

Unapproved

Derby Development Review Board * Minutes * January 3, 2022

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

Members Absent: Judy Nommik.

Others Present: Real Desrochers, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of December 20, 2021, 2021 as written, seconded by Tim Bronson. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-001 by Real & Denise Desrochers, PIN #NDRT5064F4C, for site plan approval to build a 60 by 120 cold storage building. This property is located at 3609 US Route 5 and is in the Commercial (COM) zoning district.

Real Desrochers was present to explain the request. The building will be behind the existing building on the lot and will be used mainly for storage of equipment. It will be a hoop type building on precast concrete blocks. No electricity to the building is anticipated. There were no comments from the public. Tim Bronson moved to close application 22-001 with Joe Profera seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 22-001 by Real & Denise Desrochers as submitted (see written decision), seconded by Joe Profera. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

No meeting is scheduled for Monday, January 17, 2022. Jim Bumps moved to adjourn the meeting at 6:06 PM with Tim Bronson seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * February 14, 2022

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

Members Absent: Adam Guyette.

Others Present: Anthony Tanguay, Luke Bury, Bob Kelley.

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

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of January 3, 2022 as written, seconded by Tim Bronson. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-003 by Anthony Tanguay, PIN #TRD63012H6T2, for preliminary and final plat review for a 5 lot subdivision. Lot #1 - 2.85 ac, #2 – 2.16 ac, #3 – 1.71 ac, #4 – 9.64 ac, and #5 – 4.24 ac. This property is located at 467 John Taplin Road and is in the Shoreland (SD) zoning district.

Anthony Tanguay was present to explain the request. The turnaround at the end of John Taplin Road was discussed in detail. There were no comments from the public. Joe Profera moved to close application 22-003 with Judy Nommik seconding. Unanimous

After deliberations Joe Profera moved to approve application 2222-003 by Anthony Tanguay as submitted with the conditions that 1) A mylar of the approved plat must be filed with the Town Clerk within 180 days of this decision and 2) The applicant must deed the Town an easement of sufficient size for turning around highway and emergency vehicles at the end of Jon Taplin Road (see written decision), seconded by Bob DeRoehn. Unanimous.

Application 22-004 by Anthony Tanguay, PIN #RT005015E5T, for site plan review for a 30 ft by 100 ft self storage building and a 30 ft by 180 ft self storage building. This property is located at 150 Beebe Road and is in the Commercial (COM) zoning district.

Anthony Tanguay was present to explain the request. One building will be heated and only access from the ends and the other will not be heated and will be accessed from one side. There were no comments from the public. Tim Bronson moved to close application 22-004 with Joe Profera seconding. Unanimous

After deliberations Tim Bronson moved to approve application 22-004 by Anthony Tanguay as submitted (see written decision), seconded by Judy Nommik. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled is on Monday, March 14, 2022. Jim Bumps moved to adjourn the meeting at 6:30 PM with Joe Profera seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * ~~February~~ March 14, 2022 as amended

Members Present: Bob DeRoehn, Joe Profera, Tanner Jacobs, Judy Nommik (remotely).

Members Absent: Adam Guyette, Dave LaBelle, Jim Bumps.

Others Present: In person: Nathan Hamblett, Terry Judd, Nancy Cass, Dwight Abbott, Darrick Granai, Sharon Rubino, Brad St Onge, Brian Smith, Bob Kelley; Remotely: Conrad Miller, James Young, Tricia Tyo, William Lucas, Bailey LaFlam, Timothy Bryon, Faye Morin.

MEETING CALLED TO ORDER - 6:00 P.M. by Vice-Chair Joe Profera.

APPROVE MINUTES:

Judy Nommik moved to approve the minutes of February 14, 2022 as written, seconded by Bob DeRoehn. Unanimous.

PUBLIC COMMENTS:

Joe Profera thought that it might be a good idea to table application 22-015 by Dwight Abbott to grow cannabis to get input from the Selectboard on what use cultivation of cannabis falls under in Derby's zoning bylaw. Judy Nommik moved to table application 22-015 by Dwight Abbott until 6:00 PM April 11, 2022 here in the municipal building. Seconded by Tanner Jacobs. The applicant was not in favor of this and after much discussion Judy Nommik withdrew her motion and Tanner Jacobs withdrew his second.

NEW BUSINESS:

Application 21-116 by Conrad & Marilyn Miller, PIN #SESAL040I7T, for conditional use approval rebuild and add 99 sq ft to an existing deck within the floodplain. This property is located at 677 East Salem Drive and is in the Shoreland (SD) zoning district.

Conrad Miller was present remotely to explain the request. The deck will be bolted to the camp and to the footings. No electrical outlets will be added. The deck frame will be pressure treated and the deck will be composite material. There were no comments from the public. Bob DeRoehn moved to close application 21-116 with Tanner Jacobs seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 21-116 by Conrad & Marilyn Miller as submitted (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-009 by Terry Judd & Nancy Cass, PIN #NDRT5026G3T, for site plan review for a 28 ft by 40 ft office building with a 10 ft by 10 ft entry porch. This property is located at 5027 US Route 5 and is in the Commercial (COM) zoning district.

Terry Judd & Nancy Cass were present to explain the request. The building will be behind the Cass Insurance property. Act 250 will be required. There were no comments from the public. Judy Nommik moved to close application 22-009 with Bob DeRoehn seconding. Unanimous

After deliberations Judy Nommik moved to approve application 22-009 by Terry Judd & Nancy Cass as submitted (see written decision), seconded by Bob DeRoehn. Unanimous.

Application 22-012 by James Young & Tricia Tyo, PIN #ESSAL021H6T, for conditional use approval to build a 34 ft by 36 ft detached garage within the floodplain. This property is located at 902 4-H Road and is in the Shoreland (SD) zoning district.

James Young & Tricia Tyo were present to explain the request. They will be keeping the existing garage. They have a wetlands permit that they will have to comply with. They will be adding only a minimal amount of fill on the along the front and sides of the

foundation and almost no fill will be added in the rear. The foundation will be filled with sand/gravel and the concrete floor will be elevated to 968.9 ft (NGVD 29). It will have electricity and propane heat. The propane tank will be elevated and anchored. There will not be any water to the site. There were no comments from the public. Bob DeRoehn moved to close application 22-012 with Judy Nommik seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 22-012 by James Young & Tricia Tyo as submitted with the following 2 conditions 1) a licensed surveyor must certify that the garage floor is at or above 968.9 ft (NVGD 29) and the propane tank is at or above 967.9 ft (NVGD 29) and 2) the propane tank must be anchored to prevent floatation in the event of flooding (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-013 by Nathan & Tracy Hamblett, PIN #TRD22005F5T, for site plan review raise a 24 ft by 38 ft portion of the roof about 3 ft. This property is located at 165 Nelson Hill Road and is in the Village Commercial Derby Center (VCDC) zoning district.

Nathan Hamblett was present to explain the request. The wall were rotting and needed to be replaced, so while he was doing that he decided to raise the roof 3 ft for extra room on the inside. There were no comments from the public. Bob DeRoehn moved to close application 22-013 with Judy Nommik seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 22-013 by Nathan & Tracy Hamblett as submitted (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-014 by Cory Spaulding, PIN #TRD27006F3T1, for site plan review for an 80 ft by 84 ft truck shop for general repairs and maintenance. This property is located at 252 Quarry Road and is in the Commercial (COM) zoning district.

Brad St Onge was present to explain the request. He is purchasing the property. The access driveway is being moved about 20 ft and the access permit has already been granted. The building will be further back from the road than the previous building. The dumpster will be on wheels so that it can be stored out of sight. There were no comments from the public. Bob DeRoehn moved to close application 22-014 with Judy Nommik seconding. Unanimous

After deliberations Bob DeRoehn moved to approve application 22-014 by Cory Spaulding as submitted (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-015 by Dwight Abbott, PIN #PTYDR001F2T, for site plan review for a change of use of an existing building for growing cannabis. This property is located at 639 Prouty Drive and is in the Residential One Acre (R1) zoning district.

Dwight Abbott and Darrick Granai were present to explain the request. Details of the operation were gone over in detail. The facility will have at least a dozen cameras and a security system. 10 – 12 jobs will be created. No new exterior lighting will be installed. A concern was whether the proposed use comes under Agriculture as defined by Derby's zoning bylaw. Bailey LaFlam and Timothy Bryon, attorneys for ~~Mr. Granai~~ and Mr. Granai argued that cultivation of cannabis clearly falls under Agriculture by Derby's bylaw. The Town has an opinion from VLCT Staff Attorney II Carl Andeer stating that it is not Agriculture. The Board would like the Town's Attorney's opinion of whether cultivation of cannabis falls under the Agriculture definition in the zoning bylaw before making a decision. Abutting property owner William Lucas was concerned with the property being classified as Agriculture. He doesn't want a pig farm going in next to him. It was explained that if a pig farm complied with acceptable agricultural practices that it would be exempt from zoning and would not require a permit. There were no

other comments from the public. Judy Nommik moved to table application 22-015 by Dwight Abbott until 6:00 PM March 28, 2022 here in the municipal building with Tanner Jacobs seconding. Unanimous

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled is on Monday, March 28, 2022. Judy Nommik moved to adjourn the meeting at 8:21 PM. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * March 28, 2022

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

Members Absent: None.

Others Present: In person: Pat Daigle, Pamela Abbott, Stephen Abbott, Dwight Abbott, Darrick Granai, Ed Barber, Steve Gendreau, Karen Chitambar, Brad Shattuck, Brian Smith, Bob Kelley; Remotely: Ken Lawson, Vera Lawson, Andrew Subin, Bailey LaFlam, Timothy Bryon.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of March 14, 2022 as with date corrected at the top and one of the double "Mr. Granai" removed, seconded by Adam Guyette. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Reorganize the Board – Bob DeRoehn moved to nominate Dave LaBelle as Chair, seconded by Jim Bumps. Bob DeRoehn moved to close the nominations, seconded by Jim bumps. Unanimous. Dave LaBelle was elected as Chair by a unanimous vote.

Dave LaBelle moved to nominate Joe Profera as Vice-Chair, seconded by Jim Bumps. Dave LaBelle moved to close the nominations, seconded by Jim Bumps. Unanimous. Joe Profera was elected as Vice-Chair by a unanimous vote.

Application 20-016 by Steve & Pam Abbott, PIN #TRD04067D2T, for site plan approval to convert the existing garage into 2 living units. This property is located at 2688 Darling Hill Road and is in the Residential One Acre (R1) zoning district.

Steve & Pam Abbott were present remotely to explain the request. Steve Abbott explained that the existing dwelling unit on the lot is a park model camper used by his mother and will eventually be removed. The site plan shows that the lot can be theoretically subdivided and meet all the bylaw requirements. There were no comments from the public. Bob DeRoehn moved to close application 22-016 with Tanner Jacobs seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 20-016 by Steve & Pam Abbott as submitted (see written decision), seconded by Jim Bumps. Unanimous.

Application 22-018 by Roger Gosselin Inc, PIN #NMSDC023F5CR1, for site plan review to build a 52 ft by 72 ft shop addition for 2 more bays. This property is located at 193 Gosselin Drive and is in the Village Commercial Derby Center (VCDC) zoning district.

Pat Daigle was present to explain the request. Pat Daigle explained the application and he understands that the Lawson's have some concerns. To address these concerns he proposed to shorten the width of the addition by 4 ft and to cut back on the expansion of the driveway so that it would not be any closer than 10 ft to the property line. The slope off the driveway will be no greater than 1 ft rise for every 2 ft of run. If that cannot be accomplished they will build a retaining wall. The floor drain in the addition will be tied into the existing floor drain. The Lawsons had no other concerns that were listed in their written submittals to the Board. Bob DeRoehn moved to close application 22-018 with Jim Bumps seconding. Unanimous

After deliberations Joe Profera moved to approve application 22-018 by Roger Gosselin Inc as submitted with the following 3 conditions: 1) The width of the addition shall be 4 ft less than shown on the site plan; 2) The slope off the expanded driveway must have a

maximum slope of 1 ft rise for every 2 ft of run or a retaining wall must be installed; and 3) The edge of the expanded driveway must be at least 10 ft from the property line (see written decision), seconded by Jim Bumps. Unanimous.

Application 22-015 by Dwight Abbott, PIN #PTYDR001F2T, for site plan review for a change of use of an existing building for growing cannabis. This property is located at 639 Prouty Drive and is in the Residential One Acre (R1) zoning district. This application was tabled from the March 14, 2022 meeting.

Jim Bumps moved to remove application 22-015 from the table, seconded by Joe Profera. Unanimous.

Joe Profera explained his conversation with the Town's Attorney and that cultivation of cannabis was Agriculture. Andrew Subin, attorney for Mr. Granai reiterated that he agrees that cultivation of cannabis is Agriculture. An email from the Cannabis Control Board was reviewed stating that the State Law saying that cannabis is not an agricultural product and cultivators will not be regulated as farming was for certain tax and regulatory benefits that they would not be eligible to receive and that it is not relevant to zoning laws. There were no other comments from the public. Bob DeRoehn moved to close application 22-015, with Jim Bumps seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-015 by Dwight Abbott as submitted with the following 2 conditions: 1) All cultivation of cannabis must be inside the building; and 2) The air/scent filtration system must be maintained (see written decision), seconded by Jim Bumps. Unanimous.

Note: Judy Nommik left during the middle of the meeting due to connection issues and did not participate in deliberations. Adam Guyette left prior to deliberations because he has a conflict of interest in the two Abbott applications.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled is on Monday, April 11, 2022 at 6:00 pm. Jim Bumps moved to adjourn the meeting at 7:00 PM, with Bob DeRoehn seconding. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * April 11, 2022

Members Present: Bob DeRoehn, Joe Profera, Tanner Jacobs, Dave LaBelle, Jim Bumps, Judy Nommik (remotely).

Members Absent: Adam Guyette.

Others Present: Victor Deyo, Lucas Deyo, Scott Keenan, Deanna Keenan, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Joe Profera moved to approve the minutes of March 28, 2022 as written, seconded by Bob DeRoehn. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 20-023 by Victor Deyo, PIN #TRD22060E7T, for conditional use approval to install an 8 ft by 20 ft storage container on his property. This property is located at 2804 Nelson Hill Road and is in the Rural Residential (RR) zoning district.

Victor Deyo was present remotely to explain the request. He simply needs more storage. He is replacing his existing mobile home with a smaller one and needs for storage space. There were no comments from the public. Joe Profera moved to close application 22-023 with Bob DeRoehn seconding. Unanimous.

After deliberations Joe Profera moved to approve application 20-023 by Victor Deyo as submitted (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-028 by ADA J's LLC, PIN #RT005007E5T, for site plan review to build a 100 ft by 148 ft Auto Repair Shop. This building is to replace the building destroyed by fire in a smaller footprint. This property is located at 2506 US Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district.

Scott Keenan was present to explain the request. The building is similar in size as the one destroyed by fire and in basically the same location. He hopes to get started on construction as soon as possible; in the mean time he is temporarily operating his business out of one of the other building on the property. There were no other comments from the public. Tanner Jacobs moved to close application 22-028, with Judy Nommik seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-028 by ADA J's LLC as submitted (see written decision), seconded by Judy Nommik. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

There are no permits pending DRB review. Jim Bumps moved to adjourn the meeting at 6:15 PM. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * June 6, 2022

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

Members Absent: None.

Others Present: Nate Hamblett, Michael Pappalardo, Tanya Pappalardo, Nancy Hall, John Hall, Matthew Wilson, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of April 11, 2022 as written, seconded by Jim Bumps. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-055 by Michael & Tanya Pappalardo, PIN #RT105026I6T2, for conditional use approval to build 3 – 10 ft by 20 ft sheds each with an RV pad and hookups within the floodplain. This property is located at 1153 Route 105 and is in the Shoreland (SD) zoning district.

Michael & Tanya Pappalardo were present remotely to explain the request. He simply needs more storage. He is replacing his existing mobile home with a smaller one and needs for storage space. Nancy & John Hall did not have any concerns with the project. State Floodplain Manager Sacha Pealer submitted an email with her concerns with the project which included the RVs being on site for more than 180 consecutive days, certification the sheds are at or above 968.9' NGVD29, foundation anchoring, electric below Base Flood Elevation (BFE) needs to be in watertight conduit, and building materials below BFE being flood damage resistant. The sheds will be anchored to concrete blocks to prevent flotation and the only building materials below BFE is concrete blocks. There were no further comments from the public. Bob DeRoehn moved to close application 22-055 with Jim Bumps seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-055 by Michael & Tanya Pappalardo as submitted with the following 3 conditions: 1) A FEMA Elevation Certificate, certified by a licensed land surveyor or professional engineer, shall be submitted to the Town when the project is complete showing that the camp/shed floors are at or above 968.9 ft NGVD-29; 2) All RVs must be registered and ready for highway use and be on site for fewer than 180 consecutive days; and 3) All electric lines below base flood elevation must be in watertight conduit (see written decision), seconded by Adam Guyette. Unanimous.

Application 22-060 by Hamblett Holdings LLC, PIN #NDRT5077F5C, for site plan approval to build an 80 ft by 60 ft dry storage warehouse. This property is located at 3262 US Route 5 and is in the Village Commercial Derby Center (VCDC) zoning district.

Nate Hamblett was present to explain the request. The building is 80 x 40 with a 20 wide lean-to on one site. He is working thru State permitting (Act 250, Stormwater, etc...). The building will have a bathroom and exterior lighting will be down lit. There were no comments from the public. Adam Guyette moved to close application 22-060, with Bob DeRoehn seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-060 by Hamblett Holdings LLC as submitted (see written decision), seconded by Judy Nommik. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled meeting is June 20, 2022 at 6:00. Jim Bumps moved to adjourn the meeting at 6:30 PM, seconded by Bob DeRoehn. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * June 20, 2022

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

Members Absent: None.

Others Present: Robert Hack (remotely), Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of June 6, 2022 as written, seconded by Jim Bumps. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-065 by Robert & Rebecca Hack, PIN #TRD12007D3T, for preliminary and final plat review for a proposed 2-lot subdivision. Lot #4A – 16.2 acres and lot #4B – 2.0 acres. This property is located at 601 Woods Farm Road and is in the Residential Two Acre (R2) zoning district.

Robert Hack was present remotely to explain the request. He is simply splitting off 16.2 acres and leaving 2 acres with the house. A Town access permit has been issued for the proposed access to the 16.2 acre lot. There were no comments from the public. Bob DeRoehn moved to close application 22-065 with Adam Guyette seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-065 by Robert & Rebecca Hack as submitted with the following condition: A mylar of the approved plat must be filed with the Town Clerk within 180 days of this decision (see written decision), seconded by Jim Bumps. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled meeting is July 18, 2022 at 6:00. Jim Bumps moved to adjourn the meeting at 6:05 PM, seconded by Joe Profera. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * July 18, 2022

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

Members Absent: Tanner Jacobs, Adam Guyette, Judy Nommik.

Others Present: Pat Daigle, John Gobeil, Mick Conley, Howard Birchard, Scott Cianciolo, Theresa Cianciolo, Sasha Shapovalova, Dimitri Shapovalova, Chris Wright, Kim Edwards, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of June 20, 2022 as written, seconded by Joe Profera. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-070 by North Country Health Services (Agape Ministries Inc), PIN #NMSDC010F5C, for conditional use and site plan review to change the use to a residential/Vocational/Educational/Cultural Center and a Bi-lingual Church. The intent is to house displaced Ukrainians, integrate them into our society, and have a small church. This property is located at 2853 US Route 5 and is in the Residential Two Acre (R2) and Shoreland (SD) zoning districts.

Scott & Theresa Cianciolo were present to explain the request. Currently they have 24 displaced Ukrainians lined up. The goal is to get them integrated into society in about a year. They will arrive with 2-year visas and work toward gaining permanent citizenship. The families coming in have special needs children, some of which may need treatments in Boston. Eventually the children will be integrated into the local school system. Agape Ministries non-profit and exempt from property taxes. There will be no exterior changes to the property. Howard Birchard asked a few questions and pointed out the loss in tax revenue. There were no further comments from the public. Bob DeRoehn moved to close application 22-070 with Joe Profera seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-070 by North Country Health Services (Agape Ministries Inc) as submitted (see written decision), seconded by Jim Bumps. Unanimous.

Application 22-074 by Gosselin Enterprises Inc, PIN #RT005018E5T, for site plan review to renew permits for a Planned Unit Development permit #07-093, phase 1A - gravel pit permit #08-006, and phase 1B - 20 multi-family units permit #08-121. This property is located at 2021 US Route 5 and is in the Commercial (COM) zoning district.

Pat Daigle and John Gobeil were present to explain the request. This is simply for an extension of the expiration date for their existing permits. They are requesting a ten (10) year extension. There were no comments from the public. Bob DeRoehn moved to close application 22-074 with Joe Profera seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-074 by Gosselin Enterprises Inc for a ten (10) year extension as submitted (see written decision), seconded by Jim Bumps. Unanimous.

Application 22-077 by Trac Equities LLC, PIN #NDRT5060F4C, for site plan review to change the use to a portion of the building to Retail Cannabis. This property is located at 3731 US Route 5 and is in the Commercial (COM) zoning districts.

Chris Wright was present to explain the request. This will be for retail only, there will not be any growing or manufacturing. Mr. Wright explained that there are extensive State regulations he will have to comply with. There will be no exterior changes to the property except for signage. There were no comments from the public. Joe Profera moved to close application 22-077 with Bob DeRoehn seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-077 by Trac Equities LLC as submitted (see written decision), seconded by Jim Bumps. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled meeting is August 1, 2022 at 6:00. Bob DeRoehn moved to adjourn the meeting at 6:40 PM, seconded by Joe Profera. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * August 1, 2022

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

Members Absent: Jim Bumps.

Others Present: Joe Brasseur (remotely), Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Joe Profera moved to approve the minutes of July 18, 2022 as written, seconded by Adam Guyette. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-082 by Joe & Christie Brasseur, PIN #TRD47002K5T, for conditional use approval for two 8 ft by 40 ft storage containers. This property is located at 171 Glover Road and is in the Rural Residential (RR) district.

Joe Brasseur present to explain the request. There will not be any hazardous chemicals stored in the containers and it is located well off the road. The lean-to will be off the side of the container, not over the top. There were no comments from the public. Bob DeRoehn moved to close application 22-082 with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-082 by Joe & Christie Brasseur as submitted (see written decision), seconded by Adam Guyette. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled meeting is August 15, 2022 at 6:00. Bob DeRoehn moved to adjourn the meeting at 6:10 PM, seconded by Adam Guyette. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * August 15, 2022

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

Members Absent: None.

Others Present: Trevor Presby, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Joe Profera moved to approve the minutes of August 1, 2022 as written, seconded by Bob DeRoehn. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-086 by T&T Mtn Investments, PIN #NDRT5060F4C1, for site plan approval for a 7 ft by 24 ft addition to an existing wash bay and maintenance room. This property is located at 3693 US Route 5 and is in the Commercial (COM) district.

Trevor Presby was present to explain the request. This is to convert a self-serve bay to an automatic bay. He hopes to have it completed by November. There were no comments from the public. Joe Profera moved to close application 22-086 with Jim Bumps seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-086 by T&T Mtn Investments as submitted (see written decision), seconded by Joe Profera. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

The next scheduled meeting is August 29, 2022 at 6:00. Jim Bumps moved to adjourn the meeting at 6:15 PM, seconded by Bob DeRoehn. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Members Present: Bob DeRoehn, Jim Bumps, Joe Profera, Dave LaBelle, Tanner Jacobs, Judy Nommik (remotely).

Members Absent: Adam Guyette.

Others Present: Terry Lucas, Sue Lucas, William Hansen Jr, Amy Giroux, Ray Williams, Tammi Williams, Michael Perry, Jenna Hamelin, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Joe Profera moved to approve the minutes of August 15, 2022 as written, seconded by Bob DeRoehn. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-090 by Michael Perry & Brenda Kelley, PIN #TRD34024H6T, for conditional use approval for a 30 ft by 60 ft garage located with the floodplain. This property is located at 689 4H Road and is in the Shoreland (SD) district.

Tammi & Ray Williams and Michael Perry were present to explain the request. The garage will be 2 stories and will not have living quarters at this time. They are not sure if it will be heated. There were no comments from the public. Bob DeRoehn moved to close application 22-090 with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-090 by Michael Perry & Brenda Kelley as submitted with the following 2 conditions: 1) The applicant must submit an elevation certificate prepared by a licensed land surveyor or professional engineer upon completion of the project certifying that the floor of the garage is above 968.9' National Vertical Datum of 1929 (NVD29), and 2) All fuel tanks must be anchored to prevent flotation and elevated above 968.9' NVD 29 (see written decision), seconded by Judy Nommik. Unanimous.

Application 22-091 by Terry Lucas, PIN #LYBCH009D2T, for conditional use approval for a 6 ft by 11 ft porch addition to an existing nonconforming dwelling. This property is located at 83 Lindsay Road Extension and is in the Shoreland (SD) district.

Terry Lucas and William Hansen Jr were present to explain the request. This is to replace and existing porch in a new location. The new porch will not be any closer to the road than the existing porch. There were no comments from the public. Bob DeRoehn moved to close application 22-091 with Joe Profera seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-091 by Terry Lucas as submitted (see written decision), seconded by Joe Profera. Unanimous.

Application 22-096 by Mark & Amy Giroux, PIN #TRD07009F3T, for site plan approval for a 30 ft by 60 ft building for additional bays for an existing on-site business. This property is located at 292 Shattuck Hill Road and is in the Commercial (COM) district.

Amy Giroux was present to explain the request. This will be on an existing concrete slab, so there will not be any site work. There is still about 45 ft of concrete slab for future development. There were no comments from the public. Tanner Jacobs moved to close application 22-096 with Judy Nommik seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-096 by Mark & Amy Giroux as submitted (see written decision), seconded by Bob DeRoehn. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

There are no pending applications. Jim Bumps moved to adjourn the meeting at 6:15 PM, seconded by Tanner Jacobs. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * October 24, 2022

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

Members Absent: Judy Nommik.

Others Present: Randy Durivage, Joanne Worth, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Chair Dave LaBelle.

APPROVE MINUTES:

Joe Profera moved to approve the minutes of August 29, 2022 as written, seconded by Bob DeRoehn. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-111 by Worth Holdings LLC, PIN #NDRT5084F5C1, for site plan approval for a 12 ft by 24 ft storage shed. This property is located at 3165 US Route 5 and is in the Village Commercial Derby Center (VCDC) district.

Joanne Worth was present to explain the request. There will be no outside lighting on the shed. There were no comments from the public. Bob DeRoehn moved to close application 22-111 with Adam Guyette seconding. Unanimous.

After deliberations Joe Profera moved to approve application 22-111 by Worth Holdings LLC as submitted, seconded by Bob DeRoehn. Unanimous.

Application 22-112 by R&B Holdings Inc, PIN #NDRT5056F4C, for site plan approval for a 14 ft by 44 ft lean-to on the side of their building. This property is located at 3783 US Route 5 and is in the Commercial (COM) district.

Randy Durivage was present to explain the request. The sides will be open. The lean-to is to store their camper under. There were no comments from the public. Joe Profera moved to close application 22-112 with Jim Bumps seconding. Unanimous.

After deliberations Tanner Jacobs moved to approve application 22-112 by R&B Holdings Inc as submitted (see written decision), seconded by Joe Profera. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

There is one application pending for November 7th. Joe Profera moved to adjourn the meeting at 6:06 PM, seconded by Jim Bumps. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*

Unapproved

Derby Development Review Board * Minutes * November 7, 2022

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

Members Absent: Dave LaBelle, Tanner Jacobs, Judy Nommik.

Others Present: Nancy Cass, Terrill Judd, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M. by Vice-Chair Joe Profera.

APPROVE MINUTES:

Bob DeRoehn moved to approve the minutes of October 24, 2022 as written, seconded by Adam Guyette. Unanimous.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Application 22-116 by Terrill Jud & Nancy Cass, PIN #NDRT5026G3T, for site plan approval to change the location of the Right of Way accessing lot #2. This property is located at 5027 US Route 5 and is in the Commercial (COM) district.

Terrill Judd & Nancy Cass were present to explain the request. This is simply moving the right of way, that accesses lot #2, from the north side of lot #1 to the south side. There were no comments from the public. Bob DeRoehn moved to close application 22-116 with Jim Bumps seconding. Unanimous.

After deliberations Bob DeRoehn moved to approve application 22-116 by Terrill Jud & Nancy Cass as submitted, seconded by Adam Guyette. Unanimous.

OTHER BUSINESS: None.

ADJOURNMENT:

There are no applications pending. Jim Bumps moved to adjourn the meeting at 6:05 PM, seconded by Bob DeRoehn. Unanimous.

Submitted by Bob Kelley, *Unofficial until approved*