLANNING & ZONING COMMISSION
1 ELIZABETH ST., DERBY, CT 06418

APPLICATION FOR CHANGE OF ZONE OR ZONE TEXT CHANGE

The undersigned applicant hereby requests the Zoning Commission of the City of Derby to change the zone of property hereinafter described in accordance with the state and local zoning laws applicable thereto.

DATE SUBMITTED 6/4/2025

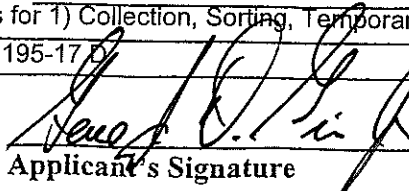
FEE n/a

1. APPLICANT City of Derby Planning and Zoning Commission
2. ADDRESS 1 Elizabeth Street, Derby, CT 06418
3. TELE. # 203-736-1481
4. INTEREST: () Owners () Agent
5. Other persons, firms or corporations represented by applicant.

6. ADDRESS _____
7. TELE. # _____
8. INTEREST: () Owners () Agent
9. LOCATION OF PROPOSED CHANGE: Zone Text Amendment
10. LEGAL DESCRIPTION OF PROPERTY: LOTS() BLOCK() ADDITION()
11. AREA OF SUBJECT PROPERTY, SQ. FEET, OR ACRES n/a
12. PRESENT ZONE: n/a
13. PROPOSED ZONE: n/a
14. Describe briefly the nature and expected effect of the change. Be sure to include an explanation of the legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed change necessary. see attached
15. Use and development proposed for the property to be re-zoned, including time schedule for such development.
16. Exhibits submitted, number & kind. Please see the attached Zone Text Change to add definitions to Section 195-7, add special exception uses for 1) Collection, Sorting, Temporary Storage of Used Reclaimable metal, and 2) Redemption Center to Section 195-17 D

RECEIVED

By Office of Derby Town Clerk Marc J. Garofalo, MPA, CCTC at 1:49 pm, Jun 06, 2025


Applicant's Signature

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By Office of Derby Town Clerk Marc J. Garofalo, MPA, CCTC at 1:49 pm, Jun 06, 2025

DRAFT – 05.21.25

Proposed Amendments to City of Derby Zoning Regulations

Article II, Section 195-7, Definition and Word Usage

Existing Definition

JUNK -- Any scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, baling, disposal or other use or disposition. (COMMENT: "Junk" includes vehicles, tires, vehicle parts, equipment, paper, rags, metal, glass, building materials, household appliances, brush, wood and lumber.)

New Definition

JUNK -- Any scrap, waste, reclaimable material, or debris; unregistered or inoperable vehicles, machinery or equipment, or parts thereof; tires; construction and building demolition materials; household appliances; paper, rags, glass, brush, wood and waste lumber.

Existing Definition

JUNKYARD -- Any area, lot, land, parcel, building or structure or part thereof used for storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable motor vehicles or other type of junk.

New Definition

JUNK YARD -- Any "junk yard," "motor vehicle junk business" and "motor vehicle junk yard" as defined in the General Statutes of the State of Connecticut. The term shall also include any place of storage or deposit, whether in connection with a business or not, for one or more used motor vehicles which are either no longer intended or in condition for legal use on the public highways and shall also include any place of storage or deposit of used parts of motor vehicles, machinery, equipment, and old metals, iron, glass, paper, cordage and other waste materials which on any lot have

an aggregate bulk equal to two automobiles. In Residence Districts, the term shall also include both the outside storage of unregistered motor vehicles for periods longer than 30 days and the outside storage or deposit of parts or bodies of motor vehicles, each in such a manner as to be visible from any street or any other lot. Special Exception uses that are permitted through these Regulations under specific sections as not included in this definition.

New Definition

REDEMPTION CENTER -- A private businesses, registered by the Connecticut Department of Energy and Environmental Protection in accordance with Section 22a-245 of the Connecticut General Statutes, that works with distributors of carbonated beverages to redeem bottles and cans with a deposit value.

Article III, Section 195-17, Industrial-I (I-1) Zone

D. Special Exception Uses

New

(12) Collection, sorting, temporary storage, and shipping of used reclaimable metal, including both ferrous, nonferrous and non-electric motor vehicle batteries, for recycling, provided a) the lot on which such use is located adjacent to or within twenty-five (25) feet of a railroad right of way, and is not less than 40,000 square feet in area nor greater than 80,000 square feet in area; b) the operations and storage are principally conducted in an enclosed warehouse structure; c) any area for outside storage is not greater than 150 percent of the area of the warehouse structure and is appropriately screened from the public view from the street or any other lot; and d) is not a motor vehicle recycler's business or yard as defined in the Connecticut General Statutes.

(13) Redemption Center provided that a) the activity is conducted within a warehouse structure; and b) any area for outside storage is not greater than the floor area of the warehouse structure and is appropriately screened from the street or any other lot.

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Derby-Legal Notice

The City of Derby Planning & Zoning Commission will hold a public hearing on Tuesday, June 17th, 2025 at 7:00 p.m. Derby City Hall- 1 Elizabeth St. Derby, CT: **1) City of Derby Planning & Zoning Commission-1 Elizabeth St.-Zone Text Change Application** to add definitions to Section 195-7, add special exception uses for 1) Collection, Sorting, Temporary Storage of Used Reclaimable metal, and 2) Redemption Center to Section 195-17. D. **At** the meeting, interested persons may be heard. Members of the public can attend by going to Zoom.com and sign in using Meeting ID: 879 4216 0898. Password: 685010. iPhone one-tap: US 131262266799 or you can dial by phone +1 312 626 6799 Meeting ID 879-4216-0898 Password: 685010. Written communication may be mailed to Derby City Hall, 1 Elizabeth St, Derby, CT 06418 or emailed to lnarowski@derbyct.gov prior to meeting date. Dated at Derby, CT this 4th day of June 2025. Gino DiGiovanni Jr., Chairman

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By Office of Derby Town Clerk Marc J. Garofalo, MPA, CCTC at 1:50 pm, Jun 06, 2025