

*** Unapproved ***

DERBY PLANNING COMMISSION *MINUTES*** December 11, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Perry Petrillo, Chris Roy.

7:00 p.m.: Chair Joe Profera called the meeting to order. Jane Clark made a motion to approve the minutes to the November 27th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-103 by Shattuck Hill Investments (Walmart), PIN #NDRT5017G3T, for site plan approval for 8 new online pickup parking stalls with an 18 ft by 73 ft canopy. This property is located at 115 Seymour Drive and is in a Commercial (COM) zoning district. Perry Petrillo was present to explain the request. All aspects of the project were reviewed. There were no comments from the public. Dave LaBelle made a motion to close application 17-103 by Shattuck Hill Investments (Walmart). Seconded by Jane Clark. **Approved by a unanimous decision.**

After deliberations Jim Bumps made a motion to grant site plan approval for 17-103 by Shattuck Hill Investments (Walmart) as submitted (see attached written decision). Seconded by Jane Clark. **Approved by a unanimous.**

7:30 p.m.: Next regular meeting will be on January 8, 2018 at 7:00 pm. On a motion by Jim Bumps and seconded by Jane Clark, the meeting was adjourned.

The minutes were taken by Dave LaBelle.

DERBY PLANNING COMMISSION *MINUTES*** November 27, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Elizabeth Bumps, Josh Provost, Ruth Marsh, Thelma Boucher, Matt Wamsganz, Doug Spates, Jane Edwards, Chris Roy, 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 October 30th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-098 by Champlain Oil Company, PIN #NDRT5074F5C & #NDRT5076F5C, for site plan approval to demolish the existing gas station and bowling alley to build a 4,800 sq ft Mini-Mart and a 1,632 sq ft gas canopy with 5 fuel pumps. This property is located at 3319 - 3351 Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district. Matt Wamsganz was present to explain the request. All aspects of the project were discussed including access, drainage, landscaping, screening, utilities, parking, circulation, grading, hours of operation, etc... Ms. Edwards pointed out that the mini-mart will be open longer hours than the existing gas station and thought that a sidewalk should be built from Boucher Circle to the tee at the Cow Palace. Ms. Bumps, Ms. Marsh and Ms. Boucher asked for clarification on various aspects of the site plan. A letter and an email from Regis and Bernadette Beloin were read. Their concerns were screening and drainage which Mr. Wamsganz addressed. After all public comments Dave LaBelle made a motion to close application 17-098 by Champlain Oil Company. Seconded by Jane Clark. **Approved by a unanimous decision.**

After deliberations Dave LaBelle made a motion to grant site plan approval for 17-098 by Champlain Oil Company as submitted (see attached written decision). Seconded by Jim Bumps. **Approved by a unanimous.**

The commission reviewed their mail.

8:00 p.m.: Next regular meeting will be on December 11, 2017 at 7:00 pm. Bob Kelley informed the commission that he would not be present at the Dec 11th meeting. On a motion by Jim Bumps and seconded by Dave LaBelle, the meeting was adjourned.

The minutes were taken by Bob Kelley.

DERBY PLANNING COMMISSION *MINUTES*** October 30, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Todd Wright, ZA Bob Kelley.

7:05 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the October 16th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

The commission continued review Article 2 of the bylaw. Light Manufacturing was added as a permitted use to the COM/IND district, Motor Vehicle Repair was removed from the VCDL & VCDC districts, Office was changed from a conditional use to a permitted use in the VCDC district, and sections 209 Conditional Uses, 210 Changes in Use, 211 Site Plan Review, & 212 Site Plan Design Standards were reviewed approved with no further changes to the draft. Todd Wright was present checking on the zoning for his property on Upper Quarry Road. In the spring he requested that it be changed from Special Lands to Residential 2-Acre or Rural Residential. Review of the zoning map is the last thing needed to begin the amendment process for the changes to Article 2 and the Commission will begin reviewing the zoning map at their next meeting on Nov 27th.

The commission reviewed their mail.

8:35 p.m.: Two members will not be able to attend the Nov 13th meeting so it was canceled. The next regular meeting will be on November 27, 2017 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.

DERBY PLANNING COMMISSION *MINUTES*** October 16, 2017**

MEMBERS PRESENT: Joe Profera, Dave LaBelle, Jim Bumps.

MEMBERS ABSENT: Richard Del Favero, Jane Clark.

OTHERS PRESENT: ZA Bob Kelley.

7:00 p.m.: Chair Joe Profera called the meeting to order. The minutes to October 2nd stated that the next regular meeting would be October 2nd rather than October 16th, otherwise Dave LaBelle made a motion to approve the minutes to the October 2nd as written. Seconded by Jim Bumps.

Approved by a unanimous decision.

The commission continued review Article 2 of the bylaw. Function Hall was added back into the Shoreland district. §209 Conditional Uses was approved.

The commission reviewed their mail.

8:15 p.m.: Next regular meeting will be on October 30th 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.

DERBY PLANNING COMMISSION *MINUTES*** October 2, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: 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 September 18th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

The commission continued review of the bylaw. Changes made to the DRAFT bylaw included: Senior Housing was added as a permitted use to the RHD and RMD districts and added as a conditional use in the R1 district; R2 changes –Hotel/Motel, Lodging House, & Mobile Home Park were deleted as conditional uses, Senior Housing added as a conditional use; RR changes – Mobile Home Park deleted as a conditional use and Senior Housing added as a conditional use; SD changes – footnote added clarifying that the shoreline is considered the front yard; and SL changes – Cottage Industry deleted as a conditional use.

Derby Line and Derby Center will be asked to review the uses allowed in the village districts and to review the zoning district maps.

The commission reviewed their mail.

8:40 p.m.: Next regular meeting will be on October 2nd at 7:00 pm. On a motion by Jim Bumps and seconded by Jane Clark, the meeting was adjourned.

The minutes were taken by Bob Kelley.

DERBY PLANNING COMMISSION *MINUTES*** September 18, 2017**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Robert Micknak, Marcy Giroux, William Lapierre, Delores Lapierre, 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 August 21st as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-072 by William Lapierre, PIN #TRD41079L2T, for preliminary and final plat approval for a 2 lot subdivision. Lot #2 – 37 acres and lot #3 – 20.9 acres. This property is located at 2320 Pine Hill Road and is in the Residential 2 Acre (R2) zoning district. William Lapierre was present to explain the request. Straight forward subdivision. There were no comments from the public. Dave LaBelle made a motion to close application 17-072 by William Lapierre. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-073 by Robert & Pam Micknak, PIN #TRD32083N4T, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 15.8 acres and lot #2 – 92.7 acres. This property is located at 4440 Hinman Settler Road and is in the Rural Residential (RR) and Special Lands (SL) zoning districts. Robert Micknak was present to explain the request. Straight forward subdivision. There were no comments from the public. Dave LaBelle made a motion to close application 17-073 by Robert & Pam Micknak. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-074 by David Giroux, PIN #TRD03018C5T, for site plan approval for a 50 ft by 47 ft addition to his garage for cardboard recycling/bailing. This property is located at 674 Beebe Road and is in the Commercial (COM) zoning district. Marcy Giroux was present to explain the request. Jim Bumps recused himself due to a conflict in interest. The addition is needed to keep the cardboard dry for recycling. There were no comments from the public. Dave LaBelle made a motion to close application 17-074 by David Giroux. Seconded by Richard Del Favero. **Approved by a unanimous decision with Jim Bumps abstaining.**

After deliberations Dave LaBelle made a motion to grant site plan approval for 17-072 by William Lapierre 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.**

Jim Bumps made a motion to grant site plan approval for 17-073 by Robert & Pam Micknak 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 Dave LaBelle. **Approved by a unanimous.**

Jane Clark made a motion to grant site plan approval for 17-074 by David Giroux as submitted with the condition that the first 25 ft of the driveway from the edge of Beebe Road must be paved (see attached written decision). Seconded by Dave LaBelle. **Approved by a unanimous with Jim Bumps abstaining.**

The commission reviewed their mail.

8:00 p.m.: Next regular meeting will be on October 2nd at 7:00 pm. On a motion by Jim Bumps and seconded by Richard Del Favero, the meeting was adjourned.

The minutes were taken by Bob Kelley.

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.

DERBY PLANNING COMMISSION *MINUTES*** July 10, 2017**

MEMBERS PRESENT: Joe Profera, Dave LaBelle, Jim Bumps.

MEMBERS ABSENT: Richard Del Favero, Jane Clark.

OTHERS PRESENT: Clark Curtis, Bob Currier, Woodman Page, Ruth Sproull, Robin Smith, Paul Prue, 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 June 26th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Newport Planning Commission members, Clark Curtis, Bob Currier, Woodman Page & Ruth Sproull were present to discuss issues affecting both communities. Existing and proposed developments were discussed as were water/sewer issues. The City is happy with the switch to a DRB.

8:36 p.m.: There will be no meeting on July 24th. Next regular meeting will be on August 7th 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.

DERBY PLANNING COMMISSION *MINUTES*** June 26, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Edith Lindblom-Warthin.

7:05 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the June 12th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-049 by Edith Lindblom-Warthin, PIN #TRD18044B8T, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 5.4 ac and Lot #2 – 5.0 ac. This property is located at 2005 Herrick Road and is in the Rural Residential (RR) zoning district. Edith Lindblom-Warthin was present to explain the request. All aspects of the project were explained. There is a 10 acres lot past the Warthin property along the private right of way. There were no comments from the public. Dave LaBelle made a motion to close application 17-049 by Edith Lindblom-Warthin. Seconded by Jane Clark. **Approved by a unanimous decision.**

After deliberations Dave LaBelle made a motion to grant site plan approval for application 17-049 by Edith Lindblom-Warthin 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 Jane Clark. **Approved by a unanimous.**

7:30 p.m.: Next regular meeting will be on July 10th 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.

DERBY PLANNING COMMISSION *MINUTES*** June 12, 2017**

MEMBERS PRESENT: Joe Profera, Dave LaBelle, Jim Bumps.

MEMBERS ABSENT: Jane Clark, Richard Del Favero.

OTHERS PRESENT: Owen Speulstra, ZA Bob Kelley.

7:10 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the May 15th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-047 by McDonalds Corp, PIN #NDRT5037G3T, for site plan approval to renovate the existing building and add an additional drive thru lane. This property is located at 4558 US Route 5 and is in the Commercial (COM) zoning district. Owen Speulstra from Bohler Engineering was present to explain the request. All aspects of the project were explained. The building will be remodeled in the same footprint, everything will be ADA compliant, a second drive thru lane will be added, additional landscaping will be added, and the exterior lighting will be switched to LEDs. There were no comments from the public. Dave LaBelle made a motion to close application 17-047 by McDonalds Corp. Seconded by Jim Bumps. **Approved by a unanimous decision.**

After deliberations Jim Bumps made a motion to grant site plan approval for application 17-047 by McDonalds Corp as submitted (see attached written decision). Seconded by Dave LaBelle. **Approved by a unanimous.**

The commission reviewed their mail.

7:50 p.m.: Next regular meeting will be on June 26th 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.

DERBY PLANNING COMMISSION *MINUTES*** May 15, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Dolores Lewis, Fran Batchelder, Frank Knoll, Lois Major, Maureen Badger, Ginette Provost, Mickey Morelle, Allyson Howell, Dan Dagesse, Kenneth LeMoyne, Thomas Moseley, Lesley Becker, ZA Bob Kelley.

7:00 p.m.: Chair Joe Profera called the meeting to order. Jane Clark made a motion to approve the minutes to the May 1st as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Dave LaBelle made a motion to delete application 17-028 by Robert & Angela Conrad from the agenda because the ZBA denied conditional use approval. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-029 by the Dailey Memorial Library, PIN #SMSDC024G5CTXM, for site plan approval for a 32 ft by 25 ft addition to the rear of the Library. This property is located at 101 Junior High Drive. Thomas Moseley was present to explain the request. Jane Clark recused herself from this application due to a conflict of interest. All aspects of the project were explained. The main entrance will be moved to the rear of the building where a new parking lot is proposed. The trees on the site plan are not being proposed at this time. The existing landscaping in the front will remain. There were no comments from the public. Dave LaBelle made a motion to close application 17-029 by the Dailey Memorial Library. Seconded by Jim Bumps. **Approved by a unanimous decision with Jane Clark abstaining.**

After deliberations Dave LaBelle made a motion to grant site plan approval for application 17-029 by the Dailey Memorial Library as submitted (see attached written decision). Seconded by Jim Bumps. **Approved by a unanimous decision with Jane Clark abstaining.**

Allyson Howell and Lesley Becker were present and explained how excessive signage can have an adverse affect on underage drinking and smoking. Some towns are limiting signs in windows to cover no more than 1/3 of the window. The commission will review the materials submitted.

The commission reviewed their mail.

8:00 p.m.: There will not be a meeting in 2 weeks on Memorial Day. Next regular meeting will be on June 12th 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.

DERBY PLANNING COMMISSION *MINUTES*** May 1, 2017**

MEMBERS PRESENT: Dave LaBelle, Jane Clark, Jim Bumps.

MEMBERS ABSENT: Joe Profera, Richard Del Favero.

OTHERS PRESENT: ZA Bob Kelley.

7:05 p.m.: Vice Chair Dave LaBelle called the meeting to order. Jane Clark made a motion to approve the minutes to the April 17th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

The commission reviewed the zoning maps. Bob pointed out a lot of areas that were spot zoned and lots that were split between 2 districts. It was suggested that these areas be changed. The commission agreed and thought it would be a good idea to see if the Selectboard agreed before proceeding.

The commission reviewed their mail.

8:00 p.m.: Next regular meeting will be on May 15th at 7:00 pm. On a motion by Jim Bumps and seconded by Jane Clark, the meeting was adjourned.

The minutes were taken by Bob Kelley.

DERBY PLANNING COMMISSION *MINUTES*** April 17, 2017**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Lori Before, Nate Nadeau, Michael Hinton, Josh Poulin, ZA Bob Kelley.

7:05 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the April 3rd as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-018 by Michael & Denise Hinton, PIN #TRD03063A4T, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 9.96 ac and Lot #2 – 70.3 ac. This property is located at 2663 Beebe Road and is in the Residential 2-Acre (R2) zoning district. Nate Nadeau was present to explain the request. Lot #1 has frontage on Beebe Road and Darling Hill Road. Lot #2 has frontage on Darling Hill Road and a 50 ft wide right of way for agricultural purposes across lot #1. Both lots far exceed the lot minimums (2 acres with 200 ft width and depth) for the R2 district. Lori Before submitted a letter to the commission and explained an issue she had with the subdivision because one of the lines of lot #2 that abuts her property has not been surveyed. The commission explained that line in question is a private matter between the 2 property owners and has no bearing on this application. After all public comments were heard Dave LaBelle made a motion to close application 17-018 by Michael & Denise Hinton. Seconded by Jim Bumps. **Approved by a unanimous decision.**

After deliberations Dave LaBelle made a motion to grant site plan approval for application 17-018 by Michael & Denise Hinton 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.

The commission went into executive session to discuss Zoning Administrator reappointment. No action taken.

8:45 p.m.: Next regular meeting will be on May 1st 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.

DERBY PLANNING COMMISSION *MINUTES*** April 3, 2017**

MEMBERS PRESENT: Joe Profera, Dave LaBelle, Jane Clark.

MEMBERS ABSENT: Jim Bumps, Richard Del Favero.

OTHERS PRESENT: Teresa Nelson, Janet Barrup Slater, Nathan Nadeau, Jacques Nadeau, ZA Bob Kelley.

7:10 p.m.: Chair Joe Profera called the meeting to order. Dave LaBelle made a motion to approve the minutes to the March 20th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-011 by Nadeau Properties LLC, PIN #NDRT5021G3T, for site plan approval to add a fenced in gravel storage area. This property is located at 5086 Route 5 and is in the Commercial (COM) zoning district. Jacques Nadeau was present to explain the request. Mr. Nadeau was not sure if any lighting would be added, the fence will not be higher than 8 ft., and the curb cut changes have been approved by the State. There were no comments from the public. Dave LaBelle made a motion to close application 17-011 by Nadeau Properties LLC. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-012 by Teresa Nelson, PIN #TRD35020G6T, for preliminary and final plat approval for a 3 lot subdivision. Lot #1 – 5.01 ac, Lot #2 – 5.94 ac, and Lot #3 – 5.90 ac. This property is located at 808 Derby Pond Road and is in the Shoreland (SD) zoning district. Teresa Nelson was present to explain the request. Lots #1 & #2 are for sale. Lot #2 has a State wastewater permit in place and the other two lots are deferred. There were no comments from the public. Dave LaBelle made a motion to close application 17-012 by Teresa Nelson. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-008 by Nelson Farms Inc, PIN #SMSDC006G5C, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 1.39 ac and Lot #2 118 ac. This property is located at 249, 269 & 289 VT Route 111 and is in the Village Residential Derby Center (VRDC) zoning district. This application was tabled from their last meeting. On a motion by Jane Clark and seconded by Dave LaBelle the application was taken off the table. Nathan Nadeau was present to explain the request. Lot #1 with the houses is serviced by Village water and onsite septic. Each house has a State wastewater permit. Lot #2 is deferred. There were no comments from the public. Jane Clark made a motion to close application 17-008 by Nelson Farms Inc. Seconded by Dave LaBelle. **Approved by a unanimous decision.**

Application 17-009 by Rodney Barrup, PIN #TRD27011F3T, for site plan approval to add parking with additional exterior lighting. This property is located at 463 Quarry Road and is in the Commercial (COM) zoning district. This application was tabled from their last meeting. On a motion by Dave LaBelle and seconded by Jane Clark the application was taken off the table. Janet Barrup Slater was present to explain the request. No changes have been made to the lights since the last meeting. Vince Illuzzi submitted another photo of the lights. There were no comments from the public. Jane Clark made a motion to close application 17-009 by Rodney Barrup. Seconded by Dave LaBelle. **Approved by a unanimous decision.**

After deliberations Jane Clark made a motion to grant site plan approval for application 17-011 by Nadeau Properties LLC as submitted with the following 2 conditions: 1) The proposed fence must be 8 ft or less in height. 2) Any new lighting must be submitted to and approved by the Planning Commission (see attached written decision). Seconded by Dave LaBelle. **Approved by a unanimous decision.**

Dave LaBelle made a motion to grant final plat approval for application 117-012 by Teresa Nelson 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 Jane Clark. **Approved by a unanimous decision.**

Jane Clark made a motion to grant final plat approval for application 17-008 by Nelson Farms Inc 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 Dave LaBelle. **Approved by a unanimous decision.**

Dave LaBelle made a motion to grant site plan approval for application 17-009 by Rodney Barrup as submitted with the following 2 conditions: 1) The existing lighting upgrades that were installed prior to applying for this permit must be immediately removed or adjusted so that they are down lit in such a manner that the light source is not visible from off the property. 2) If additional lighting is needed for safety or security all additional lights must be down lit in such a manner that the light source shall not be visible from off the property (see attached written decision). Seconded by Jane Clark. **Approved by a unanimous decision.**

The commission briefly reviewed the proposed bylaw amendments submitted by Ernest Wright and Todd Wright at their last meeting. No action was taken.

The commission reviewed their mail.

8:20 p.m.: Next regular meeting will be on April 17th at 7:00 pm. On a motion by Dave LaBelle and seconded by Jane Clark, the meeting was adjourned.

The minutes were taken by Bob Kelley.

DERBY PLANNING COMMISSION *MINUTES*** March 20, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Terry Judd, Nancy Cass, Janet Barrup Slater, Rodney Barrup, Christopher Roy, Jim Crowe, Ernest Wright, Donna Wright, Todd Wright, Hilarie Wright, Tony Tanguay, Paul Prue, Vincent Illuzzi.

7:00 p.m.: Chair Joe Profera called the meeting to order. Jane Clark made a motion to approve the minutes to the Feb 6th as written. Seconded by Jim Bumps. **Approved by a unanimous decision.**

Application 17-006 by the City of Newport, PIN #NDRT5026G3T3, for site plan approval for 400,000 gallon 90 ft tall water storage and pressure tank. This property is located at off Route 5 behind Cass Insurance and is in the Commercial (COM) zoning district. The applicant was unable to attend tonight's meeting and has asked that the hearing be rescheduled. The Commission will reschedule the hearing at a date convenient to the applicant.

Application 17-008 by Nelson Farms Inc, PIN #SMSDC006G5C, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 1.39 ac and Lot #2 118 ac. This property is located at 249, 269 & 289 VT Route 111 and is in the Village Residential Derby Center (VRDC) zoning district. The applicant was not present to explain the request. Dave LaBelle made a motion to table application 17-008 by Nelson Farms Inc until 7:00 pm Monday April 3, 2017. Seconded by Jane Clark. **Approved by a unanimous decision.**

Application 17-009 by Rodney Barrup, PIN #TRD27011F3T, for site plan approval to add parking with additional exterior lighting. This property is located at 463 Quarry Road and is in the Commercial (COM) zoning district. Rodney Barrup and Janet Slater Barrup were present to explain the request. Jim Crowe – lives across the street and the lights do not bother him. Vince Illuzzi – Submitted letter in writing opposed to the lighting due to the adverse affect on his property. He has also talked to Omar Choquette and it affects his property also. Chris Roy asked for clarification about what the project is. Dave LaBelle made a motion to table application 17-009 by Rodney Barrup until 7:00 pm Monday April 3, 2017. Seconded by Jane Clark. **Approved by a unanimous decision.**

Bylaw amendment proposed by Ernest & Donna Wright to allow Senior Housing in the Rural Residential (RR) zoning district. Ernest & Donna Wright were present to explain their request and answer questions from the Commission. They are in the very preliminary stages of this project. The Commission will discuss this again at a later date.

Bylaw amendment proposed by Todd Wright to change his property on Upper Quarry Road from Special Lands (SL) to Rural Residential (RR) or Residential 2-Acre (R2). Todd Wright was present to explain the request and answer questions from the Commission. The Commission will discuss this again at a later date.

8:00 p.m.: Next regular meeting will be on April 3rd at 7:00 pm. On a motion by Jim Bumps and seconded by Jane Clark, the meeting was adjourned.

The minutes were taken by Bob Kelley.

DERBY PLANNING COMMISSION *MINUTES*** February 6, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: ZA Bob Kelley.

7:00 p.m.: Chair Joe Profera called the meeting to order. Jane Clark made a motion to approve the minutes to the Jan 23rd as written. Seconded by Dave LaBelle. **Approved by a unanimous decision.**

The Commission continued review of the bylaw starting at §206 Derby District Regulations. The IND, COM/IND, COM, RHD, RMD, and R1 draft district regulations were reviewed and minor changes made. The Commission would like copies of the zoning map made so that they can review them at home.

The commission reviewed their mail and Bob updated them on the Guillette appeal.

8:25 p.m.: Next regular meeting will be on March 20th 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.

DERBY PLANNING COMMISSION *MINUTES*** January 23, 2017**

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

MEMBERS ABSENT: None.

OTHERS PRESENT: David Desrochers, Amber Roberge, Bradley Roberge, 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 Jan 9th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Dave LaBelle made a motion to remove application 17-002 by Delabrueres Enterprise from the table. Seconded by Jim Bumps. **Approved by a unanimous decision.**

This application was tabled from their last meeting because it was thought that a letter from Vtrans was needed. It turns out that access is controlled by the City of Newport not the State. Dave LaBelle made a motion to close application 17-002 by Delabrueres Enterprise. Seconded by Jane Clark. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 17-003 by David Desrochers, PIN #TRD03041C5T, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 24.32 ac and Lot #2 24.00 ac. This property is located at 1463 Beebe Road and is in the Residential 2 Acre (R2) zoning district. Mr. Desrochers & Ms. Roberge were present to explain the request. It is a straight forward subdivision, both lots have frontage on a public road, and all setbacks to the proposed new lot line are met. There were no comments from the public. Dave LaBelle made a motion to close application 17-003 by David Desrochers. Seconded by Jane Clark. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 17-004 by Rejean & Laurie Roberge, PIN #TRD18043C7TRW, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 55.68 ac and Lot #2 10.00 ac. This property is located at off Herrick Road on Aldrich Lane and is in the Rural Residential (RR) zoning district. Mr. Roberge was present to explain the request. It is a straight forward subdivision, both lots have access via a private right of way, and the lot is vacant. There were no comments from the public. Dave LaBelle made a motion to close application 17-004 by Rejean & Laurie Roberge. Seconded by Richard Del Favero. **Approved by a unanimous decision.**

Green Lantern Group failed to notify the Town when they notified all other statutory parties of their intent to apply for a Certificate of Public Good (CPG) to build a 500 kW solar array on the Gosselin property. Unless waived, they must wait 45 days before applying for the CPG and have asked the Town to waive the waiting period. Dave LaBelle moved to waive the waiting period. Seconded by Jane Clark. **Approved by a unanimous decision.**

After deliberations Dave LaBelle made a motion to grant site plan approval for application 17-002 by Delabrueres Enterprise as submitted (see attached written decision). Seconded by Jane Clark. **Approved by a unanimous decision.**

Dave LaBelle made a motion to grant final plat approval for application 1717-003 by David Desrochers 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 Richard Del Favero. **Approved by a unanimous decision.**

Jane Clark made a motion to grant final plat approval for application 17-004 by Rejean & Laurie Roberge 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.

7:50 p.m.: Next regular meeting will be on Feb 6th 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.

DERBY PLANNING COMMISSION *MINUTES*** January 9, 2017**

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

MEMBERS ABSENT: Richard Del Favero.

OTHERS PRESENT: Mike Rowell, 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 Dec 12th as written. Seconded by Jane Clark. **Approved by a unanimous decision.**

Dave LaBelle made a motion to rearrange the agenda to review the Delabruere application first. Seconded by Jane Clark. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 17-002 by Delabrueres Enterprise, PIN #NDRT5001G2T, for site plan approval for 2 additions to their service garage. A 10 ft by 51 ft addition for an additional garage bay and a 9 ft by 56 ft addition for parts storage. This property is located at 5602 Route 5 and is in the Commercial (COM) zoning district. Mr. Rowell was present to explain the request. It was noted that there was a typo on the warning; the proposed addition for an additional garage bay is 20 ft side not 10 ft. The land slopes down where the proposed new garage bay will be located and the area will have to be terraced. The applicant has applied for an 1111 permit from the State. They have not received the required letter of intent from the Agency of Transportation confirming that the Agency has reviewed the proposed site plan and is prepared to issue an access permit. No new exterior lighting is proposed. There were no comments from the public. Jim Bumps made a motion to table application 17-002 by Delabrueres Enterprise until 7:00 p.m. January 23, 2017 here in the municipal building to give the applicant time to get the required letter of intent from the Agency of Transportation in regards to the access. Seconded by Dave Labelle. **Approved by a unanimous decision.**

Chair Joe Profera read the warning application 17-001 by Derby Boys LLC, PIN #TRD44026I2T, for preliminary and final plat approval for a 2 lot subdivision. Lot #1 – 21.4 ac and Lot #2 5.6 ac. This property is located at 144 Citizens Road and is in the Commercial/Industrial (COM/IND) zoning district. The applicant was not present. After discussion, the commission decided to continue review of the application without the applicant present because it is a straight forward 2 lot subdivision and the commission did not have any questions in regards to the application submittals. Both lots have existing access drives off of Citizens Road and exceed the dimensional requirements for the COM/IND district. There were no comments from the public. Dave LaBelle made a motion to grant final plat approval for application 17-001 by Derby Boys LLC 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.

7:35 p.m.: Next regular meeting will be on Jan 23rd 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.