

TOWN OF NAPLES
Planning Board Meeting Minutes
March 15th, 2022
6:00pm

Video Link: <https://vimeopro.com/lrtv/town-of-naples-2022/video/688903022>

Chairman Doug Bogdan called the meeting to order. Also present were John Thompson, Martina Witts, Alternates Larry Anton and Marty Zartarian, Planner Ben Smith, and Code Enforcement Officer Kate Matthews.

Both Alternates were appointed voting members.

John Thompson made the motion to table both Minutes under review, Larry Anton seconded. All in favor 5-0.

New Business:

- a. A Dock for Stephen and Michelle Bailey located at 40 Woodland Shore Drive (Tax Map U45 Lot 13) proposed to be 640 Sqft and 40ft in length.

Kate Matthews specified the Applicant requested this be tabled. Larry asked to add a comment before tabling, Doug Bogdan agreed to allow it. Larry wanted to mention it seemed as though the applicant was trying to create a Deck out into the water, rather than keeping this a dock. Larry also mentioned decks are not allowed in the SLZ on the land. Marty Zartarian requested this item be a Zoom meeting, Kate responded this would be brought up in Other Business later in the meeting. Larry Anton made the motion to table, John Thompson seconded. All in favor 5-0.

- b. A Dock for Dunton Road Shared ROW #3 (Tax Map U15 Lot 19) submitted by Stephen Vose proposed to be 336 Sqft and 56ft in length.

Stephen Vose presented the project to the Board. Larry Anton asked about the Waterline proposed on the submitted plot plan. Stephen explained that would be the High Watermark he had worked on with Shawn Hebert. Larry asked what the (2) 6x10 pieces are on the land. Stephen explained the land is very uneven in that area and they have elderly people in the association that need safer access to the Dock. Kate Matthews added the Board should only be focusing on the Docking system in the water, not anything on land. The work on land would be through the Code Office along with DEP. Stephen pointed out he had been working with DEP already. Larry pointed out the dock system in the water is only 180 sqft and wouldn't need the Planning Board review. John Thompson added this would only need Code Enforcement approval. Kate verified if one of the 6x10 pieces is over the high-water mark, Stephen explained they hadn't set the system yet so they're not sure. Martina Witts asked Kate if the land pieces would be held to the 4ft wide restriction in the SLZ Ordinance. Kate stated that would be reviewed. Martina also verified the SLZ Ordinance doesn't have a specific size limit, it basically just says anything over 300 square feet needs to be reviewed by the Planning Board, Kate agreed. Martina asked if there was a way to clarify the Ordinance, since there aren't any clear restrictions. Stephen added some Docking Companies he had spoken with were not aware they needed Dock Permits in Naples. Larry asked how many people have rights to this dock, Kate added there was a checklist Stephen had submitted. John Thompson clarified with the applicant this is a shared right of way, not just for a single family, Stephen stated it was. John verified everyone agreed to have this new dock. Stephen stated he didn't hear back from anyone saying no. Doug added it looks like there may be a dozen people with access. Kate explained Assistant to Code Jen Leeman sent out Abutter Notices and the department did

not hear anything back. Martina pointed out this Right of way only has 30ft of water frontage, Kate confirmed. Larry wanted to verify this dock is not to dock boats, Stephen added people may come to visit but they wouldn't be parked there 24 hrs. Larry stated since he did not need to come to the Board, the Board doesn't need to vote on the matter. Kate clarified with the applicant would need to submit a new dock permit for the section in the water and the land pieces separately, but it would still be good to have this on record. Doug clarified the Board could vote on the 180 sqft in the water. Larry made the motion to approve, Marty Zartarian seconded the motion. All in favor 5-0.

- c. An Amendment to a Subdivision known as Long Lake Acres on Big Bear Point Road (Tax Map U38 Lot 2-1 & 2-2) to modify the shared lot boundary. Submitted by Terradyn Consultants on behalf of John Chase.

Jeff Amos (Terradyn) presented the project. John Thompson asked for Jeff to point out on the map what they were changing. Ben Smith clarified the memo from his firm, the right, title, and interest had been proven by the applicant after the memo was supplied. Larry shared his concern of the well and septic meeting the setbacks. Kate specified if the septic and wells did not, they would need to relocate or add easements into the new deeds. Larry Anton made the motion to approve the lot line change, John Thompson seconded. All in favor 5-0. Members signed the approved plans.

- d. A request for an extension for a Solar Project approved June 16, 2020, located at 30 River Road (Tax Map R12 Lot 41). Submitted by Verrill Law on behalf of ISM Solar.

Scott Anderson (Attorney; Verrill) presented the reasons for the extension. Larry Anton asked Ben Smith if there was a way to legally approve this extension. Ben explained the Town Attorney had found the applicant does have the right to ask for this request, and it would be an extension to June 2022. He specified the Board doesn't need to focus on the Substantial Start or Permits pulled from the Code Office. Larry Anton made the motion to grant the extension, John Thompson seconded. Kate Matthews stated to the applicant that they need to pull a building permit through the Code Enforcement Office. All in favor 5-0.

Other Business:

Martina Witts asked if the extension of this project would be counted in the proposed 'project cap' and Ben stated it would.

Kate had Mylars for the Board members to sign.

Kate mentioned Martina had requested Zoom be available for the April 5th meeting, John Thompson mentioned it should be discussed with a full board. Doug clarified this wouldn't be for all meetings, just the April 5th meeting. Martina asked if the Board needs to adopt a policy allowing the Remote Access (it was later determined, through conversation with John Hawley, the Selectboard had adopted a policy that applies to all Boards in Naples). It was later determined by the Chairman, Doug Bogdan, Zoom could be allowable if an addition staff person could monitor the incoming comments. Larry mentioned some of the concerns he had regarding an upcoming ordinance change. Doug Bogdan stated this was not the time to discuss the issues. Martina stated there should be more time put into the Ordinance work. As there was no other business, the meeting was adjourned. Motioned by John Thompson, seconded by Marty Zartarian. All in favor 5-0.

Respectfully submitted,
Jennifer Leeman
Asst. to Code Enforcement