

TOWN OF NAPLES
BOARD OF APPEALS MINUTES
Tuesday, February 23, 2016

Chairman Skip Meeker called the meeting to order at 7:00 pm. Also present were Vice Chairman John Flaherty, Board members Russell Lashua and Barry Freedman, Code Enforcement Officer Renee Carter and Town Secretary Kate Matthews.

John Flaherty motioned to approve the minutes from the 1/26/16 meeting. Russ Lashua seconded the motion. The board was unanimously in favor.

Business:

- 1.) A 10' Right Yard Reduction Request for property found on Tax Map U19, Lot 81 known as 21 Quinby Drive submitted by Michael & Joan Anderson.

The board reviewed the application. As there was nothing to discuss, John Flaherty motioned to approve the 10' Right Yard Reduction request. Russ Lashua seconded the motion. The board voted unanimously in favor.

- 2.) A 10' Back Yard Reduction Request for property found on Tax Map U29A, Lot 01 known as 2 Carroll Drive submitted by Charles Delgrecco.

Mr. Delgrecco explained that the slab for a mobile home had been placed too close to the property line so he was advised to go before the board for official approval. Russ Lashua motioned to approve the 10' Back Yard Setback as submitted. John Flaherty seconded the motion. The board voted unanimously in favor.

- 3.) An administrative appeal submitted by Patricia and Ronald Shaw regarding a condition of approval for an approved subdivision found on Tax Map R02, Lot 16-6.

Mrs. and Mr. Shaw were present to address the board concerning their appeal. They believed that the intent of the Subdivision Ordinance that has been in place since 2010 would not concern their particular subdivision. They didn't believe that it would be fair to have to pave Hedgebog Mountain Road just to split their lot into two when other residents on that road had subdivided their lots in 2009 and were not required to pave the road. The Planning Board let her know that the Town Attorney had advised the Town not to waive the road standards, because it was interpreted that there were no waivers allowed regarding the road standards. The Shaw's then told the Appeals Board that they believed the Code Enforcement Officer withheld information, and that if they knew they would have to spend that much money to pave the road, they would not have gone through the trouble and expense of hiring a surveyor to survey their land. They believed that it should have been brought to their attention at the Sketch Plan Review meeting they attended on September 19TH of 2015. Mrs. Carter told them that it was their responsibility to review the ordinance and understand the application process that they were submitting, and that she could not foresee what the Planning Board would decide on their final application. Mrs. Carter explained that it was a process and during the process the applicants were told by the Planning Board the

requirements to finalize the subdivision. She did not believe it was her sole responsibility to bring this up to the applicant as they did not specifically ask about road standards and the ordinance was available to them to review before even going before the Planning Board. The Appeals Board listened to the applicant and voted to support Planning Board's decision. Barry Freedman made a motion to deny the administrative appeal. John Flaherty seconded the motion. The board voted unanimously in favor.

As there was no other business, meeting was adjourned.

Respectfully submitted,

Kate Matthews
Town Secretary