

**TOWN OF NAPLES
PLANNING BOARD
MINUTES
Tuesday, January 21st, 2014 – 7:00 pm
Municipal Offices Buildings**

Kevin Rogers called the meeting to order. Also present were Barbara Adlard, Jim Allen, John Thompson, and Code Enforcement Officer Renee' Carter.

Mr. Rogers motioned to swear in Barbara Adlard as a voting member. Mr. Thompson seconded.

First order of business was to hold a Public Hearing on a minor change to an approved subdivision entitled Mayberry Landing, located at 4 Mayberry Lane, Map R05, Lot 5-8, submitted for Kilton Lamb, Jr. Jim Logan a soil scientist, wetland scientist, and site evaluator from Albert Kirk Associates was there to give some of the background. He showed the board the approved site plan from November 15th, 2005. In 2007 the owner went to the town and received a permit to build a house of the lot that was 24' x 68'. He assured the board that the lot itself is completely out of the shoreland zone, as it was a couple of hundred feet from Trickey Pond. However, it was in a wetland. He explained to the board that there are different types of wetlands, and in this particular area was in the uppermost portion of the water shed. The garage that was built beyond the 24' x 68' home that was permitted happened to impact the edge of the wetland. The garage was built at a different angle than the house, which Mr. Logan believed was intended to minimize the impact on the wetland. He knows that the impact should not have happened, but the fact is that it has already been built. Note number 18 read, "No construction or filling of leveling other than that shown on the slant are allowed. An NRPA permit may be required by DEP, this project does have a DEP Storm water permit." So Mr. Logan believes that note number 18 was overlooked and that is how this predicament came about. Since this issue has surfaced, DEP is not requiring a new permit, but rather asking that a plan is made to be recordable for the registry of deeds, so that it can create a paper trail and be duly noted.

Since Larry Anton was not able to attend the meeting, Mrs. Carter voiced his concerns. She said they had a discussion about creating a new wetland by designing a rain garden. She spoke with LEA and they did not design rain gardens, so then she spoke to someone at Cumberland County Soil and Water District and that is something they have done in the past so Mrs. Carter passed along their information. Cumberland County Soil and Water has since designed plans for a Rain Garden and Mr. Anton agreed that would be a good solution to the problem.

Jim Allen made a motion to accept the change in the subdivision as presented. Mr. Thompson seconded the motion. All were in favor.

Meeting adjourned.

Respectfully submitted,

Kate Matthews
Recording Secretary