

*** Unapproved ***

DERBY PLANNING COMMISSION *MINUTES*** August 21, 2017**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Kimberly Cook, Steve Wright, Elizabeth Bumps, Winston Bartley, Walter Wright, Bill Leavens, 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 July 10th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-063 by Winston Bartley, PIN #NDRT5075F5C, for site plan approval to convert the existing dining room into office/retail. This property is located at 3300 Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district. Winston Bartley was present to explain the request. No exterior changes are proposed. Conditional Use approval was granted by the Zoning Board on 8/14/17. The parking requirement for the office/retail is less than the requirement for the existing restaurant. There were no comments from the public. Dave LaBelle made a motion to close application 17-063 by Winston Bartley. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-066 by Walter & Steven Wright, PIN #NMSDC004F5C, for site plan approval to use a portion of the front lawn to sell used cars, ATVs, equipment, tools, trailers, etc... They will not be a registered car dealer. This property is located at 3071 Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district. Walter & Steve Wright were present to explain the request. There was much discussion concerning the sale of motor vehicles and whether Conditional Use approval is needed. Because they will not be a registered car dealer and therefore cannot sell more than 11 cars in a year, the Commission decided that conditional use approval is not required. The existing drive is paved and they will not be adding any exterior lighting or signage. Abutting property owner Bill Leavens spoke in favor of the proposal. After all public comments were heard Dave LaBelle made a motion to close application 17-066 by Walter & Steven Wright. Seconded by Richard Del Favero. **Approved by a unanimous decision.**

Application 17-067 by Donald Cook, PIN #TRD03051B5T, for site plan approval to have a park model RV on their lot to be used for guests. This property is located at 2355 Beebe Road and is in the Residential One Acre (R1) zoning district. Kimberly Cook was present to explain the request. The park model RV will be used for guests and will be hooked up to water, sewer, and electricity. It will be located a minimum of 50 ft from their existing home so that it would be theoretically possible to subdivide the property and have both dwellings on their own lot. There were no comments from the public. Dave LaBelle made a motion to close application 17-067 by Donald Cook. Seconded by Jane Clark. **Approved by a unanimous decision.**

After deliberations Dave LaBelle made a motion to grant site plan approval for 17-063 by Winston Bartley as submitted (see attached written decision). Seconded by Jim Bumps. **Approved by a unanimous.**

Dave LaBelle made a motion to grant site plan approval for 17-066 by Walter & Steven Wright as submitted with the following 4 conditions: 1) No more than 2 cars may be displayed at any one time, 2) no more than 11 cars may be sold within any one calendar year, 3) no exterior lighting may be added, and 4) no signage may be erected (see attached written decision). Seconded by Jane Clark. **Approved by a unanimous.**

After deliberations Jane Clark made a motion to grant site plan approval for 17-067 by Donald Cook as submitted (see attached written decision). Seconded by Dave LaBelle. **Approved by a unanimous.**

The commission reviewed their mail.

On a motion by Dave LaBelle and seconded by Jim Bumps the commission went into executive session to evaluate the Zoning Administrator. **Approved by a unanimous.**

Out of executive session. No action taken.

8:57 p.m.: There will be no meeting on Labor Day September 4th. Next regular meeting will be on September 18th at 7:00 pm. On a motion by Jim Bumps and seconded by Dave LaBelle, the meeting was adjourned.

The minutes were taken by Bob Kelley.