

CITY OF DERBY - PLANNING & ZONING COMMISSION
APPLICATION FOR SPECIAL EXCEPTION APPROVAL

APPLICATION # _____ Zoning Officer _____

Date submitted: _____ Date accepted: _____

FEE (as per schedule) _____

Action taken: _____

The undersigned hereby applies to the Planning & Zoning of the city of Derby, Connecticut for approval of a site plan application under the city of Derby's Site Plan Regulations and grants the Derby Planning & Zoning Commission, City Engineer, and other perinate city agencies or their authorized agents, permission to enter upon the property under this application for the purpose of inspection and other actions related to the administration of the Site Plan Regulations of the City of Derby. The applicant acknowledges that all documentation related to the application are within Public Domain.

A. Name of Applicant: Johnnie Hudson

Address: c/o Attorney Dominick Thomas, 315 Main St., Derby, CT 06418

Email: djt@cohen-thomas.com Phone: 203-735-9521

Interest in Property: own Rent option to buy
other _____

B. Owner of property: Johnnie Hudson

Address of owner: 80 Stelmack Road, Derby, CT 06418

Email: _____ Phone: _____

C. Description of Property

Address of property: 80 Stelmack Road

Zone: R-3 Assessor's Map No. 5-4 Block _____ Lot 80

Are all adjacent properties within the same zone YES NO

Total Sq. Footage of lot 71,972 Lot Dimensions: _____

Gross Sq. Footage of proposed building / use: N/A - Proposed use is inside existing building

Application is for the reuse of an existing building without enlargement of the existing structure(s) YES NO **Additional use of Bed & Breakfast in existing one family residence**

Documentation to support the application:

___ 1) introductory letter of the zoning process and responsibilities

___ 2) Application Checklist from Zoning Enforcement Officer

X 3) Statement of use

X 4) Site Plan - **Existing survey, photographs & aerials**

___ 5) Maps, Plans, Documentation

___ 6) Supporting Referral agencies

___ 7) Waivers /Extensions / Variances requested by the applicant

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By Marc J. Garofalo, MPA, MCC, MCTC at 10:00 am, Nov 17, 2025

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**SPECIAL EXCEPTION APPLICATION PROCESS AND
RESPONSIBILITIES**

1) APPLICANT SUBMISSION OF APPLICATION TO THE CITY OF DERBY

- a. Prior to the submission of a formal zoning application, the applicant shall meet with the Zoning Enforcement Officer for a free consultation to discuss the nature of the application and the zoning application process.
- b. If the Zoning Enforcement Officer deems it appropriate, he may waive the submission of specific information required within the application checklist.
- c. Submit 10 copies of the completed application and all related supporting documentation as well as the initial application fee to the Zoning Enforcement Officer. It is the applicant's responsibility to ensure that the information provided is accurate, complete and to the standards subscribed. Failure to do so can impede the application process or result in the rejection of the application as incomplete by the Planning and Zoning Commission.

Submit to Zoning Enforcement Officer @ 203-736-1481
zoning@derbyct.gov or Building Department Secretary
lnarowski@derbyct.gov

2) REVIEW OF THE APPLICATION by PLANNING AND ZONING COMMISSION

- a) Initial Planning and Zoning Meeting: The Planning and Zoning Commission receives applications forwarded by the Zoning Enforcement Officer at their monthly meetings. The Commission does not act on the application at this time but will receive the application to be reviewed at its next regularly scheduled meeting, with possible action taken. The Commission will schedule a Public Hearing. The applicant does not have to be present at this initial meeting.
- b) Review of application by the City Engineer and effected city agencies should be conducted during the intermission between the initial acceptance of application and the following month's Planning and Zoning Meeting. It is the applicant's responsibility to initiate contact with the required agencies/departments and resubmit any modifications back to the City Engineer prior to the next scheduled P&Z meeting.
- c) Review and Possible Action Planning and Zoning Meeting. The commission will review the application with any revisions received since its acceptance at the initial submittal. The applicant or their representatives should be present to answer any questions the commission members may have. Once all questions have been answered the Commission will move to the Public Hearing where members of the Public may speak regarding the Special Application. If the Commission finds that all required information has been provided and all legal

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requirements met, the commission may rule for or against the application at this time. If additional information or the need to continue a public hearing is required, the application will be extended to the next monthly meeting **or subsequent meeting** if both the applicant and Planning and Zoning Commission agree to an extension.

- d) Timeline for a special exception application The Commission shall act on a special exception application not later than 65 days after the date of receipt by the Planning and Zoning Commission. The Commission may approve, modify and approve or deny the application. Notice of the Commission 's decision shall be communicated to the applicant, in writing within 15 days after the decision has been rendered. Failure of the Commission to act within the 65 days of the receipt of the application shall be considered as approved and a permit to that effect shall be issued by the Commission upon the applicant's demand. Extensions of the 65-day timeline are permitted by mutual agreement between the Commission and the applicant. Reasons for the Commissions actions must be stated in the meetings minutes.

CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION

The Commission, in considering and reviewing the application and arriving at its decision, shall find the following conditions have been or will, by the proposal or conditions attached to the Commissions approval thereof be met:

- a) The location, nature, and size of buildings and architectural design of same shall be compatible with neighboring properties and their uses and shall not hinder or discourage the appropriate development or use of land and buildings nor impair the value thereof.
- b) The location, size, and intensity of the proposed use or uses and the size and location of the site shall be in harmony with the appropriate and orderly development of the district in which it is located.
- c) Streets and other rights-of-way shall be of such size, condition, and capacity to adequately accommodate the traffic to be generated by the particular proposed use(s).
- d) The proposed use(s) shall not impair public health, safety, or welfare.
- e) Where it is proposed to convert a structure designed and built originally for other uses, the applicant shall show how the adaptability of such a structure to the proposed use, particularly in relation to public health and safety.
- f) Where a proposed use abuts or is in a residential zone, the Commission may regulate hours of operation taking into consideration intensity of lighting, noise, and traffic generation.

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APPLICATION FEES

There is no fee for the initial consultation meeting with the Zoning Enforcement Officer.

At the initial consultation meeting the applicant will be assigned an initial application fee and an initial review fee estimate. These fees are due upon submission of the application for review by the city engineer.

Any applicant who proposes any project to any board, commission, authority or agency of the municipality of Derby shall pay all fees and cost of any consultant or professional who shall be engaged or contracted in order for the board, commission, authority or agency to adequately and appropriately review said project or the effect of said project. These fees and cost must be paid directly to the City Clerk on a monthly basis. No board, commission, authority or agency shall continue review of or approve said project until it receives written verification from the City Clerk that all fees and cost have been timely paid.

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Special Exception Application Requirement Checklist

The checklist is intended as an aid to expedite the work of the city staff, the Planning and Zoning Commission and the Applicant. It provides a general overview of information required within a site plan application and is not intended to override any information or requirements in the zoning regulations, other applicable city codes, ordinances and procedures. **THIS ATTACHMENT WILL NOT BE ACCEPTED BY PLANNING AND DEVELOPMENT WITHOUT THE ZONING ENFORCMENT OFFICERS SIGN OFF.**

A. General Information	YES	NO	VARIANCE
(1) Application form completed			
B. Site plan map			
(1) Name of applicant			
(2) Name of owner(s) of record and addresses			
(3) Signature and seal of P.E. / architect licensed by State of Connecticut			
(4) Scale not less than 1" = 50'			
(5) A-2 survey including distances with angles or bearings			
(6) North arrow			
(7) Numerical and graphic scale			
(8) Date of map			
(9) Key map			
(10) Zone classification of property			
(11) Zone classification of adjacent properties and Name of owner(s) of record			
(12) Table/chart containing:			
	required	submitted	
(a) Lot size			
(b) Lot width			
(c) Front yard			
(d) Side yard			
(e) Rear yard			
(f) Parking spaces			
(g) Buffer area			
(h) Lot coverage			
(i) Floor area			
(j) Bldg. height			
(13) Boundary dimensions			
(14) Street lines and names			
(15) Location, width, purpose of existing and proposed R.O. Ws and easements			

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Statement of use

A. Nature and extent of the proposed use or occupancy:

BED-AND-BREAKFAST -- An owner-occupied dwelling unit that contains no more than three guest rooms where lodging, with or without meals, is provided for compensation.

Applicant intends to have 2 guest rooms and will provide continental breakfast

B. Total square feet of proposed building space occupied:

755 SF / 2 Bedrooms

C. Adequacy of utilities to support proposed use:

EXISTING RESIDENCE IS SERVED BY PUBLIC WATER AND SEWER

D. Disclosure of any toxic or hazardous materials to be used or stored in connection with the proposed use or occupancy

NONE

E. Total employees per shift: 1

F. Anticipated visitations per day <3 visitations at peak hour <3

G. Hours of operation: The B&B will operate 7 days a week.

H. Timetable for development of proposed use

Upon approval there are the use can commence immediately

Applicant signature: *DJ Thomas Jr.*

(printed) Dominick J. Thomas - Attorney for Applicant

Owner(s) of Property signature: *DJ Thomas Jr.*

(printed) Dominick J. Thomas - Attorney for Owner

Owner(s) of Property signature: _____

(printed) _____

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Site Plan Drawings

The following drawings must be submitted according to the requirements specified within the City of Derby Zoning Regulations, Article V Site Plan Review. Allowing for waivers received from the Zoning enforcement officer, subject to modifications subscribed by the Planning and Zoning Committee.

- 1) General location map showing the location of the site in relation to existing city roads at a scale of one-inch equals 800 feet.
- 2) Site Plan Drawings.

Preliminary Drawings prepared and certified by:

Name: **N/A - Use is inside with only parking for B&B guests outside.**

Address: _____

dated: _____

Final Site Plan Drawings prepared and certified by:

Name: **N/A - Use is inside with only parking for B&B guests outside.**

Address: _____

dated: _____

Approved by the Derby Planning & Zoning Commission

Final Approval dated: _____

Planning & Zoning Chairperson: _____

Dated: _____

B Expiration Date: _____

Conditional Approval: _____

Planning & Zoning Chairperson: _____

Date: _____

Expiration Date: _____

Planning & Zoning Chairperson: _____

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Maps, Plans, and Documents

The following documentation must be submitted unless waived by the Zoning Enforcement Officer.

LAND SURVEYOR: Michael D Phipps, Phi Engineering LLC

Address: 180 Yale Ave., Milford CT 06460

Phone: 203-283-4904 Email: _____

Professional Engineer: N/A

Address: _____

Phone: _____ Email: _____

Site Plan (to an accuracy meeting the standards for a Class A-2 Survey):

Name: Parking area for guests shown on photo

Address: _____

phone: _____ Email: _____

Architectural Plans: N/A

Name: _____

Address: _____

Phone: _____ Email: _____

Stormwater Detention: N/A

Name: _____

Address: _____

Phone: _____ Email: _____

Traffic Impact Report: N/A

Name: _____

Address: _____

Phone: _____ Email: _____

Other: (if any) _____

Name: _____

Address: _____

Phone: _____ Email: _____

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Supporting Referral Agencies

Evidence must be submitted that the applicant, simultaneously with or prior to submission of the application has transmitted a copy of the application together with plans and documents if so specified, to the following public agencies as required:

Agency Referrals requested	date submitted	received
_____ A. Zoning Enforcement Officer	<u>11/14</u>	_____
_____ B. City Engineer	<u>11/14</u>	_____
<u>N/A</u> C. Inland Wetlands Commission	_____	_____
_____ E. Fire Marshal	<u>11/14</u>	_____
<u>N/A</u> F. Chief of Police	_____	_____
<u>N/A</u> E. Water Pollution Control Authority	_____	_____
<u>N/A</u> F. Street Commissioner	_____	_____
<u>N/A</u> G. Board of Alderman	_____	_____
<u>N/A</u> H. Connecticut Department of Transportation	_____	_____
<u>N/A</u> I. Naugatuck Valley Council of Governments	_____	_____

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Waivers / Extensions / Variances requested by the applicant NONE

(1) waivers received from the Zoning Enforcement officer during the initial site plan checklist review meeting.

(2) waiver requested by the applicant to Planning & Zoning Committee

date requested: _____
 Approved Denied response date: _____

date requested: _____
 Approved Denied response date: _____

(3) extension requested by the applicant to Planning & Zoning Committee

date requested: _____
 Approved Denied response date: _____

(4) Variance requested by the applicant to other agencies

date requested: _____
 Approved Denied response date: _____

date requested: _____
 Approved Denied response date: _____



PROPERTIES WITHIN 150' OF 80 STELMACK ROAD PER DERBY GIS

5-4-73 BRICKETT MARY P.O. BOX 286 DERBY CT 06418-0	5-4-66G RIVELLI RICHARD J & MARGARET A 1 DEVON VIEW RD DERBY CT 06418-0	5-4-66C GUARDIANO LINDA A 8 DEVON VIEW RD DERBY CT 06418-0
5-4-78 CELANO JOSEPH R 414 NEW HAVEN AVE DERBY CT 06418	5-4-76 ANTIDORMI VINCENT & FABRIZI MELISSA 2 TRUMBULL ST DERBY CT 06418-0	5-4-74 NASUTION RUDINI & EMMA R 408 NEW HAVEN AVE DERBY CT 06418-0
5-4-91 OLIWA LOUIS & BINKOWSKI JANET 9 SHELTON ST DERBY CT 06418-0	5-4-79 BOUPHAVAN WILLIAM & SANDY 1 HOMESTEAD AVE DERBY CT 06418	5-4-85---82 LALUMIERE KATHERINE THERESA & 8 HOMESTEAD AVE DERBY CT 06418
5-4-86---86A NERO CARL J & JO ANN 10 HOMESTEAD AVE DERBY CT 06418-0	5-4-66E STAFFIERI EUSTACHIO & CARMELINA 3 DEVON VIEW RD DERBY CT 06418-0	5-4-81 PAPA COLLEEN R & JOSEPH LEONARD 1 STELMACK RD DERBY CT 06418
5-4-75A AVN L L C 22 CLOVERDALE AVE SHELTON CT 06484-0	5-4-75B PETTAS ALEXANDROS 22 CLOVERDALE AVE SHELTON CT 06484-0	5-4-84 LOUIS SAMUEL 2 HOMESTEAD AVE DERBY CT 06418
5-4-80 HUDSON JOHNNIE 80 STELMACK DR DERBY CT 06418	5-4-75 PETTAS ALEXANDROS 22 CLOVERDALE AVE SHELTON CT 06484-0	5-4-75C PETTAS ALEXANDROS I. 22 CLOVERDALE AVE SHELTON CT 06484-0
5-4-89R CITY OF DERBY 1 ELIZABETH ST DERBY CT 06418	5-4-67C ZHAUNERCHYK DZIANIS 31 SENTINEL HILL RD DERBY CT 06418	5-4-67 REED WINSTON 61 SENTINEL HILL RD DERBY CT 06418-0
5-4-66D DUH JAMES E 5 DEVON VIEW RD DERBY CT 06418-0	5-4-67A SUN ZHENZHONG 51 SENTINEL HILL RD DERBY CT 06418	5-4-67B CONEY ALFRED 41 SENTINEL HILL RD DERBY CT 06418
5-4-77 NATOWICH LINDA & FRANK A 10 CHAPEL ST MILFORD CT 06460	5-4-83 CITY OF DERBY 1 ELIZABETH ST DERBY CT 06418	5-4-66F WILLIAMS GRANVILLE JUDE & 71 SENTINEL HILL RD DERBY CT 06418-0
5-4-75D PETTAS ALEXANDROS 22 CLOVERDALE AVE SHELTON CT 06484-0	5-4-89 BUCKLEY STEPHEN 2 STELMACK RD DERBY CT 06418	5-4-67D TINTI CAROL 21 SENTINEL HILL RD DERBY CT 06418

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