

**MINUTES
TOWN OF SEBAGO
PLANNING BOARD MINUTES
7:00 PM
Tuesday, May 11, 2021
TOWN OFFICE BUILDING**

I. Call to Order

Paul White called the meeting to order at 6:58p.m.

Present: Jim Jansz, Tina Vanasse, Paul White, Code Enforcement Officer Brandon Woolley, Recorder Desirae Lyle.

Absent: Dick Perry, Andrew Plummer

Guests: Moshe Agam, Mirela Riven. Marshall Glanville, Roby Dyer, Neil Bacheldor, Kyle Nason, Paul Severino

RECORDER'S NOTE: The minutes reflect the order in which the agenda items were discussed.

II. Correspondence

Desirae Lyle advised the Board that Tina Vanasse who was absent from the last meeting held on April 13, 2021, has reviewed the minutes from that meeting and listened to the recording or watched the video of the proceedings. She has completed the "Member's Affidavit Regarding Missed Planning Board Meetings" attesting to this fact and will therefore be allowed to participate in the approval process for tonight's agenda items. The original copy of the affidavit will be filed in the official Planning Board Meeting Minutes file. A copy will also be filed in the Planning Board files for these proposed project.

Desirae Lyle advised the Board that letters had been received from Donald Gosselin and Susan Coyne regarding Agenda Item VII. a. Site Plan Review Application – Paul & Rocco Severino – SebagoSev Properties, Inc – 46 Sebago Road – Map 19, Lot 19 – Amending Existing Use. Paul White suggested that the letters be read into the record when the Board gets to that agenda item.

III. Open to Public Questions

None

IV. Review of Minutes (April 13, 2021)

Jim Jansz made a motion to approve the April 13, 2021, meeting minutes as presented. It was seconded by Tina Vanasse. Motion carried with all in favor.

V. Public Hearing – Site Plan Review Application – Moshe Agam – 808 Sebago, Rd – Map 29, Lot 10 – Proposed Use is Retail Sales

Roby Dyer asked if Mr. Agam intends to close off the turn onto Kimball Corner Rd. Mr. Agam is leaving the turn open, and the school buses will still be able to make the turn.

Neil Bacheldor asked why Mr. Agam covered the front triangle (between the end of Kimball Corner Road and Route 114) with crushed rock. Mr. Bacheldor feels that the triangle should not have been covered with pavement and is concerned about the State of Maine being able to put there signs there. Brandon Woolley noted that the signs are still there, and Mr. Agam owns to the corner of Kimball Corner Road and Route 114.

Kyle Nason asked what Mr. Agam's business will be. Mr. Agam responded that the business will be a gift shop with beach wear and other beach items.

Paul White closed the Public Hearing at 7:04 p.m.

VI. Old Business

a. Site Plan Review Application – Moshe Agam – 808 Sebago, Rd – Map 29, Lot 10 – Proposed Use is Retail Sales

Tina Vanasse stated that she had watched the video and had no questions. Jim Jansz noted that all of his questions were answered at the last meeting.

Brandon Woolley had nothing to add. Paul White noted that the application meets all requirements of the ordinance.

Jim Jansz made a motion to approve the application. The motion was seconded by Tina Vanasse. Motion carried with all in favor.

Desirae Lyle noted that all fees have been paid for this project. (**Recorder's Note:** The Board signed the Decision Form for this application at the end of the meeting before adjourning.) The Board wished Mr. Agam luck with his project.

b. CEO Updates

None

c. Goal Setting Items

Paul White mentioned that the Board had discussed the possibility of revitalizing a Conservation Committee to obtain access to the Northwest River.

VII. New Business

a. Site Plan Review Application – Paul & Rocco Severino – SebagoSev Properties, Inc – 46 Sebago Road – Map 19, Lot 19 – Amending Existing Use

Paul Severino explained that he purchased the property four (4) years ago and has made over \$1,000,000 investment in the purchase and renovations of 46 Sebago Road. Due to the COVID19 pandemic in 2020 he proposed using the tiki bar on a temporary basis and would now like to keep it as a permanent structure.

Paul White asked Desirae Lyle to read aloud the letter from Donald Gosselin into the record. A copy of this letter will be included with the file for this project. Paul White noted that he wished Mr. Gosselin has cited the Statutes that he was referring to.

Paul White then asked Desirae Lyle to read aloud the letter from Susan Coyne into the record. A copy of this letter will be included with the file for this project.

Paul White noted that tonight the Board will be focused on reviewing the application for completeness. Paul Severino asked to respond to the letters. Mr. Severino remarked on the second letter from Mrs. Coyne first. Mr. Severino clarified that Mr. Coyne entered his establishment asking to speak to the owner, when told the owner wasn't available Mr. Coyne left his name and address but no phone number and stated that he wanted to speak to an owner that night. Mr. Severino's son Rocco went to the property like they asked, and this resulted in the Coyne's calling Cumberland County Sherriff's Department. To address the first letter, Mr. Severino noted that Mr. Gosselin had met with him and a member of the Planning Board to address Mr. Gosselin's concerns. Mr. Severino felt that he had addressed all of Mr. Gosselin's concerns at the time. Mr. Severino pointed out that if there are any issues or disturbances they are dealt with immediately. Mr. Severino noted that this has been a commercial establishment since the 1940's, and there had been another building that may have been closer to the road at one time.

Paul White noted that he was not making any judgements on the letters only allowing them to be read into the record. Tina Vanasse mentioned that she is Mr. Severino's closest neighbor, and any time she has approached Mr. Severino with concerns he has taken care of them. Tina also mentioned that Mr. Severino has done a great job, has done great things and has a great clientele. Tina expressed her opinion that the letter from Mr. Gosselin was a little strong since she and Mr. Gosselin had met with Mr. Severino and Mr. Severino had dealt with the concerns.

Paul White asked about the status of outdoor service and if Mr. Severino has a liquor license for outdoor service. Mr. Severino does have a valid liquor license and last year (2020) the liquor license for the tiki bar was approved on a temporary basis. The current license expires on June 21, 2021, and the renewal includes the diagrams with the tiki bar on them. The tiki bar isn't open at this time and won't be open until mid-June.

While discussing the setbacks Brandon Woolley informed the Board that in the Village District, which is where Mr. Severino's property is located, the setback is twenty five (25) feet from the edge of the road.

The Board asked about the hours of operation. Mr. Severino asked if they were asking strictly about the tiki bar. The hours for the tiki bar will be 3:00 p.m. to 9:00 p.m.

Monday through Thursday, 12:00 p.m. to 10:00 p.m. Friday and Saturday and 12:00 p.m. to 9:00 p.m. on Sunday. The bar will be shut down by 10:00 p.m. regardless, and this would occur for one (1) week in June, all of July and August and then after Labor Day it would be shut down.

Paul White asked about the possibility of moving the tiki bar closer to where the fire pit is located. This would not be a requirement. Mr. Severino expressed that he has limited parking as it is and would rather not move the tiki bar.

Desirae Lyle confirmed that all fees have been paid to date.

Tina Vanasse asked about a port-o-potty. Mr. Severino has considered this and would like to get one (1) that is handicap accessible. Tina noted that it would be out if sight if it were placed behind the existing fence.

The Board discussed the need for a Site Walk. Brandon Woolley suggested that it would be good for the Board to visit the property, the septic systems have been rebuilt for each cabin. The cabins themselves have been reconstructed, redecorated and moved.

Tina Vanasse made a motion to hold a Site Walk on Saturday, May 15, 2021, at 9:00 a.m. It was seconded by Jim Jansz. Motion carried with all in favor.

Paul White made a motion to hold a Public Hearing on Tuesday, June 8, 2021. It was seconded by Jim Jansz. Motion carried with all in favor.

Brandon Woolley confirmed that the application is complete.

Mr. Severino will be before the Selectmen next Tuesday, May 18, 2021, for approval for the liquor license and the special amusement permit. Mr. Severino did mention that he will be erecting a fence around the tiki bar per the State requirements, it will be metal posting and nautical rope. There will also be signage about consuming alcohol and traffic flow.

Parking on the street is still an issue. Tina Vanasse has called Cumberland County Sherriff's Department before, and they have told her that as long as all four (4) wheels are outside the white line (off the road) there is nothing they can do. Mr. Severino asked about "No Parking" signs.

Brandon Woolley confirmed that the tiki bar is the only item under review. Paul White read Land Use Ordinance Section 7 Site Plan Review Subsection H (11) **PUBLIC HEALTH, SAFETY, WELFARE** – *Adequate provision has been made to prevent any significant adverse effect upon the public health, safety, or general welfare of the neighborhood or community.* Brandon noted that the State Health Department regulates the licensing and they have asked whether or not the Town has approved this permanent addition to the existing facility. The Health Department has their own requirements. Brandon gave Mr. Severino permission for the temporary tiki bar as an emergency provision when the State shut everyone down at the beginning of Covid19.

Tina Vanasse made a motion to accept the application as complete. It was seconded by Jim Jansz. Motion carried with all in favor.

The Board would like to hold the Public Hearing at the Town Hall due to the anticipated attendance. (**Recorder's Note:** Due to the Town and School Elections being held at the Town Hall on June 8, 2021, from 8:00 a.m. until 8:00 p.m. the Public Hearing will be held at the Town Office.)

VIII. Adjournment

Jim Jansz made a motion to adjourn at 7:54 p.m. It was seconded by Tina Vanasse. Motion carried with all in favor.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Desirae Lyle".

Desirae Lyle
Administrative Assistant/Deputy Clerk