Town of Chebeague Island
Planning Board Application

1. APPLICANT
   Name: SLOW BELL CAFE
   Address: 2 WALKER ROAD
             CHEBEAGUE ISLAND ME 04017

2. OWNER
   Name: JONATHAN F. KOMLOSY
   Address: 2 WALKER ROAD
             CHEBEAGUE ISLAND ME 04017

3. APPLICANT'S ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER OR SURVEYOR
   Name: NA
   Address: NA
   Telephone: NA
   Cell: NA
   Fax: NA
   Email: NA

4. PROJECT
   Name of Project: SLOW BELL CAFE - RE ESTABLISH HOURS OF OPERATION
   Address of Site: SEE ABOVE THE CAFE IS APPLYING FOR THE FOLLOWING
                   HOURS OF OPERATION, MONDAY THRU SUNDAY:
                   Map: 103
                   Lot: 33
                   * 6 AM TO MIDNIGHT (12 AM)
                   * LAST CALL AT 11:30 PM
                   Hours of Operation, Monday thru Sunday:
   Project Data: Book: 13290
                 Page: 102
   Zoning District: BUSINESS 1B
   Overlay District: NA
   Size of Site: 3.85
   No of Dwellings: 1
   No of Buildings: 2
   No of Lots: NA
   Minor Subdivision: NA
   Major Subdivision: NA
   Minor Site Plan: NA
   Major Site Plan: NA

5. OTHER INFORMATION:
   a. Is Board of Appeals approval required? NO

   b. Are any ordinance waivers requested? Yes No X
      (If "yes" attach a list of waivers and reasons for their request.)

   c. Application fee under Town Ordinance:

   d. This application form and all accompanying materials must be submitted to the Town Administrator at least
      21 days prior to the meeting at which it is to be considered by the Planning Board.

The undersigned, being the applicant, owner or legally authorized representatives, states that all the information
contained in this application is true and correct to the best of his/her knowledge and hereby does submit the
information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the
Town, State and Federal governments.

[Signature]
Signature of applicant, owner or representative

4.15.2015
Date
MEMORANDUM

Date: May 29, 2015
To: Planning Board Members and Applicant
From: Nicholas L. Adams, CEO

Application Type: Site Plan Minor Amendment
Owners Name: Jonathan Komlosy/Slow Bell Cafe
Located at: 2 Walker Road
Zoning District: Island Business

This application is for a minor amendment to a previously approved site plan. The proposed amendment is to modify the business’s hours of operation. The Planning Board (Board) must determine if the application is complete, consider if third party review and analysis is required/applicable, and will conduct a public hearing on the application. The Board will need to vote on all of the above. The Board will need to concentrate on the submitted application and stay on topic, the Board should simply be reviewing the amendment for hours of operation and how that amendment will meet the minimum standards, the Board shouldn’t compare the Slow Bell to other island businesses or reconsider performance standards that were previously approved or not applicable to this application.

206.8 SITE PLAN REVIEW STANDARDS

A. Utilization of Site
In my opinion, this subsection would not be applicable, due to the fact that there is no new construction or excavation proposed.

B. Traffic Access and Parking, C. Accessway Location and Spacing Accessways must meet the following standards:

In my opinion, these subsections wouldn’t be applicable, given that the entrance exists and the amendment shouldn’t increase traffic.

D. Internal Vehicular Circulation, E. Parking Layout and Design

The Board may want to discuss these sections given the later evening hours, lighting, and how the applicant may need to modify the existing circulation, however, in my opinion these sections were already addressed and approved by a prior Board but amending the hours of operation may affect the existing layout.

F. Pedestrian Circulation
The subsection has already been addressed with the original approval although as with the parking lot layout above the Board may want to consider the safety of pedestrian circulation during the later hours and make sure there is adequate lighting.
G. Stormwater Management, H. Erosion Control

In my opinion, this subsection would not applicable; the original site plan dealt with stormwater and erosion control measure, the hours of operation shouldn't affect either. Additionally, if there was a stormwater or erosion concern it would be an enforcement issue and dealt with by my office.


In my opinion, the proposed amendment will not affect the water supply.

J. Sewage Disposal Provisions

The septic system was previously approved; furthermore the increase in hours wouldn't increase the design of the existing system.


This proposed amendment should not alter the existing utilities (CMP, phone and cable), groundwater or water quality, therefore my opinion is that these subsections would be not applicable.

N. Capacity of the Applicant

The applicant has shown adequate capacity to run the current business within the existing site plan approvals/requirements.

O. Historic and Archaeological Resources

In my opinion these sections will not be applicable given that the business was previously approved and the change in hours of operation will not change the historic/archaeological resources.

P. Floodplain Management

The parcel is not located in the floodplain therefore I feel this section is not applicable.

Q. Exterior Lighting

I feel that the applicant will need to confirm that the existing lighting will suffice for the extended hours, and if additional lighting is to be proposed the lighting shall be full cut-off and not shine off the parcel.

R. Buffering of Adjacent Uses, S. Noise

The Board will want to make sure that the additional hours will not increase disturbances with abutters, additionally given that the ordinance doesn't have specific noise guidelines, the Board will need to confirm that either the extended hours will not increase noise levels or that the amendment will increase the existing noise levels however won't interfere with abutters. The Board has the right to require additional natural buffers, more vegetation, fencing etc. if deemed necessary.

In my opinion, these subsections have already been approved and the proposed amendment will not affect the existing approvals.

In conclusion, I want to stress that it will be up to the applicant to prove that he meets the minimum requirements of the ordinance; personally I would have liked to see more information submitted with the application to assist the review process. Due to the fact that the applicant hasn’t submitted any written documentation stating he will meet the specific standard. It leaves the Board and me to assume that he won’t comply. My advice is that the Board makes sure that the applicant demonstrates compliance by either written documentation or oral statements; if he cannot prove minimum compliance I would suggest the Board table the application. However, if the Board does approve the amendment make sure that if there are any particular conditions the Board includes those in its motion.
20 April 2015

Town of Chebeague Island – Planning Board
192 North Road
Chebeague Island, ME 04017

Dear Chebeague Island Planning Board:

This letter is an application to revise the hours of operation of the Slow Bell Café, Chebeague Island, Maine.

Back in 2007 when Chebeague Island was separating from the Town of Cumberland and forming its own township, the Slow Bell Café was one of the last two island businesses to be reviewed by the Cumberland Planning Board.

Due to the extensive farming, fishing & commercial IB “Island Business” zoning of the property, and prior operation of the Nellie G Café 1994-1998, the Cumberland Planning Board went to significant lengths to bankrupt the project and thwart its existence. The Slow Bell Café went thru 6 prior planning board meetings, and is historically, the most reviewed business in the history of the Town of Cumberland. More than $50,000 was spent by owner Jonathan KomLosy exclusively in legal & engineering fee’s, to defend the existence of the Slow Bell Café.

The “Letter of Approval” granted by the Cumberland Planning Board represents a narrow minded, limitation of operation that is not realistic for an island business or any business in general. Restaurants on the mainland generally have the ability to be open to 1am. This closing time is mandated by State Law. The same type of rules governs commercial Lobster Licenses. I am quite sure that the Town of Chebeague Island is not dictating when commercial lobstermen are to start and stop fishing.

Like a commercial lobsterman, or any other island business currently in existence, the hours of operation need to be flexible so that the business can respond and survive.

All current island businesses have changed, updated, expanded their hours of operation, increased the number of employee’s, and exceeded their original “Letter of Approval.”

The Slow Bell Café requests the following hours of operation (which fall in line with State Law): Breakfast Lunch & Dinner served from 6 am to 11 pm Monday thru Sunday. The Bar closing at 1 am.

For 2014 the Café was open for dinner from 6 - 10 pm, music ending at 11 pm, with bar & café closing at 12 pm. During the last 4 years the Café has been lucky to survive as a business in a limited seasonal economy. As the sun sets late July & August, with dusk light ending 9:45-10pm, a hard closing time of 11pm would economically cripple the café. Music ending at 11 pm has worked well with the neighborhood, and hope to maintain dinner 6 – 10, music ending at 11 pm, with Planning Board Approval. The Slow Bell Café looks forward to planning board review, and is happy to answer any questions or concerns.

With sincere respect,

Jonathan KomLosy
Slow Bell Café
2 Walker Road Chebeague Island, ME 04017 207-329-9296
Town of Chebeague Island
Planning Board Application

1. APPLICANT
   Name: SLOW BELL CAFE
   Address: 2 WALKER ROAD
             CHEBEAGUE ISLAND ME 04017

   Telephone: 207-846-3078
   Cell: 207-329-7296
   Fax: 207-846-3078
   Email: JFKPT10984OL.COM

2. OWNER
   Name: JONATHAN F. KOMLOSY
   Address: 2 WALKER ROAD
             CHEBEAGUE ISLAND ME 04017

   Telephone:
   Cell: 207-329-7296
   Fax:
   Email: JFKPT10984OL.COM

3. APPLICANT'S ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER OR SURVEYOR
   Name: NA
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4. PROJECT
   Name of Project: SLOW BELL CAFE - RE ESTABLISH HOURS OF OPERATION
   Address of Site: SEE ABOVE

   Project Data:
   Book: 17290
   Page: 102
   Map: 103
   Lot: 33

   Zoning District: BUSINESS IB
   Overlay District:
   Size of Site: 3.85
   No of Dwellings: 1
   No. of Buildings: 2
   No. of Lots:
   Minor Subdivision:
   Major Subdivision:
   Other:
   Minor Site Plan:
   Major Site Plan:

5. OTHER INFORMATION:
   a. Is Board of Appeals approval required? NO
   b. Are any ordinance waivers requested? Yes ________ No X
   (If "yes" attach a list of waivers and reasons for their request.)
   c. Application fee under Town Ordinance: _______________________
   d. This application form and all accompanying materials must be submitted to the Town Administrator at least 21 days prior to the meeting at which it is to be considered by the Planning Board.

The undersigned, being the applicant, owner or legally authorized representatives, states that all the information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

[Signature]
Signature of applicant, owner or representative

[Date] 4.15.2015
Town of Chebeague Island
Site Plan Checklist

The Town Administrator will first determine if the project will be classified as a major or a minor site plan (Zoning Ordinance Section 206.4). Classification will determine submission requirements. You must review the proposed plan with the Town Administrator before submitting the application in order to receive the appropriate classification.

Major Site Plan: ________________ Minor Site Plan: □

The following list is intended to provide a summary of the submission requirements for site plan review for the Town of Chebeague Island. Eleven (11) copies of all application materials must be provided. For precise requirements, please refer to the Town of Chebeague Island Zoning Ordinance, Section 206.7.

A. Site Inventory and Analysis, Section 206.7.A (Required for Major Site Plans only)
   1. Names, address and phone of record owner and applicant
   2. Names and addresses of all consultants
   3. Evidence of right, title and interest (deed, option, etc.)
   4. Evidence of payment of the site inventory and analysis fee
   5. A plan showing
      a. name of development, north arrow, date and scale
      b. boundaries of the parcel
      c. relationship of site to surrounding areas
      d. topography
      e. major natural features within 200 feet
      f. existing buildings, structures or other improvements
      g. existing restrictions or easements
      h. location and size of existing utilities or improvements
      i. class D medium intensity soil survey
      j. if private sewage disposal system, a suitable location
      k. tax map and lot number(s)
   6. A narrative describing the existing conditions and proposed use, etc.
      a. traffic study
      b. utility study
      c. market studies
      d. other
   7. A map showing the location of the development
   8. Request for waivers
      (list the section number and reason for the request on a separate sheet.)
   Note: Section 206.7.B.6 states that the Planning Board may waive any of the submission requirements based upon a written request by the applicant. A waiver
may be granted only if the Board finds that the information is not required to determine compliance with the standards and criteria.

B. Additional General Submission Requirements for both Major and Minor Site Plans
(Section 206.7.B)
1. Completed and signed site plan application form
2. Location map showing location of the project.
3. Evidence of right, title or interest (e.g., deed or option)
4. A plan showing
   a. location of all setbacks, yards and buffers
   b. boundaries of all contiguous property under control of owner.
   c. tax map and lot number of the parcel(s)
5. Names and addresses of all property owners within 500 feet
6. Evidence of payment of the application and technical review fees
7. Name, registration number and seal of person who prepared the plan.
8. Evidence of technical and financial capability to carry out the project.

C. Documentation of Existing Conditions (Section 206.7.B.3) (Required for both Major and Minor Site Plans)
1. Zoning
2. Boundary survey
3. On the plan (above):
   a. utilities, including culverts, well and on-site sewage.
   b. location, names, widths of existing public or private streets/ROW(s)
   c. location, dimension of ground floor elevation of all existing buildings.
   d. location, dimension of existing driveways, parking, loading, walkways
   e. location of intersecting roads and driveways within 200 feet of the site
   f. location of drainage courses, wetlands, stone walls, graveyards, fences, stands of trees, important or unique features, etc.
   g. direction of existing surface water drainage across the site and off site
   h. location, front view, dimensions and lighting of existing signs
   i. location and dimensions of existing easements and copies of documents

SEE SITE PLAN ON FILE AT TOWN OFFICE
4. Location of nearest water supply for fire protection

D. Proposed Development Activity (Section 206.7.B.4) (Required for Both Major and Minor Site Plans)
1. A narrative describing the proposed project
2. Estimated demand for water supply and sewage disposal
3. Direction of proposed surface water drainage across the site after development, including impacts on downstream properties
4. Provisions for handling solid wastes
5. The location, dimensions and materials for driveways, parking and loading areas and walkways
6. Proposed landscaping and buffering
7. The location, dimensions and ground floor elevation of proposed buildings or expansions
8. Location of proposed signs.
9. Location and type of exterior lighting
10. Location of all utilities including fire protection systems
11. An estimate of the peak hour and daily traffic generated.
12. Stormwater calculations and erosion and sedimentation control measures

E. Additional Submission Requirements for Major Site Plans Only (Section 206.7.B.5)
1. A narrative and plan describing how the proposed development plan relates to the site inventory and analysis
2. A grading plan showing existing and proposed topography at 2 foot intervals
3. A stormwater drainage and erosion control program showing:
   a. the existing and proposed method of handling stormwater runoff
   b. the direction of flow of the runoff, using arrows.
   c. location, elevation and size of all catch basins, dry wells, drainage ditches, swales, retention basins and storm sewers
   d. engineering calculations for 25-year storm
   e. methods of controlling erosion during and after construction
4. A groundwater impact analysis
5. The name, registration number and seal of the architect, engineer, landscape architect or similar professional who prepared the plan
6. A utility plan – water, sewage, electrical, telephone etc.
7. A planting schedule for the landscape plan
8. A traffic impact analysis
9. The cost of the proposed development and evidence of the applicant’s financial capacity to complete it.

SEE EXISTING SITE PLAN AT TOWN OFFICE