

**TOWN OF NAPLES**  
**Planning Board Meeting Minutes**  
**March 1<sup>st</sup>, 2022**  
**6:00pm**

Video Link: <https://lakeregiontv.org/Video-Archive/ctl/player/itemid/4445/mid/3378/media/video?popUp=true>

Chairman Doug Bogdan call the meeting to order. Also present were Martina Witts, Jim Allen, Larry Anton, Selectmen Bob Caron and Colin Brackett, Skip Meeker (ORC), Planners Ben Smith and Sam Peikes, Code Enforcement Officer Kate Matthews and Town Manager John Hawley.

Ted Shane joined around 6:15pm.

Doug Bogdan stated this was a Public Hearing and the Public was welcome to comment as they went through the meeting.

**Ordinance Public Hearing #1**

- a. Proposed Zoning Change – Fogg
  - i. John Hawley spoke on the Petition submitted to the Town. Larry Anton asked if both Parcels were adjacent to Commercial, John stated ‘currently, yes.’ Doug Bogdan asked for discussion from the Board or comments from the Public. Larry asked if the neighbors knew of the proposed changes, John stated it was advertised in the News Paper, but we did not send abutter notifications. Martina asked to clarify the two lots are currently in commercial areas and if there were any background information provided along with the Petition. Jim Allen added there is a State Statue that requires any turned in Petition needs to be added to the Warrant. Larry stated since these properties are surrounded by commercial properties, he didn’t see an issue with recommending it. Doug asks for a motion to recommend or not recommend sending this to Town Warrant. Larry Anton makes the motion to recommend, Jim Allen seconded. All in favor 4-0.
- b. Proposed Zoning Change – Oliveria
  - i. John Hawley spoke on the Petition submitted to the Town. Larry asked about the abutters and spoke on the previous Planning Board meeting involving this property. Specifically, the number of concerns from neighbors in the area. Doug Bogdan asked for comments from the public, Larry mentioned again abutters should have been notified. Cindy, who lives on the Oliveria property, mentioned that nothing on the property would be changing. Larry explained by changing to commercial zoning it would be easier for outdoor music to be allowed. Carlos Oliveria, owner of the property, explained they have 2 commercial uses on the property. One being the restaurant and the other a 3-unit building rented for profit. Doug Bogdan asked for clarification from John Hawley if this were a Citizens’ Petition or direct from the Selectboard. John stated this was direct from the Selectboard. Jim Allen makes the recommendation the Planning Board should support this request, there was not a second. Larry makes the motion to send this request back to the Selectboard for them to decide to put this request on the Warrant, Martina Witts Seconded. 3 in favor, Jim Allen was opposed.

- ii. Bob Caron, now having a Quorum for the Selectboard, moved to have this request recommended by the Selectboard. Colin Brackett made the motion to add this item to the Warrant, Ted Shane seconded. All in favor 3-0.
  - iii. Larry Anton asked if they would want the Planning Board's support for this request. Jim Allen retained his original motion, there was not a second. Martina made the motion that the Planning Board does not approve of the Zoning Change. Larry Anton seconded. 3 in favor, Jim Allen was opposed.
- c. Cable Ordinance
  - i. John Hawley presented the Ordinance, specifying this does not need Planning Board approval.
- d. Mooring and Waterfront Management Ordinance
  - i. Kate Matthews spoke on the changes. Martina Witts asked about the changes, one specifically stating 'Aquatic Structure as defined', but it was not defined in this ordinance. She also noted Section D 'Watercraft' was taken out of the current SLZ Ordinance, but not added into the Mooring and Waterfront Management Ordinance. Both Martina and Larry stressed the importance of keeping the 1 motor craft per 25ft of shore frontage. Larry made the motion to approve the changes, with the condition the 1 motor craft per 25ft of shore frontage be added. Jim Allen seconded. All in favor 4-0.
  - ii. Martina mentioned a typo and on the last page 'specified in 15A' which references the SLZ Ordinance. Jim Allen added the definition issues can be solved by referencing the SLZ Ordinance.
  - iii. Doug Bogdan opened it to the public, there were no comments.
- e. Section 500 – Front Setbacks in Village & Commercial District
  - i. Ben Smith spoke on the changes. Doug Bogdan asked for discussion from the Board or comments from the Public, there were none. Larry Anton made the motion to approve the changes, Jim Allen seconded. All in favor 4-0.
- f. Section 500 – District Standards for Village & Commercial District
  - i. Ben Smith spoke on the changes. Doug Bogdan asked for discussion from the Board or comments from the Public, there were none. Jim Allen made the motion to approve the changes, Martina Witts seconded. All in favor 4-0.
- g. Section 900 Site Plan Review Changes
  - i. Ben Smith explained the changes. Larry Anton asked about the abutter notifications, specifically the section that states the Applicant must provide proof of mailings. Kate explained most surrounding Town's require the Applicant to send the abutter notices. Jim Allen suggested the notices should be sent by the Town or the Planner. Skip Meeker asked if they Town has a standardized form for the applicants to use. Ted Shane asked if 28-day submission deadlines is common in other towns. Ben stated yes, it is common. Kate explained the advertising deadlines, and time for staff to review for completeness. Ben elaborated. Ted Shane what or who are driving these changes to the policy and submission process. Ben explained these changes had been on the plan to work on at the start of the fiscal year. Ted Shane added based on these changes it seems like we are trying to make it more difficult and expensive to go through the Planning Board process. Ben stated there are more definitive standards being proposed but the intent is to help understand what the Board will need to make their determinations. Bob Caron expressed his concern of the timeline requirements.

- ii. Sue Fleck wrote in and asked about the setback back changes. Ben explained it would be 10 feet off the Right of Way. Doug Bogdan asked for comment from the Public. Ted Shane suggested it should state 'edge of right of way' rather than leaving it to interpretation. Doug asked for any other discussion, there was none, Martina asked if this motion would be for Section 906 and 908 together, Doug stated it would be. Martina made the motion that the Planning Board approve the changes, Larry Anton seconded. Doug reiterated the motion to include the amendments, Ben specified the request amendments based on his notes throughout the discussion. All in favor 4-0.
- h. Section 1000 Subdivision Changes
  - i. Ben Smith explained the changes. Jim Allen suggests the Board should spend some more time reviewing the changes. Ted Shane agreed. There was a member of the public that was off camera and did not introduce herself, shared her concerns of the timing of the materials and meeting. Jim Allen specified most of the materials are things the Boards have been working on for weeks. Martina specified the decisions tonight are not setting the new ordinances, they are voting to send these matters to the Voters of the Town. Jim Allen makes the motion to table the Section 1000 and SLZ Ordinance changes there was no second. Martina specified if there were any questions from the members that did read the material. Jim suggested scheduling another Public Hearing between this and the April 11<sup>th</sup>. Larry agreed, and seconded Jim's motion. All in favor 4-0.
- i. Shoreland Zoning Changes
  - i. Tabled for another meeting. Kate mentioned the changes to the SLZ are to bring our Town up to compliance with the State.
- j. Section 600 – Event Venue in the Rural Zone
  - i. Larry Anton read an article from the Bridgton News regarding Wedding Barns. There was some discussion between the members of the public. Will Thibodeau spoke about his specific project on his property. Priscilla Kyle asked why the Board is limiting from May-November, Ben explained that this language is the direct result of multiple workshops and meetings. Skip Meeker specifies this ordinance is to allow a commercial use in the Rural Area. Another member of the public shared her support of the Wedding Barns in the Rural Areas. James Willworth, one of the Petitioners, spoke to the Board regarding the restrictions and felt he was blindsided by this. Jim Allen asked him to specify the parts of the proposed ordinance he felt were blindsiding them. He listed the 'no amplified music outdoors' 'no more than 3 events per week' 'May thru November' along with his other objections which include 'no overnight accommodations' and 'no parking is the 100ft setback'. Will Thibodeau added he also felt blindsided and suggested the Board limit the number of people staying overnight rather than not allowing it. Ted Shane asked Will if his current Barn meets the proposed setback request. Will said it does not and suggests the new construction Barns should be held to that standard while the grandfathered barns can be given a waiver. Larry Anton agreed with that. There were more members from the public that did not introduce themselves that shared their support.
  - ii. Ben Smith spoke on the changes to the proposed ordinance to the Board. Martina Witts asked if the Board is interested in removing the restriction of overnight accommodations, Ted Shane suggested removing it and adding a new restriction of limiting the amount of people. Jim Allen and Skip Meeker ask for

some language from the state regarding Stipulations on overnight accommodations.

iii. Doug continued going through this Ordinance by each item. Jim Allen asked why everything needed to be done by 11pm, Skip Meeker stated this was the rural zone. Martina Witts suggested no outdoor cleanup after 11pm. Colin Brackett mentioned New Year's Eve going until after midnight. Jim Allen pointed out 'Amplified Music' should be defined better. Since there is already a Noise Ordinance it was agreed to remove the restriction. Ted Shane asked about the '3 events per week' thinking events like Christmas Parties may be more than 3 per week. Larry proposed using no more than 3 days per week, but the Boards realized that could be limited to one wedding per week. Ted Shane suggested to leave it as is. Jim Allen recommends removing the restriction of no parking in the 100ft setback. Ted Shane suggests saying no parking within 50ft of the setback. Everyone agreed. Ben summarized the requested changes based on his notes. Jim Allen made the motion to approve, Martina Witts seconded. All in favor 4-0.

k. Section 600 – Solar Energy Systems & Solar Farms

i. Martina Witts made the motion to table this item. Jim Allen seconded. All in favor 4-0.

2. There was no other business

Respectively submitted,  
Jennifer Leeman  
Asst. to Code Enforcement