

TOWN OF NAPLES
Planning Board Meeting Minutes
October 5th, 2021
6:00pm

Video Link: <https://vimeopro.com/lrtv/town-of-naples-2021>

Chairperson Doug Bogdan called the meeting to order. Also present were John Thompson, Robert Fogg, Martina Witts, Jim Allen, Alternates Larry Anton and Marty Zartarian, Planner Ben Smith, and Assistant to Code Enforcement Jen Leeman.

No Alternates were appointed voting members.

Minutes from 9/21/2021 were reviewed, Jim Allen motioned to accept, Martina Witts seconded. All in favor 5-0.

Business:

- a. A Site Plan Review for a proposed solar project located at 18 Olde Village Woods (Tax Maps U5/U11 Lot 24-2) submitted by Naples Roosevelt Trail Solar 1, LLC.

Larry Anton stated this lot has no road frontage. When this lot was originally proposed as a subdivision, there was a road proposed but never built. The road does appear on tax maps. Brett Pingree (Soltage) mentioned there is a Right of Way, to which Larry Anton responded the property needs to have road frontage. Ben Smith stated prior to a building permit the road needs to be built to Town standards to meet the road frontage requirement. The applicants came to the table to view the large tax maps, and Larry Anton showed them the proposed road that was never constructed. John Thompson stated it would have to meet the Towns standards for Minor Roads. Brett Pingree asked for this to be added as a Condition of Approval, along with recalculating impervious surface. He continued to present the new design which including moving 500 panels from the crown of the property to the back corner of the lot, proactively so there is less chance of visibility. By doing this, about 900ft will have a 20ft buffer zone rather than the required 50ft. Marty Zartarian asked for the section to be shown on the site map, Drew Vardakis (Wood) showed the area, and showed where the area where the panels are being removed from. Marty Zartarian asked about the visibility from the road, Brett responded no visibility. Jim Allen asked Ben Smith is the Board is allowed to approve a waiver for this. Ben explained this would be allowable. Jim Allen made a motion to waive the 50ft down to 20ft. John Thompson seconded. Larry Anton asked everyone to look at pg. 6 of the submitted Service and Maintenance plan, specifically regarding the Hedges and Screening Shrubs section. He expressed concern about the trimming of trees to 8ft. Brett explained this isn't regarding the trimming of buffer zones, this section is directed for the vegetative screening buffer they would plant. Doug Bogdan called for a vote to grant the waiver, all in favor 5-0. Larry Anton mentioned it should be put as a Condition of Approval not to allow any cutting in the 50ft buffers, Brett explained that isn't anything they would do anyway as it is a requirement. Larry Anton mentioned adding no use of herbicides or pesticides, Brett said they don't use any. Marty Zartarian asked about the mitigation plans for the transformers and the modeling analysis. Brett explained they didn't see the need for that analysis. Martina Witts asked about the Decommissioning process and what happens with the panels. Brett responded it hasn't been done yet, anywhere. He thinks it will be like the Secondary Market created for electric cars. Brett explained in California they're still using panels that are 25 years old. John Thompson made the motion to approve with Conditions – no cutting in 50ft buffer except from the approved area that will have a 20ft buffer, no herbicides or

pesticides to be used on the property along with no phosphorus-based fertilizers, a road is to be built with 100ft frontage to minor road standards, the granted waiver for the northside setbacks, panels that later become visible from Brandy Pond will be addressed. Jim Allen seconded. All in favor 5-0.

- b. A Modification to a Major Subdivision for property found on Overlook Way off King Hill Road. Tax Map R02 Lot 42-2A, 2B, & 2C. Submitted by the Town of Naples.

Ben Smith spoke on this project, explaining this is to clean up a property title because one owner wants to sell their property. The town acquired one of the lots in the 80's, in 1998 the Town divided the lot, and sold it to the abutting property owners. Because this was transfer was made within an approved subdivision, there is title issues because it didn't come back to the Board. There's nothing changing on the ground; this is just to clean up titles. Jim Allen made a motion to update the subdivision to match the new paperwork, John Thompson seconded. Larry Anton asked if there are other owners who will benefit from this, Ben Smith explains this is the request from one owner, but this will clear up any issues related to the transfer for anyone involved. All in favor 5-0.

Other Business:

Marty Zartarian mentioned his concerns of the number of Solar Projects being proposed and asked the Board their feelings on a Moratorium. He spoke on some of the potential loopholes in the Ordinances of these projects. Doug Bogdan stated this Board wouldn't be the ones to place a moratorium, that would be the Selectboard. John Thompson added CMP will only accept a certain amount of them anyway. Doug stated they could propose it to the Selectboard. Jen Leeman added Brett Pingree had stated at a previous meeting, that they need Town approval first and then CMP decides if they want it. Ben Smith added its not completely discretionary whether CMP wants to accept them or not, but upgrades are required at certain substations that need to be done prior to construction. He felt the applicants are bringing the projects with the expectation the project will be built but there's an acknowledgement they won't all be built. Jim Allen stated he doesn't think it is necessary. Marty added a noise analysis should be required. Larry mentioned the ORC should have put no visibility for any district, not just rural. Jim Allen agreed. Doug stated he would draft something to the Selectboard. Martina Witts added the moratorium should address some of the issues that have come up, including the potential waste and the process of disposal. Doug stated he would draft something for the Selectboard and maybe get some direction from John Hawley (Town Manager).

As there was no other business, motion to adjourn was made by Jim Allen, seconded by John Thompson. All in Favor 5-0.

Respectively submitted,

Jennifer Leeman,
Asst. to Code Enforcement