

TOWN OF NAPLES
BOARD OF APPEALS MINUTES
Tuesday, June 27th, 2017

Skip Meeker called the meeting to order at 7:00 pm. Also present were John Flaherty, Russell Lashua, Russell Sweet, Barry Freedman, and Town Secretary Kate Matthews.

The minutes from the February 28, 2017 meeting were reviewed by the board. John Flaherty motioned to approve the minutes as written. Russell Lashua seconded the motion. The board was in favor 5-0.

The board needed to appoint the new Chairman and Vice Chair of the board. Barry Freedman nominate Skip Meeker as Chairman, Russell Lashua seconded the motion. The board voted in favor 5-0. Russell Lashua motioned to nominate John Flaherty as Vice Chair, Barry Freedman seconded the motion. The board was in favor 5-0.

Business:

- 1.) A request for a 30,341.60 square foot variance from the minimum lot size Ordinance for Map R08, Lot 43 submitted by Keith Stuart.

Keith Stuart was in attendance to present his application. He currently ran a business at the lot for automotive recycling. His proposal was to make an addition to the current building, which would have garage space below, and an apartment for him to live in above. The reason why he needed a minimum lot size variance was because of the proposed mixed use, which would make the property both commercial and residential, and according to the Ordinance, he would need a total of 80,000 square feet of land.

Mr. Meeker explained that the only way the board could legally grant such a variance, would be if the application fell under the state's Zoning Adjustment Undue Hardship Statute. Mr. Meeker read the subsections that would need to be considered aloud during the meeting.

The board agreed that unfortunately, this particular application did not comply with any of the considerations of the State Statute. Mr. Flaherty asked if there was any other way to grant the variance. Mr. Meeker let him know that according to the law, there was not. Barry Freedman asked if the applicant could buy land from an abutting property to bring the lot into compliance. Keith Stuart stated that he had tried to, but unfortunately no one would sell to him at this time.

Barry Freedman made a motion that since the situation did not comply with the Undue Hardship rule, that the board should deny the application. Russell Sweet seconded the motion. The board denied the application with a vote of 5-0.

As there was no other business, the meeting was adjourned.

Respectfully submitted,
Kate Matthews
Town Secretary