

TOWN OF NAPLES
Planning Board Minutes
April 18, 2017
7:00 pm

Chairman Larry Anton called the meeting to order at 7:00 pm. Also present were John Thompson, Doug Bogdan, Jim Allen, Alternate Jim Krainin, Code Enforcement Officer Renee Carter, and Town Secretary Kate Matthews. Mr. Anton appointed Jim Krainin as a voting member for the meeting.

The first order of business was to approve the minutes from 3/21/17. John Thompson made a motion to accept the minutes as written. Jim Krainin seconded the motion. The board was unanimously in favor.

New business:

1. An application for a Minor Site Plan Review for Map U02, Lot 25 regarding an addition and renovation for Bray's Brew Pub & Eatery submitted by Gary Skellett.

Chris Herlihy from Kevin Browne Architecture was working with Mr. Skellett on the project. He gave a brief description of the plan. By adding the addition, the restaurant would be able to expand their current bathrooms so that they would be more family friendly with more toilets and urinals available. An abutter was in attendance and hoped that this would resolve people relieving themselves outdoors.

The 192' foot addition would be built to look the same as the current building on the Route 302 side behind the fenced in area. Larry Anton asked if they realized that since the property is in the Village District that no more than 75% of the lot can be impervious. The Code Officer said that the septic in the back is grassed over and since there is no parking in that area they still would meet the minimum with the proposed addition.

John Thompson made a motion to approve the project as submitted. Jim Krainin seconded the motion. The application was approved unanimously.

2. An application for a Modification of a Minor Subdivision for 7 Getaway Lane found on Tax Map U20, Lot 10 to have a 50' Easement for water access to Brandy Pond over Lot 10B.

The applicant bought the lot with the understanding of a 50' Easement to Brandy Pond over lot 10B was in place, which was recorded at the Cumberland County Registry of Deeds on June 22, 2007. However, when the owner contacted the Town regarding a dock permit the Code Enforcement Officer did not see the easement in the Planning Board File. Planning Board members Jim Allen and John Thompson were both at the meeting on June 9, 2007 where the lot split was originally discussed. Mr. Allen said that he remembered the easement being mentioned but unfortunately the wrong mylar map must have been signed, and the recording secretary also

made no mention of the easement in the minutes. The owners of the two abutting lots were present, and were unaware of the easement ever being in place. Dana Hanley of Sebago Lake Title was representing the Kummerle's (who owned lot 10B). They were also concerned of the work that would need to be done to that area of the shore frontage, as it was not a gentle slope, and it could lead to erosion issues. The board was given photos of the area. The abutters believed since there was no evidence of the board approving the easement, it should not have been registered with the deed.

Mr. Anton said that it should not make a huge impact on the Owners of lot 10B as there was 250' of water frontage. Mr. Allen asked if recorded footage of the 2007 meeting could be looked into from LRTV. Mrs. Carter said that she believed it was somewhere on cassette tape and that she would look into the old recordings. The board asked Mrs. Carter to consult with the Town Attorney as it was a complicated issue with the abutters and the applicant.

Larry Anton made a motion to table the application until the Town consulted with the Town Counsel. John Thompson seconded the motion. The board was unanimously in favor.

Other business:

Mrs. Carter had been asked by the Selectboard to speak with the board regarding the Town's definition of a Dwelling Unit. The Ordinance Review Committee would be working on a definition so that it was clearer to residents and clearer to enforce. Renee also said that the reason why the clarification is necessary is due to residents wanting to build garages with apartments over top, which is currently not legal. She suggested that the town come up with a new definition for accessory or in-law apartment as well.

The board wanted some time to think about it, and wanted the topic to be put on the next agenda.

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

Respectfully submitted,

Kate Matthews
Town Secretary