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

The application is to extend the hours of operation for bar service from 11PM to 12 AM.

206.8 SITE PLAN REVIEW STANDARDS

A. Utilization of Site,
B. Traffic Access and Parking,
C. Accessway Location and Spacing Accessways must meet the following standards,
D. Internal Vehicular Circulation, E. Parking Layout and Design,
F. Pedestrian Circulation,
G. Stormwater Management,
H. Erosion Control,
I. Water Supply Provisions,
J. Sewage Disposal Provisions,
K. Utilities,
L. Groundwater Protection,
M. Water Quality Protection,
N. Capacity of the Applicant,
O. Historic and Archaeological Resources,
P. Floodplain Management,
R. Buffering of Adjacent Uses,
T. Storage of Materials,
U. Landscaping,
V. Building and Parking Placement,
W. Fire Protection:

Planning Board members discussed and their consensus is that the review of the minor site plan amendment for the request to change of hours of operation is limited only to subsections Q. Exterior Lighting and S. Noise; therefore the Planning Board finds that all standards listed above are not applicable.

206.8. Q. Exterior Lighting
The applicant has stated that the external lighting is focused downward and will not be directed off the property or effect adjacent properties. Based on this information and in the record the Planning Board finds that this criteria will be met.
206.8. S. Noise

The Board heard evidence from the applicant and abutters that the existing and proposed activities will not create a nuisance for neighboring properties. Based on the information in the record; the Planning Board finds that the development will control noise levels such that they will not create a nuisance for neighboring properties.

Conclusion

- The Board held a public hearing on Jun 3, 2015 at 7 P.M., the applicant and all abutters within five hundred (500') of the subject parcel were notified of the hearing.
- The Board finds that the application was complete
- The Board finds that a third party review and analysis is not required/applicable
- The Board decided not to conduct a site inspection

Therefore, the Town of Chebeague Island Planning Board hereby approves with the following conditions the application for Jonathan Komlosy, of the Slow Bell Café to extend the hours of operation from 11PM until 12 midnight, with last call at 11:30 PM, contingent upon the Planning Board receiving a revised application form with the addition of the requested hours stated on the application and as described in the application letter dated April 20, 2015 and the above findings of facts.

Conditions of Approval:

- Plan approval is also conditioned upon compliance by the Applicant with the Plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral or written commitments regarding the project which were specifically made by the Applicant to the Board in the course of its deliberations.
- The applicant assured the Board that he will enforce the closing time of midnight with last call at 11:30 PM.
- Once the establishment is closed at midnight, outside disturbances would be under the purview of law enforcement.
- Consequences of non-compliance: following determination of a land use violation, the Planning Board would direct the CEO to issue a notice of violation that could trigger enforcement action by the Board of Selectmen who could pull the owner’s liquor license and/or special amusement permit.
- Any modifications to the approved site plan will require Planning Board Approval
Town of Chebeague Island
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Pursuant to Section 206.13 of the Zoning Ordinance anyone aggrieved of this decision may file a written appeal within Thirty (30) Days of date of this decision in accordance with Rule 80-B of the Maine Rules of Civil Procedure.

Date Approved: June 18, 2015
Town of Chebeague Island Planning Board

Chip Corson, Chairman

Carol White

Jane Frizzell

Donna Colbeth

Nancy Hill

Mabel Doughty

Sam Birkett