

**Town of Naples**  
**Planning Board Minutes**  
**Tuesday, May 16th, 2023**

**Site Walk**  
**5:00pm**

The Naples Planning Board will conduct a site walk for a proposed solar farm located at 245 River Rd (Tax Map R11, Lot 75). The Board will meet at the access road located at 254 River Road on May 16<sup>th</sup> at 5pm.

The public is welcome to attend. A Planning Board meeting regarding this matter will be held at 5pm following the site walk.

**Planning Board Meeting**  
**6:00pm**

1. Call to Order & Pledge of Allegiance- D. Bogdan called the meeting to order. Also, present were Martina Witts, Robert Fogg, Sue Fleck, Marty Zartarian (Alternate), Larry Anton (Alternate), Kate Matthews (Code Officers), Sam Pikes Planner, Allison Desrochers (Assistant to Code Enforcement). L. Anton was appointed as voting members.
2. Review of Meeting Minutes—D. Bogdan added this as an item since it was not on the original agenda, and minutes were tabled meeting minutes from 3-7-23 and 3-21-23. M. Witts made a motion to approve. Seconded by L. Anton.

Motion carried 5-0.

3. New Business

- A. An application for five – two story duplexes located at 227 State Park Road (Tax Map R07, Lot 50)

Jim Seymour with Sebago Technics a civil engineer here tonight also with me in the audience are Nick Jameson and Don Angelo who are the developers looking to do this project. This is on State Park Road in the rural district on 10.5 acres which was formally lot four of the Wildwood Acres subdivision that was approved in 1982. We are looking to put five two-story duplexes at this time on the property. We have a little over 300 feet road frontage with hammerhead turnaround. This is a wooded lot and the area we want to put the duplexes is a sandpit area which was once used by the town as a transfer facility we will not be going further in since it will be on a ridge with a lot of ledges up on top. This evening, we are here only for pre-sketch to get some feedback since the project will exceed over 20,000 square feet impervious with the road and the structures. We will be filing a permit with DEP for stormwater since this is in the Brandy

Pond watershed and meet the phosphorus standards for that. Looking for the board to give the layout so that we can proceed with that permitting process and make that part of the application moving forward. This is to be an amendment of a subdivision since it was part of lot four and a part of the original butter along the front of State Park Road. We wish to relinquish that and provide a stormwater pond or an infiltration area further in the middle of the lot. Our understanding that those buffers were originally used for stormwater buffer and if you look at the topography it does not make sense, they are uphill from the entire site, and it was exclusively culled out. It was 1982, so things were different back then.

L. Anton- I would like to see on the map where the original buffers were? Mr. Seymour stated that they were not actually shown on the original plan, which you have a copy of. It only shows a 50-foot swath across the front, and it was only noted in the note, it was only noted and not actually shown on the map. The buffer was exclusively for storm water only and not for visual.

M. Zartarian- What is the objective here with these buildings? Are they going to be rental properties? Are you going to be selling them? Mr. Seymour stated that there will be condos or rentals.

M. Zartarian- Will there be a condo or homeowners association? Mr. Seymour stated that yes there will be a condo or homeowners association.

M. Zartarian- Will this be a private road? Mr. Seymour stated that this would be a private road and it would be at the end of the development on the ten acres since there is a huge knoll we have to get over and it is just not feasible to go up and over that.

L. Anton- So is there a right of way coming through this property at all? Mr. Seymour stated that no there is no right of way going onto the property.

M. Zartarian- Will this be a private road or a town road? Mr. Seymour stated that it would be a private road and part of the condo or homeowners association to upkeep and maintain as will be all the storm water features.

S. Fleck- Is there a berm right now? What is your plan for the berm? Mr. Seymour stated that yes there is a berm that is located among trees in the right along the front of the property which they would like to keep we will need to make a driveway and would do some replanting of damaged trees. This would allow a nice screening from State Park Road.

M. Zartarian- What is the height of the berm today? Mr. Seymour stated that the height is four or five feet.

L. Anton- Is there a side buffer of trees? Mr. Seymour stated that at this time there is not a side buffer, however there is a plan to have a twenty-foot buffer with some birches and some hardwood trees.

M. Witts- Do you know exactly what the disturbed area is going to be, everything included? Mr. Seymour stated that currently we are between 25,000 to 30,000 impervious square feet. A total of over an acre would be impacted.

M. Witts- So you will be providing us with your phosphorus export? Mr. Seymour stated that we will be filing with the state and the board will be getting a copy of the results.

M. Witts- Can you speak to the other waivers that you are requesting? The onsite for investigation soil types locations? Mr. Seymour stated that we would like to

use medium intensity if that is satisfactory to the board. We would like to not spend so much time and money on a high intensity project which would require a massive amount of grid work to do and a lot of excavation. The same soils information for this type of project would be more than adequate with a medium intensity.

L. Anton- How large are the duplexes square footprint? How many bedrooms per unit? Mr. Seymour stated that the footprint size would be 2200 per side and that it would be two three-bedroom units.

M. Witts- Are you going to allow people to put sheds or anything like that to increase the impervious surface? Mr. Seymour stated that no that if they would allow a shed, it would be covered in the condo documents. There would not be enough room for anything like that, they would have garages and full basements as well for extra storage.

Public Participation- Many different abutting property owners came to the meeting and addressed the board with several questions about the application and what is being built and how things will work with the water, flooding, wells, noise, septic.

Mr. Seymour, the developer, did receive a building permit for a duplex that he is currently building, and it is in the toughest location on the site with lots of ledge leading to pounding. Test pits have been done and this project would be closer to the front in a sand area. This gives it an opportunity for drainage, and we will do more test pitting to figure out the stormwater.

B. A dock permit application for Winsor Green Condominium Association to add a thirty-six foot by 26-foot finger on their north dock for loading and unloading (Tax Map U03)

Mike Lee, a member of the board of directors within Windsor Green unfortunately drew the short stick to represent that area this evening. As some of you may recall we came in front of the board last year to expand our docks that were in the covenants back in 1986. There were 40 slips that were allocated and only 32 got put in and we wanted that process we went for after talking with the harbor master we were given two options to enlarge the docks, or the mooring field and we selected to enlarge the docks which was denied. We then went with option two to have the mooring field increased which is under the harbor master authority . So, we had a site map all done for the mooring field by Mr. Strike who is a diver that engineered the mooring field for us. We have space for six more moorings out there. We have space on the southern side of our north dock and looking for loading and unloading for the mooring field and maybe take kayaks in and out of water.

S. Hebert stated that is correct he did have a conversation with the president of the association about the moorings. The interpretation of the ordinance and the rule at that time with a consultation with the town attorney that the maximum allowable per motorized vessel was for marina and dock space not moorings. Since the definition was not clear it was decided to allow the association to present their case in front of the board. A finalized or approved mooring field in addition to their current space has not been completed.

L.Anton- The restriction is not on the number of docks or number of moorings; it is on the total number of power boats. Your area has already maxed out the number of power boats so if you put in more moorings you will need to remove one dock. This is according to the ordinance it states in the case of all residential and commercial aquatic structures as defined in the ordinance.

Public Participation- An abutter came to the meeting and talked about the location of the docks and how it has impacted his property. He handed out information to the planning board members and went over the material.

M. Witts made a motion to table the application. S.Fleck seconded the motion to table the application.

Motion Carried 5-0

**Old Business:**

A. An application for a proposed solar farm located at 245 River Rd (Tax Map R11, Lot 75)

D.Bogdan- While you set up the presentation, the reason we did a site walk this evening before the meeting was to see the site line from where a group of trees was going to be removed. We did see where the development was going to be it was staked out and seeing where the fence would go and future equipment. The board did have a few concerns on the site walk today.

Alan Robertson with Blue Waves on behalf of the project VWC Nevada Lake this presentation is more or less an altered version of what the board has seen before. We have made some updates to the plan with the correct limited disturbance, acreage and some amendments, delineations as to where Knox boxes are going to be. The fenced area is 8.2 acres, the total limit of disturbance that includes fenced area and road with some tree trimming is 9.31 acres. The modules will be fixed tilt and not move and pointed due south. The project is just adjacent to the Crooked River after conversations with the town and different stakeholders it was advisable to stay completely outside of the resource protection area which is 250 feet setback from the river.

D.Bogdan- Is there going to be a road around the fence or anything like that? Mr. Robertson stated that it will just have a walk around the fence.

L. Anton- How can you put this in that location and not be visible from River Road, we were able to see the road during our site walk. Mr. Robertson stated that if you are standing in the array and looking up you can see the road in a couple of places and there are a couple of houses that will provide some screening and that we will be installing some evergreen trees and follow Naples ordinance to have it not visible from day one not year five.

M. Zartarian- There is a kind of a hill there with trees, what is going to happen to that hill? Mr. Robertson stated that a little corner will be cut down to make room for the road and much of the hill will remain since it is on the adjacent property and some of the trees will be cut down in that area as well.

M. Zartarian- What will be planted there to retain the soil as you cut into the side of the hill? Mr. Robertson stated that they did not have a plan for that that it

would probably be sediment erosion protection under stated permits. We will put it in the plan for construction when we put a request in for a building permit.

S.Fleck- Are you hoping to eventually do more? Mr. Robertson- stated that no they are not looking to do more this is the largest we could do because electric and the substation that is going there cannot handle anything else.

M. Zartarian- the location of the inverters, why did you select that particular location? Mr. Robertson stated that it was the closest to the road, which is why they selected that location. They will most likely be in with the arrays closer to the end, the transformers will be at the end so that CMP owned equipment.

M. Zartarian- Has a decommissioning plan been created? Mr. Robertson stated that a decommissioning plan has not yet been submitted to the state and once we submit it to the state and get the town approved permit, we will know what we are building then we can submit to show the decommissioning plan.

Planner- What is the status of the DEP permit? Mr. Robertson stated that we have not started our DEP permit process yet and there are no wetlands impacted with this project. There will be a storm water permit by rule because we are under one acre.

M Witts made a motion to approve the application as presented with conditions of plantings will need to occur or be installed so that the array is not visible from River Road also includes the decommissioning plan, financial statement to be approved by the town manager. Including everything in the ordinance. R. Fogg seconded the motion.

Motion Carried 5-0

B. An application for two 3500sf buildings and associated operations yard  
Windsong Development (Tax Map U05, Lot 24-1)

Patrick Johnson, with JPS Professional Services representing Windsong Development, also in the audience this evening is Mr. Michael Courier with Windsong Development. We are proposing two 40 x 80 commercial buildings and a 40 x 80 commercial building in the Village Way subdivision on lot one. A permit to DEP has been submitted and waiting on that also we are waiting for a letter from the fire chief, working on finishing up the final storm water management permit since we have less than 20,000 square feet of impervious which requires a DEP permit by rule. We have a 25-foot buffer along the village way in accordance with the deed restriction.

D.Bogdan- Are you cutting anything along the 302-front way? Mr. Johnson stated that they will not be cutting anything along 302 front ways. We will be clearing a minimal area about 1.2 acres of total impact.

L. Anton- Last time you were in front of the board you stated that you did not do spray painting? Mr. Courier stated that it is the goal to outsource the painting and it would be a step too far to with a stipulation on the property that I can not do it at all since other businesses in town are allowed to painting.

M. Witts- Where is the snow storage going to be on the site? Mr. Johnson stated

that the snow storage will be where the grading is to allow the snow storage to go into the basin system.

M. Witts- According to the findings of fact by the planner, the applicant should provide a written estimate of how many cars are anticipated into and out of the site? Mr. Johnson stated that we anticipate that we will have four to five employees making a trip in and out two times during the day and at lunch so considerably less than one hundred trips and a few deliveries, vehicles on a sporadic basis.

L. Anton- What is the maximum amount of solvents you would be storing on site? Mr. Courier stated that it would be five gallons individual paint gallons.

M. Witts- What is the siding on the building is it a metal building? Mr. Courier stated that no it is not a metal building it will either be a stick frame or timer frame naturally and the siding is going to be a mixture of stone, brick, or natural wood and the roof will be metal.

M Witts- Made a motion to approve the village way commercial site plan application location at Map U05/24-1 based on the findings of fact and conclusions of law from the planner memo dated 5/9/23 and some conditions of approval will need to provide an approval by the fire chief a letter, existing buffers will remain, provide the storm water calculations. Sue seconded the motion.

Motion Carried 5-0

Public Participation- No public participation

Other business as appropriate- M. Zartarian thanked Larry for his service for the town this is his last planning board meeting.

Adjourn- L. Anton made a motion to adjourn the meeting and it was seconded by M. Witts.

Motion Carried 5-0

Video Link: Video Link: <https://vimeopro.com/lrtv/town-of-naples-2023>

Kathleen Eddy  
Administrative Assistant