

Unapproved

Derby Development Review Board * Minutes * January 7, 2019 *as amended*

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

Members Absent: ~~Adam Guyette~~ *None*.

Others Present: Maryann Tetreault, Wilfred Tetreault, Andrew Touchette.

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

APPROVE MINUTES:

Judy Nommik moved to approve the minutes of November 26, 2018, with Adam Guyette seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-001 by the Wilfred & Maryann Tetreault, PIN #TRD32022I4T, for preliminary and final plat approval for a 3 lot subdivision. Lot #1 – 5.00 ac, lot #2 – 10.26 ac and lot #3 – 15.05 ac. This property is located off Hinman Settler Rd and is in the Rural Residential (RR) zoning district.

Maryann & Wilfred Tetreault were present to explain the request. The septic has been approved by the State. Lot #3 is accessed by a 50 ft right of way thru lot #2. All lots meet the minimum lot size requirements. There were no comments from the public. Judy Nommik moved to close the hearing for application 19-001, with Jim Bumps seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-001 by the Wilfred & Maryann Tetreault 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 Judy Nommik seconding. Unanimous (see attached written decision).

Application 19-002 by AmeriGas Propane (dba Blue Flame), PIN #TRD44026J2T, for site plan approval for an 8 ft by 20 ft storage container. This property is located at 75 Citizens Rd and is in the Commercial/Industrial (COM/IND) zoning district.

Andrew Touchette was present to explain the request. The storage container will be used for cold storage and will be very hard to see from the road. There were no comments from the public. Joe Profera moved to close the hearing for application 19-002, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-002 by AmeriGas Propane (dba Blue Flame) as submitted, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

There will be no meeting on January 21st due to Martin Luther King Day. The next meeting will be February 4th. Jim Bumps moved to adjourn the meeting at 6:15 with Adam Guyette seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * February 4, 2019

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

Members Absent: None.

Others Present: Matt Houghton, Doug Spates, Bob Kelley.

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

APPROVE MINUTES:

Jim Bumps moved to approve the minutes of January 7, 2019 with the correction that Adam Guyette was not absent, with Joe Profera seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Joe Profera moved to table application 19-003 because the applicant was not present, with Judy Nommik seconding. Unanimous.

Application 19-005 by the Fort Fairfield BP LLC, PIN #TRD44023I2T, for preliminary and final plat approval for a 2 lot subdivision. Lot #2A – 3.37 ac and lot #2B – 2.23 ac. This property is located at 144 Citizen Road and is in the Commercial/Industrial (COM/IND) zoning district.

Matt Houghton was present to explain the request. It is a simple 2 lot subdivision and both lots meet the minimum lot size requirements. There were no comments from the public. Bob DeRoehn moved to close the hearing for application 19-005, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-005 by the Fort Fairfield BP LLC 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 Tim Bronson seconding. Unanimous (see attached written decision).

Judy Nommik moved to take application 19-003 off the table, with Adam Guyette seconding. Unanimous.

Application 19-003 by Spates Family LLC, PIN #MSTDL010A6L, for site plan approval for an 11 ft by 21 ft storage shed. This property is located at 57 Main Street, Derby Line and is in the Village Commercial Derby Line (VCDL) zoning district.

Doug Spates was present to explain the request. There will not be electricity in the shed. The restaurant is required to have fire extinguishers on hand. There were no comments from the public. Tim Bronson moved to close the hearing for application 19-003, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-003 by Spates Family LLC as submitted, with Tim Bronson seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending, so there will not be a meeting until after Town Meeting. Jim Bumps moved to adjourn the meeting at 6:13 with Judy Nommik seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * April 29, 2019

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

Members Absent: Dave LaBelle.

Others Present: Michele Judd, Pierre Capron, Steve Abbott, Bob Kelley.

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

REORGANIZE BOARD:

Jim Bumps nominated Dave LaBelle as Chair and Joe Profera as Vice-Chair, with Tim Bronson seconding. Unanimous.

APPROVE MINUTES:

Judy Nommik moved to approve the minutes of February 4, 2019 as written, with Bob DeRoehn seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-015 by the Michelle Judd, PIN #TRD18046B8T, for site plan approval to a Residential Business to create, bottle, and sell lavender products and to have agritourism events on the farm. This property is located at 2103 Herrick Road and is in the Rural Residential (RR) zoning district.

Michele Judd & Pierre Capron were present to explain the request. The proposed use was explained in detail. They will be making and selling lavender products and offering U-Pick and tours. The Town has issued an access permit for the new access. The new driveway and parking area will be grass. The selling of beer and wine was removed from the application and deleted from the narrative. They anticipate being open from late June to September. There were no comments from the public. Tim Bronson moved to close the hearing for application 19-015, with Adam Guyette seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 19-015 by the Michelle Judd as submitted with the deletion of beer and wine sales, with Tim Bronson seconding. Unanimous (see attached written decision).

Application 19-013 by Jacob Abbott, PIN #TRD04034F2T, for conditional use approval to add a 12 ft by 16 ft deck onto an existing nonconforming house. This property is located at 3949 Darling Hill Road and is in the Residential One-Acre (R1) zoning district.

Jacob was unable to attend and his father, Steve Abbott, was present to explain the request. The deck will be even with the front of the house and will be no closer to the road than the existing house. The addition/conversion of the breezeway and detached garage do not require DRB review. There were no comments from the public. Tim Bronson moved to close the hearing for application 19-013, with Judy Nommik seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 19-013 by Jacob Abbott as submitted, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Jim Bumps moved to adjourn the meeting at 6:38 with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * June 10, 2019

Members Present: Bob DeRoehn, Tim Bronson, Adam Guyette, Dave LaBelle.

Members Absent: Joe Profera, Jim Bumps, Judy Nommik.

Others Present: Jared Olsen, Alexis Olsen, Mike Guyette, Kathy Guyette, Karen Chitambar, Bob Kelley.

MEETING CALLED TO ORDER - 6:15 P.M.

APPROVE MINUTES:

Adam Guyette moved to approve the minutes of April 29, 2019 as written, with Tim Bronson seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-031 by Jared & Alexis Olsen, PIN #TRD35001F6T, for conditional use approval for a 6 ft high fence within the required front yard setback area. This property is located at 25 Derby Pond Road and is in the Residential One-Acre (R1) zoning district.

Jared & Alexis Olsen were present to explain the request. Conflict of Interest - Tim Bronson built and sold the house to the Olsens, but felt he could act in an unbiased capacity on this application. The location of the proposed fence was explained in detail. After viewing the site plan the Guyettes were satisfied with the proposed location. It will be a wooden fence and the applicant will have to work around the telephone guy wire. After all public comments Bob DeRoehn moved to close the hearing for application 19-031, with Tim Bronson seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 19-031 by Jared & Alexis Olsen as submitted, with Adam Guyette seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

One application is pending for their next meeting on June 24th. Adam Guyette moved to adjourn the meeting at 6:30 with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * June 24, 2019

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

Members Absent: Adam Guyette, Bob DeRoehn, Judy Nommik.

Others Present: Bill Bradley, Carol Bradley, Bob Kelley.

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

APPROVE MINUTES:

Tim Bronson moved to approve the minutes of June 10, 2019 as written, with Dave LaBelle seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-032 by James Michael Talbot/William & Carol Bradley, PIN #SESAL024J7T, for conditional use approval to raise the existing building and build a new 10 x 10 shed within the flood plain. Both structures will be elevated to a minimum first floor elevation of 968.9' above sea level. This property is located at 351 East Salem Drive and is in the Shoreland (SD) zoning district.

Bill & Carol Bradley were present to explain the request. The Bradley's have purchased the property and are the current owners. The location of the shed may be changed and placed next to the dwelling. Wherever it is placed it will be a minimum of 10 ft from both side lot lines and 25 ft from the road and lake. The Board reviewed the recommendations from Sacha Pealer, Northeastern VT Floodplain Manager. All structures are being properly elevated to be above the floodplain. Skirting around the dwelling will allow for water to flow under the building during high water events. There were no public comments. Tim Bronson moved to close the hearing for application 19-032, with Jim Bumps seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-032 by James Michael Talbot/Bill & Carol Bradley as submitted with the condition that there will be no increase in the size of the dwelling, with Tim Bronson seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

One application is pending for their next meeting on July 8th. Tim Bronson moved to adjourn the meeting at 6:27 with Jim Bumps seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * July 8, 2019

Members Present: Tim Bronson, Adam Guyette, Bob DeRoehn, Judy Nommik, Joe Profera, Dave LaBelle.

Members Absent: Jim Bumps.

Others Present: Adam Patten, Bob Kelley.

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

APPROVE MINUTES:

Tim Bronson moved to approve the minutes of June 24, 2019 as written, with Adam Guyette seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-046 by Adam Patten, PIN #SMSDC049F4C, for conditional use approval for a 20 ft by 5 ft porch addition to an existing nonconforming structure. This property is located at 162 Main Street, Derby Center and is in the Village Residential Derby Center (VRDC) zoning district.

Adam Patten was present to explain the request. The porch addition will wrap around the side of the house and will not be any closer to the north lot line than the existing house. There were no public comments. Bob DeRoehn moved to close the hearing for application 19-046, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-046 by Adam Patten as submitted, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS:

The Board discussed the proper way to route an application for a person to build a large garage in the RR district to park his semi-truck & trailer and to have an office for his trucking business. It was decided that it would fall under a Residential Business.

ADJOURNMENT:

One application is pending for their next meeting on July 22nd. Tim Bronson moved to adjourn the meeting at 6:19 with Adam Guyette seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * July 8, 2019

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

Members Absent: Tim Bronson, Adam Guyette.

Others Present: Harold Kelley, Sharron Kelley.

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

APPROVE MINUTES:

Joe Profera moved to approve the minutes of July 8, 2019 as written, with Judy Nommik seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-050 by Harold & Sharon Kelley, PIN #SESAL033I7T, for conditional use approval to build a new 8 ft x 16 ft shed within the flood plain. The shed will be elevated to a minimum floor elevation of 968.9' above sea level. This property is located at 532 East Salem Drive and is in the Shoreland (SD) zoning district.

Sharon & Harold Kelley were present to explain the request. The Board reviewed all aspects of the application. There were no public comments. Bob DeRoehn moved to close the hearing for application 19-050, with Judy Nommik seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 19-050 by Harold & Sharon Kelley as submitted, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

Two applications are pending for their next meeting on August 5th. Jim Bumps moved to adjourn the meeting with Bob DeRoehn seconding. Unanimous.

Minutes were taken by Judy Nommik

Unapproved

Derby Development Review Board * Minutes * August 5, 2019

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

Members Absent: None.

Others Present: John Varney, Oscar Thayer, Andy Rowe, Ken LeMoyne, Bob Kelley.

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

APPROVE MINUTES:

Joe Profera moved to approve the minutes of July 22, 2019 as written, with Judy Nommik seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-057 by North Country Union School District, PIN #TRD44025I2T, for site plan approval to construct a 12 ft by 16 ft gazebo at NCUJHS. This property is located at 57 Junior High Drive and is in the Public Lands (PL) zoning district.

Bob DeRoehn moved to Table application 19-057 by North Country Union School District until Monday August 19, 2019 at 6:00 pm because the applicant was not present to explain the proposal, seconded by Adam Guyette. Unanimous.

Application 19-056 by Vermont Electric Cooperative, PIN #TRD44025I2T, for site plan approval to construct a 24,200 sq ft building for office, truck terminal and warehouse uses with outside storage. This property is located on Citizens Road and is in the Commercial/Industrial (COM/IND) zoning district.

John Varney, Oscar Thayer and Andy Rowe were present to explain the request. The Board reviewed all aspects of the application. There were no public comments. Judy Nommik moved to close the hearing for application 19-056, with Jim Bumps seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-056 by Vermont Electric Cooperative as submitted with the condition that the applicant shall get in writing, prior to issuance of a Certificate of Occupancy, the Derby Line Fire Chief's approval for the location of a Knox box, access to the gates, and access to the storage materials within the buildings for emergency purposes, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

One application is pending for their next meeting on August 19th along with the application that was tabled tonight. At 6:17 pm Jim Bumps moved to adjourn the meeting with Bob DeRoehn seconding. Unanimous.

Minutes were taken by Bob Kelley

Unapproved

Derby Development Review Board * Minutes * August 19, 2019

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

Members Absent: Judy Nommik, Adam Guyette.

Others Present: Teresa Piette, Bob Kelley.

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

APPROVE MINUTES:

Joe Profera moved to approve the minutes of August 5, 2019 as written, with Tim Bronson seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-057 by North Country Union School District, PIN #TRD44025I2T, for site plan approval to construct a 12 ft by 16 ft gazebo at NCUJHS. This property is located at 57 Junior High Drive and is in the Public Lands (PL) zoning district.

Jim Bumps moved to remove the application from the table, seconded by Bob DeRoehn. Unanimous.

Teresa Piette was present to explain the request. The Board reviewed all aspects of the application and all questions were answered. There were no public comments. Tim Bronson moved to close the hearing for application 19-057, with Bob DeRoehn seconding. Unanimous.

After deliberations Joe Profera moved to approve application 19-057 by North Country Union School District as submitted, with Tim Bronson seconding. Unanimous (see attached written decision).

Application 19-060 by North Country Engineering, PIN #RT111058G6T, for site plan approval to construct a 16 ft by 30 ft warehouse addition. This property is located at 108 John Taplin Road and is in the Commercial/Industrial (COM/IND) zoning district.

Dave LaBelle recused himself from this application as this is a permit for his business. He remained present to explain the request. A letter authorizing Dave LaBelle to represent the owner is in the file. The Board reviewed all aspects of the application and all questions were answered. There were no public comments. Tim Bronson moved to close the hearing for application 19-060, with Bob DeRoehn seconding. Unanimous with Dave LaBelle recusing himself.

After deliberations Tim Bronson moved to approve application 19-060 by North Country Engineering as submitted, with Bob DeRoehn seconding. Unanimous with Dave LaBelle recusing himself (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

There will be no meeting in two weeks due to Labor Day. Two applications are pending for their next meeting on September 16th. At 6:25 pm Tim Bronson moved to adjourn the meeting with Jim Bumps seconding. Unanimous.

Minutes were taken by Bob Kelley

Unapproved

Derby Development Review Board * Minutes * September 16, 2019

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

Members Absent: None.

Others Present: David Peterson, Joanne Guyette Worth, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of August 19, 2019 as written with the date of the minutes corrected, with Joe Profera seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-066 by David & Lindsay Peterson, PIN #SESAL028I7T, for conditional use approval to raise the existing dwelling, to add a 5 x 8 ft by 5 x 24 ft deck, and to add a 6 ft by 16 ft deck all within the flood plain. The building will be elevated to a minimum first floor elevation of 968.9' above sea level. This property is located at 419 East Salem Drive and is in the Shoreland (SD) zoning district.

David Peterson was present to explain the request. The applicant amended the application and site plan to change the 5 x 5 deck to an 8 x 24 deck and initialed the changes. The 6 x 16 deck required approval from the State because it is within 100 ft of the lake. The decks will be anchored to concrete footings. The new concrete foundation will be filled with gravel. Comments from the State Floodplain Manager were reviewed. The house and decks all meet the setback requirements for the SD district. The Board reviewed all aspects of the application and all questions were answered. There were no public comments. Joe Profera moved to close the hearing for application 19-066, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant conditional use approval for application 19-066 by David & Lindsay Peterson as submitted with the condition that the applicant must submit an Elevation Certificate for the house, certified by a licensed land surveyor or professional engineer, when the project is complete, with Judy Nommik seconding. Unanimous (see attached written decision).

Application 19-070 by Worth Holdings LLC, PIN #NDRT5084F5C1, for site plan approval for a 20 ft by 22 ft addition to their garage. This property is located at 3165 US Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district.

Joanne Guyette Worth was present to explain the request. The addition is to the building in the back and will meet the setback requirements. A Letter of Intent is on file from the Agency of Transportation concerning access from Route 5. The Board reviewed all aspects of the application and all questions were answered. There were no public comments. Bob DeRoehn moved to close the hearing for application 19-070, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 19-070 by Worth Holdings LLC as submitted, with Bob DeRoehn seconding. Unanimous (see attached written decision).

Application 19-062 by AJJ LLC, PIN #SMSDC052F5C, for conditional use and site plan approvals to convert the property back into a 3-unit apartment building. This property is

located at 55 Main Street, Derby Center and is in the Village Commercial Derby Center (VCDC) zoning district.

The applicant was not present, but because the Board viewed the application as a very minor change they decided to proceed without the applicant present. The individual parking spaces were not depicted on the site plan, but it was clearly obvious that the parking area is adequate. A Letter of Intent is on file from the Agency of Transportation concerning access from Route 105. The Board reviewed all aspects of the application. There were no public comments. Judy Nommik moved to close the hearing for application 19-062, with Adam Guyette seconding. Unanimous.

After deliberations Judy Nommik moved to grant Conditional Use Approval for application 19-062 by AJJ LLC as submitted, with Tim Bronson seconding. Unanimous (see attached written decision).

After deliberations Bob DeRoehn moved to grant site plan approval for application 19-062 by AJJ LLC as submitted, with Judy Nommik seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

There are currently no application pending. At 6:37 pm Joe Profera moved to adjourn the meeting with Judy Nommik seconding. Unanimous.

Minutes were taken by Bob Kelley

Unapproved

Derby Development Review Board * Minutes * October 28, 2019

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

Members Absent: Joe Profera, Judy Nommik, Adam Guyette.

Others Present: Nancy Cass, Jeff Olesky, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of September 16, 2019 with Tim Bronson seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-081 by the Terrill Judd & Nancy Cass, PIN #NDRT5026G3T, for preliminary and final plat approval for a 3 lot subdivision and associated lot regarding for future development. Lot #1 – 1.13 ac, lot #2 – 0.79 ac and lot #3 – 3.27 ac. This property is located at 5027 US Rte 5 and is in the Commercial (COM) zoning district.

Nancy Cass and Jeff Olesky were present to explain the request. Lots 1 & 2 will be accessed by a private R.O.W. and lot 3 will be accessed off of Route 5. The State has issued a letter of intent for the Route 5 access. There will be significant grading of lot 3 to bring it level with the road. All aspects of the subdivision were reviewed. There were no comments from the public. Tim Bronson moved to close the hearing for application 19-081, with Bob DeRoehn seconding. Unanimous.

After deliberations Tim Bronson moved to approve application 19-081 by the Terrill Judd & Nancy Cass 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 Bob DeRoehn seconding. Unanimous (see attached written decision).

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Jim Bumps moved to adjourn the meeting at 6:18 with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * November 25, 2019

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

Members Absent: None.

Others Present: Stephen Wheeler, Amy Wheeler, Jean Maillet, Samantha Chilafoux, Travis Chilafoux, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of October 28, 2019 with Jim Bumps seconding. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 19-088 by the Samantha Chilafoux, PIN #TRD35011F6T, for site plan and conditional use approvals for a residential business/service for occasional small service and repair of vehicles. This property is located at 263 Derby Pond Road and is in the Residential 1-Acre (R1) zoning district.

Samantha & Travis Chilafoux were present to explain the request. Travis Chilafoux is a mechanic and does small jobs mainly for friends and family such as tie rods, ball joints, undercoating, etc... He does these jobs mainly nights and weekends. The undercoating is a grease based blend that does not drip. The garage is not heated. A letter was submitted to the Board from Douglas & Lynne Coutts in opposition to the application. Their main concern was the effect this could have on the surrounding environment. Amy Wheeler read a text she received from Ashley McKenny in opposition to this application. Stephen Wheeler outlined various reasons why he was opposed to the application, including environmental impact, character of the area, groundwater contamination, and hazardous materials. The Wheelers own an organic sugarbush that surrounds the Chilafoux property. The Board asked various questions regarding the application. The property is in the Derby Center Source Protection Area. §501 regulates Source Protection Areas and §501.4(B) prohibits motor vehicle servicing or fuel sales among other uses. Joe Profera moved to close the hearing for application 19-088, with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to grant site plan approval for application 19-088 by Samantha Chilafoux as submitted, with Judy Nommik seconding. Site plan approval was unanimously DENIED (see attached written decision).

After deliberations Joe Profera moved to grant conditional use approval for application 19-088 by Samantha Chilafoux as submitted, with Judy Nommik seconding. Conditional use approval was unanimously DENIED (see attached written decision).

The Zoning Administrator will write up their decisions and Bob DeRoehn moved to allow Chair Dave LaBelle to approve the final written decisions on behalf of the Board, seconded by Joe Profera. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No applications are pending. Jim Bumps moved to adjourn the meeting at 6:50 with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*