

**TOWN OF NAPLES**  
**Planning Board Minutes**  
**September 11, 2018**  
**Site Walk – 6:00 pm**

The planning board held a site walk at 146 Sebago Road regarding the Brandy Crossing Subdivision preliminary plan that was tabled at their August 21, 2018 meeting.

Planning Board Meeting  
7:00 pm

Public Hearing:

A request for a zoning change under 30-A M.R.S.A Section 2522 to allow the Zoning map be amended by changing Tax Map U33, Lot 13, Book 24610, page 13 as described in Cumberland County Registry of Deeds from residential-rural and residential growth to commercial as requested by Great Northern Docks.

Vice Chair John Thompson called the public hearing to order. Sam Merriam the owner of Great Northern Docks discussed the zoning amendment request. His family had owned the land for decades, and when zoning was passed in the Town, it made the part of his lot beyond 500 feet from 302 into rural residential and residential growth, which made them unable to use that section of the lot commercially. George Vooris, an abutter, was concerned that construction close to his lot and adding a road may cause his foundation to crack. Mr. Merriam explained that the future use of the back of the lot, if rezoned to commercial would most likely be for storage.

Vice Chairman John Thompson called the Planning Board meeting to order. Also present were Stephen Smith, Robert Fogg, Alternates Jim Krainin and Rick Paraschak, and Code Enforcement Officer Renee Carter. Mr. Thompson appointed Mr. Krainin and Mr. Paraschak as voting members for the meeting.

Rick Paraschak made a motion to approve the minutes of 8/21/18 with one clarification, Stephen Smith seconded the motion. The minutes were approved 5-0.

New Business:

1. Recommendation regarding the proposed zoning change for property found on Tax Map U33, Lot 13.

Mr. Paraschak pointed out that any future commercial use that would require construction would need to be approved by the Planning Board, even if the lot was rezoned. The board recommended that the lot be amended to commercially zoned 5-0.

Tabled business:

- A.) A preliminary plan application for a Major Subdivision to be known as 'Brandy Crossing Subdivision' submitted by Front Nine Homes, LLC for property found on Tax Map U24 Lot 1.

The board had completed the site walk prior to the 7:00 pm meeting to review the new roadway, proposed docking locations, and footpaths to the water. The application was previously reviewed and tabled at the August 21, 2018 meeting. Mr. Hollis addressed the roadway opening that an abutter had concerns about at the previous meeting. He stated that he would be working with DOT to see if it was at all possible to angle the opening so that cars would not shine their lights into the abutters property. The board also came to the decision that keeping the proposed road at 18' wide rather than 20' wide would be best, as that was what Town Ordinance required.

Town Ordinance required a secondary means of egress, connecting to the main road for the subdivision. After speaking with the Fire Chief, it was suggested that a 12' wide road be installed, with a fire gate. Larry Anton, a Naples resident, believed that the egress road should be up to town standards as well, and that the only reason a fire gate was suggested would be for safety reasons due to the narrow width of the road. Mr. Anton also believed that if that egress road was up to town standards, it would also help the abutter who was concerned about the headlights pointing into her windows. Mrs. Carter said that according to Town Ordinance, minor streets should be laid out to discourage through traffic, so the Fire Chief's opinion should be taken into consideration by the board. The applicant would be paving the 12' egress road.

Mr. Hollis also brought up the fire suppression system that was approved with the original subdivision. He would be reviewing that system to see if it was still up to Town standards with the Fire Chief. Mr. Hollis would be discussing whether or not a fire suppression system or having the individual homes sprinkled would be the better option with Chief Pond.

Bruce Spainhour, who owned the abutting lot next to the proposed area of egress discussed his opinions with the board. He was concerned that it was such a change from what his family had invested in privacy wise, so he was hoping that trees or some type of screening could be added, and suggested changing the layout so that the egress road would not be abutting his property. Mr. Spainhour was also concerned about the run off that would be due to the construction of the new egress route. Dustin Roma stated that the run off would be directed and collected into catch basins.

The public discussed concerns regarding the docking and pathways, and the board explained that since the applicant met all requirements of Town Ordinances, the board could not make the applicant change their plans. Abutters were also concerned about new home owners using services such as Airbnb to offer their homes as short term rentals, therefore bringing in many tourists using the homes and docks as party venues. Mrs. Carter explained that restrictions regarding that type of use could be part of the Subdivision Deed of Covenant. However, the Deed of Covenant would be enforced by the Association, the Town had would have no authority over that type of enforcement.

Rick Paraschak made a motion to approve the preliminary plan with the following conditions:

- The footpaths to the common areas must be approved by the Code Enforcement Officer
- The Fire Department must approve the fire suppression system for the Subdivision before building
- The stormwater plan must be approved by DEP or Cumberland County Soil and Water

Jim Krainin seconded the motion. The board approved the preliminary plan 5-0.

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

Respectfully submitted,

Kate Matthews  
Administrative Assistant