

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* January 7, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Joe Profera, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Todd Wright, Hilarie Wright, Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the December 10, 2018 minutes as written, seconded by Cynthia Adams. Unanimous.

**PUBLIC COMMENT:**

Todd & Hilarie Wright explained to the Commission that he has a petition with enough signatures for a bylaw amendment to change the portion of his land that is in the Special Lands (SL) to Residential 2-Acre (R2). This will place all of his land on Upper Quarry Road in the R2 district. His intend is to be able to legally be able to have a Function Hall on his land. The Commission asked that instead of changing the zoning district if they would be satisfied if Function Hall was added to the SL zone as a conditional use. They were agreeable to this. They would also consider swapping about 70 acres currently in the R2 zone for 70 acres currently in the SL zone that the Selectboard has asked about.

**NEW/OLD BUSINESS:**

**Review Article 2 changes -**

Function Hall was added as a Conditional Use in the Special Lands district. While the Commission was not in favor of Function Halls being permitted on the Wright property due to the steepness and shallow soils, they felt that if it was to be allowed that it would be in the best interest of the Town to do it this way rather than the other 2 options.

The Commission discussed the desire to finish up with amendments to Article 2 in a timely fashion and decided to meet on Martin Luther King Day, Jan 21<sup>st</sup>.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on January 21, 2019. Jane Clark moved to adjourn at 8:15, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Bob Kelley.*

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* January 21, 2019**

**MEMBERS PRESENT:** Bob DeRoehn.

**MEMBERS ABSENT:** Joe Profera, Richard Creaser, Cynthia Adams, Jane Clark.

**OTHERS PRESENT:** Bob Kelley.

**DUE TO A LACK OF A QUORUM THE MEETING WAS CANCELLED.**

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* February 4, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Joe Profera, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Cynthia Adams moved to approve the January 7, 2019 minutes as written, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENT:** None.

**NEW/OLD BUSINESS:**

**Review Article 2 changes -**

Church was added as a conditional use to the R1 district and removed from the VCDC and VCDL districts.

Contractor's Yard was added as a conditional use in the RR district.

Family Care Facility was changed to Family Child Care Facility in the VCDC district.

Funeral Home was added as a conditional use in the VCDC and VCDL districts.

Light Manufacturing was added as a conditional use in the COM/IND district.

Log Yard was added as a permitted use in the IND district and as a conditional use in the RR district.

Motor Vehicle Sales and Repair was added as a permitted use in the IND district.

Nightclub/Bar was added as a conditional use in the VCDC and VCDL districts.

Personal Services was added as a permitted use in the VCDC district.

Printing/Publishing was added as a conditional use in the VCDL district.

Public Facilities and Essential Service Buildings need further review as the definitions conflict.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on February 18, 2019. Bob DeRoehn moved to adjourn at 8:20, seconded by Jane Clark. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* March 18, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Joe Profera, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Richard Creaser moved to approve the February 4, 2019 minutes as written, seconded by Jane Clark. Unanimous.

**PUBLIC COMMENT:** None.

**NEW/OLD BUSINESS:**

**Re-Organize Commission –**

Cynthia Adams moved to elect Joe Profera as Chair and Bob DeRoehn as Vice-Chair, seconded by Richard Creaser. Unanimous.

**Review Article 2 changes -**

Log Yard was changed to a conditional use in the IND district.

Public Facility was added as a conditional use in the VCDL, VCDC, VR1DL, VR2DL, VRDC, and VRMFDC districts.

Indoor Recreation was removed from the Shoreland district.

Residential Business or Service was added as a conditional use in the VCDL district and changed to a conditional use in the R2, RR, and VCDC districts

Restaurant was added as a conditional use in the R1, RR, and SD districts.

Retail Store/Office/Apt Complex was removed from the COM district and the definition was deleted.

Telecommunication Tower, co-location was added as a permitted use in the IND district.

Telecommunication Tower, new construction was added as a conditional use in the IND district.

Veterinary Hospital was added as a conditional use in the VCDC district.

Essential Services was defined as Services and utilities needed for the health, safety, and general welfare of the community such as underground, surface, or overhead electrical, gas, telephone, steam, water, sewerage and other similar utilities. Building, plants, towers, substations, and other similar structures require permitting. The transmission and distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit, cables, hydrants, and similar equipment are exempt from zoning permit requirements.

Public Facility was defined as (1) Any building or land used exclusively for public purposes by any department or branch of government; (2) building or land of an institutional nature and serving a public need, such as libraries, museums, post offices, police, rescue, fire stations, parks, public schools, and playgrounds.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on April 1, 2019. Jane Clark moved to adjourn at 8:07, seconded by Richard Creaser. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* April 1, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Joe Profera, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the March 18, 2019 minutes as written, seconded by Richard Creaser. Unanimous.

**PUBLIC COMMENT:**

**Above Ground Pools**

Bob Kelley explained that a property owner on Herrick Road would like the bylaws changed to allow above ground pools closer to the property lines than is currently required. The Commission agreed to look into this further.

**NEW/OLD BUSINESS:**

**Final Review Article 2 changes -**

The Commission checked the various permitted and conditional uses allowed in the various zoning districts for errors and found a few sections where the uses were not in alphabetical order and Essential Services Building needs to be changed to Essential Services in all districts. They will continue their final review at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on April 15, 2019. Bob DeRoehn moved to adjourn at 8:23, seconded by Richard Creaser. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* April 15, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** Joe Profera.

**OTHERS PRESENT:** Michelle Gleason, Steven Gleason, Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Richard Creaser moved to approve the April 1, 2019 minutes as written, seconded by Cynthia Adams. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Review proposed change regarding above ground swimming pools -**

Steven Gleason submitted a proposal to allow above ground swimming pools to be 10 ft from the side and rear lot lines on nonconforming lots provided it is behind the front face of the house. After reviewing the bylaw the Commission decided to change the front yard setback in the R2 & RR districts to 30 ft (the same as all the other residential districts), allow all accessory structures to be 10 ft from the rear and side lot lines in the R2 & RR districts (the same as all the other residential districts), and added "Swimming pools are considered an accessory structure." to the beginning of §403.2(J) Swimming Pools.

**Final Review Article 2 & 11 changes -**

Article 2 was reviewed and no further changes were made.

Article 11 – Definitions:

Planning Commission was changed to Development Review Board in the definitions of Change of Use, Street, Uses – Permitted, and Uses - Conditional.

Zoning Board of Adjustment was changed to Development Review board in the definition of Uses – Conditional.

Compliant Non-Conformity, Non-Compliant Non-Conformity, Off-Lot Water & Sewer, On-Lot Sewer, Off-Lot water was deleted.

The last sentence in Junk Motor Vehicle was changed to read – Any motor vehicle without current motor vehicle tags may be considered a junk motor vehicle and any motor vehicle without a full set of inflated tires may be considered a junk motor vehicle.

"Whether in violation of the Bylaw or not" was deleted from the definition of Non-Conformity.

Final review of Articles 2 & 11 and the zoning map is complete. For the next meeting Bob Kelley will draft, for Commission review, the required report necessary to begin the amendment process.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on April 29, 2019. Jane Clark moved to adjourn at 8:25, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* April 29, 2019**

**MEMBERS PRESENT:** Joe Profera, Bob DeRoehn, Richard Creaser, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the April 15, 2019 minutes as written, seconded by Jane Clark. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Zoning Bylaw Review -**

The Town Plan expired on Town Meeting Day and it was discovered that the bylaw cannot be amended until a new plan is approved.

The follow regulation was approved to be added to Article 4 – Trailers/Semi-Trailers  
The use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot shall comply with the following:

- 1) In all districts the use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot requires a permit and shall be subject to the following conditions:
  - a) The trailer(s) is located behind the rear plane of the principal structure on the lot.
  - b) The trailer(s) shall conform to all setback requirements for the district in which they are located.
  - c) Use of such storage trailers are accessory to a principal residential or commercial use.
- 2) In all districts except Industrial, Commercial/Industrial, and Commercial districts the use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot shall require Conditional Use approval from the Development Review Board. In determining compatibility with the neighborhood the Development Review Board may require some or all of the following to lessen the impact on the area:
  - a) Removal of wheels, carriages, reflectors, light, license plates, commercial markings, or any other indicia of vehicular use.
  - b) Painting to coordinate with the principal structure on the lot
  - c) Reasonably screened from view from any public way or abutting property.
  - d) Skirting between the bottom of the trailer and the ground.

The minor change to Swimming Pool regulations discussed last week was approved.

**Town Plan Review -**

Because a new Town Plan needs to be approved before any bylaw amendments can be made, the Commission started review of the expired plan. An element on flood resiliency needs to be added. The Acknowledgements will need to be updated. The current number of dairy farms in the History of the Town of Derby will need to be updated. In the Introduction to the Plan it needs to be changed to indicate that Town Plans are now good for 8 years instead of 5. The Community Profile needs to be updated with current figures. Under General Goals and Objectives “for” needs to be deleted from C(1) and

“provide” needs to be changed to “develop” in C(4). The Protection of the Environment and Rare and Irreplaceable Areas looks fine as written. The Land Use section will need work. In the first paragraph the Telecommunications Facilities section “in the Next five to ten years” needs to be changed to “as technology evolves”. The Commission will continue with the review of the Town Plan at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 7:00 PM on May 13, 2019. Bob DeRoehn moved to adjourn at 8:08, seconded by Jane Clark. Unanimous.

*The minutes were taken by Bob Kelley.*



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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* May 13, 2019**

**MEMBERS PRESENT:** Joe Profera, Bob DeRoehn, Richard Creaser, Cynthia Adams.

**MEMBERS ABSENT:** Jane Clark.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Richard Creaser moved to approve the April 29, 2019 minutes as written, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

Bob Kelley informed the Commission that after the Plan is updated the adoption process will take about 20 weeks.

For the “History of the Town of Derby” it was noted that there are now 11 active dairy farms.

“Land Use” was reviewed and minor changes were made. A section needs to be added about the John Taplin Rd COM/IND zone and the Riparian District & Wetland District sections need to be reviewed after a Flood Resilience Plan is drafted.

The Commission will continue review starting with the “Recreation and Leisure” section at their next meeting.

**Meeting Start Time** – The Commission would like to start their meetings a little earlier in the evening. Cynthia Adams move to change their meeting start time to 6:30, seconded by Bob DeRoehn. Unanimous.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

There will not be a meeting in 2 weeks due to Memorial Day, so next regular meeting is scheduled for 6:30 PM on June 10, 2019. Cynthia Adams moved to adjourn at 8:30, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* June 10, 2019**

**MEMBERS PRESENT:** Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** Jane Clark, Joe Profera, Richard Creaser.

**OTHERS PRESENT:** Karen Chitambar, Bob Kelley.

**MEETING CALLED TO ORDER: The meeting was cancelled due to a lack of a quorum.**

The Commission members present talked about possibly meeting next week to make up for no meeting this week. Bob Kelley will ask the Chair if he would like the Commission to meet next week.

The next regular meeting is scheduled for 6:30 PM on June 24, 2019.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* June 17, 2019**

**MEMBERS PRESENT:** Joe Profera, Bob DeRoehn, Richard Creaser, Jane Clark, Cynthia Adams.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley, Karen Chitambar.

**MEETING CALLED TO ORDER: 7:00 P.M.**

**APPROVE MINUTES:**

Jane Clark moved to approve the May 13, 2019 minutes as written, seconded by Richard Creaser. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

“Recreation and Leisure” there was discussion about adding in additional activities, organizations, businesses and infrastructure. Jane Clark volunteered to rewrite this section.

“Conservation Commission” item A(9) was added to read “Threats to our natural resources including invasive species and plant/animal diseases. Zoning Board of Adjustment was changed to Development Review Board in 2 places.

“Development Trends and Impact on Adjacent Towns” in the 2<sup>nd</sup> paragraph the 2<sup>nd</sup> & 3<sup>rd</sup> to last sentences were deleted and in the last sentence “to Burlington or out of state” was changed to “out of the area”. In the 3<sup>rd</sup> paragraph “on a twice annual basis” was changed to “periodically”. In the last paragraph “from all over” was changed to “throughout”.

“Economic Development” in the first paragraph “industrial/commercial” was changed to “industrial and commercial” and “base,” was changed to “base and”. The last sentence was deleted from item B). Item C) was deleted. In the REAP section the “ “ around lifestyle were deleted and item A) was deleted.

“Housing” “four” was deleted from the 1<sup>st</sup> sentence. 3<sup>rd</sup> paragraph – “all” changed to “many” in the 1<sup>st</sup> sentence. 2<sup>nd</sup> sentence changed to “The Town also recognizes the need for additional affordable housing and senior housing.” 4<sup>th</sup> paragraph – “the foregoing” changed to “development”.

“Transportation” under Aviation “and has two 4,000 ft” was changed to “with 4,000 ft and 5,000 ft”, also the next to last sentence was deleted. Under I-91 Interstate Highway 3<sup>rd</sup> sentence was deleted. Cynthia volunteered to work on the Bus Service section, Richard volunteered to look into how to add the Northern Forest Canoe Trail into the plan, and Bob DeRoehn volunteered to work on ATVs.

The Commission will continue review starting with the “Transportation – Local Transportation Facilities” section at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on June 24, 2019. Cynthia Adams moved to adjourn at 8:30, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* June 24, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Jane Clark, Bob DeRoehn.

**MEMBERS ABSENT:** Cynthia Adams.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Richard Creaser moved to approve the June 17, 2019 minutes as written, seconded by Jane Clark. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

“Recreation and Leisure” the Commission reviewed Jane’s draft, made a few changes and accepted the draft.

“Economic Development” the “A” in REAP was corrected to stand for Area not Action.

“Transportation” under Regional Transportation Facilities sections were added for ATV and Canoes. Under Functional Classification “significant through truck traffic uses this segment due to weight restrictions on the interstate and” was deleted from the last sentence in A), Schuler Rd was added to B) and “, a minor collector function is more applicable” was added to the last sentence. D) was deleted. Under Issues and Solutions – Jane will draft changes for A, B, & C; Bob will draft changes for D, E, & F; Joe will draft changes for G, H, I, J, & K; and Richard will draft changes for L, M, N, O, P, & Q for the next meeting. Under Road Department Equipment and Facilities “and” was added after is good in the 2<sup>nd</sup> sentence. Under Implementation Mechanisms H) & K) were deleted.

The Commission will continue review starting with the “Education” section at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on July 8, 2019. Jane Clark moved to adjourn at 8:05, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* July 8, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Jane Clark, Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Jane Clark moved to approve the June 24, 2019 minutes as written, seconded by Jane Clark. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

“Transportation” the Commission completed revisions to this section with the exception of sub-section “E) West Street” under “Issues and Solutions” which will be reviewed after the Selectboard decides how to proceed with a fix to the existing road slide.

“Energy” the Commission completed this section with a few minor changes.

The Commission will continue review starting with the “Education” section at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on July 22, 2019. Jane Clark moved to adjourn at 8:10, seconded by Richard Creaser. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* July 22, 2019**

**MEMBERS PRESENT:** Joe Profera, Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** Richard Creaser, Jane Clark.

**OTHERS PRESENT:** None.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the July 8, 2019 minutes as written, seconded by Cynthia Adams. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review –**

**EDUCATION –**

First paragraph, change to North Country Schools school district.

Bottom of paragraph – take out “new” in front of Land Lab and change “Lyndon State College and Johnson State College” to Northern Vermont University located in Lyndon and Johnson Vermont.

Derby Elementary School – change to PreK through sixth. Cynthia will get updated figure for 2019. Add – Morgan students are now attending DES since 2012 and Holland students will join in fall of 2019.

North Country Union Junior High School – questioned “main building 40 years old”. Cynthia will find out and get current enrollment.

North Country Union High School – Cynthia will get current enrollment figure

North Country Career Center – End of paragraph – take out from “They operate...”

Change to The Career Center is located in the C wing of North Country Union High School with a Land Lab on the Quarry Road in Derby. Courses currently offered are Building Trades, CAD and Mechatronics, Cosmetology, Culinary Arts, Early Childhood Development, Health Careers, Heavy Equipment, Marketing, Natural Resources, Transportation Sciences, and Welding.

Community College of Vermont – no changes.

Change Lyndon State College and Johnson State College – combine to one paragraph under Northern Vermont University with campuses in Lyndonville and Johnson.

Commission questioned where and who developed Derby’s Education Goals.

**ENERGY –**

1<sup>st</sup> paragraph change “thru out” to throughout.

2<sup>nd</sup> paragraph add currently to “there are \_\_\_\_\_ 8 gas stations.

4<sup>th</sup> paragraph – add LED

5<sup>th</sup> paragraph - ?

**LOCAL GOVERNMENT –**

Change Zoning to DRB.

Commission questioned if NVDA is still active in Derby??

#### EMERGENCY SERVICES -

1<sup>st</sup> paragraph – questioned sentence about “Residential growth is increasing...”

Disaster Preparedness – Was plan updated in 2014?

Emergency Medical Services – ok.

Fire Department – Joe will get updated information from Craig Ellam, Town Fire Chief. Need to add Main Fire Department Building in DL and 2 trucks at Town Garage. Need to add new equipment – Snowmobile, All Terrain Vehicle, Hazmat Trailer, new trucks, etc and update paragraph about number of volunteers

Ambulance Services – take out that paragraph and state Derby and Derby Line receive ambulance coverage by Newport Ambulance Service.

Law Enforcement Services – no changes. Look at A, B, and C – is this/has this happened??

Members in attendance felt we should review work done at this meeting with the full Planning Commission and Bob Kelley for accuracy.

**Mail** – None.

#### **ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on August 5, 2019. Bob DeRoehn moved to adjourn at 7:30, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Cynthia Adams.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* August 5, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Jane Clark, Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

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

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

The Board reviewed changes to the “Education”, “Energy”, “Local Government”, and “Emergency Services” sections prior to continuing their review.

“Education” - Derby Elementary School - enrollment was changed to 471 at the beginning of the 2019 school year. In the last sentence in the first paragraph “will join” was changed to “joined”. North Country Union Junior High School – “The main portion of the building is forty years old...” was changed to “The original building was built in 1957...”. Current enrollment was changed to 262. North Country Union High School – In the first paragraph “Enrollment since 2008 has dropped below 1,000 students and the recent expansion of the C-wing, which is home to the Career Center, has added much needed space.” was changed to “Enrollment for 2019 has dropped to 645 students.” North Country Career Center – Heating, Ventilation & Air Conditioning was added to the courses currently offered. Cynthia Adams will look at the Community College of Vermont and Northern Vermont University sections for the next meeting.

“Emergency Services” - Under Disaster Preparedness “The plan is due to be updated in 2014.” was deleted. Richard Creaser will draft a Dispatch section for next meeting.

“Utilities and Facilities” – Bob Kelley will check on the average gallons currently being treated at the Newport City Wastewater Treatment Facility. Under “Municipal Sewer – Village of Derby Line” section “on a pro rated basis according to usage” was deleted from the next to last sentence and “A major upgrade is planned for 2020 and a new Interlocal agreement is in the works.” was added at the end. Under “Municipal Water – Derby Center Water Company (DCWC)” Jane will review for next meeting.

With the requirements of the Town Plan Adoption process, if required hearings are held on normal meeting nights the Commission has only 3 more meetings to finish the plan in order to have the plan ready for Australian ballot at Town Meeting.

Bob Kelley will have a punch list for remaining items at their next meeting.

The Commission will continue review starting with the “Implementation of the Town Plan” section at their next meeting.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on August 19, 2019. Jane Clark moved to adjourn at 8:00, seconded by Richard Creaser. Unanimous.

*The minutes were taken by Bob Kelley.*



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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* August 19, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Jane Clark, Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Richard Creaser moved to approve the August 5, 2019 minutes as written, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENT:**

All except Joe would like minutes and agendas emailed only to save on postage costs.

**NEW/OLD BUSINESS:**

**Town Plan Review -**

Population section - reviewed update to Median Age and approved.

Economy section – changed “food stamps” to “Supplemental Nutritional Assistance” and NVDA has been contacted to help update all data.

John Taplin Rd Commercial/Industrial district – reviewed draft and approved.

Riparian District – reviewed and approved.

Wetlands District – reviewed and approved.

West Street issues and solutions – reviewed, modified and approved.

School Enrollment graphs – reviewed updates and approved.

Northern Vermont University – reviewed rewrite by Cynthia and approved.

Disaster Preparedness – reviewed changes by Craig Ellam and approved.

Fire Department – reviewed changes by Craig Ellam and approved.

Emergency Dispatch Services – reviewed draft by Richard and approved.

Implementation of the Town Plan – reviewed, modified, and approved.

Flood Resilience Plan – Newport City’s and Holland’s plans were handed out. The Commission will review them prior to their next meeting.

NVDA 2014 Town Plan Review was handed out for the Commission to review comment on the last plan and suggestions for additions to new plan.

Remaining items that need to be finished:

- Updated figures to the Economy section (NVDA)
- Check with Derby Center on the Derby Center Water Supply section (Jane)
- Draft a Flood Resilience Plan (Commission)
- Review NVDA Town Plan Review and amend plan as needed (Commission)
- Update maps as needed (Bob K)

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

There will be no meeting in 2 weeks due to Labor Day. The next regular meeting is scheduled for 6:30 PM on September 16, 2019. Jane Clark moved to adjourn at 7:52, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* September 16, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Bob DeRoehn, Cynthia Adams.

**MEMBERS ABSENT:** Jane Clark.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the August 19, 2019 minutes as written, seconded by Richard Creaser. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

Protection of the Environment and Rare and Irreplaceable Areas section – Minor addition to Protection of Rare and Irreplaceable Areas approved. Minor additions to Specific Goals and Objectives (F) approved.

Transportation section – Minor correction made to Canoe Trails.

Education section – Minor addition to Childcare approved.

Energy section – Minor addition to 4<sup>th</sup> paragraph approved.

Utilities and Facilities section – Minor change to International Water Company approved and added “The Town is exploring options to improve water service in the Beebe sector.”

Flood Resilience Plan – Draft prepared by Bob Kelley review and approved.

NVDA 2014 Town Plan Review was reviewed and the Commission felt all issues have been addressed in the new plan.

Remaining items that need to be finished:

- Updated figures to the Economy section (NVDA)
- Update maps as needed (Bob K)

The Commission expects to finalize the Town Plan at their next meeting and begin the adoption process.

**Mail** – The Commission reviewed their mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on September 30, 2019. Cynthia Adams moved to adjourn at 8:10, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* September 30, 2019**

**MEMBERS PRESENT:** Joe Profera, Richard Creaser, Bob DeRoehn, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the September 16, 2019 minutes as written, seconded by Richard Creaser. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Town Plan Review -**

The Commission did a final review of the Plan and multiple minor corrections were made. It was thought that next time that an English teacher should be recruited to review the plan for grammatical errors.

The Town Plan is complete and the Commission asked the zoning administrator to schedule a Public Hearing for Tuesday, November 12<sup>th</sup> at 6:30 p.m. This will be for public review and comment on the proposed Town Plan.

The Commission discussed parking lots on vacant lots. Currently the bylaw does not address this issue and they felt that parking facilities should be added as a separate use.

**Mail** – There was no mail this week.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on October 28, 2019. Jane Clark moved to adjourn at 8:05, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* October 28, 2019**

**MEMBERS PRESENT:** Richard Creaser, Bob DeRoehn, Cynthia Adams, Jane Clark.

**MEMBERS ABSENT:** Joe Profera.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Richard Creaser moved to approve the September 30, 2019 minutes as written, seconded by Cynthia Adams. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Zoning Bylaw Review -**

The Commission discussed parking lots on vacant lots. Members will draft definitions for their next meeting.

§403.2(J) Swimming Pools – added “Swimming Pools are considered an accessory structure” to the beginning of the section.

Changes to §407 Essential Services were approved so that it is consistent with the definition in Article 11.

§801.4 was changed to allow 8 persons in a residential care home so that it is consistent with State Statute.

Changes to §804.6 Regulations of Child were approved so that it is consistent with the definitions in Article 11 and consistent with State Child Care regulations.

The Commission will continue review of the bylaw starting with Article 3 – Nonconformities at their next meeting.

**Mail** – The Commission briefly discussed the proposed cell tower on Elm St.

**ADJOURNMENT:**

The Commission will meet on Tuesday, November 12, 2019 at 6:30 PM instead of their usual Monday night due to Veterans Day. The meeting will include a Public Hearing on the Proposed Town Plan. Jane Clark moved to adjourn at 7:48, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* November 12, 2019**

**MEMBERS PRESENT:** Richard Creaser, Bob DeRoehn, Cynthia Adams, Jane Clark, Joe Profera.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the October 28, 2019 minutes as written, seconded by Richard Creaser. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Public Hearing for public comment on the Proposed 2020 Town Plan -**

Jane Clark moved to recess the meeting to go into a Public Hearing for public comment on the Proposed 2020 Town Plan, seconded by Bob DeRoehn. Unanimous.

The only comment was an email from NVDA with updated figures for Community Profile section of the plan.

With no further comments Cynthia Adams moved to close the Public Hearing, with Richard seconding. Unanimous.

**Consider Proposed 2020 Town Plan for submittal to the Selectboard –**

Richard moved to approve the Proposed 2020 Town Plan for submittal to the Selectboard with the updated figures for the Community Profile section submitted by NVDA, seconded by Bob DeRoehn. Unanimous.

**Zoning Bylaw Review -**

Parking Facility was defined as “a lot or structure whose primary function is the temporary parking of vehicles. Parking facilities may also include single or multi-level parking structures. A parking facility may be operated for the use of adjacent or near-by commercial or residential properties appropriate to their land-use zone” and added to Article 11.

Parking Facility was added as a permitted use in the COM, COM/IND, VCDC, & VCDL districts and as a conditional use in the IND, RHD, VR1DL, VR2DL, VRDC, & VRMFDC districts.

Multiple corrections to references to State statute and sections of this bylaw were approved thru out Articles 4 thru 10.

Article 3 – Nonconformities – the spelling of units in §301.1(E)(2) was corrected and references to Zoning Board of Adjustment were changed to Development Review Board.

Regulations for Trailers/Semi-Trailers were approved as follows:

**§403.2(L) Trailers/Semi-Trailers**

The use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot shall comply with the following:

- 3) In all districts the use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot requires a permit and shall be subject to the following conditions:
  - a) The trailer(s) is located behind the rear plane of the principal structure on the lot.
  - b) The trailer(s) shall conform to all setback requirements for the district in which they are located.

- c) Use of such storage trailers are accessory to a principal residential or commercial use.
- 4) In all districts except Industrial, Commercial/Industrial, and Commercial districts the use of Trailers/Semi-Trailers for storage not related to an ongoing construction project on the lot shall require Conditional Use approval from the Development Review Board. In determining compatibility with the neighborhood the Development Review Board may require some or all of the following to lessen the impact on the area:
  - a) Removal of wheels, carriages, reflectors, light, license plates, commercial markings, or any other indicia of vehicular use.
  - b) Painting to coordinate with the principal structure on the lot
  - c) Reasonably screened from view from any public way or abutting property.
  - d) Skirting between the bottom of the trailer and the ground.

Bob Kelley will review the bylaw and change references for the Zoning Board of Adjustment to Development Review Board.

The Commission will continue review of the bylaw starting with Article 4 General Provisions at their next meeting.

**Mail** – The Commission reviewed their mail and would like Newport City’s Proposed Municipal Plan emailed to them.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on November 25, 2019. Cynthia Adams moved to adjourn at 8:02, seconded by Bob DeRoehn. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* November 25, 2019**

**MEMBERS PRESENT:** Richard Creaser, Bob DeRoehn, Cynthia Adams, Jane Clark, Joe Profera.

**MEMBERS ABSENT:** Richard Creaser.

**OTHERS PRESENT:** Bob Kelley.

**MEETING CALLED TO ORDER: 6:55 P.M.**

**APPROVE MINUTES:**

Bob DeRoehn moved to approve the November 12, 2019 minutes as written, seconded by Cynthia Adams. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Zoning Bylaw Review -**

§401.2 – PC changed to DRB.

§401.3 – changed to match State statute.

§402.1 – deleted “Auto Service Stations-“ and corrected reference to signs from “§402.10” to “§402.8”.

§402.2 – changed wording so that fences less than 4 ft high in the front yard do not need a permit, added that fences must be 3 ft from property line unless a joint application, corrected PC & ZBA references to DRB, and deleted §402.2(D).

The Commission will continue review starting with §402.3 at their next meeting.

**Mail** – There was no mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on December 9, 2019. Jane Clark moved to adjourn at 8:05, seconded by Cynthia Adams. Unanimous.

*The minutes were taken by Bob Kelley.*

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

**DERBY PLANNING COMMISSION \*\*\*MINUTES\*\*\* December 9, 2019**

**MEMBERS PRESENT:** Richard Creaser, Bob DeRoehn, Jane Clark, Joe Profera.

**MEMBERS ABSENT:** Cynthia Adams.

**OTHERS PRESENT:** Bob Kelley.

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

**APPROVE MINUTES:**

Jane Clark moved to approve the November 25, 2019 minutes as written, seconded by Bob DeRoehn. Unanimous.

**PUBLIC COMMENT: None.**

**NEW/OLD BUSINESS:**

**Zoning Bylaw Review** – The Commission skipped bylaw review in order to review comments of the proposed Town Plan by NVDA

**Town Plan Review** - Based on NVDA's review the Commission corrected 2 errors on page 5, change the first paragraph on the REAP section on page 26, added that single-family dwellings are permitted to have an accessory apartment to the 3<sup>rd</sup> paragraph on page 27, changed North Country Schools to North Country Supervisory Union on page 33, added the addresses for municipal property on page 39, changed some wording in the Disaster Preparedness section on page 40, added a Wildlife Habitat Blocks map to the map section, and added a combined Source Protection Areas map to the map section. All these changes will be recommended to the Selectboard at their public hearing next Monday.

**Mail** – There was no mail.

**ADJOURNMENT:**

The next regular meeting is scheduled for 6:30 PM on December 23, 2019. Bob DeRoehn moved to adjourn at 7:49 PM, seconded by Jane Clark. Unanimous.

*The minutes were taken by Bob Kelley.*