

*** Unapproved ***

DERBY PLANNING COMMISSION *MINUTES*** October 3, 2016**

MEMBERS PRESENT: Jim Bumps, Joe Profera, Dave LaBelle, Richard Del Favero, Jane Clark.

MEMBERS ABSENT: None.

OTHERS PRESENT: Chad Hickey, Steve Kirby, Marcel Guillette, Francine Guillette, Nancy Moore, Lynn Rublee, Beth Barnes, Deanna Keenan, ZA Bob Kelley.

7:00 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the Sept 19th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 16-084 by Marcel & Francine Guillette, PIN #TRD45013J5T, for site plan approval to use an existing 40 ft by 80 ft shed as a Function Hall. This property is located at 884 Salem Derby Road and is in the Rural Residential (RR) zoning district. Mr. & Mrs. Guillette were present to explain the request. They have been hosting event for years and found out this year that a permit is needed. The events are held in the tan metal building and there is plenty of parking. This year they had 3 events, last year they had 6. Abutting property owner Steve Kirby spoke out in opposition to the application. He has a secluded property on Cobb Pond. Concerns included disturbing the peace and serenity of the area, affect on the rental of his camp, affect on the wildlife, noise during events, and impact on the fragile ecology. He asked the commission to come visit his property. Beth Barnes asked if the property was on a migratory flight path and if an Environmental Impact Review might be appropriate. Paul Prue, Brian Smith, and Deanna Keenan spoke in favor of the application citing that farmers need to supplement their income and pointed out that this has been going on for years and there have not been any detrimental effects. After all comments from the public were heard Dave LaBelle made a motion to close application 16-084 by Marcel & Francine Guillette. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 15-072 by Lynn Rublee, PIN #WBCHL006D2T, for site plan approval for a 2 room Bed & Breakfast. This property is located at 246 White Birch Lane and is in the Shoreland (SD) zoning district. Ms. Rublee and Attorney Hickey were present to explain the request. Joe Profera stated that he did not have a conflict of interest with the application, but because it might appear that he does he will be abstaining from voting. Attorney Hickey addressed all the criteria the application will be reviewed under. The property is at the end of a private road and well hidden from other properties, 4 parking spaces are available, the road is less traveled than Cousins Beach Rd, and the area is mix of seasonal, year round, and rentals. The commission noted that some of the criteria has already been approved by Environmental Court during the Conditional Use appeal. There were questions concerning the private road and whether a letter is needed from the Fire Chief. Paul Prue noted that all the neighbors have thrown up the hands because of how the conditional use appeal was handled. After all comments from the public were heard Dave LaBelle made a motion to close application 15-072 by Lynn Rublee. Seconded by Jim Bumps. **Approved by a unanimous decision with Joe Profera abstaining.**

Chair Joe Profera read the warning application 16-079 by Lucille Driver, PIN #TRD53001K8T, for preliminary and final plat review to split off 15.43 acres from a 75+ ac lot. This property is located at 475 Fontaine Road and is in the Rural Residential (RR) and shoreland (SD) zoning districts. Ms. Keenan was present to explain the request. The property is being split up between the siblings. It is a straight forward subdivision and all lot minimums are met. There were no comments from the public. Dave LaBelle made a motion to close application 16-079 by Lucille Driver. Seconded by Jim Bumps. **Approved by a unanimous decision.**

The Commission decided to skip review of the bylaw tonight and went into deliberative session on the closed applications.

After deliberations Dave LaBelle made a motion to grant site plan approval for 16-084 by Marcel & Francine Guillette as submitted with the following 2 conditions: 1) All parking must be a minimum of 50 ft from any property line; 2) All music/bands must end by 11:00 p.m. (see attached written decision). Seconded by Jane Clark. **Approved by a unanimous decision.**

Dave LaBelle made a motion to grant site plan approval for application 15-072 by Lynn Rublee as submitted (see attached written decision). Seconded by Jim Bumps. **Approved by a unanimous decision with Joe Profera abstaining.**

Dave LaBelle made a motion to grant final plat approval for application 16-079 by Lucille Driver as submitted with the condition that a mylar of the approved plat must be filed with the Town Clerk within 180 days of this decision (see attached written decision). Seconded by Jim Bumps. **Approved by a unanimous decision.**

The commission reviewed their mail.

8:40 p.m.: On a motion by Jim Bumps and seconded by Dave LaBelle, the meeting was adjourned.

The minutes were taken by Bob Kelley.