

**TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
June 6, 2016**

Present: Grant Spates, Josh Provost, Beula Shattuck.

Others: Fred LaBarron, Rose LaBarron, Allen Yale, Todd Wright, Chris Hamblett, Karen Hamblett, Bruce Jones, Cory Jones, Joe Profera, Rod Lyon, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M.

Warrants #12A in the amount of \$17,421.5 and #12B in the amount of \$43,795.52 were signed.

Beula moved to approve the minutes of May 23, 2016, with Josh seconding. Unanimous.

PUBLIC COMMENTS:

The LaBarron's son is being promoted to Major and they would like to have the promotion ceremony at Veteran's Memorial Park. The Selectboard thought it was a great idea and suggested that they contact either the Cow Palace or the Border Motel to use their parking lots because parking is very limited at the Park. The ceremony is about an hour long and will be held in the morning.

7:00 P.M. Recess for Public Hearing on Bylaw Amendment:

Beula move to recess their meeting to hold a public hearing on proposed bylaw amendment, with Josh seconding. Unanimous

The Public Hearing is for public comments on the following proposed zoning bylaw amendments:

Add the following definition to Article 11:

Function Hall: A barn, tent or other similar structure (existing or new) used for hosting a party, banquet, wedding reception, or other social event.

Add the following regulations to Article 4:

Function Halls must comply with the following:

1. Road access must be via a state highway or a class 1, 2, or 3 Town road.
2. The structure or any portion of the lot used in connection with the business shall be set back at least 50 ft from side and rear property lines.
3. No residential dwellings are closer than 500 ft to the structure, other than those owned by the applicant or the applicant's immediate family.
4. All other relevant provisions of the Zoning Bylaw are complied with – e.g., site plan review standards.
5. Bands and/or music must end by 11:00 p.m.

Add the following to §402.7(D) Parking Space Counts per Use

| Use | Stalls Required | Comments |
|---------------|-----------------|------------------------------------|
| Function Hall | 0 | Not allowed within a Public R.O.W. |

Add Function Hall as a Permitted Use in the following districts in Article 2:

COM, R-1, R-2, RR, SD, SL

Delete: **“Private School” as a conditional use in the COM/IND district.**

Public Comments:

Todd Wright didn't think that the restriction that Function Halls need to be accessed from Class 1, 2, or 3 Town roads needs to be included. In order to keep large lots from being split up you need to be able to generate some form of income from the property.

Chris & Karen Hamblett didn't think that Function halls were appropriate in the Special Lands zoning district. These areas should be kept open and undeveloped for the solitude and not have commercial uses. Also the Class 4 road portion of Upper Quarry Road and his private shared right of way are not safe for the amount of traffic that would be generated from a Function Hall.

The Planning Commission added the restriction about being accessed by a Class 1, 2, or 3 roads after their public hearing. Any new construction for a function hall would have to be reviewed by Act 250.

After all public comments Beula moved to close the Public Hearing and return to their regular meeting, seconded by Josh. Unanimous.

NEW BUSINESS:

Allen Yale – Historical Society – The Historical Society would like to bury the power line to their building and need the Selectboard's approval. They have already contacted NCUJHS and they do not have a problem with it. They will also have to get permission from the Village of Derby Center since it will be going under their side walk and it will require permits from the electric company. They would like to do it sometime after the 4th of July. Mr. Yale also asked if it was possible to have the Town help with the trenching. The Selectboard didn't have any issues with the proposal and told Mr. Yale that Bob could sign the permit on the Town's behalf. Beula moved to give permission to the Historical Society to bury the electrical line to their building and to have the Road Department trench the line for them, with Josh seconding. Unanimous.

Town Forest – Right of Way – The survey has been completed and the Town needs to post a notice to proceed with the right of way swap. Josh made a motion to authorize the Selectboard Chair to sign, post and publish a Notice of Sale of Municipal Real Estate pursuant to 24 V.S.A. § 1061 to convey 1,310-foot, more or less, long, fifty-foot wide access easement and right-of-way to Jeffrey M. Parah and William H. Parizo over the Town Forest property and to appoint the Selectboard Chair to execute all deeds, tax returns and other related documents to convey the access easement and right-of-way to Messrs. Parah and Parizo if no petition objecting to the conveyance is submitted in response to the Notice of Sale of Municipal Real Estate. With Beula seconding. Unanimous.

Employee Review and Job Description – Beula moved to table this until their next meeting because they do not have a full board tonight, with Josh seconding. Unanimous.

Excess Weight Permit – Sticks & Stuff – Josh moved to sign the excess weight permit for Sticks & Stuff, with Beula seconding. Unanimous.

Consider Bylaw Amendment – Josh moved to table consideration of the proposed bylaw amendment until their next meeting, with Beula seconding. Unanimous.

OLD/OTHER BUSINESS:

Beach House – Coutts/Siskin are opening and closing the beach house. The same contractor cleaning the municipal building, Williams Jan-Flooring, is cleaning the beach house also.

Historical Society Parking Area – Someone from the apartment next door has been using the parking area to repair their vehicle in. Bob will send the owner a letter telling them to stop.

ROAD REPORT:

We are waiting to hear when the contractor will be starting the Pine Hill culvert replacement. The Eagle Point culvert is getting worse. There is a leak in the water line (plastic pipe) going to the town garage, attempts are being made to locate where the leak is. Street signs are needed for Provost Acres and Provost Acres Ext. Walmart is requesting open cuts on Quarry Road and Shattuck Hill Road to install their water line.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, June 20th.
At 7:15 pm Beula moved to adjourn, with Josh seconding. Unanimous.

Submitted by Bob Kelley
Unofficial until approved