

MATERIAL LIST FOR
JUNE 23, 2014
COUNCIL AGENDA PACKETS

1. Copy of Agenda for the June 23, 2014 Regular Council meeting.
2. Copy of Town Manager's report to Council.
3. Copy of minutes from the June 9th Regular Council Meeting.
4. Copy of application from Union Lobster House LLC, 1171 Sagamore Ave., Portsmouth for a Victualer's license for Union Lobster House, 2 Badger's Island West, Kittery.
5. Copy of application from Union Lobster House LLC for a Malt and Vinous Liquor License for Union Lobster House, 2 Badger's Island West.
6. Copy of application from Daniel Raynard, 14 Stonecroft – Apt. 6, Portsmouth, NH for a Malt and Vinous Liquor License for Tasty Thai, 182 State Rd., Kittery.
7. Copy of FY15 Budget Appropriation Worksheet.
8. Copy of Release Deed for tax lien to Janet E. Anderson a/k/a Janet E. Cushing for property located at 76 Route 236, Map 28, Lot 26.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

June 23, 2014

Kittery Town Council
Regular Meeting Agenda
7:00 p.m.

Council Chambers

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes 6/9/14
8. Interviews for the Board of Appeals and Planning Board
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
10. PUBLIC HEARING
 - a. (060214-1) The Kittery Town Council moves to hold a public hearing on an application from Union Lobster House, LLC, 1171 Sagamore Ave., Portsmouth, NH for a Victualer's license for Union Lobster House, 2 Badger's Island West, Kittery.
11. DISCUSSION
 - a. Discussion by members of the public (three minutes per person)
 - b. Response to public comment directed to a particular Councilor
 - c. Chairperson's response to public comments
12. UNFINISHED BUSINESS
13. NEW BUSINESS
 - a. Donations/gifts received for Council disposition
 - b. (060214-2) The Kittery Town Council moves to approve the disbursement warrants.
 - c. (060214-3) The Kittery Town Council moves to approve the application from Union Lobster House, LLC, 2 Badger's Island West for a Malt and Vinous Liquor License for Union Lobster House, 2 Badger's Island West, Kittery.

d. (060214-4) The Kittery Town Council moves to approve the renewal application from Daniel Raynard, 14 Stonecroft, Apt. 6, Portsmouth NH for a Malt and Vinous Liquor License for Tasty Thai, 182 State Road, Kittery.

e. (060214-5) The Kittery Town Council moves in accordance with Sec. 6.06 (3) of the Town Charter to adopt the 2014-15 Municipal and Adult Education budgets.

f. (060214-6) The Kittery Town Council moves to release funds in the amount of \$1,000 from unassigned surplus for the purpose of paying the cost of the deductible for the insurance that will be paid out of #101740-68427 – Expense Self Insurance Claims for the water damage loss at the Kittery Community Center in December, 2013.

g. (060214-7) The Kittery Town Council moves to sign a Release Deed, releasing a 2007 tax lien to Jane E. Anderson, a/k/a Janet E. Cushing of North Berwick, Maine for property located at 76 Route 236, Kittery, Maine, Tax Map 28, Lot 26.

h. (060214-8) The Kittery Town Council moves to schedule a public hearing in accordance with Section 6.11 (2) of the Town Charter for a multi-year agreement with the State of Maine, acting by and through the Maine Department of Agriculture, Conservation, and Forestry, Bureau of Parks and Lands for management of the John Paul Jones Park.

14. COUNCILOR ISSUES OR COMMENT

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: June 19, 2014



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council June 23, 2014

1. **FEMA Flood Insurance Rate Map (FIRM) Changes**—As requested at our last meeting, I have annotated the list of property owners provided to the Council at its last session, and noted responses to our request for funding support. In re-examining the total pledges, I discovered that my prior report to Council included a double-entry when calculating the total sum pledged; the total sum stands at \$5,900 to date.

On a positive note, FEMA has officially delayed the start of the appeal period in order to allow for a third-party review of the methodology used to calculate wave setup in coastal communities. I am encouraged by this news - hopefully the eventual outcome for Kittery property owners will more accurately reflect likely flood elevations.

2. **Rare Turtle Crossings** —Conservation Commission members have reported turtle crossing in the vicinity of Martin Road near the Southern Maine Fish and Game Club and on Bartlett Road. The signs are permitted without Planning Board approval, unless located within the Shoreland Zone, in which case they are not allowed. According to reporting on the erection of such signage in Wells and So. Berwick, active turtle crossings take place from May – July.
3. **Safety Enhancement Grant Awards** – Kittery is fortunate to have received three grants from the Maine Municipal Association to improve the safety of our operations. The Sewer Department received one to support the purchase of Life Rings/Cabinets, and the School Department received two grants for kitchen and personal safety equipment. The grants will cover up to 2/3rds of the cost of these items, and together represent approximately \$2,900.
4. **Seacoast Energy Efficiency Initiative Grant** – We have applied for a grant to support energy efficiency improvements to the Kittery Community Center Annex. The grant will support the installation of replacement windows, which we have packaged as part of an overall project that includes the conversion to a natural gas boiler, recommended as part of the FY 2015 Capital Improvement Program.
5. **John Paul Jones Park Management Agreement** – I have received the final version of the management agreement from the State – this will be placed on the next regular Council agenda for action by ordinance. The estimated annual electricity bill is \$500.

6. **Fire Logs** – At the request of Councilor Denault, monthly Fire logs are now posted on the Fire Department's web site.
7. **BIG project update** - The Port Authority and Harbormaster continue to work on a solution for the fisherman's ramp, as the one proposed at the last Council meeting is not supported by the State DOT. Prock Marine is actively placing the floats and driving pilings, and the pier will have limited availability for the next 3 weeks during construction.
8. **Police Chief Sharing Evaluation** – Town Manager Dana Lee and I will meet with the Police Chief on Monday to evaluate the sharing arrangement of the Chief's position as required by Section 8 of our agreement.
9. **Future Conference Dates** – I will be attending the New England Management Institute at Sunday River from August 13-15th, and the International City/County Management Association (ICMA) conference in Charlotte, NC from September 14-17.

If you have any questions or concerns prior to Monday's evening's meeting, please do not hesitate to contact me. Thank you.

Respectfully Submitted,



Nancy Colbert Puff

MAPLOT	Location	Grantee	Cogrant	Mailing	City	State	Zip	Total Assessed Value	Pledge?
1	10-01	TOURNAS, ARTHUR	D'ANTONIO, BARBARA	150 WHIPPLE ROAD	KITTERY	ME	03904	\$584,500	
2	10-02	DICKINSON, ANDREW	PRENTISS, BARBARA ANN	PO BOX 426	KITTERY	ME	03904	\$596,600	
3	10-07	TEIFERT, ROBERT W	TEIFERT, OLIVE C	118 WHIPPLE ROAD	KITTERY	ME	03904	\$465,500	
4	10-10	ROBICHAUD, ARTHUR WILLIAM	ROBICHAUD, CHRISTINE E	7 ROSE LANE	KITTERY	ME	03904	\$676,000	
5	10-17	TREFFETHEN, CLIFTON A	TREFFETHEN, DOROTHY C	100 WHIPPLE ROAD	KITTERY	ME	03904	\$487,300	
6	16-213	HARRIS, MATTHEW C	COOK, KRISTINA L	32 LOGGING HILL ROAD	BOW	NH	03304	\$465,900	
7	16-215	LEMONT, KENNETH F	LEMONT, SAIL P	154 WHIPPLE ROAD	KITTERY	ME	03904	\$551,200	
8	17-09	HALL, MILTON E	MARJORIE K KUNKEL REV TR 8/28/97	51 BOWEN ROAD	KITTERY	ME	03904	\$684,900	No
9	17-14	KUNKEL TR, WILLIAM L	PICHE, BRUCE A	2 OLD FERRY LANE	KITTERY	ME	03904	\$420,300	
10	17-22	178 WHIPPLE ROAD	PICHE, THOMASINE	178 WHIPPLE ROAD	KITTERY	ME	03904	\$945,000	
11	17-26	30 NEWSON AVENUE	MCCARTNEY, DAVID E	19 RICHARDSON ROAD	HOLLIS	NH	03049	\$516,700	
12	18-04	7 DUNCAN WAY	BEGLEY, FRANK H	7 DUNCAN WAY	KITTERY POINT	ME	03905	\$478,700	
13	18-05	9 DUNCAN WAY	TRUE, LILLIAN H	9 DUNCAN WAY	KITTERY POINT	ME	03905	\$22,500	
14	18-27	42 PEPPERELL ROAD	RODONETS, BRIAN M	5483 NORTON ROAD	MANAIMO	BC	V9T 5N1 CANADA	\$875,200	
15	18-28	40 PEPPERELL ROAD	GIBSON TR, BONNIE KNICKERBOCKE	19 N HIDDEN HARBOUR DRIVE	GULSTREAM	FL	33483	\$1,048,900	
16	18-32	9-11-13 LAWRENCE LANE	HOWELLS, WILLIAM DEAN & BENITHA C	13 LAWRENCE LANE	KITTERY POINT	ME	03905	\$2,164,900	\$1,000
17	18-33	10 LAWRENCE LANE	KITTERY POINT PARTNERS LLC	PO BOX 278	KITTERY POINT	ME	03905	\$1,627,800	
18	18-35	4 LAWRENCE LANE	DIGIAMMARINO, DAWN	4 LAWRENCE LANE	KITTERY POINT	ME	03905	\$1,662,300	
19	18-36	2 FOLLETT LANE	CRAIG TR, DONALD G	DGC REV TR 05 & MBC REV TR 05	KITTERY POINT	ME	03905	\$1,011,500	\$500
20	18-36-1	6 FOLLETT LANE	CRAIG LIFE ESTATE, MARIAN G	6 FOLLETT LANE	KITTERY POINT	ME	03905	\$834,300	\$500
21	18-46	62 PEPPERELL ROAD	ACADIA TRUST NA TRUSTEE	5 MILK STREET	PORTLAND	ME	04101	\$867,200	
22	20-27A	11 ARMOUR DRIVE	BATEMAN, DUANE K	11 ARMOUR DRIVE	PORTLAND	ME	04101	\$171,100	
23	24-47	MOORE STREET	INHABITANTS OF KITTERY	200 ROGERS ROAD	KITTERY	ME	03904	\$102,300	
24	26-22	79 PEPPERELL ROAD	P & S ASSOCIATES LLC	PO BOX 450	KITTERY	ME	03904	\$1,021,600	
25	26-28	70 PEPPERELL ROAD	LLOYD, SANDRA M	PO BOX 85	KITTERY POINT	ME	03905	\$749,200	\$500
26	26-30	66 PEPPERELL ROAD	FATE, DONALD G	PO BOX 42	KITTERY POINT	ME	03905	\$686,600	
27	26-31	64 PEPPERELL ROAD	POST, DOROTHEA C	16 ATKINSON DEPOT ROAD	PLAISTOW	NH	03865	\$646,200	\$200
28	27-01A	85 PEPPERELL ROAD	SEGGERS	78 CYPRESS STREET #2	BROOKLINE	MA	02301	\$480,100	
29	27-51	84 PEPPERELL ROAD	PEPPERELL, LLC	PO BOX 116	KITTERY POINT	ME	03905	\$798,600	
30	27-52	82 PEPPERELL ROAD	MILLER, MARY ARMOUR	92 WOODLAND ROAD	NEW CANAAN	CT	06840	\$1,085,400	
31	27-53	72 PEPPERELL ROAD	MOYNIHAN TRUSTEE, JOANNE H	PO BOX 148	KITTERY POINT	ME	03905	\$760,600	
32	34-19	6 GOOSE POINT	WATT, ROBERT C	16 GOOSE POINT	KITTERY POINT	ME	03905	\$283,000	
33	36-04-1	141-143-147 PEPPERELL ROAD	HOLLINGSWORTH, PAUL D	147 PEPPERELL ROAD	KITTERY POINT	ME	03905-5113	\$14,000	\$250
34	36-04-2	145 PEPPERELL ROAD	MCINTIRE, ROGER E	145 PEPPERELL ROAD	KITTERY POINT	ME	03905-5113	\$14,300	
35	36-53	165 PEPPERELL ROAD	SAHL, JANET	165 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$262,700	\$200
36	36-54	167 PEPPERELL ROAD	THOMAS, MARGARET M	167 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$153,000	\$500
37	36-55	169 PEPPERELL ROAD	NEAL, JANICE A	169 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$170,600	
38	36-67	4 KEEN AVENUE	HOOVER	4 KEEN AVENUE	KITTERY POINT	ME	03905	\$254,300	
39	36-69	154 PEPPERELL ROAD	BRADY, MATTHEW W	154 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$265,600	\$500
40	36-70	152 PEPPERELL ROAD	PORTNOY, NEIL	152 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$239,200	\$250
41	36-72	150 PEPPERELL ROAD	H A MAPES INC	288 RIVER STREET	SPRINGVALE	ME	04083	\$325,500	
42	36-78	148 PEPPERELL ROAD	PETERSON, MARY	148 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$178,700	
43	36-81	140 PEPPERELL ROAD	DEAN III, JAMES	140 PEPPERELL RD	KITTERY POINT	ME	03905	\$579,700	\$500
44	44-40	43 CHAUNCEY CREEK ROAD	LYNCH	13 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$466,900	
45	44-43	40 CHAUNCEY CREEK ROAD	SEAWARD	40 CHAUNCEY CREEK ROAD	KITTERY POINT	ME	03905	\$122,400	undecided
46	54-03	32 POCAHONTAS ROAD	ARSENAULT, ELIZABETH SULLIVAN	PO BOX 152	KITTERY POINT	ME	03905	\$869,700	
47	51-09	76 POCAHONTAS ROAD	INHABITANTS OF KITTERY	FORT FOSTER	KITTERY	ME	03904	\$500,700	
48	52-11	6 POCAHONTAS ROAD	RAYNES, MILDRED	6 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$500,700	
49	52-12	POCAHONTAS ROAD	SEAWARD, KAREN L	SEAWARD, DONNA L	PALO ALTO	CA	94306	\$524,000	\$500
50	52-13	2 POCAHONTAS ROAD	SEAWARD TR, DANIEL O	DANIEL O SEAWARD REV LIV TR 7/8/04	KITTERY POINT	ME	03905	\$626,900	
51	53-1-1	97 GOODWIN ROAD	TRACKSLER, JACK G	97 GOODWIN ROAD	KITTERY POINT	ME	03905	\$871,400	
52	53-1-2	95 GOODWIN ROAD	MOONEY, EDWARD F	95 GOODWIN ROAD	KITTERY POINT	ME	03905	\$783,500	
53	53-1-3	93 GOODWIN ROAD	DEMETRI, LEWIS, AMANDA K	93 GOODWIN ROAD	KITTERY POINT	ME	03905	\$823,500	
54	53-1-4	91 GOODWIN ROAD	STELMAN TR, MARSHA H	790 BOYLSTON STREET APT 21H	BOSTON	MA	02119	\$823,500	
55	53-7	110 GOODWIN ROAD	CARLSON, JOHN M	110 GOODWIN ROAD	KITTERY POINT	ME	03905	\$1,082,600	
56	56-09-2	5 HIGH PASTURE ROAD	BLODEAU, PAUL A	5 HIGH PASTURE ROAD	KITTERY POINT	ME	03905	\$393,600	
57	58-22	9 TOWER ROAD	HILL, DAVID B	9 TOWER ROAD	KITTERY POINT	ME	03905	\$599,400	
58	58-37	47 TOWER ROAD	RICHARDSON, GERALD A	47 TOWER ROAD	KITTERY POINT	ME	03905	\$866,800	

MAPLOT	Location	Grantee	Cogrant	Mailing	City	State	Zip	Total Assessed Value	Pledge?
59	65 TOWER ROAD	LANCTOT TR, ROGER W	LANCTOT TR, LOUISE L	ROGER WILLIAM LANCTOT TRUST	BEDFORD	NH	03110	\$852,200	
60	69 TOWER ROAD	EDDY TR, JANICE W	JANICE W EDDY REV TRUST	PO BOX 27	KITTERY POINT	ME	03905	\$921,000	
61	59 TOWER ROAD	GRIMES, MARGARET A	GRIMES, BRUCE J	59 TOWER ROAD	KITTERY POINT	ME	03905	\$684,400	
62	73 TOWER ROAD	ARRIS TRUSTEE, RAYMOND J	THRON TRUSTEE, MARY	PO BOX 96	KITTERY POINT	ME	03905	\$1,074,400	
63	71 TOWER ROAD	KANE TR, THOMAS S	THOMAS S KANE REV TRUST	PO BOX 113	KITTERY POINT	ME	03905	\$909,100	
64	54 GOODWIN ROAD	HARRIOTT, JESSE S	HARRIOTT, EVELYN C	13 HARKNESS ROAD	CHESTNUT HILL	NH	03452	\$402,700	
65	81 TOWER ROAD	FREDERICK JR, ALBERT R	FREDERICK, SUZANNE M	BUILDING 10 PHW	NEWARK	MA	02467	\$1,057,600	
66	4 TOWER ROAD	DAWSON TR, CARL	GOODMAN TR, SUSAN	CD TRUST & SG TRUST	NEWARK	DE	19711	\$421,800	
67	78 GOODWIN ROAD	CHARLESWORTH, SARAH & AGNES	CHARLESWORTH, ROSEMARY & ROGER	C/O ROSEMARY CHARLESWORTH	NEW YORK	NY	10003	\$961,600	
68	90 GOODWIN ROAD	BISIG, RICHARD W	WOLSTAT, JANNYNE LYNNE BANSE	90 GOODWIN ROAD	KITTERY POINT	ME	03905	\$1,054,900	
69	25 GOODWIN ROAD	SPINNEY	RONALD E	25 GOODWIN ROAD	KITTERY POINT	ME	03905	\$391,000	
70	61-08B	HEWETT, VIRGINIA D	ADAMS, ELAINE S	11 KITTREE LANE	KITTERY	ME	03904	\$285,300	
71	62-15A	ADAMS, CHRISTOPHER J	ADAMS, ELAINE S	52 BARTLETT ROAD	KITTERY POINT	ME	03905	\$269,700	
72	62-15B	LEAVITT, DAVID A	ADAMS, ELAINE S	PO BOX 147	KITTERY POINT	ME	03905	\$255,500	
73	62-15C	LARCK, JACK L	LARCK, LINDA	2 ABES WAY	KITTERY POINT	ME	03905	\$293,800	
74	62-17	BRADSTREET, ELIZABETH A	LANE, MICHAEL	3 PINKHAMS LANE	KITTERY POINT	ME	03905	\$288,700	
75	63-54A	MCDONALD, MAUREEN	RETTALIATA, PATRICIA	5 SHEPHERDS WAY	KITTERY POINT	ME	03905	\$361,500	
76	64-15	CRAWFORD, PHILLIP R	RETTALIATA, PATRICIA	30 SPANISH RIVER DRIVE	OCEAN RIDGE	FL	32435	\$966,500	
77	68-10B	SMALL, DALE R	DRISCOLL, AMY L	PO BOX 188	KITTERY POINT	ME	03905	\$310,900	
78	69-02A	DRISCOLL, JOHN F	DRISCOLL, AMY L	6 GAILEY FARM LANE	KITTERY POINT	ME	03905	\$313,500	
79	71-01-1	HALSTED, AMY MARILLA	ALBERT L	16 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$592,800	\$500
80	71-01-3	FARRAH	ALBERT L	9 CAPTAINS WAY	LAWRENCE	MA	01841	\$611,600	\$5,900.00
Total Assessed Value for all Coastal Properties Newly Effected by the Prelim FRM								\$49,920,600	
Total Assessed Value for Properties with the Appeal Study Area								\$25,690,800	

UNAPPROVED MINUTES

KITTERY TOWN COUNCIL

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June 9, 2014

COUNCIL CHAMBERS

1. Call to Order

Chairperson Thomson called the meeting to order at 7:00 P.M.

2. Introductory

Chairperson Thomson read the introductory.

3. Pledge of Allegiance

Chairperson Thomson led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Chairperson Jeffrey Thomson, Councilors Russell White, Charles Denault, Jeffrey Pelletier, Judy Spiller, Frank Dennett and Jeffrey Brake.

5. Agenda Amendment and Adoption –

Chairperson Thomson stated he wanted to add item 13 D to grant complimentary passes to the J1 students living in Kittery for the 2014 season. Chairperson Thomson indicated he wanted to add item 13 E to approve a one day extension of the premises liquor license for the Black Birch on June 21st. Chairperson Thomson noted that no action was going to be taken on item 13C that evening.

The agenda was accepted as amended.

6. Town Manager’s Report

Town Manager Puff stated relative to the FEMA appeal, that Council had requested a list of the properties that were in a location deemed to be likely to benefit from the appeal. She continued she had provided Council with a memo with those properties and also that they had chosen to insert funding for the appeal in the FY ’15 budget.

Town Manager Puff stated that there were several additional pages that had been added to the budget and explained those changes.

Town Manager Puff noted that the Police Department was finishing up its parking study in the Shapleigh School area.

Town Manager Puff noted that the Police Chief had stated it was his opinion that the KCC was adequately placed.

UNAPPROVED MINUTES

30 Town Manager Puff indicated that she had met with the town attorney regarding the
31 personnel board and would be speaking with Council about how to move forward now that there
32 was an HR manager.

33 Town Manager Puff noted that 4 bids had gone out for auditors and that she had a
34 recommendation for Council. She continued she thought it might be helpful to switch firms to
35 get a fresh look.

36 Councilor Denault stated relative to the KCC Sign, that he appreciated the Chief's
37 opinion but there was an ordinance and state law in place and he still had an issue because of the
38 risk to public safety. Chairperson Thomson indicated that the sign had been up for over two
39 years and he had never received any complaints until it was brought up at the previous meeting.

40 7. Acceptance of Previous Minutes – 5/28/14

41 The minutes of 5/28/14 were accepted as amended.

42 8. Interviews for the Board of Appeals – None

43 9. All items involving the town attorney, town engineers, town employees or other town
44 consultants or requested officials –

45 The Kittery Town Council moves to recognize the recipients of the 2014 Educational
46 (Recycling) Scholarships.

47 Councilor Brake and Councilor Denault announced and awarded the scholarships to the
48 recipients.

49 10. PUBLIC HEARINGS -

50 a. (060114-1) The Kittery Town Council moves to hold a public hearing, in accordance
51 with Sec. 6.06(1) of the Town Charter on the 2014-2015 Municipal and Adult Education
52 budgets.

53 Chairperson Thomson indicated this public hearing was advertised in the local, printed
54 media on May 23rd. He briefly went over the budget and the changes from the previous year and
55 noted they would be voting on the budget on June 23. Chairperson Thomson then opened the
56 public hearing, and no response being heard, closed the public hearing.

57 b. (060114-2) The Kittery Town Council moves to hold a public hearing to receive
58 comments on Town Meeting Articles 2 through 7 for the June 10th election.

59 Chairperson Thomson indicated this public hearing was notified in the local, printed
60 media on May 23rd. Chairperson Thomson stated that the Articles would be voted on the

UNAPPROVED MINUTES

61 following day and read the Articles for the public's benefit. Chairperson Thomson then opened
62 the public hearing, and no response being heard, closed the public hearing.

63 c. (060114-3) The Kittery Town Council moves to hold a public hearing to receive
64 comments on, and hereby ordains, proposed amendments to Title 5, Businesses and Licenses, of
65 the Kittery Town Code, Sec. 5.10, Use of Public Way to allow outdoor seating in the Foreside
66 Area.

67 Chairperson Thomson stated this came as a request from the Town Planner and would be
68 permanently approving the trial outdoor seating which was approved the following summer.
69 Chairperson Thomson stated this public hearing was advertised in the local, printed media on
70 May 30th. Chairperson Thomson then opened the public hearing.

71 Michael Landgarten came to the podium and stated that he wanted to speak in favor of
72 this item. He noted that it was great for the businesses and public.

73 Lee Perkins came to the podium and stated that she thought it was great for everyone to
74 have more seating.

75 Chairperson Thomson then closed the public hearing.

76 **COUNCILOR WHITE MOVED THAT THE KITTERY TOWN COUNCIL**
77 **HEREBY ORDAIN PROPOSED AMENDMENTS TO TITLE 5 OF THE KITTERY**
78 **TOWN CODE, SECTION 5.10 AS PRESENTED, SECONDED BY COUNCILOR**
79 **DENAULT.**

80 Councilor Dennett indicated that he had no objection to the concept but that the Town
81 Charter does not allow for retroactive ordinances and if passed, it would need 30 days to become
82 effective.

83 **CHAIRPERSON THOMSON MOVED TO AMEND THE MOTION TO ENACT**
84 **THE ORDINANCE AS OF JUNE 9, 2014 THROUGH THE BALANCE OF THE 2014**
85 **SEASON, SECONDED BY COUNCILOR SPILLER.**

86 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
87 **7/0.**

88 **A ROLL CALL VOTE WAS TAKEN ON THE MAIN MOTION WITH ALL IN**
89 **FAVOR. MOTION PASSES 7/0.**

90 d. (060114-4) The Kittery Town Council moves to hold a public hearing, and approve,
91 the renewal application of Capital Video Corporation, 44 Bedson Road, Cranston, RI for a
92 Viewing Booths License for Amazing.net, 92 Route 236, Kittery, Maine.

UNAPPROVED MINUTES

93 Chairperson Thomson stated that this public hearing was advertised in the local, printed
94 media on May 30th. Chairperson Thomson then opened the public hearing, and no response
95 being heard, closed the public hearing.

96 **COUNCILOR SPILLER MOVED TO APPROVE THE RENEWAL**
97 **APPLICATION OF CAPITAL VIDEO CORPORATION, 44 BEDSON ROAD,**
98 **CRANSTON, RI FOR A VIEWING BOOTHS LICENSE FOR AMAZING.NET, 92**
99 **ROUTE 236, KITTERY MAINE, SECONDED BY COUNCILOR WHITE.**

100 **A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENAULT AND**
101 **CHAIRPERSON THOMSON OPPOSED. MOTION PASSES 5/2.**

102 11. DISCUSSION

103 a. Discussion by members of the public (three minutes per person) – None

104 b. Chairperson’s response to public – None

105 12. UNFINISHED BUSINESS – None

106 13. NEW BUSINESS

107 a. Donations/gifts received for Council disposition -

108 The Kittery Town Council moves to accept a check in the amount of \$200.00 from
109 Seacoast Active Retirement Association to be deposited in Account #2063-43600, Kittery
110 Community Center.

111 **COUNCILOR BRAKE MOVED TO ACCEPT A CHECK IN THE AMOUNT OF**
112 **\$200.00 FROM SEACOAST ACTIVE RETIREMENT ASSOCIATION TO BE**
113 **DEPOSITED IN ACCOUNT #2063-43600, KITTERY COMMUNITY CENTER,**
114 **SECONDED BY COUNCILOR WHITE.**

115 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
116 **7/0.**

117 b. (060114-5) The Kittery Town Council moves to approve the disbursement warrants.

118 **COUNCILOR DENNETT MOVED TO APPROVE THE DISBURSEMENT**
119 **WARRANTS, SECONDED BY COUNCILOR BRAKE, WITH ALL IN FAVOR.**
120 **MOTION PASSES 7/0.**

121 c. (060114-6) The Kittery Town Council moves to approve branding the Route 1 Bypass
122 as “Kittery Gateway” as part of the Town of Kittery’s Destination Marketing Program. – Not
123 heard

UNAPPROVED MINUTES

124 d. (060114-7) The Kittery Town Council moves to grant complimentary 2014 season
125 passes to Fort Foster for the J1 students living in Kittery.

126 **CHAIRPERSON THOMSON MOVED TO GRANT COMPLIMENTARY 2014**
127 **SEASON PASSES TO FORT FORSTER FOR THE J1 STUDENTS LIVING IN**
128 **KITTERY, SECONDED BY COUNCILOR SPILLER.**

129 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
130 **7/0.**

131 e. (060114-8) The Kittery Town Council moves to approve a one day extension of the
132 premises liquor license for the Black Birch from 9 AM to 5 PM on Saturday, June 21st.

133 **COUNCILOR SPILLER MOVED TO APPROVE A ONE DAY EXTENSION OF**
134 **THE PREMISES LIQUOR LICENSE FOR THE BLACK BIRCH FROM 9 AM TO 5 PM**
135 **ON SATURDAY, JUNE 21ST, SECONDED BY COUNCILOR PELLETIER.**

136 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
137 **7/0.**

138 14. COUNCILOR ISSUE OR COMMENT

139 Councilor Brake stated that he would like to have an executive session with the town
140 attorney regarding the Sowerby property on Route 1.

141 Councilor Dennett indicated that he had asked the manager for a list of who had pledged
142 money, and how much, for the FEMA appeals and would like that to be provided before the vote.

143 Councilor Denault noted that he didn't think that the town followed through on the
144 dilapidated buildings ordinance. He continued that there was still a problem with the property on
145 Old Post Road. Chairperson Thomson noted that the town had been in a court battle with the
146 property owner for years.

147 15. COMMITTEE AND OTHER REPORTS

148 a. Communications from the Chairperson –

149 Chairperson Thomson stated that the Election would be taking place the following day at
150 the KCC from 8 AM to 8 PM.

151 b. Committee Reports –None

152 16. EXECUTIVE SESSION – None

153 17. ADJOURNMENT

UNAPPROVED MINUTES

154 **COUNCILOR SPILLER MOVED TO ADJOURN, SECONDED BY COUNCILOR**
155 **PELLETIER WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:05 P.M.**

156

157

158

159



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

PLEASE PRINT THIS APPLICATION AND FILL IT OUT - DO NOT FILL IT OUT ON THE COMPUTER
Thank you.

Applicant's name: Union Lobster House, LLC
(please print)

Address: 1171 Sagamore Ave Portsmouth NH 03801
(please print)

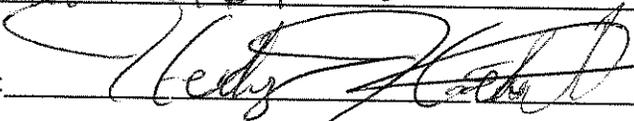
Applicant's mailing address if different from above: _____

Applicant's Date of Birth: 04/06/80 Applicant's Home Telephone Number: 603-427-8431

Name of Business: Union Lobster House
(please print)

Business Address: 2 Badgers Island W. Kittery ME 03904
(please print)

Business Telephone Number: 207-439-5500

SIGNATURE OF APPLICANT:  DATE: 6-11-14

APPLICANT'S NAME: Heidi Hebert
(please print)

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE

**Department of Public Safety
Liquor Licensing & Inspection
Division**



<u>BUREAU USE ONLY</u>
License No. Assigned:
Class:
Deposit Date:
Amt. Deposited:

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTINONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)
- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Union Lobster House</u> DOB: _____	2. Business Name (D/B/A) <u>Union Lobster House</u>
DOB: _____	Location (Street Address) <u>2 Badgers Island w</u>
DOB: _____	City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>
Address <u>2 Badgers Island w.</u>	Mailing Address <u>2 Badgers Island w.</u>
City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>	City/Town <u>Kittery</u> State <u>ME</u> Zip Code <u>03904</u>
Telephone Number <u>207-439-5500</u> Fax Number _____	Business Telephone Number <u>207-439-5500</u> Fax Number _____
Federal I.D. # <u>47-1069592</u>	Seller Certificate # _____

- 3. If premises is a hotel, indicate number of rooms available for transient guests: NA
- 4. State amount of gross income from period of last license: ROOMS \$ NA FOOD \$ NA LIQUOR \$ NA
- 5. Is applicant a corporation, limited liability company or limited partnership? YES NO
- If YES, complete Supplementary Questionnaire
- 6. Do you permit dancing or entertainment on the licensed premises? YES NO
- 7. If manager is to be employed, give name: _____
- 8. If business is NEW or under new ownership, indicate starting date: 6-11-14
Requested inspection date: _____ Business hours: M-Sunday 11-8
- 9. Business records are located at: 2 Badgers Island w. Kittery ME 03904
- 10. Is/are applicants(s) citizens of the United States? YES NO
- 11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Heidy C. Hebert	4-6-80	Puerto Rico USA
Justin M Hebert	10-7-79	USA Portsmouth

Residence address on all of the above for previous 5 years (Limit answer to city & state)

1171 Sagamore Ave
Portsmouth, NH 03801

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?

Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner:

Madison Street, LLC PO Box 764 Portsmouth, NH 03802

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required)

Restaurant / MA Seagood Market

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES NO Applied for: JUNE 2014

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/4 mile Which of the above is nearest? Church

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery, MAINE on June 11, 20 14

Town/City, State

Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

**MAINE DEPT OF
PUBLIC SAFETY**

STATE OF MAINE
Liquor Licensing & Inspection Division
164 State House Station
Augusta ME 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424



SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES, AND LIMITED PARTNERSHIPS

- Exact Corporate Name: Union Lobster House LLC
Business D/B/A Name: Union Lobster House LLC
- Date of Incorporation: June 11, 2014
- State in which you are incorporated: MAINE
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: _____
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Heidy Hebert	1171 Sagamore Ave Portsmouth NH 03801	4-6-80	—	owner manager
Justin Hebert	1171 Sagamore Ave Portsmouth NH 03801	10-7-79	—	Manager

- What is the amount of authorized stock? N/A Outstanding Stock? N/A
- Is any principal officer of the corporation a law enforcement official? Yes No
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes No
- If YES, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

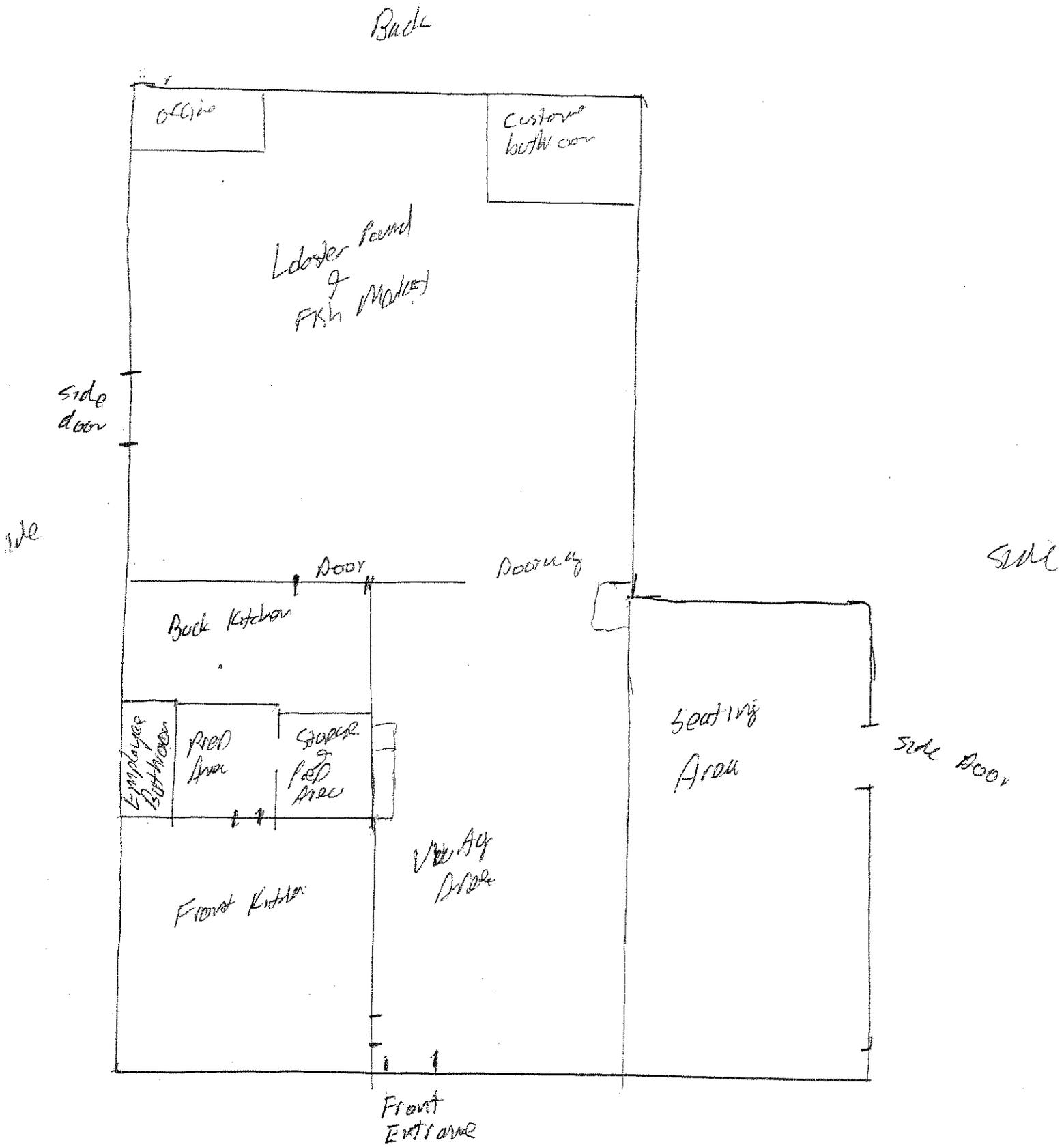
Location: _____ Disposition: _____

Dated at: _____ On: _____
City/Town Date

Heidy Hebert
Signature of Duly Authorized Officer
Heidy Hebert
Print Name of Duly Authorized Officer

6-11-14
Date

PREMISE DIAGRAM



NOTICE – SPECIAL ATTENTION

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval of their application for liquor licenses prior to submitting them to the bureau.

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
	CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.	
Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE..... \$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to: **TREASURER, STATE OF MAINE. – DEPARTMENT OF PUBLIC SAFETY, LIQUOR LICENSING AND INSPECTION DIVISION, 164 STATE HOUSE STATION, AUGUSTA ME 04333-0164.** Payments by check subject to penalty provided by Sec. 3, Title 28A, MRS.

STATE OF MAINE

Dated at: Kittery, Maine York ss
City/Town (County)
 On: June 23, 2014
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

Hereby certify that we ~~have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.~~

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

**BUREAU OF ALCOHOLIC BEVERAGES
DIVISION OF LIQUOR LICENSING & ENFORCEMENT
164 STATE HOUSE STATION
AUGUSTA, ME 04333-0164**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.
To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 8/20/14

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

<input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)
<input type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A)	<input type="checkbox"/> HOTEL (Class I,II,III,IV)
<input type="checkbox"/> CLASS A LOUNGE (Class X)	<input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I)
<input type="checkbox"/> CLUB (Class V)	<input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)
<input type="checkbox"/> TAVERN (Class IV)	<input type="checkbox"/> OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>DANIEL RAYNARD</u> DOB: <u>3/20/66</u>	2. Business Name (D/B/A) <u>TASTY THAI</u>
DOB:	
DOB:	
Address	Location (Street Address) <u>182 STATE RD</u>
	City/Town <u>KITTERY</u> ME State <u>ME</u> Zip Code <u>03904</u>
<u>14 STONECROFT APT 6</u>	Mailing Address <u>PO BOX 750</u>
City/Town <u>PORTSMOUTH</u> State <u>NH</u> Zip Code <u>03801</u>	City/Town <u>KITTERY</u> ME State <u>ME</u> Zip Code <u>03904</u>
Telephone Number <u>603-240-4639</u> Fax Number	Business Telephone Number <u>207-439-9988</u> Fax Number
Federal I.D. #	Seller Certificate # <u>1097034</u>

- If premises is a hotel, indicate number of rooms available for transient guests:
 - State amount of gross income from period of last license: ROOMS \$ FOOD \$ 238,392. LIQUOR \$ 19,379.
 - Is applicant a corporation, limited liability company or limited partnership? YES NO
- If YES, complete Supplementary Questionnaire
- Do you permit dancing or entertainment on the licensed premises? YES NO
 - If manager is to be employed, give name:
 - If business is NEW or under new ownership, indicate starting date:
- Requested inspection date: Business hours: CLOSED TUESDAY, M, W, TH. 4-9 PM SAT, SUN 2-9
9. Business records are located at: AT THE OWN PREMISES

10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO

12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
DANIEL CLARENCE RAYNARD	3/20/66	HARTFORD, CT

Residence address on all of the above for previous 5 years (Limit answer to city & state)
PORTSMOUTH, NH

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner:
MH PARSONS & SONS LUMBER CO YORK, ME 03909

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) _____

18. Does/no applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 MILES Which of the above is nearest? SCHOOL

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: KITTERY ME on 6/3/2014
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)
DANIEL RAYNARD
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

BACK EXIT

REFER. FREEZER FREEZER HOT WATER HOFFER

MENS ROOM

LADIES ROOM

DRY STORAGE

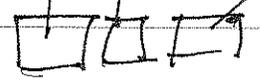


ICE MACHINE

SINK

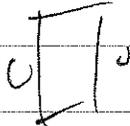
SINK

DISH WASHER



STORAGE

FREEZER



SHELVING

FRONT DESK



wok

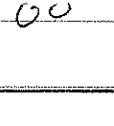
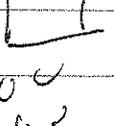
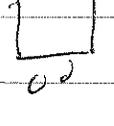
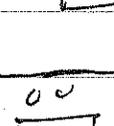
wok

Stove

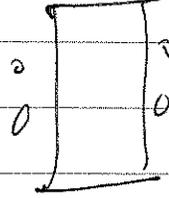
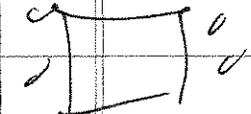
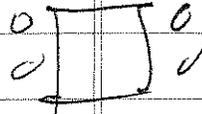
FRYER

Beer

WINE



FRONT ENTRANCE



NOTICE – SPECIAL ATTENTION

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THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I	Spirituos, Vinous and Malt	\$ 900.00
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Class I-A	Spirituos, Vinous and Malt, Optional Food (Hotels Only)	\$1,100.00
	CLASS I-A: Hotels only that do not serve three meals a day.	
Class II	Spirituos Only	\$ 550.00
	CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.	
Class III	Vinous Only	\$ 220.00
	CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	
Class IV	Malt Liquor Only	\$ 220.00
	CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	
Class V	Spirituos, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
	CLASS V: Clubs without catering privileges.	
Class X	Spirituos, Vinous and Malt – Class A Lounge	\$2,200.00
	CLASS X: Class A Lounge	
Class XI	Spirituos, Vinous and Malt – Restaurant Lounge	\$1,500.00
	CLASS XI: Restaurant/Lounge; and OTB.	

FILING FEE.....\$ 10.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All fees must accompany application, made payable to the **Treasurer of Maine**. This application must be completed and mailed to Bureau of Alcoholic Beverages and Lottery Operations, Division of Liquor Licensing and Enforcement, 164 State House Station, Augusta ME 04333-0164. Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

STATE OF MAINE

Dated at: Kittery, Maine York SS
City/Town (County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, Maine

Hereby certify that we ~~have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.~~

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §1 (amd).]
2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
 - A. Conviction of the applicant of any Class A, Class B or Class c crime: [1987, c45, Pt.A§4 (new).]
 - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
 - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592,§3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau. An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

APPROPRIATION HEARING
June 23, 2014
Municipal FY 2015 Budget

ACCT #	DEPARTMENT	FY'15 PROPOSED BUDGET	COUNCIL CHANGES	FY'15 TOWN COUNCIL APPROVED
101110	ADMINISTRATION	\$ 1,011,324	\$ -	\$ 1,011,324
101120	COUNCIL	\$ 9,771	\$ -	\$ 9,771
101130	ELECTIONS	\$ 9,463	\$ -	\$ 9,463
101150	COUNTY TAX	\$ 916,700	\$ -	\$ 916,700
101210	ASSESSING	\$ 174,008	\$ -	\$ 174,008
101230	DEBT & INTEREST	\$ 672,238	\$ -	\$ 672,238
101310	POLICE	\$ 2,674,754	\$ -	\$ 2,674,754
101320	FIRE	\$ 264,457	\$ -	\$ 264,457
101330	STREET LIGHTS	\$ 101,000	\$ -	\$ 101,000
101340	HYDRANT RENTALS	\$ 215,320	\$ -	\$ 215,320
101350	CIVIL EMERGENCY PREPAREDNESS	\$ 1,500	\$ -	\$ 1,500
101410	HIGHWAY	\$ 1,152,173	\$ -	\$ 1,152,173
101520	WELFARE	\$ 40,000	\$ -	\$ 40,000
101530	PUBLIC HEALTH SERVICE	\$ 601	\$ -	\$ 601
101540	COMMUNITY AGENCIES	\$ 14,180	\$ -	\$ 14,180
101710	CODE ENFORCEMENT	\$ 115,364	\$ -	\$ 115,364
101720	PLANNING BOARD & BOAS	\$ 15,313	\$ -	\$ 15,313
101730	IN-TOWN PARKS	\$ 158,796	\$ -	\$ 158,796
101735	FT FOSTER / SEAPOINT / CRESCENT BEACHES	\$ 151,384	\$ -	\$ 151,384
101721	PLANNING & ECONOMIC DEV	\$ 235,301	\$ -	\$ 235,301
101740	MISC ACCOUNTS	\$ 139,525	\$ -	\$ 139,525
101750	BANK FEES	\$ 600	\$ -	\$ 600
101760	CAPITAL IMPROVEMENT PLAN	\$ 1,208,975	\$ -	\$ 1,208,975
101810	LIBRARY	\$ 440,916	\$ -	\$ 440,916
101830	RECREATION	\$ 1,158,547	\$ -	\$ 1,158,547
101840	PORT AUTHORITY	\$ 109,715	\$ -	\$ 109,715
101930	RESOURCE RECOVERY FACILITY	\$ 661,867	\$ -	\$ 661,867
103000	MISC INSURANCES	\$ 310,121	\$ -	\$ 310,121
101610	SCHOOLS	\$ 14,961,185	\$ -	\$ 14,961,185
101800	ADULT EDUCATION	\$ 69,835	\$ -	\$ 69,835
	Total Budget Without Overlay	\$ 26,994,933	\$ -	\$ 26,994,933

MUNICIPAL RELEASE DEED

The inhabitants of the Municipality of Kittery, a body corporate and politic, located at 200 Rogers Road in Kittery, York County, State of Maine, for consideration paid, hereby release to Janet E. Anderson, a/k/a Janet E. Cushing of 31 Meader Street, North Berwick, ME 03906-6723, a certain lot or parcel of land with improvements thereon, located in Kittery, York County Maine and described as follows:

LOCATION: 76 ROUTE 236
BOOK/PAGE: 9064/333 (16570/727 current deed)
MAP/LOT: 28-26

Meaning and intending to convey any interest the Town of Kittery may have acquired in the above referenced parcel as a result of the following tax lien(s) recorded in York County Registry of Deeds.

BOOK/PAGE: 15301/0705

The said inhabitants of the Municipality of Kittery have caused this instrument to be signed by its municipal officers:

JEFFREY D. THOMSON, FRANK L. DENNETT, JUDITH SPILLER, JEFFERY BRAKE, JEFFREY PELLETIER, RUSSELL WHITE, and CHARLES H. DENAULT, JR. its Councilors duly authorized this 23rd day of June, 2014.

Signed, Sealed and Delivered in presence of

TOWN COUNCIL

State of Maine
County of York

June 23, 2014

Then personally appeared the above named: JEFFREY D. THOMSON, FRANK L. DENNETT, JUDITH SPILLER, JEFFREY PELLETIER, JEFFERY BRAKE, RUSSELL WHITE, and CHARLES H. DENAULT, JR. and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of the municipality of Kittery.

Before me, _____

Karen Estee

Notary Public - Comm. Expires - 8/4/2016