



TOWN OF KITTERY

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

KITTERY TOWN COUNCIL

March 8, 2021

6:00PM

The public may submit public comments for the DISCUSSION agenda item via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to TownComments@kitteryme.org.

The public may also participate in the meeting via Zoom webinar. **Register in advance for the webinar at** https://us02web.zoom.us/webinar/register/WN_Mn6kQ-gCQgGwWeOqshGJCg

After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during a public hearing.

Comments received by **noon on the day of the meeting** will become part of the public record and may be read in whole or in summary by the Council Chair.

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
 - February 22, 2021- Regular Meeting
8. Interviews for the Board of Appeals and Planning Board

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.
10. PUBLIC HEARINGS –
 - a. (030121-01) The Kittery Town Council moves to hold a Public Hearing on a new Liquor License application from Urban Farm Fermentory, 165 State Road Unit 3 Kittery.
 - b. (030121-02) The Kittery Town Council moves to hold a Public Hearing on a new Victualer's License application from Urban Farm Fermentory, 165 State Road Unit 3 Kittery.
11. DISCUSSION
 - a. The public may submit public comments in writing or raise their hand in the webinar for the DISCUSSION agenda.
 - b. Chairperson will read written comments into the record.
 - c. Chairperson's response to public comments.
12. UNFINISHED BUSINESS
13. NEW BUSINESS
 - a. Donations/gifts received for Council disposition

(030121-03) The Kittery Town Council moves to accept a donation in the amount of \$21,850 to be deposited into account #4060-43602 Rice Library Project.
 - b. (030121-04) The Kittery Town Council moves to accept the resignation of Charles Denault, Jr. from the Town Council, effective immediately.
 - c. (030121-05) The Kittery Town Council moves to approve a renewal Liquor License application from Rudders Public House, 70 Wallingford Square, Kittery.
 - d. (030121-06) The Kittery Town Council moves to approve a renewal Liquor License application from The View, 90 Pepperrell Road, Kittery Point.
 - e. (030121-07) The Kittery Town Council moves to approve a Special Activity Amusement Permit from The View, 88 Pepperrell Road, Kittery Point.
 - f. (030121-08) The Kittery Town Council moves to approve Special Activity Amusement Permit from the Wharf, 88 Pepperrell Road, Kittery Point.

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.

- g. (030121-09) The Kittery Town Council moves to appoint Maureen Bilodeau to the Parks Commission for a three-year term to expire 12/31/2023.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson

- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: March 4, 2021

Amended: March 5, 2021

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

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

kamaral@kitteryme.org

Town Manager's Report to the Town Council March 8, 2021

- 1. COVID Vaccinations** – As the Council is aware, municipalities do not have a role in the State's public vaccination plans. To date, the State has focused on utilizing hospitals, doctors' offices, pharmacies, and Maine Health mega centers to roll out vaccines for the general public. Residents 60 or older are now eligible to receive the vaccination in Maine. Residents interested in being vaccinated must contact York Hospital at 207-752-8685 or Maine Health at 1-877-780-7545.

York County Emergency Management was tapped to vaccinate first responders in January and February. Through the Incident Management Team (IMT), Chief O'Brien, working with David Garriepy of Kennebunk, hosted clinics for first responders at Gorges Road. Their efforts were so successful, they were told to stand down mid-February so the State could focus on getting other counties caught up.

The Governor just announced her decision to prioritize educators for vaccinations. We anticipate the successful York County IMT approach will be reactivated to get the job done. We are already working with Superintendent Waddell on coordination and planning.

I have also been in contact with Kittery's Walgreens, which will be receiving vaccines soon. Their system requires patients to establish an online account with Walgreens to schedule an appointment. As we warned the State back in December, this is a daunting effort for pharmacies already stretched to the limit trying to serve our communities testing and pharmacy service needs. We are looking at how we may assist patients interested in being vaccinated via Walgreens, but the complications regarding access to personal and medical information are limiting our available options.

I am working with York Hospital to provide staff support for their weekly vaccination clinics. I hope to have a plan to them this week and to begin sharing staff by the end of March.

Finally, we are beginning conversations with York County Community Action on addressing the transportation needs for our residents who are unable to get to the York Hospital clinic site. More information will be shared as we advance discussions about how the Town can assist in this area.

I wish to remind the Council that the State's vaccination plans are in constant flux. We remain committed and ready to assist however possible to protect Kittery.

- 2. Emery Field Phase 2** – The design for the playground, parking, courts, and walking path are near complete. We are waiting for the contract documents from the Land and Water Conservation Fund for the \$300,000 grant. We hope to be bidding the project in late summer early fall for construction in the coming year. See attached design.

- 3. Rice Public Library Groundbreaking Selfies** – We are inviting the public to join in our virtual groundbreaking ceremony for the Rice Public Library Expansion and Renovation project. Construction of the project begins March 15th.

To be part of the event, anyone can visit the Rice Public Library, located at 8 Wentworth Street, Kittery, ME and look for the groundbreaking shovel photo prop; then get creative by snapping a selfie in front of the library. Selfies can be sent via email to kitterychannel22@kitteryme.org to be included in the virtual event. The deadline to receive selfies for the celebration is 4:00 PM on March 11, 2021.

Library selfies will be compiled along with other memorable photos, videos and quotes that capture the library's rich history, in order to create the groundbreaking celebration. The groundbreaking celebration will be broadcast on Channel 22 and available to view online.

4. Upcoming Dates:

- Mooring Renewals Due April 15 – Harbormaster
- KEEP Property Tax Payment Applications Available Now – Town Hall
- Toward a Sustainable Kittery – March 31, 6PM, Presentation via ZOOM
- Kittery Education Scholarship Application Deadline – April 15, Town Clerk

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Kendra', with a long horizontal flourish extending to the right.

Kendra Amaral
Town Manager



KITTERY TOWN COUNCIL Unapproved Minutes

February 22, 2021

Remote Meeting

6:00PM

1 1. Call to Order

2 2. Introductory

3 3. Pledge of Allegiance

4 4. Roll Call

5 Councilors present: Charles Denault, Jeffrey Pelletier, Chair Jeffrey Thomson, Vice
6 Chair Kenneth Lemont, George Dow, Cyrus Clark, and Judith Spiller

7 5. Agenda Amendment and Adoption

8 Agenda amendment - Omitted 10. b. (020221-3) The Kittery Town Council moves to
9 hold a public hearing on a new Victualer's License application from Maciej Gorski for
10 Kasha's Kitchen located at 435 US Route 1, Kittery, business not ready for final
11 inspection.

12 Councilor Spiller moved to approve the amended agenda, seconded by Councilor Dow.

13 Motion Carried 7-0-0

14 6. Town Manager's Report

15 The Town Manager reported on: Electric vehicles and charging stations, the Boston
16 Post Cane, and mooring renewals are now open.

17 7. Acceptance of Previous Minutes

18 • January 11, 2021

19 • January 25, 2021

20 • February 8, 2021

21 Councilor Spiller moved to approve January 11, January 25, 2021 minutes as
22 presented, and February 8, 2021 minutes as corrected, seconded by Councilor
23 Pelletier.

24 Motion Carried 7-0-0

25 Chair Thomson mentioned the President asked for a national moment of silence in
26 recognition of the over 500,000 people that have lost their lives due to the COVID 19
27 virus.

28 8. Interviews for the Board of Appeals and Planning Board

29 9. All items involving the town attorney, town engineers, town employees or other town
30 consultants or requested offices.

31 a. (020221-1) The Kittery Town Council moves to receive a report from Central Maine
32 Power regarding power outages and grid investments.

33 Representatives Jen Mazzaro, Hector Bencomo, Jeff Howes and Deb Turcotte from
34 Central Maine Power presented the Council a report regarding power outages, grid
35 investments and answered questions from the Town Council.

36 10. PUBLIC HEARINGS

37 a. (020221-2) The Kittery Town Council moves to hold a public hearing in accordance
38 with Sec. 06.09(4) of the Kittery Town Charter to transfer appropriations between
39 accounts, the Town Manager gave an overview of the transfer appropriations between
40 accounts.

41 Moved by Chair Thomson, seconded by Councilor Spiller.

42 Motion Carried 7-0-0

43 11. DISCUSSION

44 a. The public may submit public comments in writing or raise their hand in the webinar
45 for the DISCUSSION agenda. - None

46 b. Chairperson will read written comments into the record.

47 Art Corso, business owner at 72 Route 236, Kittery, ME - Mr. Corso commented that the
48 Kittery business center would be very happy to see the sewer line extended, and would
49 take advantage of the service.

50 Christina White, 19 Whipple Road, Kittery, ME - Ms. White suggested for the 375th
51 Kittery Celebration that simple recipes like soups as a way for the restaurant community
52 to participate in the event.

53 c. Chairperson's response to public comments.

54 Chair Thomson responded to Mr. Corso and stated the Council is waiting for further
55 correspondence with the individuals interested in extending the sewer line

56 Chair Thomson responded to Ms. White and stated there are a number of events being
57 planned and if some food could be involved everyone would be very happy.

58 12. UNFINISHED BUSINESS – None

59 13. NEW BUSINESS

60 a. Donations/gifts received for Council disposition

61 (020221-4) The Kittery Town Council moves to accept a donation from York Hospital in
62 the amount of \$10,000 to be deposited into the York Hospital Scholarship account.

63 Councilor Spiller moved to accept the donation with thanks, seconded by Councilor
64 Pelletier.

65 Motion Carried 7-0-0

66 b. (020221-5) The Kittery Town Council moves to accept a donation of a Fire Boat. The
67 Town Manager read a letter from Kellie Huddleston, President of the Kittery Firefighter
68 Association.

69 In the letter, Ms. Huddleston stated Betty Fiore presented the Kittery Firefighters
70 Association with a substantial donation to be used to purchase equipment that would be
71 needed in support for the good and welfare of the Fire Department and the Town in
72 memory of her son, Richard Johnston.

73 The Kittery Firefighters Association purchased a Zodiac Milpro ribbed inflatable with a
74 30 horse-power outboard boat, with the donation.

75 Councilor Denault moved to accept the donation with thanks, seconded by Councilor
76 Dow.

77 Motion Carried 7-0-0

78 c. (020221-6) The Kittery Town Council moves to approve a renewal Liquor License
79 application from Sunrise Grill located at 182 State Road, Kittery.

80 Moved by Councilor Spiller, seconded by Councilor Pelletier.

81 Motion Carried 7-0-0

82 d. (020221-7) The Kittery Town Council moves to approve a renewal Liquor License
83 application from Maine Beer Café located at 439 US Route 1 Suite 1, Kittery.

84 Moved by Councilor Dow, seconded by Councilor Pelletier.

85 Chair Thomson, Councilor Spiller, Councilor Clark, Councilor Denault, Councilor Dow,
86 and Councilor Pelletier voted to approve.

87 Vice Chair Lemont abstained.

88 Motion Carried 6-0-1

89 e. (020221-8) The Kittery Town Council moves to affirm that seasonal, temporary and
90 elected positions are exempt from participation in MainePERS retirement system.

91 The Town Manager gave an overview of the exemption from participation in
92 MainePERS retirement system.

93 Moved by Councilor Spiller, seconded by Councilor Dow.

94 Motion Carried 7-0-0

95 14. COUNCILOR ISSUES OR COMMENTS

96 Councilor Denault recognized the passing of Kittery residents: Fred Gamache, Douglas
97 Burton, Charlotte Morgridge, Sam and Rachel Smith.

98 Councilor Spiller stated the appreciation she had for the Kittery Public Works
99 department for keeping our roads safe in the winter.

100 Vice Chair Lemont wanted to confirm that Monday, March 1, 2021 Council is having a
101 Municipal Budgeting 101 – Presentation.

102 Chair Thomson mentioned an article titled Holidays in Kittery featured in the magazine
103 Maine Town & City.

104 Chair Thomson also mentioned the Workshop on Monday, 03/01/2021 at 6:00 p.m.
105 Municipal Budgeting 101 – Presentation.

106 Chair Thomson remembered Robert Perham of Eliot, Maine.

107 15. COMMITTEE AND OTHER REPORTS

108 a. Communications from the Chairperson

109 b. Committee Reports – Councilor Spiller gave an update on the Climate Adaptation
110 Committee.

111 16. EXECUTIVE SESSION – None

112 17. ADJOURNMENT

113 Councilor Pelletier moved to adjourn at 6:55 p.m., seconded by Councilor Dow, Motion
114 Carried 7-0-0

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Legal Business Entity Applicant Name (corporation, LLC): Tangible Alchemy LLC	Business Name (D/B/A): Urban Farm Fermentory
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 165 State Road, Unit 3, Kittery, Maine
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 200 Anderson St, Portland, ME 04101
Mailing address, if different from DBA address:	Email Address: operations@fermentory.com
Telephone # Fax #: (207) 653-7406?	Business Telephone # Fax #: (207) 653-7406?
Federal Tax Identification Number: 27-1928078	Maine Seller Certificate # or Sales Tax #: 1087679
Retail Beverage Alcohol Dealers Permit: FW-29	Website address: www.fermentory.com

1. New license or renewal of existing license? ☒ New ☐ Renewal

If a renewal, please provide the following information:

Your current license expiration date: _____

The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: \$ 0.00

2. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☐ Malt Liquor (beer) ☒ Wine ☐ Spirits

3. Indicate the type of license applying for: (choose only one)

- | | | |
|---|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course with auxiliary and mobile cart options
(Class I, II, III, IV) | <input type="checkbox"/> Tavern
(Class IV) | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

☒ Other: Tasting Room

Refer to Section V for the License Fee Schedule

4. If application is for a **new** license or the business is under new ownership, indicate starting date:

5. Business records are located at the following address:

200 Anderson St, Portland, Me 04101

6. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If **Yes**, complete Section VII at the end of this application

7. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
Gruit LLC	SMB-58	200 Anderson St, Portland, ME 04101

8. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Eli Cayer	07/05/1973	Madawaska, ME
Residence address on all the above for previous 5 years		
Name	Address:	
Eli Cayer, 173 State St, Portland, ME 04101		
Name	Address:	
Name	Address:	
Name	Address:	

9. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No
10. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No
11. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?
- ☐ Yes ☒ No
- ☐ Not applicable – licensee/applicant(s) is a sole proprietor
12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No
13. Will any law enforcement officer directly benefit financially from this license, if issued?
- ☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Vista Realty Trust, 137 P Street, Unit 2, South Boston, MA 02127

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

20. 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?

Name: Church of Christ

Distance: 1

Section II: Signature; Fee; Delivery of application

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 2/24/2021


Signature of Duly Authorized Person*

Signature of Duly Authorized Person*

Eli Cayer
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

*The person signing this application must appear in Section VII on this application.

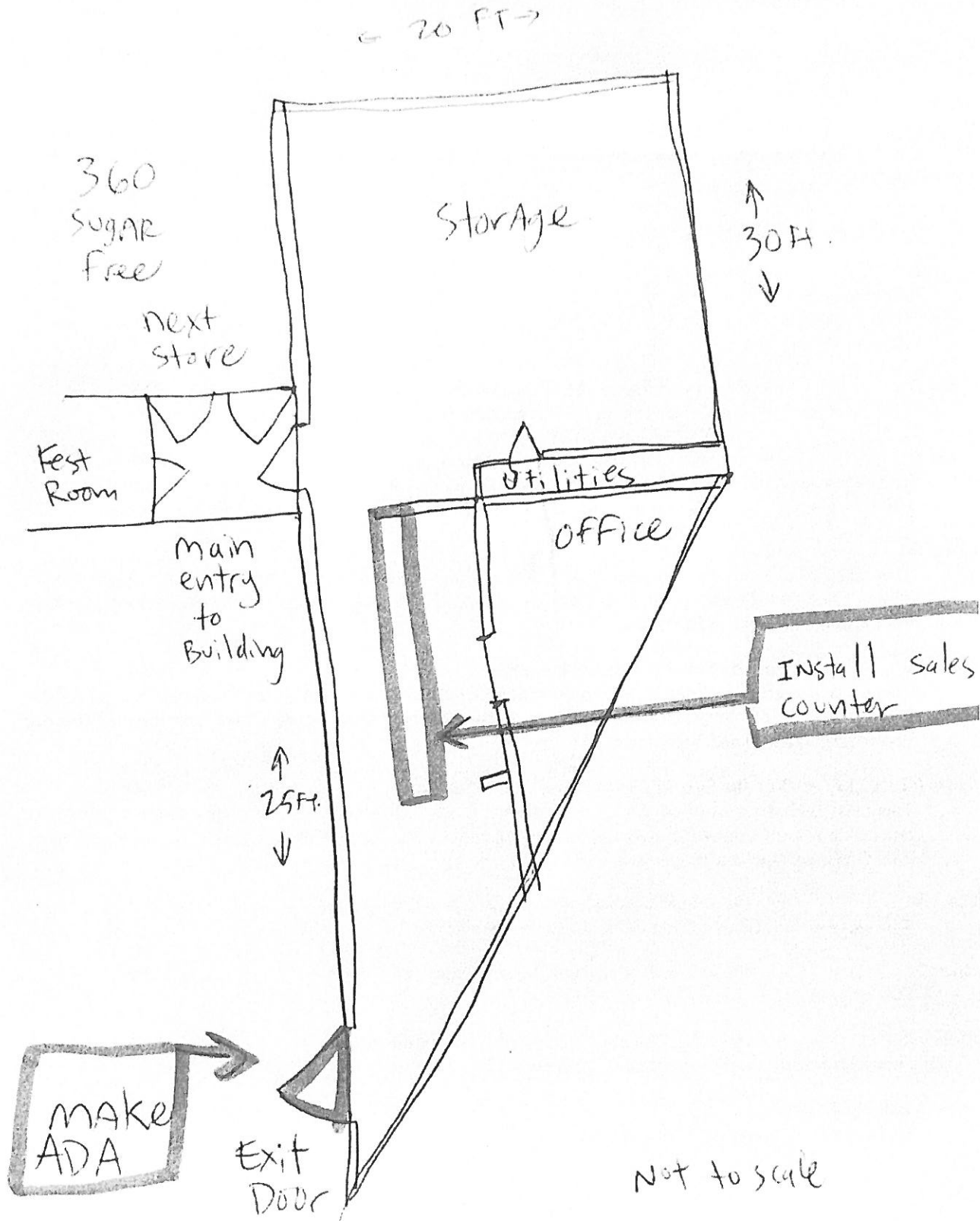
Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00
Self-Sponsored Events	This class is for Qualified Caterers Only	\$ 700.00

Section VI Premise Floor Plan



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Tangible Alchemy LLC
2. Doing Business As, if any: Urban Farm Fermentory
3. Date of filing with Secretary of State: 2/1/2010 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
E. L. Cayer	173 State St, Portland, ME	7/5/75	Owner	100%

(Ownership in non-publicly traded companies must add up to 100%.)



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1313 Fax: (207) 439-6806

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

Applicant's Name Eli Cayer
please print

Applicant's Address 200 Anderson St, Portland, ME 04101
please print

Applicant's mailing address if different from above: _____

Applicant's Email address (required) operations@fermentory.com

Date of Birth 07/05/1973 Applicant's Telephone Number: (207) 653-7406

Business Name: Urban Farm Fermentory
please print

Business Address: 165 State Road, Unit 3, Kittery, Maine
please print

Business Telephone Number: 207 653-7406

Signature of Applicant  DATE: 2/24/2021

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

RICE PUBLIC LIBRARY
8 WENTWORTH STREET
KITTERY, ME 03904
207-439-1553

KENNEBUNK SAVINGS BANK
KITTERY BRANCH
KITTERY, ME 03904

52-7450/2112

3693

2/17/2021

PAY TO THE
ORDER OF

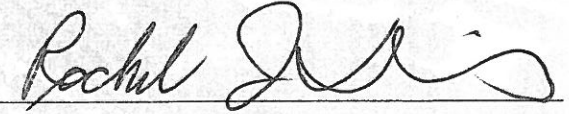
Town of Kittery

\$ **21,850.00

Twenty-One Thousand Eight Hundred Fifty and 00/100*****

DOLLARS

Town of Kittery
200 Rogers Road
Kittery, ME 03904



MEMO: Thaxter & Alvord donations

AUTHORIZED SIGNATURE

RICE PUBLIC LIBRARY
Town of Kittery

Date	Type	Reference
2/17/2021	Bill	Library Renovation

Original Amt.	21,850.00
---------------	-----------

Balance Due	21,850.00
-------------	-----------

2/17/2021	Discount
Check Amount	

Payment	21,850.00
	21,850.00

3693

Kennebunk RPL Chec Thaxter & Alvord donations

21,850.00



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <u>JK Restaurants LLC</u>	Business Name (D/B/A): <u>Rudders Public House</u>
Individual or Sole Proprietor Applicant Name(s): <u>Jacqueline Kilty</u>	Physical Location: <u>Kittery, ME</u> <u>70 Wallingford Square 03904</u>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: <u>5 Melanies Ct. Kittery, ME 03904</u>
Mailing address, if different from DBA address: <u>03904</u> <u>5 Melanies Ct. Kittery, ME</u>	Email Address: <u>JKrestaurants1@gmail.com</u>
Telephone # Fax #: <u>603-767-5691</u>	Business Telephone # Fax #: <u>207-703-2324</u>
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address: <u>www.Rudderspublichouse.com</u>

1. New license or renewal of existing license? ☐ New Expected Start date: _____

☒ Renewal Expiration Date: 4/17/21

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 348,075 Beer, Wine or Spirits: 341,803 Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

5 Melanies Ct. Kittery, ME 03904

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Jacqueline Kilty	10/29/67	RYE, N.Y.
Joseph Kaszuba	1/3/65	Ipswich, MA

Residence address on all the above for previous 5 years	
Name Jacqueline Kilty	Address: 5 Melanies Ct Kittery me 03944
Name Joseph Kaszuba	Address: 4 Williams Rd. S. Berwick, ME
Name	Address:
Name	Address:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

2 Room Restaurant Lounge - Diagrams
Attached

20. 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?

Name: Church (Second Christian Congregational)

Distance: 1/2 mile

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: Feb 14, 2021


Signature of Duly Authorized Person

Jacqueline Kilty
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☒ Yes ☐ No

If No, please provide the name and address of the owner:

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises 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.

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.

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-premises license or transfer of the location of an existing on-premises 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-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations 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;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. 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.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its [Retail Beverage Alcohol Dealers](https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers) permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

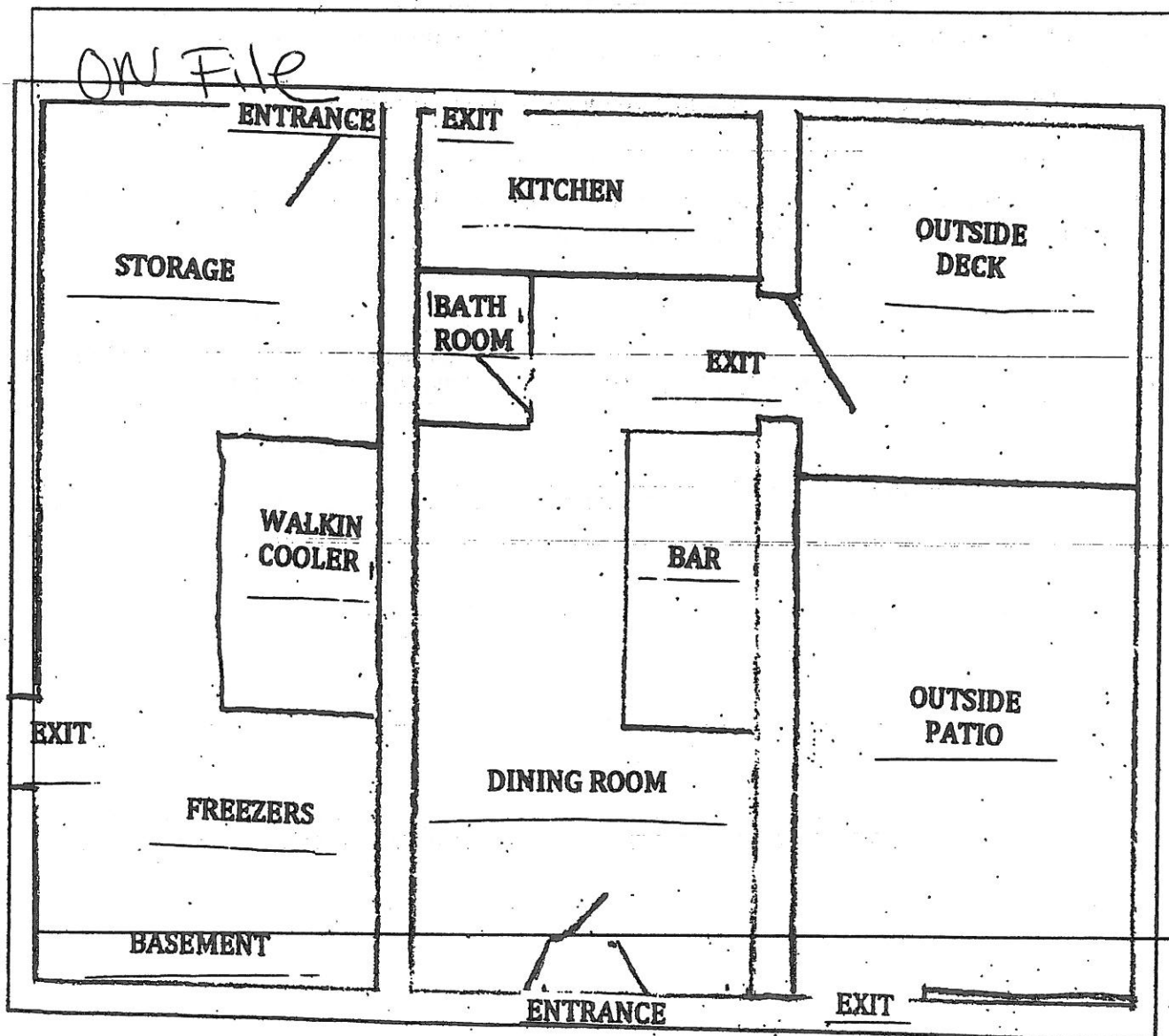
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



ON PREMISE DIAGRAM (Facility Drawing/ Floor Plan)

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas with the following: • Entrances • Office area • Kitchen • Storage Areas • Dining Rooms • Lounges • Function Rooms • Restrooms • Decks • All Inside and Outside areas that you are requesting approval.



**Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises
Liquor License Who are Legal Business Entities**

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: JK Restaurants LLC
2. Doing Business As, if any: Rudders Public House
3. Date of filing with Secretary of State: 3/4/2013 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Jacqueline Kilby	5 Melanies Ct. Kittery ME 03904	10/29/67	Owner	100%

(Ownership in non-publicly traded companies must add up to 100%.)



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Section I: Licensee/Applicant(s) Information;
Type of License and Status

Legal Business Entity Applicant Name (corporation, LLC):	Business Name (D/B/A):
The View @ Pepperrell Cove LLC	The View
Individual or Sole Proprietor Applicant Name(s):	Physical Location:
Eides Ares	90 Pepperrell Rd Kittery Point ME 03905
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
	PO BOX 67 Kittery Point ME 03905
Mailing address, if different from DBA address:	Email Address:
	info@ppperrellcove.com
Telephone # Fax #:	Business Telephone # Fax #:
207 703 2028	207 703 2028
Federal Tax Identification Number:	Maine Seller Certificate # or Sales Tax #:
82-4808987	1190617
Retail Beverage Alcohol Dealers Permit:	Website address:
	pepperrellcove.com

1. New license or renewal of existing license? ☐ New Expected Start date: _____
☒ Renewal Expiration Date: 04/09/21

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: 1,000,000 Beer, Wine or Spirits: 500,000 Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input checked="" type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☐ Yes ☒ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
The View at Pepperrell Cove LLC	CAR 201810905	90 Pepperrell rd Kittery Point ME 03905

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Eides Ares	09/04/1984	Jaur Brazil
Residence address on all the above for previous 5 years		
Name	Address:	
Eides Ares 87 Whipple RD Kittery ME 03904		
Name	Address:	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

Stanton/McBurney Trust New Castle NH

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

THE FIRST AND SECOND FLOORS OF THE BUILDING EACH FLOOR IS USED AS A EVENT S
THE FIRST FLOOR KITCHEN IS CAPABLE OF FULL MENUE CATERING.

20. 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?

Name: Mitchell

Distance: 1/3 of a mile

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 2-22-21

Eides Ares
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Eides ARES
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. ~~Hearings.~~ The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises 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

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.

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-premises license or transfer of the location of an existing on-premises 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-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the Bureau, after inspection of the premises and the records of the applicant, finds that the applicant does not qualify for the class of license applied for, the Bureau shall notify the applicant of that fact in writing. The Bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners. If the applicant does not file an amended application within that time, the application must be denied by the Bureau. The Bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Following the denial of an application, the municipal officers or county commissioners shall provide the applicant with 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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations 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;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

C. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. 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.

Section IV: Terms and Conditions of License to the Establishment that Sell Liquor for On-Premise consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its [Retail Beverage Alcohol Dealers](https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers) permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

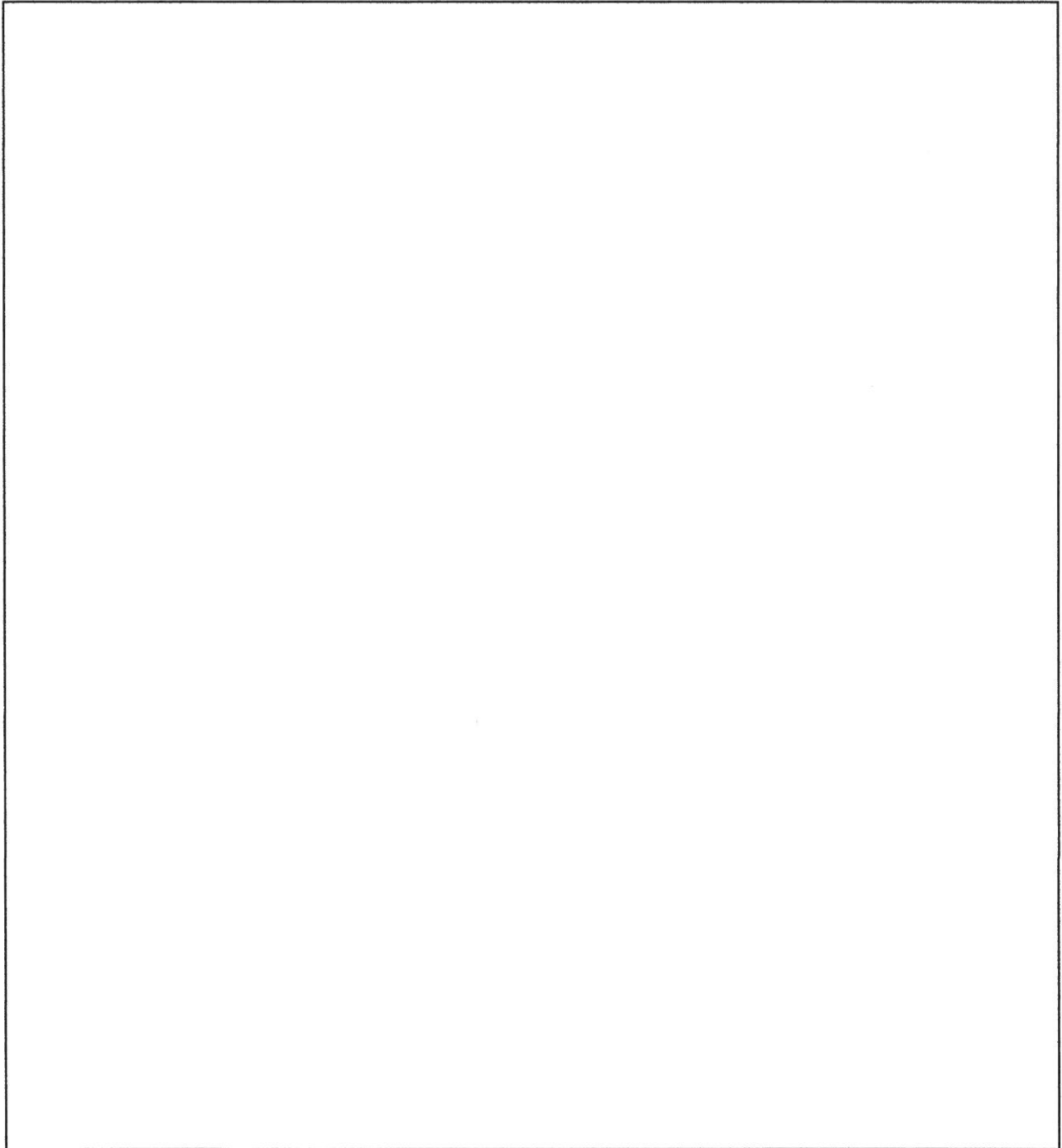
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

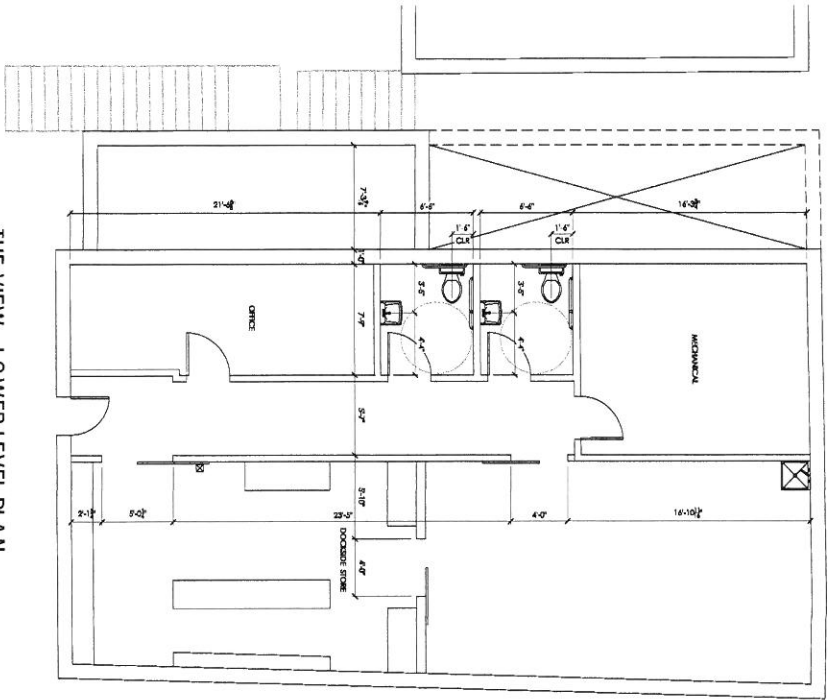
<u>Class of License</u>	<u>Type of liquor/Establishments included</u>	<u>Fee</u>
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

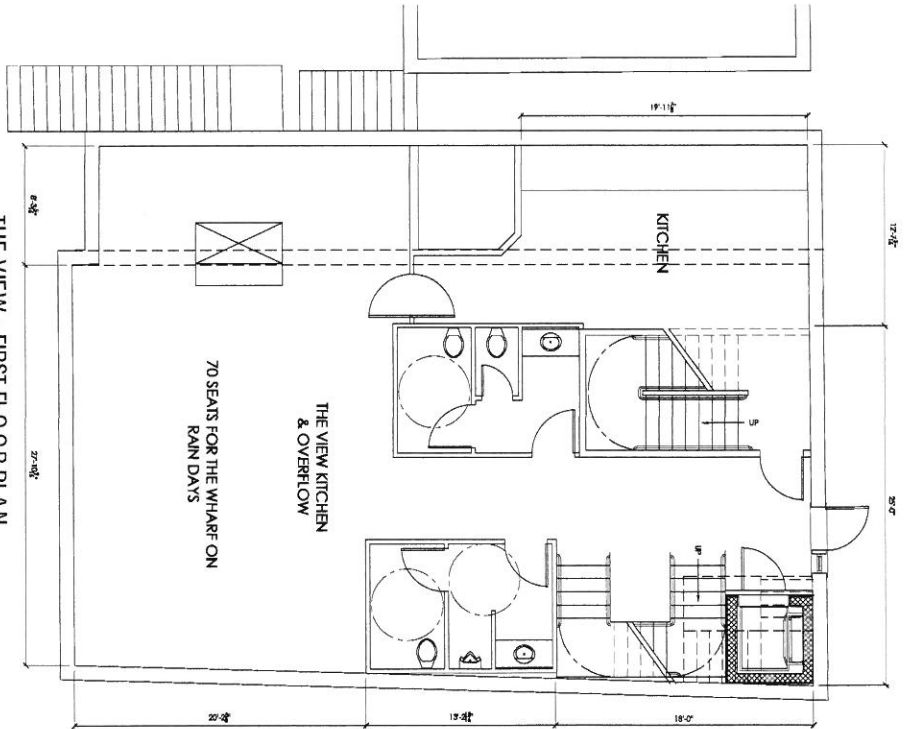
Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.





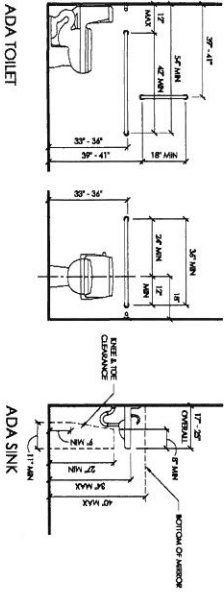
1
1/4" = 1'-0"

THE VIEW - LOWER LEVEL PLAN



2
1/4" = 1'-0"

THE VIEW - FIRST FLOOR PLAN



2
1/4" = 1'-0"

ADA BATHROOM - REFERENCE ELEVATIONS

PRELIMINARY NOT FOR CONSTRUCTION

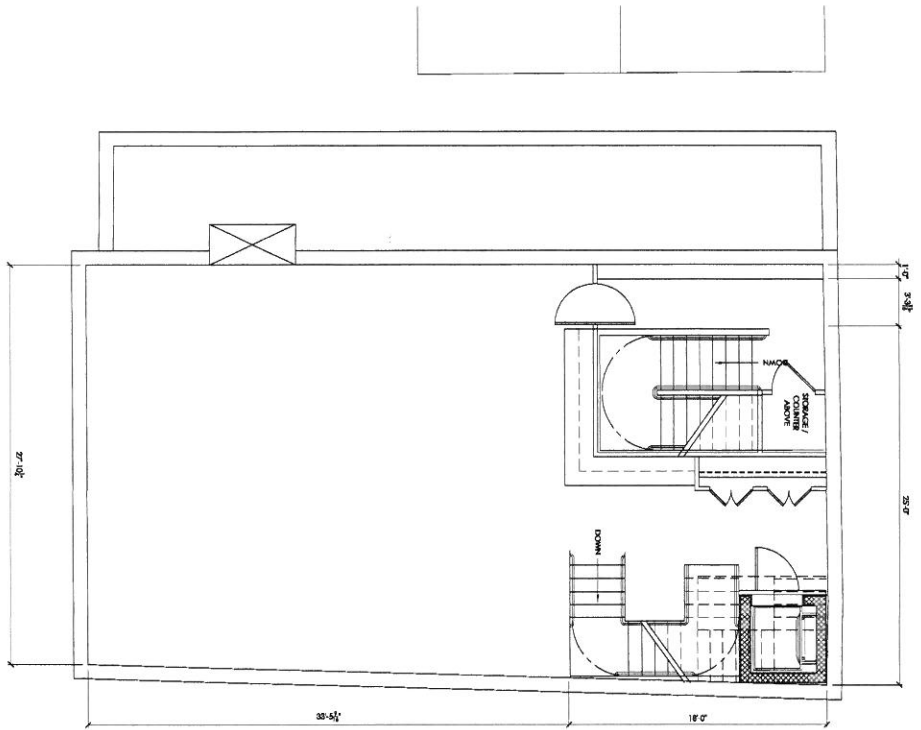
A1.1

THE VIEW
LOWER LEVEL &
FIRST FLOOR
PLANS

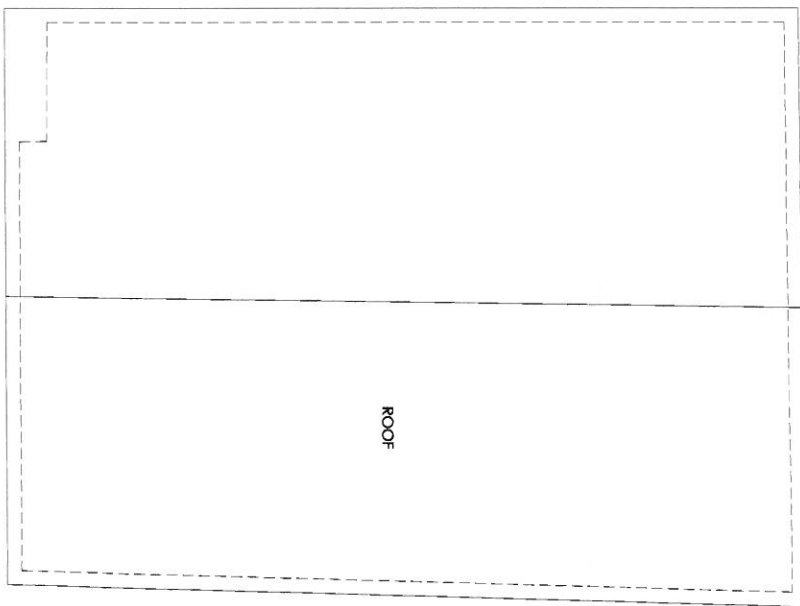
CJ ARCHITECTS
200 VANDERBILT ST. PORTSMOUTH, NH 03801
T 603-431-2508 F 603-431-2509 CJP@CJARCHITECTS.COM

THE VIEW AT PEPPERRELL COVE
88 PEPPERRELL ROAD
KITTERY, MAINE

1/1/2018



1 SECOND FLOOR PLAN



2 ROOF PLAN

PRELIMINARY NOT FOR CONSTRUCTION

A1.2

DATE	05/17/17
DRAWN BY	JAN
CHECKED BY	CLM
SCALE	1/8" = 1'-0"
CONTINUOUS	2 OF 3

THE VIEW
SECOND FLOOR
& ROOF
PLANS



THE VIEW AT PEPPERRELL COVE
88 PEPPERRELL ROAD
KITTERY, MAINE

REVISIONS

Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: The View at Pepperrell Cove LLC
2. Doing Business As, if any: The View
3. Date of filing with Secretary of State: 05/17/2017 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Eides Ares	87 Whipple RD Kittery Maine 039	9/4/1984	Manager	100

(Ownership in non-publicly traded companies must add up to 100%.)



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road
Kittery, Maine 03904
Phone 207-474-1328 Fax 207-439-6806

APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT
{Pursuant to 28-A M.R.S.A. Sec. 1054}

Name, address and legal status of individual(s) or entity seeking to hold permit:

The View at Pepperrell Cove LLC

Name and mailing address of the premises where the special activity/amusement will occur.

The View at Pepperrell Cove LLC 88 Pepperrell Rd PO BOX 67 Kittery Point Me 03905

Mailing address and telephone number of owners of the real estate: _ _ _ _ _
Stanton/McBurney Trust New Castle NH

Describe the specific portion of the premises where the special activity/amusement will occur:
Second and Third Floors

Set forth the specific time periods between which the special activity/amusement will occur.
11:00am to 11:pm

Describe the specific activity or type of amusement for which the permit is requested:
Live and digital music

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes_ NoX_

If ~~s~~ the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

(Over)

Give any additional information to support your request for the permit sought herein:

As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety, or welfare, or violates municipal ordinances or regulations

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: February 22 2021

SIGNATURE OF APPLICANT: Eides Ares

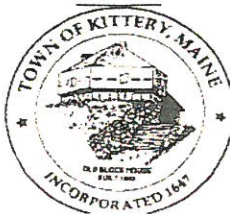
APPLICANT'S NAME Eides Ares
(please print)

ADDRESS 87 Whipple Rd Kittery Maine 03905
(please print)

TELEPHONE NUMBER: 207 703 2820

FEE: \$20.00 per year Must be renewed annually with liquor license.

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



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road
Kittery, Maine 03904
Phone 207-474-1328 Fax 207-439-6806

APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT
{Pursuant to 28-A M.R.S.A. Sec. 1054}

Name, address and legal status of individual(s) or entity seeking to hold permit:

The Wharf at Pepperrell Cove LLC

Name and mailing address of the premises where the special activity/amusement will occur.

The Wharf at Pepperrell Cove LLC 88 Pepperrell Rd PO BOX 67 Kittery Point Me 03905

Mailing address and telephone number of owners of the real estate: _ _ _ _ _
Stanton/McBurney Trust New Castle NH

Describe the specific portion of the premises where the special activity/amusement will occur:
Out door Restaurant location

Set forth the specific time periods between which the special activity/amusement will occur.
11:00am to 9:00 pm

Describe the specific activity or type of amusement for which the permit is requested:
Acoustic music

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes_ NoX_

If ~~s~~ the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

(Over)

Give any additional information to support your request for the permit sought herein:

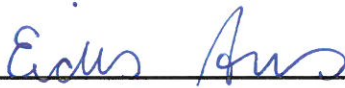
As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety, or welfare, or violates municipal ordinances or regulations

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: February 22 2021

SIGNATURE OF APPLICANT:



APPLICANT'S NAME

Eides Ares

(please print)

ADDRESS 87 Whipple Rd Kittery Maine 03905

(please print)


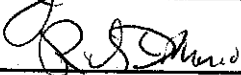
TELEPHONE NUMBER: 207 703 2820

FEE: \$20.00 per year Must be renewed annually with liquor license.

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

DATE OF INTERVIEW: 2/18/21 at 4 a.m./p.m.

We have interviewed Marcus Bitodeau, on the date and time noted above. We approve recommendation of the applicant and whole heartedly endorse his/her appointment for a term to expire on 12/31/23



Signatures

ATTENDANCE RECORD (for reappointments only)

Excellent _____

Good _____

Poor _____