

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

Derby Development Review Board \* Minutes \* February 1, 2021

**Members Present:** Tim Bronson, Bob DeRoehn, Joe Profera, Jim Bumps, Judy Nommik (by phone), Adam Guyette (by phone).

**Members Absent:** Dave LaBelle.

**Others Present:** Oscar Thayer, Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the minutes of November 23, 2020 with Jim Bumps seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-001 by Vermont Electric Cooperative, PIN #TRD44025I2T, for site plan approval for a 10 ft by 20 ft addition and to widen the access drive. This property is located at 344 Citizens Rd and is in the Commercial/Industrial (COM/IND) zoning district.

Oscar Thayer from Spates Construction was present to explain the request. Mr. Thayer explained that the applicant decided they wanted the utilities separated from the garage area and the 10 x 20 addition serves this purpose. The access drive was widened to allow trucks with trailers a straight line into all the bays or the building. The Board asked if the access drives were paved; they are not. The Board stated that that is usually a condition of all permits where the accesses enter onto a paved Town Road. There were no comments from the public. Tim Bronson moved to close the hearing for application 21-001, with Jim Bumps seconding. Unanimous.

After deliberations Bob DeRoehn moved to grant site plan approval for application 21-001 by Vermont Electric Cooperative as submitted with the condition that both access drives must have a 25 ft paved apron, with Jim Bumps seconding (see attached written decision). Unanimous, with Adam Guyette abstaining due to a conflict of interest.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

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

Submitted by Bob Kelley, *Unofficial until approved*

**Members Present:** In Person: Tim Bronson, Bob DeRoehn, Joe Profera, Jim Bumps, Remotely: Judy Nommik, Adam Guyette, Dave LaBelle.

**Members Absent:** None.

**Others Present:** In Person: Todd Wright, Timothy Mayhew, Alan Turner, Denise Turner, Andy Rowe, Matt Houghton, Suzanne Fortin, Yvon Fortin, Tony Tanguay, Cynthia Adams, Oscar Thayer, Bob Kelley, Remotely: Scott Kimball, SaraLee Kimball, Kathleen Ahearn, David Barlow, Sean Brown.

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

**APPROVE MINUTES:**

Tim moved to approve the minutes of February 1, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-013 by Vermont Electric Cooperative, PIN #TRD44025I2T, for site plan approval for a 50 ft by 80 ft storage building. This property is located at 344 Citizens Rd and is in the Commercial/Industrial (COM/IND) zoning district.

Oscar Thayer from Spates Construction was present to explain the request. This is the “future storage building” that has been on previous plans. Vermont Electric Cooperative is now ready to add this building. This building is behind the existing building and no other changes are proposed to the property. There will be lights above the overhead doors. There were no comments from the public. Tim Bronson moved to close the hearing for application 21-013, with Bob DeRoehn seconding. Unanimous.

After deliberations Bob DeRoehn moved to grant site plan approval for application 21-013 by Vermont Electric Cooperative as submitted, with Tim Bronson seconding (see attached written decision). Unanimous, with Adam Guyette abstaining due to a conflict of interest.

Application 21-014 by Keith & Ruth Gray, PIN #TRD07010G3T, for site plan approval for a 12 ft by 16 ft office addition and for outside sales display for trailers, trucks, cars, compact equipment, etc... This property is located at 259 Shattuck Hill Rd and is in the Commercial (COM) zoning district.

Sean Brown participated remotely to explain the request. There will be a few shrubs planted around the sign and 5 trees planted along the easterly property line. Lights might be added to the sign. There were no comments from the public. Tim Bronson moved to close the hearing for application 21-014, with Jim Bumps seconding. Unanimous.

After deliberations Tim Bronson moved to grant site plan approval for application 21-014 by Keith & Ruth Gray as submitted with the condition that both access drives must have a paved apron 25 ft deep, with Judy Nommik seconding (see attached written decision). Unanimous.

Application 21-011 by Todd & Hilarie Wright, PIN #TRD56023C4T, for conditional use and site plan approval for a function hall in the existing 42 ft by 66 ft barn, a 14 ft by 21 ft high drive entry, a 10 ft by 20 ft restroom building, a n 8 ft by 12 ft covered entry, a patio, and a 1,180 sq ft chapel to be used in association with the function hall with an 8 ft by 14 ft deck. This property is located at 1073 Upper Quarry Rd and is in the Special Lands (SL) zoning district.

Todd Wright was present to explain the request. Among the concerns from the Board, SaraLee Kimball, Kathleen Ahearn were noise, access, parking, lighting, alcohol consumption, fire codes, stormwater, and hours of operation. It was noted that sound carries and from past events the words to songs could be heard almost one mile away. Todd explained that all music must be inside, events are shut down at 10:00 PM and most everyone is usually gone by 10:30, no change is proposed to the existing access, besides the gravel parking area there is open land if additional parking is needed, lighting will be sconces on the buildings and low solar lights along the paths, there will be no BYOB and any caterer will need an liquor license to serve alcohol, he has started working with the State Fire Marshall and Derby Line Fire Chief to make sure the buildings are up to code, stormwater and Act 250 permits will be required from the State. State permits will be applied for after a Town permit has been issued. Most events are on Saturdays and because the building is not heated he is expecting events to be from June thru September. The Turners, Fortins, and Mr. Mayhew didn't think noise was a problem. Bob DeRoehn moved to close the hearing for application 21-011, with Tim Bronson seconding. Unanimous.

Application 21-015 by Roy Vanasse USA Inc, PIN #TRD27004G3T, for conditional use and site plan approval for a 120 ft by 180 ft light manufacturing building for fabrication of granite products and 2 – 12 ft by 22 ft connectors to their existing buildings. This property is located at 124 Quarry Rd and is in the Commercial (COM) zoning district.

Andy Rowe was present to explain the request. The fabrication of granite products will be during normal business hours. A waterjet cutting system will be used, with a water recover and recycling system to minimize water usage. The most noise generated is while using hand tools for finishing touches. Water is recycled to reduce water consumption. All products will be loaded and unloaded inside the building. No outside storage is proposed. If any hazardous waste is generated it will be dealt with by VOSHA standards. A stormwater permit is required from the State. A total of 18 employees are proposed. Tim Bronson moved to close the hearing for application 21-015, with Jim Bumps seconding. Unanimous.

Bob DeRoehn moved to table deliberations on applications 21-011 and 21-015 until their next meeting.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are 3 permits pending for review at their next meeting 6:00 PM March 29<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 7:07 PM with Judy Nommik seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* March 29, 2021

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

**Members Absent:** Judy Nommik, Adam Guyette.

**Others Present:** In Person: Mark Lalime, Andy Talbert, Jeff Lamphere, Kris Bullock, Bob Kelley, Remotely: Kathleen Ahearn.

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

**APPROVE MINUTES:**

Tim moved to approve the minutes of March 15, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-016 by Mark Lalime, PIN #NOSAL010H6T, for conditional use approval to raise his existing camp approximately 15 inches. The existing camp is within the floodplain. This property is located at 121 North End Ext and is in the Shoreland (SD) zoning district.

Mark Lalime was present to explain the request. He is only raising the camp to 1 ft above the floodplain. A letter from the State Floodplain Manager Sacha Pealer was reviewed. There were no comments from the public. Joe Profera moved to close the hearing for application 21-016, with Jim Bumps seconding. Unanimous.

After deliberations Joe Profera moved to grant conditional use approval for application 21-016 by Mark Lalime as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

Joe Profera moved to table application 21-016, with Jim Bumps seconding. Unanimous.

Application 21-017 by Winston Bartley, PIN #NDRT5019G3T, for conditional use and site plan approval to retail sales for cars, trucks, trailers, equipment and building supplies with outside storage and for sandblasting and motor vehicle repairs. This property is located at 5134 US Route 5 and is in the Commercial (COM) zoning district.

The applicant was not present to explain the request. Joe Profera moved to table application 21-017 by Winston Bartley until Monday, April 26, 2021 at 6:00 PM here in the municipal building, with Jim Bumps seconding. Unanimous.

Application 21-018 by BBL LLC (Sticks & Stuff), PIN #TRD27012F3T, for site plan approval for a 100 ft by 100 ft storage building. This property is located at 400 Quarry Road and is in the Commercial (COM) zoning district.

Andy Talbert, Jeff Lamphere & Kris Bullock were present to explain the request. The building is to store building supplies under cover. If they had to enclose the building they would have had to install sprinklers and therefore chose not to enclose the building. There were no comments from the public. Joe Profera moved to close the hearing for application 21-018, with Bob DeRoehn seconding. Unanimous.

After deliberations Bob DeRoehn moved to grant site plan approval for application 21-018 by BBL LLC as submitted, with Joe Profera seconding (see attached written decision). Unanimous.

Application 21-011 by Todd & Hilarie Wright, PIN #TRD56023C4T, for conditional use and site plan approval for a function hall in the existing 42 ft by 66 ft barn, a 14 ft by 21 ft high drive entry, a 10 ft by 20 ft restroom building, a n 8 ft by 12 ft covered entry, a patio, and a 1,180 sq ft chapel to be used in association with the function hall with an 8 ft by 14 ft deck.

This property is located at 1073 Upper Quarry Rd and is in the Special Lands (SL) zoning district.

Testimony for this application was on March 15, 2021 and deliberations were tabled until tonight. After deliberations Jim Bumps moved to grant site plan and conditional use approvals for application 21-011 by Todd & Hilarie Wright as submitted with the following conditions: 1) All music must be shut down no later than 10:00 P.M., 2) All events must be shut down no later than 11:00 P.M. and 3) The applicant must submit, to the Zoning Administrator, a letter from the Fire Chief stating that there is adequate access for emergency vehicles, with Tim Bronson seconding (see attached written decision). Unanimous.

Application 21-015 by Roy Vanasse USA Inc, PIN #TRD27004G3T, for conditional use and site plan approval for a 120 ft by 180 ft light manufacturing building for fabrication of granite products and 2 – 12 ft by 22 ft connectors to their existing buildings. This property is located at 124 Quarry Rd and is in the Commercial (COM) zoning district.

Testimony for this application was on March 15, 2021 and deliberations were tabled until tonight. After deliberations Bob DeRoehn moved to grant site plan and conditional use approvals for application 21-015 by Roy Vanasse USA Inc as submitted, with Tim Bronson seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are 7 permits pending for review at their next meeting 6:00 PM April 12<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 6:45 PM with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

**Members Absent:** Dave LaBelle.

**Others Present:** In Person: Conrad Bellavance, Norm Limoges, Tammy Dodge-Jacobs, Louise Mathews, Amy Giroux, Katherine Duplissie, Glen Duplissie, Josh Fortin, Gerald Fortin, Bob Kelley, Remotely: Nate Nadeau, RoseAnna Cyr, Deborah Bianchi.

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

**APPROVE MINUTES:**

Tim moved to approve the minutes of March 29, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-020 by RoseAnna Cyr, PIN #LAYST003A6L, for conditional use approval to build a 20 ft by 37 ft garage/pottery studio/breezeway. This replaces an existing 20 ft by 34 ft garage/breezeway and is an expansion of a nonconforming structure. This property is located at 50 Laythe St and is in the Village Residential One Derby Line (VR1DL) zoning district.

RoseAnna Cyr was present to explain the request. The building addition will not be any closer to the rear lot line than the existing building. Tim Bronson moved to close the hearing for application 21-020, with Bob DeRoehn seconding. Unanimous.

After deliberations Jim Bumps moved to grant conditional use approval for application 21-020 by RoseAnna Cyr as submitted, with Tim Bronson seconding (see attached written decision). Unanimous.

Application 21-021 by Sean & Deborah Bianchi, PIN #NDRT5083F5C, for site plan approval to convert 16 ft by 40 ft area in the existing garage to a Brewery/Taproom. This property is located at 3212US Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district.

Deborah Bianchi was present to explain the request. This will not be a bar. It will be to showcase their brews and for sampling to purchase for events or to refill grolsch bottles. Starting out they will be open only 1 day a week and work up to 3 days a week (Thursday, Friday, Saturday). Judy Nommik moved to close the hearing for application 21-021, with Bob DeRoehn seconding. Unanimous.

After deliberations Tim Bronson moved to grant conditional use approval for application 21-021 by Sean & Deborah Bianchi as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

Application 21-026 by Gerald Fortin, PIN #TRD03032C5T, for preliminary and final plat approval for a 2-lot subdivision. Lot #1 - 6.78 acres and lot #2 - 25.4 acres. This property is located at 1236 Beebe Road and is in the Residential Two Acre (R2) zoning district.

Gerald & Josh Fortin were present to explain the request. He is subdividing the land so the Josh Fortin's house will be on a separate lot. Bob DeRoehn moved to close the hearing for application 21-026, with Jim Bumps seconding. Unanimous.

After deliberations Bob DeRoehn moved to grant conditional use approval for application 21-026 by Gerald Fortin 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 21-028 by Glen & Katherine Duplissie, PIN #TRD41036J2T, for preliminary and final plat approval for a 4-lot subdivision. Lot #1 - 55 acres, lot #2 – 12.4 acres, lot #3 – 1.9 acres and lot #4 – 1.9 acres. This property is located at 1165 Pine Hill Rd and is in the Residential One Acre (R1) zoning district.

Glen & Katherine Duplissie were present to explain the request. The two 1.9 acres lots are for their children, they will keep the 12.4 ac lot and the 55 ac lot will be put up for sale. Bob DeRoehn moved to close the hearing for application 21-028, with Jim Bumps seconding. Unanimous.

After deliberations Tim Bronson moved to grant conditional use approval for application 21-028 by Glen & Katherine Duplissie 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 21-029 by Northeast Kingdom Human Services, PIN #TRD41004G3T, for site plan approval for an 8 ft by 20 ft storage container. This property is located at 181 Crawford Road and is in the Commercial (COM) zoning district.

Norm Limoges was present to explain the request. The storage unit will not be visible from the road and they will paint it to match the building. Tim Bronson moved to close the hearing for application 21-029, with Jim Bumps seconding. Unanimous.

After deliberations Tim Bronson moved to grant conditional use approval for application 21-029 by Northeast Kingdom Human Services as submitted, with Jim Bumps seconding (see attached written decision). Unanimous.

Application 21-030 by Mark & Amy Giroux, PIN #TRD07009F3T, for site plan approval for a 30 ft by 60 ft addition for an auto body shop. This property is located at 292 Shattuck Hill Road and is in the Commercial (COM) zoning district.

Amy Giroux was present to explain the request. They have purchased the body shop equipment from North Point. They will not be storing junk vehicles outside. Currently all junk vehicles are recycled at Wright's and they plan to continue operating the same way. Jim Bumps moved to close the hearing for application 21-030, with Judy Nommik seconding. Unanimous.

After deliberations Tim Bronson moved to grant conditional use approval for application 21-030 by Mark & Amy Giroux as submitted with the condition that all junk motor vehicle and parts thereof must be stored inside a completely enclosed building, with Judy Nommik seconding (see attached written decision). Unanimous.

Application 21-032 by Fred's Plumbing & Heating, PIN #RT005032D6T, for site plan approval for a 32 ft by 75 ft addition to their maintenance/repair garage. This property is located at 1683 US Route 5 and is in the Commercial (COM) zoning district.

Conrad Bellavance was present to explain the request. This is for another repair bay with a higher roof so that they can install a lift to make it easier to work on their vehicles. Bob DeRoehn moved to close the hearing for application 21-032, with Judy Nommik seconding. Unanimous.

After deliberations Jim Bumps moved to grant conditional use approval for application 21-032 by Fred's Plumbing & Heating as submitted, with Judy Nommik seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are 2 permits pending for review at their next meeting 6:00 PM April 26<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 7:20 PM with Adam Guyette seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* April 26, 2021

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

**Members Absent:** Dave LaBelle, Judy Nommik.

**Others Present:** In Person: Winston Bartley, Bob Kelley, Remotely: Sean Brown.

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

**APPROVE MINUTES:**

Tim moved to approve the minutes of April 12, 2021 with Jim Bumps seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-040 by Keith & Ruth Gray, PIN #TRD07 010G3T, for site plan approval to rebuild their commercial garage 75 ft by 100 ft. This property is located at 259 Shattuck Hill Road and is in the Commercial (COM) zoning district.

Sean Brown was present remotely to explain the request. The building will be a little bigger than the one that burnt down. No landscaping is proposed due to site distance considerations. The building will be built to current state fire codes. The Board noted that the access will have to have a 25 ft deep paved apron along all access points. There were no comments from the public. Bob DeRoehn moved to close application 21-040, with Tim Bronson seconding. Unanimous

After deliberations Bob DeRoehn moved to grant site plan approval for application 21-040 by Keith & Ruth Gray as submitted with the condition that both access drives must have a paved apron 25 ft deep, with Jim Bumps seconding (see attached written decision). Unanimous.

Application 21-017 by Winston Bartley, PIN #NDRT5019G3T, for conditional use and site plan approval to retail sales for cars, trucks, trailers, equipment and building supplies with outside storage and for sandblasting and motor vehicle repairs. This property is located at 5134 US Route 5 and is in the Commercial (COM) zoning district. This application was table from the March 29, 2021 DRB meeting.

Winston Bartley was present to explain the request. He hopes to lease the property, but until he can he is using it for his own uses. He doesn't do auto repairs, it is more restoration. He wants to keep the property in use so that it isn't vacant as that is not good for the Town. There were no comments from the public. Tim Bronson moved to close the hearing for application 21-017, with Bob DeRoehn seconding. Unanimous.

After deliberations Tim Bronson moved to grant site plan and conditional use approvals for application 21-017 by Winston Bartley as submitted, with Jim Bumps seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There is 1 permit pending for review at their next meeting 6:00 PM May 10<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 6:25 PM with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*



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

Derby Development Review Board \* Minutes \* May 10, 2021

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

**Members Absent:** Adam Guyette, Judy Nommik.

**Others Present:** Remote: Annie Brueck, In Person: Bob Kelley.

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

**APPROVE MINUTES:**

Tim Bronson moved to approve the minutes of April 26, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-044 by Coutts Moriarty Camp, PIN #TRD34001H6T, for site plan approval for an 18 ft by 28 ft pavilion for outdoor eating space for summer campers. This property is located at 490 4-H Road and is in the Rural Residential (RR) and Shoreland (SD) zoning districts.

Annie Brueck was present remotely to explain the request. The pavilion will be open sided on a slab. They are also asking to extend the expiration date for permit #20-006 until March 16, 2024. There were no comments from the public. Bob DeRoehn moved to close application 21-044, with Tim Bronson seconding. Unanimous

After deliberations Joe Profera moved to grant site plan approval for application 21-044 by Coutts Moriarty Camp as submitted, with Bob DeRoehn seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are 2 permits pending for review at their next meeting 6:00 PM May 24<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 6:13 PM with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* May 24, 2021

**Members Present:** Tim Bronson, Bob DeRoehn, Joe Profera, Jim Bumps, Dave LaBelle, remotely – Judy Nommik.

**Members Absent:** Adam Guyette.

**Others Present:** Shanon Rosenberger, Marielle Demuth, Tom Strungo, Shawn Driver, Bob Kelley.

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

**APPROVE MINUTES:**

Tim Bronson moved to approve the minutes of May 10, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-054 by Shawn Driver, PIN #TRD53010K8T4, for site plan and conditional use approvals for a residential business for an auto repair business. This property is located at 228 Fontaine Road and is in the Rural Residential (RR) zoning district.

Shawn Driver was present to explain the request. It will be in the existing garage. There were no comments from the public. Bob DeRoehn moved to close application 21-054, with Tim Bronson seconding. Unanimous

After deliberations Judy Nommik moved to grant conditional use and site plan approvals for application 21-054 by Shawn Driver, PIN #TRD53010K8T4, as submitted, with Jim Bumps seconding (see attached written decision). Unanimous.

Application 21-059 by James & Mary Ann Mulkin, PIN #NDRT5045G3T, for site plan and conditional use approvals for a change in use to light industrial (packaging of cosmetics). This property is located at 4408 US Route 5 and is in the Commercial (COM) zoning district.

Tom Strunjo, Shanon Rosenberger, and Marielle Demuth were present to explain the request. They would like to keep the option of retail sales at this site. They are not planning retail sales at this time, but they may want to in the future. There were no comments from the public. Tim Bronson moved to close application 21-059, with Bob DeRoehn seconding. Unanimous

After deliberations Bob DeRoehn moved to grant conditional use and site plan approvals for application 21-059 by James & Mary Ann Mulkin, PIN #NDRT5045G3T, including retail sales as submitted, with Judy Nommik seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are 2 permits pending for review at their next meeting 6:00 PM June 7<sup>th</sup>. Jim Bumps moved to adjourn the meeting at 6:13 PM with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* June 7, 2021

**Members Present:** Tim Bronson, Bob DeRoehn, Joe Profera, Dave LaBelle, remotely – Adam Guyette.

**Members Absent:** Judy Nommik, Jim Bumps.

**Others Present:** Christopher Norton, Pierre Capron, Michele Capron, Bob Kelley, Remotely – Gary Gillespie.

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

**APPROVE MINUTES:**

Tim Bronson moved to approve the minutes of May 24, 2021 with Bob DeRoehn seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-064 by Michele Capron, PIN #TRD18046B8T, for conditional use approval for a 40 ft by 36 ft storage building made from 2 shipping containers and a Quonset hut roof. This property is located at 2013 Herrick Road and is in the Residential One Acre (R1) zoning district.

Michele & Pierre Capron were present to explain the request. The containers will be sided with rough cut lumber to have a barn type look. There were no comments from the public. Tim Bronson moved to close application 21-064, with Bob DeRoehn seconding. Unanimous

After deliberations Bob DeRoehn moved to grant conditional use and site plan approvals for application 21-064 by Michele Capron, PIN #TRD18046B8T, as submitted, with Joe Profera seconding (see attached written decision). Unanimous.

Application 21-065 by Gary & Lauren Gillespie, PIN #TRD58001F2T, for preliminary and final plat review for a 2 lot subdivision. Lot #1 – 2.5 acres with an existing single family dwelling and lot #2 – 1.8 acres which is vacant. This property is located at 224 Missionary Acres and is in the Residential One Acre (R1) zoning district.

Gary Gillespie was remotely present to explain the request. Both lots have frontage on both Missionary Acres and Darling Hill Road. An access permit has been approved for the new lot. There were no comments from the public. Bob DeRoehn moved to close application 21-065, with Adam Guyette seconding. Unanimous

After deliberations Tim Bronson moved to grant final plat approval for application 21-065 by Gary & Lauren Gillespie, PIN #TRD58001F2T, as submitted with the condition that a mylar of the subdivision plat must be filed with the Town Clerk within 180 days of this decision, with Bob DeRoehn seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

There are no pending for review. Joe Profera moved to adjourn the meeting at 6:15 PM with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

\*\*\*Approved\*\*\*

Derby Development Review Board \* Minutes \* August 2, 2021

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

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

**Others Present:** Michael Conley, Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the minutes of June 7, 2021 with Joe Profera seconding. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-072 by Michael Conley, PIN #SMSDC044G5C, for preliminary and final plat approval for a two lot subdivision. Lot #1 - 1.38 acres and lot #2 - 2.54 acres. This property is located at 179 Main Street, Derby Center and is in the Village Residential Derby Center (VRDC) zoning district.

Michael Conley was present to explain the request. Both lots have frontage on Main Street. An access permit has been approved for the new lot. He plans on building a house on the new lot over the winter. There were no comments from the public. Joe Profera moved to close application 21-072, with Bob DeRoehn seconding. Unanimous

After deliberations Joe Profera moved to grant final plat approval for application 21-072 by Michael Conley, PIN #SMSDC044G5C, as submitted with the condition that a mylar of the subdivision plat must be filed with the Town Clerk within 180 days of this decision, with Bob DeRoehn seconding (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, August 16, 2021. Joe Profera moved to adjourn the meeting at 6:07 PM with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* August 16, 2021

**Members Present:** Bob DeRoehn, Joe Profera, Dave LaBelle, Jim Bumps, Judy Nommik (remotely), Adam Guyette (remotely).

**Members Absent:** Tim Bronson.

**Others Present:** Earl Hackett, Edward Jenness, Alta Jenness, Bob Kelley.

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

**APPROVE MINUTES:**

Joe Profera moved to approve the minutes of August 2, 2021 with the correction that it was Bob Kelley and Michael Conley as Others Present, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-082 by Edward & Alta Jenness, PIN #NWSAL003H5T, for conditional use approval for an 8 ft by 16 ft shed within the floodplain. This property is located at 517 Salem Drive and is in the Shoreland (SD) zoning district.

Edward & Alta Jenness were present to explain the request. The elevation of the shed was discussed. The email from State Floodplain Manager, Sacha Pealer, pointed out that Derby's Bylaw requires the shed to be elevated to 968.9' NGVD 29 and be anchored. There were no comments from the public. Joe Profera moved to close application 21-082 with Jim Bumps seconding. Unanimous

After deliberations Bob DeRoehn moved to grant final plat approval for application 21-082 by Edward & Alta Jenness, PIN #NWSAL003H5T, as submitted with the conditions that the applicant must submit an Elevation Certificate by a licensed land surveyor or professional engineer certifying that the floor of the shed is at or above 968.9' NGVD 29 and that the applicant must adequately anchor the shed to prevent floatation, collapse, or lateral movement during the occurrence of a base flood, seconded by Judy Nommik (see attached written decision). Unanimous.

Application 21-086 by Earl Hackett, PIN #TRD16027F4C, for preliminary and final plat approval for 2 lot subdivision. Lot #1 – 13.67 acres and lot #2 – 29.21 acres. This property is located at 1033 Palin Farm Road and is in the Residential Two Acre (R2) zoning district.

Earl Hackett was present to explain the request. Lot #2 has frontage on Palin Farm Road and lot #1 is accessed by a 50 ft wide right of way off of Palin Farm Road. There were no comments from the public. Bob DeRoehn moved to close application 21-086, seconded by Joe Profera. Unanimous

After deliberations Joe Profera moved to grant final plat approval for application 21-086 by Earl Hackett, PIN #TRD16027F4C, as submitted with the condition that a Mylar of the subdivision plat must be filed with the Town Clerk within 180 days of this decision, seconded by Judy Nommik (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, September 13, 2021. Jim Bumps moved to adjourn the meeting at 6:20 PM with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* September 13, 2021

**Members Present:** Bob DeRoehn, Joe Profera, Dave LaBelle, Jim Bumps, Adam Guyette (remotely).

**Members Absent:** Tim Bronson, Judy Nommik.

**Others Present:** Tanya Pappalardo, Michael Pappalardo, Amy Giroux (remotely), Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the minutes of August 16, 2021 as written, seconded by Joe Profera. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-090 by Mike & Tanya Pappalardo, PIN #RT105026I6T2, for conditional use approval to replace an existing camp with a 40 ft by 24 ft camp within the floodplain. This property is located at 1153 Route 105 and is in the Shoreland (SD) zoning district.

Michael & Tanya Pappalardo were present to explain the request. An email from State Floodplain Manager, Sacha Pealer was reviewed. The camp will be elevated to 968.9' NGVD or higher and anchored to prevent movement during a flood. A rip rap base will be placed under the camp for a stable base to set the concrete foundation blocks on. There were no comments from the public. Joe Profera moved to close application 21-090 with Bob DeRoehn seconding. Unanimous

After deliberations Joe Profera moved to Conditional Use approval for application 21-090 by Mike & Tanya Pappalardo, PIN #RT105026I6T2, as submitted with the condition that the applicant must submit a FEMA Elevation Certificate by a licensed land surveyor or professional engineer certifying that the floor of the camp is at or above 968.9' NGVD 29, seconded by Adam Guyette (see attached written decision). Unanimous.

Application 21-096 by Mark & Amy Giroux, PIN #TRD07009F3T, for site plan approval for a 30 ft by 60 ft cold storage building and enclose the 8 ft by 20 ft entry to the building in the front. This property is located at 292 Shattuck Hill Road and is in the Commercial (COM) zoning district.

Amy Giroux was present to explain the request. The cold storage building will be on and existing foundation. There were no comments from the public. Joe Profera moved to close application 21-096, seconded by Jim Bumps. Unanimous

After deliberations Bob DeRoehn moved to grant site plan approval for application 21-096 by Mark & Amy Giroux, PIN #TRD07009F3T, as submitted, seconded by Joe Profera (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, October 11, 2021. Jim Bumps moved to adjourn the meeting at 6:25 PM with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* October 25, 2021

**Members Present:** Bob DeRoehn, Joe Profera, Dave LaBelle, Jim Bumps, Tim Bronson, Judy Nommik (remotely).

**Members Absent:** Adam Guyette.

**Others Present:** Pat Austin, John Gay, Roscoe Dorsey (remotely), Bob Kelley.

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

**APPROVE MINUTES:**

Joe Profera moved to approve the minutes of September 13, 2021 as written, seconded by Jim Bumps. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-098 by St Onge Holdings LLC, PIN #TRD44010I2T, for site plan and conditional use approvals to change the use of the property to a recycling transfer station. This property is located at 333 Citizens Road and is in the Commercial/Industrial (COM/IND) zoning district.

Pat Austin, John Guay and Roscoe Dorsey were present to explain the request. They will be consolidating zero sort recycling for shipment to Williston and bailing cardboard on site. The bailer uses a 2-4 horsepower electric motor and is relatively quiet. Consolidating the recycling results in few trips across the State and will save money. Hours of operation will be from 6am – 6pm Monday – Saturday. There were no comments from the public. Tim Bronson moved to close application 21-098 with Bob DeRoehn seconding. Unanimous

After deliberations Joe Profera moved to grant Conditional Use and Site Plan approvals for application 21-098 by St Onge Holdings LLC, PIN #TRD44010I2T, as submitted, seconded by Judy Nommik (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, November 8, 2021. Jim Bumps moved to adjourn the meeting at 6:20 PM with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* November 8, 2021

**Members Present:** Bob DeRoehn, Jim Bumps, Tim Bronson, Judy Nommik (remotely).

**Members Absent:** Joe Profera, Dave LaBelle, Adam Guyette.

**Others Present:** Anthony Tanguay, Bob Kelley.

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

Both the Chair and Vice-Chair were not present. Tim Bronson moved to appoint Bob DeRoehn as Acting Chair, seconded by Jim Bumps. Unanimous.

**APPROVE MINUTES:**

Tim Bronson moved to approve the minutes of October 25, 2021 as written, seconded by Judy Nommik. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-109 by Anthony Tanguay, PIN #MNDRT5026G3T2, for site plan approval to build two additional self storage building 30 ft by 250 ft each. This property is located at 5029 US Route 5 and is in the Commercial (COM) zoning district.

Anthony Tanguay was present to explain the request. These units were previously approved but never built and will fill the site. Building #7 will only be accessible from one side. Some dead trees along Crawford Rd are being replaced. There were no comments from the public. Tim Bronson moved to close application 21-109 with Jim Bumps seconding. Unanimous

After deliberations Jim Bumps moved to grant Site Plan approval for application 21-109 by Anthony Tanguay, PIN #MNDRT5026G3T2, as submitted, seconded by Judy Nommik (see attached written decision). Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, November 22, 2021. Tim Bronson moved to adjourn the meeting at 6:22 PM with Jim Bumps seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*



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

Derby Development Review Board \* Minutes \* November 22, 2021

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

**Members Absent:** Jim Bumps, Tim Bronson.

**Others Present:** Dwight Abbott, Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the minutes of November 8, 2021 as written, seconded by Judy Nommik. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-110 by Dwight Abbott, PIN #PTYDR001F2T, for site plan approval to build a 20 x 40 detached garage. This property is located at 639 Prouty Drive and is in the Residential One Acre (R1) zoning district.

Dwight Abbott was present to explain the request. Adam Guyette stated that he would be abstaining from voting on this application due to a conflict of interest. This application was approved 5 years ago, but the applicant did not build the garage and the permit expired. There is an existing 20 x 40 slab that was used for mulch storage back with Spates owned it. The garage will be on top of this existing slab. Joe Profera was not satisfied with the site plan and elevation drawing and he asked questions about the required greenstrip, landscaping and lighting. The greenstrip along the property lines are in excess of the 10 ft wide requirement. Along the road, back and one side the greenstrip is over 100 ft wide and behind the proposed garage the greenstrip is over 25 ft wide. No additional landscaping is proposed and no new lighting is proposed. There were no comments from the public. Bob DeRoehn moved to close application 21-110 with Judy Nommik seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 21-110 by Dwight Abbott as submitted, seconded by Dave LaBelle. Ayes – Bob DeRoehn, Dave LaBelle, Judy Nommik. Nays – Joe Profera. Abstentions – Adam Guyette. The motion failed.

Because Adam Guyette was abstaining due to a conflict of interest, a unanimous decision was needed by the remaining 4 Board members to take any action. The Board discussed how they should proceed. It was thought that reopening the application so that it could be heard by the entire Board would be the best course of action. In order to reopen the hearing the application would have to be warned again and notice sent to all abutters. Bob DeRoehn moved to reopen the application 21-110 by Dwight Abbott by warning a new hearing for December 20, 2021, seconded by Dave LaBelle. Ayes – Bob DeRoehn, Dave LaBelle, Judy Nommik, Adam Guyette. Nays – Joe Profera. The motion is approved.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, December 20, 2021. Bob DeRoehn moved to adjourn the meeting at 6:40 PM with Dave LaBelle seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

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

Derby Development Review Board \* Minutes \* December 20, 2021

**Members Present:** Bob DeRoehn, Joe Profera, Dave LaBelle, Jim Bumps, Tim Bronson (remotely), Judy Nommik (remotely).

**Members Absent:** Adam Guyette.

**Others Present:** Dwight Abbott, Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the minutes of November 22, 2021 as written, seconded by Joe Profera. Unanimous.

**PUBLIC COMMENTS:** None.

**NEW BUSINESS:**

Application 21-110 by Dwight Abbott, PIN #PTYDR001F2T, for site plan approval to build a 20 x 40 detached garage. This property is located at 639 Prouty Drive and is in the Residential One Acre (R1) zoning district.

Dwight Abbott was present to explain the request. This application was approved 5 years ago, but the applicant did not build the garage and the permit expired. There is an existing 20 x 40 slab that was used for mulch storage back when Spates owned it. The garage will be on top of this existing slab. Landscaping was discussed. No additional landscaping is proposed and no new lighting is proposed. There were no comments from the public. Bob DeRoehn moved to close application 21-110 with Judy Nommik seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 21-110 by Dwight Abbott as submitted (see written decision), seconded by Judy Nommik. Unanimous.

**OTHER BUSINESS:** None.

**ADJOURNMENT:**

Next meeting is scheduled for 6:00 PM on Monday, January 3, 2022. Bob DeRoehn moved to adjourn the meeting at 6:20 PM with Jim Bumps seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*