

Derby P&Z Application Status Report –06/17/2025

Applications	Received	History	Status	M.A.D. ¹
<u>Application # 2025-06-17-01</u>				
Derby Planning and Zoning Commission				
Zone Text Amendment – Modify / Add definitions 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.				
	6/17/2025		P.H.(S) 6/17/2025	N/A

*See staff report from NVCOG and report from SCROG

*See revised definition to Junk Yard per discussion with NVCOG

*See draft motion to approve

<u>Application # 2025-06-17-02</u>				
Blizzard Mechanical, LLC - 155 New Haven Avenue				
HVAC Contractor – Special Exception Review				
	6/17/2025			9/18/2025

* Schedule for a public hearing at July meeting. Publish legal notice twice, once between 6/30 and 7/5 and again between 7/7-7/12

<u>Application # 2025-06-17-03</u>				
Buck Electric, LLC - 155 New Haven Avenue				
Electrical Contractor – Special Exception Review				
	6/17/2025			9/18/2025

* Schedule for a public hearing at July meeting. Publish legal notice twice, once between 6/30 and 7/5 and again between 7/7-7/12

See invoice # 10015378

C.R.R.=Certified Mail w/ Return Receipt; P.H=Public Hearing; P.H.(O)=P.H. Open; P.H.(C)=P.H. Closed; P.H.(S)=P.H. Scheduled; M.A.D.=Mandatory Action date

1. Mandatory Action Date subject to change depending upon duration of public hearing and action by Commission.

DRAFT – 06.17.25

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 recycler’s business” and “motor vehicle recycler’s yard” as defined in the General Statutes of the State of Connecticut. The term shall also include: a) 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, or used parts of motor vehicles; and b) any place of storage or deposit of machinery, equipment, and old metals, iron, glass, paper, cordage and any other

waste materials which on any lot have an aggregate bulk equal to two automobiles. In Residence Districts, the term shall also include both 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 manner as to be visible from any street or any other lot. Special exception uses that are permitted through these Regulations under specific sections are 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.



NVCOG STAFF REFERRAL REPORT

TO: Derby Planning and Zoning Commission; Mayor of Derby; Ryan McEvoy, Derby Consultant, SLR

FROM: Savannah-Nicole Villalba, AICP, Community Planning Director
NVCOG, 49 Leavenworth Street, Suite 303, Waterbury (203-757-0535)

DATE: June 16, 2025

NVCOG FILE NO.: DERB-84-060625-Z
MUNICIPALITY: City of Derby
DATE RECEIVED: June 6, 2025
DATE OF PUBLIC HEARING: June 17, 2025
TYPE OF REFERRAL: Text Amendment
APPLICANT: Derby Planning and Zoning Commission

DESCRIPTION OF PROPOSAL:

The Derby Planning and Zoning Commission has proposed a text amendment to modify the City’s Zoning Regulations for metal recycling facilities and redemption centers.

STAFF RECOMMENDATION:

Staff finds the proposed text amendments not to be regionally significant. The text amendments will not result in intermunicipal impacts so long as the City sends applications for the above uses to abutting municipalities to mitigate any potential concerns (i.e., abatement of noise, additional landscaping, etc.).

Staff spoke with the consultants regarding the proposed definition for junk yard. Staff recommended clarification of the citation to the general statutes and that the definition for junk yard and motor vehicle junk yard be separated or clarified. The consultants noted that they intend to clarify the definition during the public hearing.

* * * * *

This staff recommendation is transmitted as written above unless we receive comments or objections within five days of the time you receive this proposal. If objections cannot be resolved within the scope of the original recommendations, you may submit a reconsideration request to the Regional Planning Commission for further discussion of the findings.

South Central Connecticut
Regional Planning Commission

June 16th, 2025

Attention:
Kevin White, Zoning Enforcement Officer
1 Elizabeth Street
Derby, CT 06418

RE: 2.1 City of Derby. Proposed zoning text amendment to I-1 zones regarding special exception uses. Received: June 6, 2025. Public Hearing: June 17, 2025.

Dear Mr. White,

Thank you for sharing the proposed zoning regulation text amendment. The Regional Planning Commission (RPC) reviewed the referral at its meeting on Thursday, June 12th, 2025.

By resolution, the RPC has determined that the proposed zoning amendment change does not appear to cause any negative inter-municipal impacts to the towns in the South Central Region; however, there could be a negative impact on the habitat or ecosystem of the Long Island Sound if metal or mattery materials leach into the Housatonic or Naugatuck Rivers given where the railroad line is situated.

Sincerely,



Kevin Curry
Chair, Regional Planning Commission

RPC Representatives:

BETHANY
Alex Hutchinson

BRANFORD
Charles Andres

EAST HAVEN
Vacant

GUILFORD
Sean Cosgrove

HAMDEN
Jay Cruickshank
(Executive Committee)

MADISON
Carol Snow
(Executive Committee)

MERIDEN
Kevin Curry
(Chair)

MILFORD
Robert Satti
(Secretary)

NEW HAVEN
Vacant

NORTH BRANFORD
Vacant

NORTH HAVEN
Roderick Williams
(Executive Committee)

ORANGE
Tom Torrenti

WALLINGFORD
Jeffrey Kohan
(Executive Committee)

WEST HAVEN
Vacant

WOODBIDGE
Andrew Skolnick
(Vice-Chair)

Application: Zone Text Change

Applicant: City of Derby Planning and Zoning Commission

-Add/Modify/Delete the following definitions to Section 195-7:

Junk

Junkyard

Redemption Center

-Add the following special exception uses of Section 195-17

-Collection, sorting, temporary storage and shipping of used reclaimable metal

-Redemption Center

Following review of the documentation submitted in support of this application, the Derby Planning & Zoning Commission finds the Zone Text Change to the above referenced sections is consistent with the goals of Section 195-2 and the Plan of Conservation and Development. Therefore, the Derby Planning & Zoning Commission hereby approves the Zone Text Change Application as proposed. The effective date of the text amendment shall be **June 27, 2025**

The approval shall be based upon the following documents submitted in support of this application:

- 1) Application prepared by SLR International Corp., revised to 6/4/2025
- 2) Referrals to Naugatuck Valley Council of Governments & South Central Connecticut Regional Council of Governments from SLR, dated 6/6/2025
- 3) Letter from Naugatuck Valley Council of Governments Regional Planning Commission dated 6/16/2025
- 4) Letter from South Central Regional Council of Governments dated 6/17/2025
- 5) Verbal Testimony from the Planning and Zoning Commission, members of the public and City Staff at the June 17th, 2025 public hearing.

Invoice



Jamie Wilson
City of Derby
Planning & Zoning
1 Elizabeth Street
Derby, CT 06418

June 09, 2025
Invoice No: 10015378
PO Number: TBC
Payment Terms: 30
Project Manager: Ryan McEvoy
Invoice Total USD 3,515.00

Project 141.V11563.00023 11563.00023 Planning & Zoning - Derby, CT

Professional Services from May 03, 2025 to May 30, 2025

Phase 0010 General Consultation & Admin.
Services Rendered: Prepare for and attend May meeting. Prepare draft zone text changes for metal recycling and redemption centers based on City's input to potentially relocation Rubino Brothers.

Professional Staff

	Hours	Rate	Amount	
Principal 1	13.00	215.00	2,795.00	
Totals	13.00		2,795.00	
Total Labor				2,795.00
		Phase Total		USD 2,795.00

Phase 0110 Zoning Enforcement Assistance
Services Rendered: Assistance on several zoning related matters including application assistance, use reviews, etc.

Professional Staff

	Hours	Rate	Amount	
Principal 1	4.00	180.00	720.00	
Totals	4.00		720.00	
Total Labor				720.00
		Phase Total		USD 720.00

Total this Invoice USD 3,515.00

Outstanding Invoices

Number	Date	Balance
10014515	5/20/2025	1,852.50
Total		1,852.50

Please make all payments to **SLR International Corporation**
ACH/Wire Payment: U.S. Bank, N.A., Seattle, WA **ABA:** 125000105 **Acct:** 153590817315 **SWIFT:** USBKUS44IMT
Check Remit Address: PO Box 809327, Chicago, IL 60680-9327
Email remittance info to ar-us@slrconsulting.com