

\*\*\* Unapproved \*\*\*

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* July 6, 2020**

**MEMBERS PRESENT:** Bob DeRoehn, Hazen Converse, Joe Profera, Cynthia Adams, Barbara Sheltra.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 6:30 P.M.**

**APPROVE MINUTES:**

Cynthia Adams moved to approve the June 22, 2019 minutes as written, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENT: None.**

**PUBLIC HEARING:**

Bob DeRoehn move to recess their regular meeting to go into a Public Hearing on Proposed Bylaw Amendments to Articles 2, 3, 8, & 11 and the Zoning District Boundary Map, seconded by Hazen Converse. Unanimous.

Public Comments: Alison Low (NVDA) emailed comments on the proposed bylaw amendments which included concerns about the following:

§203 Interpretation of district boundaries: She thought that the following should be added – “The location of the boundary of the Special Flood Hazard Area shall be determined by the Administrative Officer. If the applicant disagrees with the determination made by the Administrative Officer, a Letter of Map Amendment from FEMA shall constitute proof.”

Industrial District: She questioned how Asphalt/Concrete Plant is different than Heavy Manufacturing.

Home Occupations: She thought that Home Occupation should be a permitted use in the IND, CON/IND, and COM districts even though single family dwelling are not a permitted or conditional use in the districts because by State Statute a Home Occupation is a permitted use of a single family dwelling even if it is a nonconforming use in the district.

Telecommunication Towers: She thought that this use didn't need to be in the Bylaw because they are controlled by the State not the Town.

Shoreland District: She thought that wording should be added to let the applicant know that a State Shoreland Permit is required for all development within 250 ft of all lakes.

There were no other comments from the public.

Cynthia Adams moved to close the Public Hearing and return to their regular meeting, seconded by Barbara Sheltra. Unanimous.

**NEW/OLD BUSINESS:**

**Reorganize the Board** – Cynthia moved to elect Joe Profera as Chair and Bob DeRoehn as Vice-Chair, seconded by Barbara Sheltra. Unanimous.

**To consider the proposed Bylaw Amendments discussed at the Public Hearing** – Bob DeRoehn moved to approve the Proposed Bylaw Amendments with the following changes for submittal to the Selectboard, seconded by Cynthia Adams. Unanimous.

**Approved Changes:**

Add - §203.4 The location of the boundary of the Special Flood Hazard Area shall be determined by the Administrative Officer. If the applicant disagrees with the determination made by the Administrative Officer, a Letter of Map Amendment from FEMA shall constitute proof.

Add – Home Occupation as a permitted use in the IND, COM/IND, and COM zoning districts.

Delete – Telecommunications Tower, co-location and Telecommunications Tower, new construction from all zoning districts.

Add – the following paragraph to the end of the Objective section of §206.9 Shoreland District: A State Shoreland Permit may be required for development within 250 feet of the shoreline of Lake Memphremagog, Lake Salem, Little Salem, Derby Pond, and Brownington Pond.

**Zoning Bylaw Review** – Articles 4: The Commission reviewed made appropriate changes to §402.5 Wind Turbines and Electrical Generation and §402.6 Service Areas. Bylaw review will continue starting with §402.7 Parking, Access, Loading & Circulation Requirements at their next meeting.

**Mail** – There was no mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on July 20, 2020. Cynthia Adams moved to adjourn at 7:35 PM, seconded by Hazen Converse. Unanimous.

*The minutes were taken by Bob Kelley.*