Derby Development Review Board * Minutes * February 3, 2020

Members Present: Bob DeRoehn, Tim Bronson, Dave LaBelle, Jim Bumps, Joe Profera, Judy

Nommik.

Members Absent: Adam Guyette.

Others Present: James Bartley, Bob Kelley.

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

APPROVE MINUTES:

Joe Profera moved to approve the minutes of November 25, 2019 with Tim Bronson seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-001 by Barbara Bartley, PIN #NDRT5039G3T, for site plan approval to convert the existing small building into offices and to enclose the existing porch. This property is located at 4518 US Route 5 and is in the Commercial (COM) zoning district.

James Bartley was present to explain the request. The building being modified is the former ticket sales office for the mini-golf/race track. Mr. Bartley will be using the building for his office for McDonalds. At some point the main building in the front may be demolished. It was noted that a portion of the westerly boundary abutting the McDonalds lot does not have a 10 ft wide greenstrip. There were no comments from the public. Tim Bronson moved to close the hearing for application 20.001, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-001 by Barbara Bartley as submitted with the condition that when the main building at the front of the lot is demolished a 10 ft wide greenstrip must be installed along the westerly lot line abutting the McDonalds lot, with Tim Bronson seconding. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Jim Bumps moved to adjourn the meeting at 6:20 p.m. with Bob DeRoehn seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * March 16, 2020

Members Present: Bob DeRoehn, Tim Bronson, Dave LaBelle, Jim Bumps, Joe Profera.

Members Absent: Adam Guyette, Judy Nommik. **Others Present:** Annie Brueck, Bob Kelley.

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

APPROVE MINUTES:

Joe Profera moved to approve the minutes of February 3, 2020 with Bob DeRoehn seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-006 by Coutts Moriarty Camp, PIN #TRD34001H6T, for site plan approval for a 42 ft by 34 ft addition to their Rec Center. This property is located at 490 4-H Road and is in the Shoreland (SD) and Rural Residential (RR) zoning districts.

Annie Brueck was present to explain the request. There is an old septic system in the location of the proposed addition and due to State wastewater regulations they could not excavate in this area until this year. The addition is for bathrooms, showers, and indoor meeting space. The existing bathrooms attached to the bunk house will be removed. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-006, with Tim Bronson seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-006 by Coutts Moriarty Camp as submitted, with Bob DeRoehn. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Joe Profera moved to adjourn the meeting at 6:120 p.m. with Jim Bumps seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * June 8, 2020

Members Present: Bob DeRoehn, Tim Bronson, Jim Bumps, Joe Profera. Adam Guyette, Judy

Nommik by teleconference. **Members Absent:** Dave LaBelle.

Others Present: Justin Wright, Walter Wright, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of March 16, 2020 with Jim Bumps seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-027 by Walter & Carol Wright, PIN #TRD54029L6T, for site plan approval for a second dwelling on their lot, a 12 x 62 mobile home. This property is located at 664 Bushey Hill Rd and is in the Rural Residential (RR) zoning district.

Justin & Walter Wright were present to explain the request. Walter Wright corrected the lot size on the applicant to 48 acres and initialed the change. The mobile homes will be placed far enough apart so that the lot could be subdivided into 2 lots without being nonconforming. The applicant was informed that a waste water permit from the State was probably required. There were no comments from the public. Tim Bronson moved to close the hearing for application 20-027, with Adam Guyette seconding. Unanimous.

After deliberations Jim Bumps moved to grant site plan approval for application 20-027 by Walter & Carol Wright as submitted, with Tim Bronson seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Bob DeRoehn moved to adjourn the meeting at 6:15 p.m. with Tim Bronson seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * July 6, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Jim Bumps, Joe Profera.

Members Absent: Tim Bronson, Judy Nommik, Adam Guyette.

Others Present: Bryan Davis, Robert Brown, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of June 8, 2020 with Joe Profera seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Bob DeRoehn moved to review the Davis application first, seconded by Joe Profera. Unanimous.

Application 20-042 by Bryan & Susan Davis, PIN #TRD01012A8T, for preliminary and final plat review for a 3 lot subdivision. Lot #1-5 acres, lot #2-11 acres, and remainder land 200+ acres. This property is located at 514 Holland Rd and is in the Rural Residential (RR) zoning district.

Bryan Davis was present to explain the request. This is a straight forward subdivision with all the lots meeting the minimums for the RR district. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-042, with Joe Profera seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-042 by Bryan & Susan Davis 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, with Bob DeRoehn seconding (see attached written decision). Unanimous.

Application 20-041 by Donald & Robert Brown, PIN #TRD03021D5T, for preliminary and final plat review for a 2 lot subdivision. Lot #1 - 50.0 acres and lot #2 - 86.4 acres. This property is located at 925 Beebe Rd and is in the Rural Residential (RR) zoning district.

Robert Brown was present to explain the request. This is also a straight forward subdivision with all lost meeting the minimums for the RR district. There were no comments from the public. Jim Bumps moved to close the hearing for application 20-041, with Joe Profera seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-041 by Donald & Robert Brown 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, with Jim Bumps seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Jim Bumps moved to adjourn the meeting at 6:15 p.m. with Joe Profera seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * August 3, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Jim Bumps, Joe Profera, Tim Bronson, Judy

Nommik, Adam Guyette.

Members Absent: None.

Others Present: Daniel Pickering, Sylvia Beauregard, Maurice Beauregard, Matthew Mears,

Matthew Houghton, Brian Smith, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of July 6, 2020 with Judy Nommik seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-054 by Maurice & Sylvia Beauregard, PIN #LKPKR005B2T, for conditional use approve for the expansion of a nonconforming structure for a 12 ft by 24 ft deck. This property is located at 50 Lake Park Extension and is in the Shoreland (SD) zoning district.

Maurice & Sylvia Beauregard were present to explain the request. The house is 5 ft from the side lot line and the deck will be 6 ft from the side lot line. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-054, with Judy Nommik seconding. Unanimous.

After deliberations Bob DeRoehn moved to grant site plan approval for application 20-054 by Maurice & Sylvia Beauregard as submitted, with Judy Nommik seconding (see attached written decision). Unanimous.

Application 20-057 by Fort Fairfield BP LLC, PIN #TRD44023I2T, for preliminary and final plat review for a 2 lot subdivision. Lot #2A - 3.37 acres with an existing office building and lot #2B - 2.23 acres with an existing office/garage building. This property is located at 190 and 144 Citizens Rd and is in the Commercial/Industrial (COM/IND) zoning district.

Matthew Houghton was present to explain the request. This is the same subdivision approved last year. The applicant did not file the Mylar within 180 days and had to reapply. There were no comments from the public. Tim Bronson moved to close the hearing for application 20-057, with Judy Nommik seconding. Unanimous.

After deliberations Jim Bumps moved to grant site plan approval for application 20-057 by Fort Fairfield BP 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, with Judy Nommik seconding (see attached written decision). Unanimous.

Application 20-058 by Karl Chaffee & Amber Renihan, PIN #TRD54117N4T, for preliminary and final plat review for a 2 lot subdivision. Lot #1-5.04 acres with an existing mobile home and lot #2-5.30 acres with no buildings. This property is located at 3834 Bushey Hill Rd and is in the Rural Residential (RR) zoning district.

Matthew Houghton was present to explain the request. This is a straight forward subdivision with all the lots meeting the minimums for the RR district. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-058, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-058 by Karl Chaffee & Amber Renihan 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, with Adam Guyette seconding (see attached written decision). Unanimous.

Application 20-060 by North Country Union High School District, PIN #TRD44024J2T1, for site plan approval for 89 ft by 38 ft bus garage. This property is located at 149 Citizens Rd and is in the Commercial/Industrial (COM/IND) zoning district.

Daniel Pickering & Matthew Mears were present to explain the request. This is similar to an application approved in 2010 except the building is a little smaller. The building will include a wash bay and maintenance area. The access drive does not have a paved apron. No landscaping plan was submitted. The lot is setback off the road with the only road frontage being the access drive. There were no comments from the public. Tim Bronson moved to close the hearing for application 20-060, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 20-060 by North Country Union High School District as submitted with two conditions; 1) the first 30 ft of the access drive off of Citizens Road shall be paved and 2) a landscape plan must be submitted and approved by the Zoning Administrator, with Tim Bronson seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

Two applications are pending for their next meeting on August 17th. Jim Bumps moved to adjourn the meeting at 6:25 p.m. with Adam Guyette seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * August 17, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Jim Bumps, Joe Profera, Adam Guyette.

Members Absent: Tim Bronson, Judy Nommik.

Others Present: Frank Knoll, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of August 3, 2020 with Adam Guyette seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-063 by Leonard Boulanger, PIN #SESAL022J7T, for conditional use approve to raise the existing camp within the floodplain to a minimum elevation of 968.9 ft. This property is located at 308 East Salem Drive and is in the Shoreland (SD) zoning district.

The Board was informed that the applicant has withdrawn the application. Joe Profera moved to remove application 20-063 from the agenda, seconded by Bob DeRoehn. Unanimous.

Application 20-073 by Northern Views LLC, PIN #SMSDC021G5C, for conditional use approve to change the use of the property from Office to Mixed Use (office & apartment). This property is located at 438 Main St Derby Center and is in the Village Residential Derby Center (VRDC) zoning district.

Frank Knoll, owner of Northern Views LLC, was present to explain the request. There will be no change to the footprint of the building. Renovations will have to comply with State building codes. A 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 under VSA Title 19 §1111 is required and has been applied for. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-073, with Adam Guyette seconding. Unanimous.

After deliberations Joe Profera moved to grant Conditional Use and site plan approval for application 20-073 by Northern Views LLC as submitted with the condition that a 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 under VSA Title 19 §1111 must be submitted to the Zoning Administrator, with Bob DeRoehn seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

Two applications are pending for their next meeting on August 31st. Jim Bumps moved to adjourn the meeting at 6:05 p.m. with Joe Profera seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * August 31, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Jim Bumps, Joe Profera, Adam Guyette, Judy

Nommik.

Members Absent: Tim Bronson.

Others Present: Helen Speckels, David White, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of August 17, 2020 with Joe Profera seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-071 by Helen Speckels, PIN #SESAL023J7T, for conditional use approve to expand a nonconforming structure by replacing the existing 10 ft by 10 ft deck with a 10 ft by 24 ft deck. The proposed deck will is located within the floodplain. This property is located at 324 East Salem Drive and is in the Shoreland (SD) zoning district.

Helen Speckels was present to explain the request. The deck will not get any closer to the side lot line that the existing house. The deck will be anchored to the house. The deck needs to be constructed of materials resistant to flood damage. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 20-071, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant Conditional Use and site plan approval for application 20-071 by Helen Speckels as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

Application 20-078 by the Town of Derby, PIN #ESSAL045H6TTXM, for conditional use approve for a shoreline restoration project at the Derby Beach House which will involve work within the floodplain. This property is located at 480 4-H Rd and is in the Shoreland (SD) zoning district.

Bob Kelley was present to explain the request. This project is to help stabilize the shoreline in front of the Derby Beach House and Coutts. There is a large tree along the shore that is getting eroded around the roots that is hoped to be saved. Material will need to be added within the floodplain to stop the undermining of the root system. Joe Profera mentioned that no fill should be added around the base of the tree. There were no comments from the public. Joe Profera moved to close the hearing for application 20-078, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant Conditional Use and site plan approval for application 20-078 by the Town of Derby as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

One application is pending for their next meeting on September 14th. Jim Bumps moved to adjourn the meeting at 6:05 p.m. with Adam Guyette seconding. Unanimous.

Derby Development Review Board * Minutes * September 14, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Jim Bumps, Joe Profera.

Members Absent: Tim Bronson, Judy Nommik, Adam Guyette.

Others Present: Shawn Driver, Rita Driver Johnson, Scott Driver, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of August 31, 2020 with Joe Profera seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-079 by Rita Driver, PIN #TRD53010K8T for preliminary and final plat review for a 3 lot subdivision. Lot #1-5.33 acres, lot #2-41.87 acres and lots #3-14.07 acres. This property is located at 228 Fontaine Rd and is in the Rural Residential (RR) zoning district.

The Drivers were present to explain the request. A 50 ft R.O.W. will be used to access lots 2 & 3. Otherwise it is a straight forward subdivision application. There were no comments from the public. Jim Bumps moved to close the hearing for application 20-079, with Bob DeRoehn seconding. Unanimous.

After deliberations Joe Profera moved to grant Conditional Use and site plan approval for application 20-079 by Rita Driver as submitted with the condition that a mylar of the approved subdivision plat must be filed with the Town Clerk within 180 days of this decision, with Jim Bumps seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

One application is pending for their next meeting on September 28th. Jim Bumps moved to adjourn the meeting at 6:13 p.m. with Bob DeRoehn seconding. Unanimous.

Derby Development Review Board * Minutes * September 28, 2020

Members Present: Bob DeRoehn, Dave LaBelle, Joe Profera, Adam Guyette, Judy Nommik (by phone).

Members Absent: Tim Bronson, Jim Bumps.

Others Present: Richard Wheeler, Suzie Wheeler, Tammy Blais, Traci Rae Lamarche, Bob

Kelley.

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

APPROVE MINUTES:

Judy Nommik moved to approve the minutes of September 14, 2020 with Adam Guyette seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-087 by Richard & Suzie Wheeler, PIN #TRD88019C2T for conditional use approval for an 8 ft high privacy fence 32 ft 6 ft along the front property line and 16 ft along a side property line. This property is located at 492 Sunset Acres and is in the Shoreland (SD) zoning district.

The Wheelers were present to explain the request. The reason for the fence is to block the view of the campground across the street. Tammy Blais and Traci Lamarche questioned the location of the fence and property line. The fence will be 3 ft from the Blais property line. There were no further comments from the public. Bob DeRoehn moved to close the hearing for application 20-087, with Adam Guyette seconding. Unanimous.

After deliberations Joe Profera moved to grant Conditional Use approval for application 20-087 by Richard & Suzie Wheeler as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Judy Nommik moved to adjourn the meeting at 6:15 p.m. with Adam Guyette seconding. Unanimous.

Unapproved Derby Development Review Board * Minutes * November 9, 2020

Members Present: Bob DeRoehn, Joe Profera, Jim Bumps, Judy Nommik (by phone).

Members Absent: Tim Bronson, Dave LaBelle, Adam Guyette. **Others Present:** Eileen Newton, Ken Newton, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of September 28, 2020 with Judy Nommik seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-105 by Ken Newton, PIN #ESSAL030H6T, for conditional use approval to build a retaining wall along the Lake Salem shoreline. The proposed retaining will is located within the floodplain. This property is located at 752 4-H Road and is in the Shoreland (SD) zoning district.

The Newtons were present to explain the request. The retaining wall was needed to help stop the erosion of the shoreline and protect existing trees whose roots have been exposed from the erosion. A letter dated 11/3/20 from the State Floodplain Manager was reviewed. The only fill brought in was two 14 cubic yards (cy) loads of topsoil and about 8 cy was used outside of the floodplain. The retaining wall is 3 blocks high and 100 ft long. The blocks are 1.5' tall and 3' deep and first block is buried. The approx 18 cy of soil removed to bury the first block was used as fill behind the wall. A total of approx 38 cy of fill was added to the property. The Board felt this would have little affect during a flood which is outweighed by the benefit of protecting the shore from erosion. There were no further comments from the public. Judy Nommik moved to close the hearing for application 20-105, with Bob DeRoehn seconding. Unanimous.

After deliberations Judy Nommik moved to grant Conditional Use approval for application 20-105 by Ken Newton as submitted, with Jim Bumps seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

Two applications are pending for the Board's meeting on November 23rd. Judy Nommik moved to adjourn the meeting at 6:17 p.m. with Jim Bumps seconding. Unanimous.

Derby Development Review Board * Minutes * November 23, 2020

Members Present: Dave LaBelle, Bob DeRoehn, Joe Profera, Jim Bumps, Judy Nommik (by

phone), Adam Guyette (by phone).

Members Absent: Tim Bronson.

Others Present: Ernest Wright, Donna Wright, Anthony Tanguay, Bob Kelley.

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

APPROVE MINUTES:

Judy Nommik moved to approve the minutes of November 9, 2020 with Bob DeRoehn seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-112 by Ernest & Donna Wright, PIN #TRD45011I5T1, preliminary and final plat review for a 2 lot subdivision. Lot #1-9.67 ac and remainder land 106 ac. This property is located off Route 5/Salem Derby Rd and is in the Rural Residential (RR) zoning district.

Ernest & Donna Wright were present to explain the request. They are simply splitting off a 9.67 ac triangle at the intersection of Route 105 and Salem Derby Road. They will be selling the development rights to the 106 ac parcel. There were no comments from the public. Joe Profera moved to close the hearing for application 20-112, with Adam Guyette seconding. Unanimous.

After deliberations Joe Profera moved to grant final plat approval for application 20-112 by Ernest & Donna Wright 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, with Jim Bumps seconding (see attached written decision). Unanimous.

Application 20-115 by Anthony Tanguay, PIN #RT005015E5T, for site plan approval to renew permit #06-083 to extend the construction time frame to build the last 2 self storage units. Building L-30 ft by 106 ft and building M-40 ft by 120 ft. This property is located at 150 Beebe Rd and is in the Commercial (COM) zoning district.

Anthony Tanguay was present to explain the request. There are no changes to the plan that was approved in 2006. Because of the economy the last 2 building were not built and now he wants to complete the project. There were no comments from the public. Joe Profera moved to close the hearing for application 20-115, with Bob DeRoehn seconding. Unanimous.

After deliberations Joe Profera moved to grant Site Plan approval for application 20-115 by Anthony Tanguay as submitted, with Judy Nommik seconding (see attached written decision). Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

There are no permits pending for DRB review. Jim Bumps moved to adjourn the meeting at 6:15 p.m. with Judy Nommik seconding. Unanimous.