

MINUTES  
SEBAGO BOARD OF SELECTMEN'S MEETING  
5:30 PM  
TOWN OFFICE  
TUESDAY, NOVEMBER 4, 2020

ALL REGULAR BOARD OF SELECTMEN MEETINGS  
ARE HELD THE 1<sup>ST</sup> AND 3<sup>RD</sup> TUESDAY OF EACH MONTH.

**Due to COVID-19 Public Participation was limited at this meeting.  
Attendees were advised of the following requirements in order to attend:  
Please wear a mask and practice social distancing.  
Comments may be emailed to: [townmanager@townofsebago.org](mailto:townmanager@townofsebago.org)**

***Reminder to the attending public:  
Select board meetings are open to the public, but the public may not speak unless  
recognized by the Chair or Vice Chair in their absence.  
Except during a public hearing, comment time is limited to 2 minutes per speaker  
during public participation.  
Matters related to personnel will not be heard or discussed.***

## CALL TO ORDER

The meeting was called to order by Chairman Ann Farley at 5:30 pm.

## I. ROLL CALL

Present: Selectmen; Ann Farley, Edythe Harnden, Phil Lowe, Tim Mayberry and Chris Parker, Town Manager, Michele Bukoveckas, Town Clerk and Recorder, Maureen Scanlon

Guests present: Code Enforcement Officer Brandon Woolley

## II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited at the start of this meeting.

## III. NEW BUSINESS

### A. Encroachment of Sideline Setback Discussion

Chairman Ann Farley stated that the Code Enforcement Officer requested this meeting to discuss an encroachment of a sideline setback on the Hawkes Road. Brandon Woolley explained that the property is located at the end of Hawkes Road just before you get to Anderson Road (the new house on the left hand side). There was some confusion when they laid out the plans for the house in regards to the exact position of the property line. He proceeded

to explain documentation showing that the property pin is not actually located on the property line. It is located within the property and under a rock. It was assumed that the pin was under the center of the rock. Taking that into consideration the property line was within the buffer area for the sideline setback. The builder also had stakes driven in delineating the setbacks. Brandon stated that initially everything was done correctly and explained how the placement of the rocks and property pins combined resulted in an error being made which has been discovered. The newly built garage is now located too close to the property line to meet the sideline setback requirement. This is a minor infraction that has now caused a problem with the sale of the house.

Brandon explained that if he finds a violation of a town ordinance that needs to be pursued legally, he cannot take any action without authorization from the Board of Selectmen. Therefore the Board has the authority, known as prosecutorial discretion, to pursue legal action or may choose not to take any action. Due to the minor nature of this problem and the circumstances surrounding how the issue arose, Brandon is asking the Board to forgive them for this encroachment and agree not to take any legal action against them. The Board agreed that this encroachment is minor and not intentional.

Ann Farley made a motion to sign the letter "Request for No-Action Relief" and grant the request to Great Maine Day LLC (Edward W. & Laura J. Byther) to allow the (west side) sideline setback encroachment with no future action to be taken. It was seconded by Tim Mayberry. Motion carried with all in favor.

Copies of the aforementioned documentation that Brandon referenced and the letter that was signed by the Board of Selectmen are attached to and do hereby become a part of the original set of these minutes kept on file at the Town Office building.

#### **IV. ADJOURNMENT**

Tim Mayberry made a motion to adjourn at 5:45 pm. It was seconded by Phil Lowe. Motion carried with all in favor.

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Maureen F. Scanlon". The signature is fluid and cursive, with the first name "Maureen" being more prominent.

**Maureen F. Scanlon**  
**Town Clerk**