



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

October 10, 2018

Council Chambers

Kittery Port Authority Workshop
5:00 p.m.

To discuss; Government Street Project, Rules and Regulations and Transition

Kittery Town Council
Regular Meeting
6:00 p.m.

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 – **None**
8. Interviews for the Board of Appeals and Planning Board – **None**
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
10. PUBLIC HEARINGS
 - a. (1000118-1) The Kittery Town Council moves to hold a public hearing and approve an application from Chuang Hua Weng for a new Victualer's License for Chun Ping Lau Chinese Restaurant at 435 US Route 1, Suite 4, 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. - **None**
 - b. Kittery Town Council moves to approve the disbursement warrants.
 - c. (100118-2) The Kittery Town Council moves to schedule a public hearing on Title 10.3: Stopping, Standing and Parking to discuss foreside parking amendments on October 22, 2018.
 - d. (100118-3) The Kittery Town Council moves to schedule a public hearing on Land Use and Development Code amendments, Title 16.8.10: Signs on November 14, 2018.
 - e. (100118-4) The Kittery Town Council moves to transfer \$450,000 from unassigned funds (unencumbered surplus) to Account 2088-Government Street Wharf, for the replacement of the Government Street Wharf.
 - f. (100118-5) The Kittery Town Council moves to approve a renewal application from Kittery Foreside LLC, 60 Wallingford Square for a Malt, Vinous and Spirituous Liquor License for Anneke Jans at 60 Wallingford Square, Kittery.
 - g. (100118-6) The Kittery Town Council moves to approve a renewal application from Rolling In The Mud LLC, 460 US Route 1 for a Malt, Vinous and Spirituous Liquor License for When Pigs Fly Pizzeria at 460 US Route 1, Kittery.
 - h. (100118-7) The Kittery Town Council moves to consider the Town Manager's compensation.
14. COUNCILOR ISSUES OR COMMENTS
15. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports
16. EXECUTIVE SESSION- **None**
17. ADJOURNMENT

Posted: October 4, 2018



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 October 10, 2018

- 1. State Road Speed Reduction** – MaineDOT has received the town's request to reduce the speed on State Road. The estimated timeframe for response is approximately 6 to 8 months. This time allows MaineDOT to conduct the speed study and traffic analysis to assess the request. We will also be providing information to support the request.
- 2. Tax Commitment and Bills** – The tax commitment has been completed and tax bills were mailed on September 26 and are due October 31. Forty applicants qualified for the Senior Tax Circuit breaker program, which provides them with a \$1,000 credit on their 2019 taxes. We also approved two tax deferrals and one payment plan. Both of these programs were also created as part of the Senior Tax package approved by the Council in the spring.
- 3. Kittery Housing Workshop** – As Councilor Brock discussed at the September 24 meeting, the town, in collaboration with the Workforce Housing Coalition of the Greater Seacoast, is hosting a Housing Workshop on October 24th and October 26th. Residents are encouraged and welcomed to participate. Volunteer architects, engineers, and housing industry professionals will develop concepts for workforce housing at the Walker Street Fire/Ambulance Station site. The group will work within the realistic challenges of the site, engage the community in playing out "what if" scenarios, and gather reactions and input from the community.
- 4. Parks Commission Survey/Fort Foster** – The Parks Commission has issued a survey to gather information about visitor experience at Fort Foster in an effort to plan for the future and develop recommendations on operational and capital needs for the park. The survey may be taken online by following the link available on the Kittery website, or paper surveys are available at Town Hall, KCC, and the Library.
- 5. Retirement Detective Steven Hamel** – Detective Steve Hamel has retired effective September 28. Detective Hamel has honorably served on Kittery's Police Department for almost 30 years. The last several years, Detective Hamel was assigned to the regional Drug Enforcement Agency, working with various law enforcement agencies on drug-related investigations and prosecutions. His work has been instrumental in stemming the availability of illegal drugs in the New England area. Please help me in congratulating him on his retirement.

Upcoming Dates:

- Absentee Ballots Applications Available – now until November 1, Town Hall
- Kittery Housing Workshop – October 24 and October 26 (details on Kittery website)
- Voter Registration Night – October 24, 6PM to 8PM, Town Hall
- Trick or Treat – October 30, 5PM to 8PM
- Election Day – November 6, 8AM to 8PM, Kittery Community Center

Respectfully Submitted,

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

Kendra Amaral
Town Manager



10/10

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**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Chuang Hua weng
(please print)

Applicant Address: 435 US Route 1, Ste 4, Kittery ME 03904
(please print)

Applicant's mailing address if different from above: _____

Date of Birth (Sole Proprietor): 05/09/1987 Applicant's Telephone Number: 207-439-6055

Business Name: Chun Ping Lau Chinese restaurant.
(please print)

Business Address: 435 US Route 1, Ste 4, Kittery ME, 03904
(please print) 603-866-9559 or

Business Telephone Number: 207-439-6055 / 207-313-7124 cell

Signature of Applicant:  DATE: 10/01/2018

Applicant's Name: Chuang Hua weng
(please print)

LICENSE FEE: \$ 50.

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

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



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: October 10, 2018
From: Kendra Amaral, Town Manager
Subject: Title 10 - Foreside Parking Amendments
Council Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The purpose of the proposed ordinance amendments is to create more variable parking options that support customer parking, Foreside employee parking, and resident parking. The proposal also identified three areas where existing parking restrictions are not reflected correctly in the ordinance. These amendments (Dame Street, Traip Avenue, and Main Street) do not change current conditions.

BACKGROUND

We have been meeting with the Foreside Business Group on a regular basis to identify opportunities to advance the work of the Foreside Forums and the Foreside Land Use, Parking, and Transportation Study.

An issue identified by the Business Group was the parking challenge the employees of the businesses have. The predominately 2-hour parking regulations in the Foreside require employees to move their cars multiple times per day; creating an impact on the business services and the employees.

In reviewing the parking regulations with the group, we identified a potential solution that takes a “concentric circle” approach to parking time limits for Government, Walker, and Wentworth. In general, this approach puts the shortest-term parking closest to Wallingford Square (for customers) and pushes longer term parking, 4-hours, to the outer areas of the Foreside. We are also proposing to designate one space in Wallingford Square as a 15-minute parking spot for shorter transaction needs.

The proposed changes are focused on Government, Walker, and Wentworth. We are not proposing changes to the parking on the predominately residential streets in the Foreside such as Otis, Jones, and Main, with the exception of addressing inconsistencies between existing conditions and the ordinance language.

Attached is a map that visually represents the proposal.

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Title 10 Proposed Amendments
- Title 10 Enactment
- Map Depicting proposed parking restrictions

**KITTERY TOWN CODE TITLE 10, PROPOSED AMENDMENT –
FORESIDE PARKING RESTRICTIONS**

1 **AN ORDINANCE** relating to the municipality's authority for Town governance to give due and
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in
6 Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, 36 MRS §6232 and §6271,
7 pursuant to its powers that authorize the town, under certain circumstances, to provide for the
8 public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with
9 any existing state or federal laws; and

10 **WHEREAS**, the Town seeks to provide parking options that reflect the needs of the residents
11 and businesses of the Foreside neighborhood; and

12 **WHEREAS**, the proposed amendments are designed to concentrate short-term parking at the
13 center of the Foreside neighborhood, while allowing longer-term parking at the outer areas of
14 the neighborhood;

15 **NOW THEREFORE**, IN ACCORDANCE WITH TITLES 30-A MRS §3001, 36 MRS §6232 and
16 §6271, AND TOWN CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS
17 AMENDMENT TO TITLE 10 OF THE TOWN CODE, AS PRESENTED.

18 **INTRODUCED** and read in a public session of the Town Council on the ____ day of _____,
19 20____, by: _____ {NAME} Motion to approve by Councilor
20 _____ {NAME}, as seconded by Councilor _____ {NAME} and
21 passed by a vote of _____.

22 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,
23 Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

24 **Attest:** {NAME}, _____ Town Clerk

Chapter 10.3

Stopping, Standing and Parking

1 § 10.3.1 **General parking regulations.**

2 § 10.3.1.1 **Prohibited at all times.**

3 Parking is prohibited at all hours in the following locations, except as may be permitted in § 10.3.1.4:

Within 10 feet of any hydrant

Within 10 feet of any corner

Within 10 feet of pavement on Route 1, both sides, from Spruce Creek to the Kittery-York Town line

Adams Drive, no parking on westerly side from the intersection of Route 1 in a southerly direction to its end and on the easterly side from the intersection with Route 1 to the driveway of 7 Adams Drive

Bellamy Lane, both sides, from Pepperrell Road in a southerly direction for 160 feet

Bowen Road, northwest side from Route 103 to its intersection with Old Ferry Lane

Bowen Road, southeast side, from its intersection with Old Ferry Lane to its southern terminus

Bridge Street, northerly side, excepting that the first 300 feet from Old Post Road — the first 150 feet, no time limit; the second 150 feet, one-hour time limit

Bridge Street, southerly side

Chauncey Creek Road on the north side, beginning 433 feet from the intersection of Gerrish Island Lane and continuing in a westerly direction for a distance of 812 feet

Chauncey Creek Road on the north side, beginning at the intersection of Tenney Hill Road, and continuing in an easterly direction 362 feet

Chauncey Creek Road on the south side, beginning at the intersection of Pepperrell Road and Tenney Hill Road, and continuing in an easterly direction for 1,920 feet excepting any parking off the public way

Commercial Street, on the west side, beginning at the intersection of Government Street and continuing southerly to the intersection of Water Street

[Dame Street, east side, from its intersection with Walker Street to its intersection with Central Avenue](#)

The cul-de-sac at the end of Dion Avenue

Fernald Road, north and south side, beginning at the intersection of Route 236 in a westerly direction for 690 feet

Fort Foster, paved road, both sides, from gate house to pier, a distance of 2,500 feet

Government Street, south side, from State Road to Commercial Street

Hunter Avenue beginning at Water Street and continuing northerly to the intersection of Government Street

Jones Avenue, both sides, from Government Street to Walker Street

Love Lane, east side, beginning at its point of intersection with Government Street, north 150 feet

Love Lane, east side, between its point of intersection with Government Street to the end of the property of the Wentworth-Dennett School

Main Street, east side, from its intersection with Government Street to its intersection with Walker Street

Manson Road, from the intersection with Stevenson Road in a northerly direction 500 feet, and in a southerly direction for 300 feet

Old Post Road, on the northerly side, from Bridge Street to Cook Street

Old Post Road, on the southerly side, from Bridge Street to Cook Street, with the exception of 200 feet from Bridge Street, which is to be one-hour automobile only parking

Old Post Road on both sides, from Dennett Road to Paul Street

Oxpoint Drive, both sides, from the intersection of Adams Drive in an easterly direction to the driveway of 2 Oxpoint Drive

Pleasant Street, on the west side, beginning at the intersection of Water Street and continuing northerly to the intersection of Government Street

Ranger Drive, the west and east side in a northerly direction from the intersection at Gorges Road to the end of Ranger Drive, including the cul-de-sac

Rogers Road on both sides, beginning at its point of intersection with Shapleigh Road (Route 236) to the point where Rogers Road intersects with Wentworth Street (Route 103)

Seapoint Road, north side, from the New England Telephone pole number 4 in a westerly direction for 2,298 feet

Seapoint Road, south side, from the New England Telephone pole number 4 in a westerly direction for 250 feet

Seapoint Road, western end of the designated parking area along Seapoint Road, a distance of 220 feet in a westerly direction

Stevenson Road, from the intersection of Manson Road on the southerly side in a westerly direction for a

distance of 1,155 feet

Stevenson Road, from the intersection of Manson Road in a westerly direction for a distance of 1,275 feet

Stevenson Road, from the intersection with Manson Road on the northerly side in a westerly direction for a distance of 106 feet

Stevenson Road, from the main (middle) entrance driveway on the northerly side in a westerly direction for a distance of 147 feet to the westerly entrance driveway

Stevenson Road at a point where the Town of Kittery property, Map 29, Lot 24, intersects with Map 29, Lot 23, westerly direction for a distance of one-tenth of a mile

Stoddard Street to the Naval Shipyard

Tilton Avenue, northwest side, from Whipple Road, a distance of 35 feet

Tilton Avenue, southeast side

Traip Avenue, ~~north and westerly side~~ both sides, ~~a distance of 420 feet from its~~ from its southerly intersection with Wentworth Street to its northerly intersection with Wentworth Street

Walker Street, south side 314 feet and north side 460 feet from U.S. Highway No. 1

Walker Street, north side, west of Wentworth Street, from the northeast corner of Wentworth/Walker Street intersection to a point 55 feet westerly

Walker Street, south side, west of Wentworth Street, from the southwest corner of the Wentworth/Walker Street intersection to a point 57 feet westerly

Water Street, on the south side from the intersection of Commercial Street easterly for a distance of 185 feet

Wentworth Street, east side, between its two points of intersection with Traip Avenue

Wentworth Street, east side, from the north corner of the Sugrue Block to the south entrance of Traip Avenue

Wentworth Street, north side, east of Walker Street, from the northeast corner of the Wentworth/Walker Street intersection to a point 90 feet east

Whipple Road, north side, beginning at its point of intersection with Rogers Road, easterly to its point of intersection with Shapleigh Road

Whipple Road, north side, from Keene Circle to Philbrick Road

Williams Avenue, both sides, starting at the exit of Traip Academy's parking lot and continuing in an

easterly direction, ending at the beginning of 24 Williams Avenue

4 § 10.3.1.2 **Prohibited from 7:00 a.m. to 4:00 p.m., Monday through Friday.**

5 Parking is prohibited from 7:00 a.m. to 4:00 p.m. on the south side of Williams Avenue commencing at
6 property known as R.W. Traip Academy.

7 10.3.1.3 Fifteen (15) parking from 7:00 a.m. to 6:00 p.m.

8 One parking space, identified by a Town of Kittery parking sign, in front of 7 Wallingford Square on the
9 north side will be designated for fifteen- (15) minute parking from 7:00 a.m. to 6:00 p.m. (unrestricted
10 parking is permitted on Sunday sand holidays).

11 § 10.3.1.~~3~~4 **One-hour parking from 7:00 a.m. to 6:00 p.m.**

12 One-hour parking is permitted from 7:00 a.m. to 6:00 p.m. (unrestricted parking is permitted on Sundays
13 and holidays), in the following locations:

Central Street

Cross Street

Friend Street

Jones Avenue

Love Lane

Main Street

Newmarch Street

Otis Avenue

Pine Street

Prince Avenue

Rice Avenue

Stimson Street

Trefethen Avenue

Williams Avenue

Woodlawn Avenue

Manson Avenue from Rogers Road to Boush Street

Old Post Road, both sides, for a distance of 450 feet northeasterly towards Memorial Field from its intersection with Dennett Road

Philbrick Road from Whipple Road to Cross Street

Rogers Road from the junction of Rogers Road and Whipple Road to Orchard Grove Cemetery

~~Traip Avenue, both sides, for its entire length~~

~~Wentworth Street, west side, from Walker Street to parcel 9-38, and east side from south end of Traip Avenue to parcel 9-25~~

Whipple Road from the junction of Woodlawn Avenue and Whipple Road to Tilton Avenue

14 § 10.3.1.4-5 **Four-hour maximum parking.**

15 A. Four- (4-) hour parking is permitted from 7:00 a.m. to 6:00 p.m. (unrestricted parking is permitted
16 Sundays and holidays) in the following locations:

17 Walker Street, both sides, from its intersection with State Road to its intersection with Otis Avenue

18 Wentworth Street, west side from its intersection with Central Avenue to its intersection with
19 Whipple Road

20 B. Allowed between signs in the following locations during school hours and public events:

Stevenson Road at a point 100 feet from the intersection with Manson Road on the southerly side in a westerly direction for a distance of 550 feet

Stevenson Road, from a point 106 feet from the intersection with Manson Road on the northerly side in a westerly direction for a distance of 122 feet to the main (middle) school entrance

Stevenson Road, from the westerly school entrance driveway on the northerly side in a westerly direction for a distance of 250 feet

21 § 10.3.1.5-6 **Time period restrictions.**

22 A. It is unlawful to leave a motor vehicle parked, standing, or unattended on any public way in the
23 Town:

24 (1) November 1 to April 15, inclusive:

25 (a) Between the hours of 12:00 midnight and 6:00 a.m.;

26 (b) More than four hours between 6:00 a.m. and 12:00 midnight.

27 (2) April 16 to October 31, inclusive:

28 (a) More than four hours between 6:00 a.m. and 6:00 p.m., Monday through Friday.

29 B. The Town Manager is authorized to declare a total parking ban on any or all public ways in the
30 Town for the purpose of snowplowing or snow removal operations.

- 31 C. Parking is prohibited from 5:00 a.m. to 7:00 a.m. and from 5:00 p.m. to 7:00 p.m. on the north side
32 of Pepperrell Road starting at Smith Lane and running east for 60 feet.
- 33 D. Two-hour parking will be permitted from 7:00 a.m. to 6:00 p.m. (unrestricted parking is permitted on
34 Sundays and holidays), in the following locations:
- 35 (1) Government Street, south side, from Hunter Avenue to Wallingford Square and north side across
36 from Knight Avenue to Wallingford Square;
- 37 (2) Wallingford Square, both sides, including the town wharf and its approaches;
- 38 (3) Walker Street, south side, beginning 57 feet west of Wentworth Street, in a westerly direction ~~for a~~
39 ~~distance of 1,440 feet~~ to its intersection with Otis Avenue;
- 40 (4) Walker Street, north side, beginning 55 feet west of Wentworth Street, in a westerly direction ~~for a~~
41 ~~distance of 1,310 feet~~ to its intersection with Otis Avenue.
- 42 (5) Wentworth Street, west side, from its intersection with Walker Street to its intersection with Central
43 Avenue
- 44 E. The Town's parking lot located on the east side of Moore Street is restricted to permit holders and
45 their guests only. Permit holders are limited to residents of Moore Street who do not have off-street
46 parking available. Parking permits may be obtained from the police department. The owner or
47 operator of any vehicle found in violation of this section will be summonsed and the vehicle will be
48 towed at the owner's expense as provided in this chapter.
- 49 F. Parking in the Municipal Parking Lot located in Wallingford Square at the corner of Walker Street is
50 restricted to a maximum of two consecutive hours from 7:00 a.m. to 6:00 p.m. and three consecutive
51 hours from 6:00 p.m. to 7:00 a.m. Parking is not permitted between the hours of midnight and 6:00
52 a.m. from November 1 through April 15, inclusive.
- 53 G. Seapoint and Crescent Beach: South side of Seapoint Road starting 250 feet from New England
54 Telephone pole number 4 in a westerly direction for 825 feet, parking is restricted to vehicles
55 displaying a valid solid waste sticker or quest permit only. One parking space will be designated as a
56 handicap space. The Municipal Office issues solid waste stickers for town residents and nonresident
57 property taxpayers and active military personnel stationed at the Portsmouth Naval Shipyard and
58 residing in military housing. There is no cost for the initial sticker.
- 59 (1) From New England Telephone pole number 81 in a westerly direction for 135 feet. Parking must be
60 off the paved road surface.
- 61 (2) Parking must be off the paved road surface.
- 62 (3) The beach parking lot and parking areas on the south side of Seapoint Road are closed each day from
63 11:00 p.m. to 3:00 a.m.
- 64 **§ 10.3.2 Parking within lines.**
65 Failure to park within prescribed lines as laid out on any street is a violation of the parking rules.
- 66 **§ 10.3.3 Parking on sidewalks.**
67 Parking vehicles of any kind on sidewalks anywhere in Town is prohibited.

68 § 10.3.4 **Blocking driveways.**

69 It is unlawful for any person to park, leave standing or unattended any vehicle on the public ways of the
70 Town, in such manner so as to block any driveway, public or private, as to prevent egress or entrance to
71 such driveway.

72 § 10.3.5 **Handicapped Reservation at 33 Government Street.**

73 The two marked parking spaces in front of No. 33 Government Street on the south side are designated
74 handicapped parking spaces on Sunday from 8:00 a.m. to 12:00 noon.

75 § 10.3.6 **Parking in handicapped spaces.**

76 Parking in a marked handicapped space is prohibited unless the vehicle is displaying a handicapped
77 sticker or handicapped license plate(s). The owner or operator of any vehicle found in violation of this
78 section may be summonsed and the vehicle towed at the owner's expense.

79 § 10.3.7 **Parking in fire lanes.**

80 Parking is prohibited at all times in designated fire lanes. The owner or operator of any unauthorized
81 vehicle found parked in a fire lane will be summonsed and the vehicle towed at the owner's expense.

82 § 10.3.8 **General penalties.**

83 A. Penalties for violations of any of the following parking regulations are as follows:

84 (1) Overtime parking: \$35.

85 (2) Parked on crosswalk: \$50.

86 (3) Parked less than 10 feet from corner: \$50.

87 (4) Parked on sidewalk: \$50.

88 (5) Parked within 10 feet of hydrant: \$50.

89 (6) Blocking driveway: \$35.

90 (7) Violation of parking ban: \$35.

91 (8) Other Title 10 violations: \$35.

92 (9) Parking in a fire lane: \$100.

93 (10) Handicapped parking violation: \$250.

94 (11) Failure to display dump sticker or permit at Seapoint Beach: \$50.

95 B. For any violations, penalty fees must be paid within 30 days. After 30 days unpaid violation penalty
96 fees doubles. Any violator who does not pay the required penalty fee within 45 days may be issued a
97 summons to appear and answer in the York District Court for failure to pay such penalty.

98 § 10.3.9 **Parking on Bellamy Lane; violations and penalties.**

99 § 10.3.9.1 **Prohibition.**

100 It is unlawful for any person having custody or control of any vehicle to park such vehicle upon Bellamy
101 Lane between April 1 to October 15, provided, however, that this section does not pertain to vehicles
102 while engaged in the loading or unloading of freight.

103 § 10.3.9.2 **Penalty.**
104 Any person found in violation of this section will be fined not more than \$20 for each offense.

105 § 10.3.10 **Parking on Frisbee's Wharf; violations and penalties.**

106 § 10.3.10.1 **Prohibition.**

107 Except as otherwise provided in § 10.3.10.4, it is unlawful for any person having custody or control of
108 any vehicle who is not a resident or real estate taxpayer of the Town to park any such vehicle upon the
109 Town wharf or pier known as Frisbee's Wharf or Pier in Kittery Point in any parking space not so
110 designated for one-hour nonresident parking. Such nonresident parking spaces are to be clearly marked
111 and located along the southwesterly portion of such wharf. Parking by nonresidents in such spaces is
112 limited at any one time to one-hour parking.

113 § 10.3.10.2 **Parking reservation.**

114 Parking for residents or real estate taxpayers of the Town on so-called Frisbee's Wharf or Pier is in those
115 spaces specifically designated for residents parking along the northwesterly sideline of the wharf and
116 along the northeasterly portion thereof and only for those vehicles displaying a current Town transfer
117 sticker issued by the Town hall and affixed to the vehicle in a manner prescribed by the Town Manager.
118 Residents or real estate property taxpayers of the Town may also park their vehicles in the area designated
119 in § 10.3.10.1 of this section, subject to the one-hour limitation.

120 § 10.3.10.3 **Time period restriction.**

121 It is unlawful for any person having custody or control of any vehicle to park any such vehicle upon the
122 Town wharf known as Frisbee's Wharf in Kittery Point between the hours of 2:00 a.m. and 4:00 a.m.

123 § 10.3.10.4 **Open parking spaces.**

124 Parking spaces as so designated along the westerly side of the Town wharf or pier known as Frisbee's
125 Wharf or Pier in Kittery Point presently comprising approximately 12 parking spaces are available for
126 parking to Kittery residents and nonresidents alike.

127 § 10.3.10.5 **Penalty.**

128 Any person found in violation of this section will be fined not more than \$20 for each offense. In
129 addition, any vehicle or motor vehicles in violation of this section is to be towed away at the expense of
130 the owner as provided in Subsection B of § 10.3.8.

131 § 10.3.11 **Towing.**

132 § 10.3.11.1 **Authority.**

133 Any vehicle or motor vehicle in violation of §§ 9.1.1, 10.3.1, 10.3.2, 10.3.3, 10.3.5, and 29 M.R.S.
134 § 1111, and any person who is arrested and has a vehicle on a public way at the time of arrest, or any
135 vehicle that is subject to impoundment by the Police Department, may be towed by the Police Department
136 at the expense of the owner as provided herein.

137 § 10.3.11.2 **Towing requirements.**

138 Owners of towing vehicles used by the Town for the purpose of removing illegally parked cars under the
139 terms of this section must show proof of liability insurance, have storage capability, and be approved by
140 the Chief of Police.

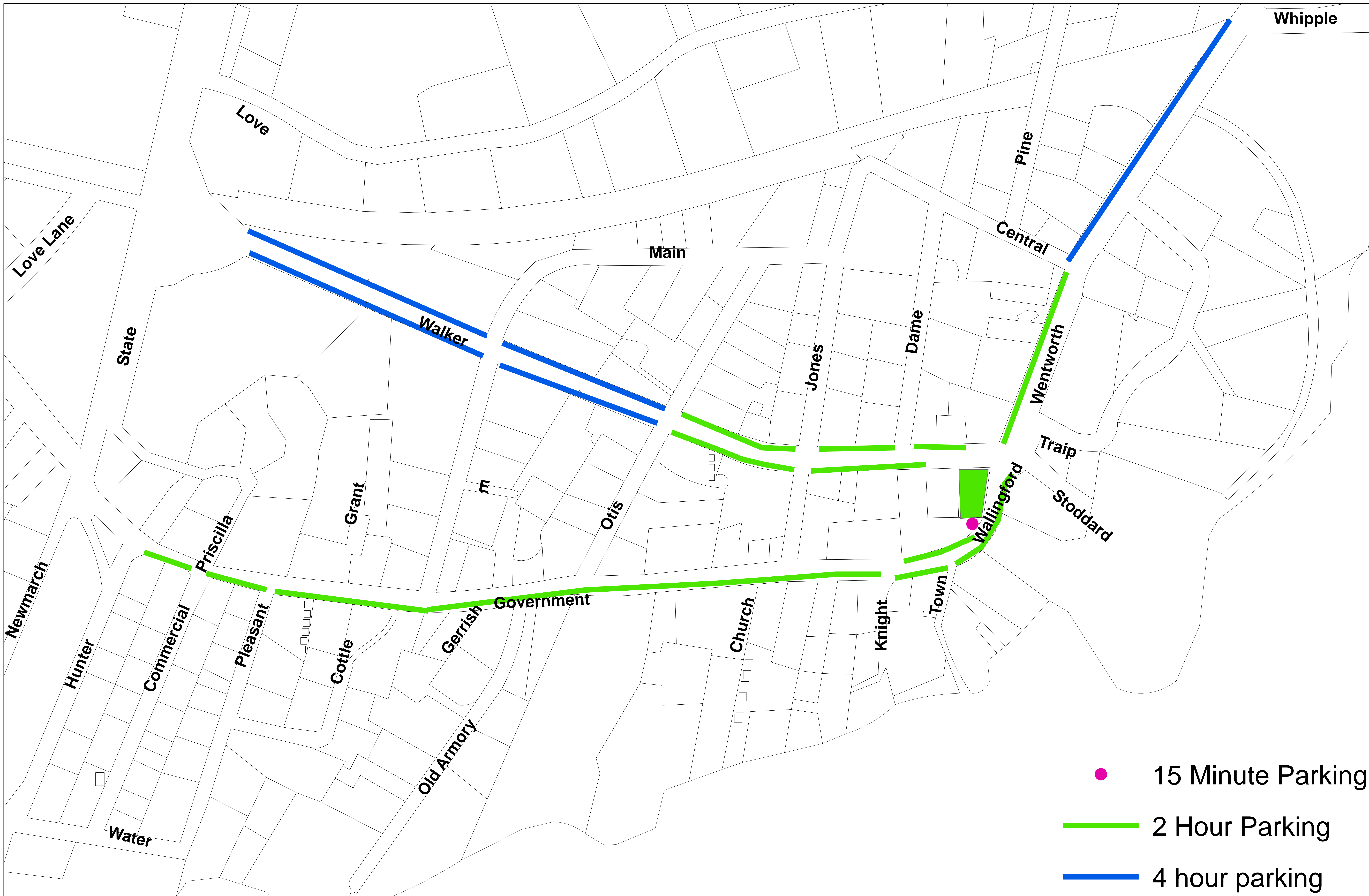
141 § 10.3.11.3 **Tow charges.**

142 Any owner of towing vehicles approved for the removal of vehicles illegally parked under the terms of
143 this section is subject to the following towing rates:

- 144 A. A flat rate as set out in Appendix A for any towing between the hours of 7:00 a.m. and 5:00 p.m.,
145 Monday through Friday;

- 146 B. A flat rate as set out in Appendix A at all other times;
- 147 C. An additional charge as set out in Appendix A if a dolly has to be used;
- 148 D. A maximum charge as set out in Appendix A for any dry run where a vehicle is not towed;
- 149 E. Motorcycle: extra charge as set out in Appendix A;
- 150 F. No fee may be charged to the owner of the vehicle for the first 24 hours of storage unless the vehicle
151 has been towed due to snow removal;
- 152 G. An additional charge as set out in Appendix A for any unusual circumstances.

Foreside On-Street Parking





TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: October 10, 2018
From: Kendra Amaral, Town Manager
Subject: Title 16 – Sign Code
Councilor Sponsor: Vice Chairperson Charles Denault

EXECUTIVE SUMMARY

The Planning Board has a prioritized objective to address challenges identified in Title 16 - Signs. I was informed this effort was actually initiated sometime in the past five years, but had been placed on hold to focus on other projects and issues.

The Sign code review focused on addressing challenges the staff and Planning Board have identified over the years in implementing and attempting to enforce the current regulations. The review also focused on needs identified generally by project applicants.

The revisions proposed were developed through discussion within the Planning and Development department, and included input from the planning staff and CEO staff.

Zoning Amendment Development

The proposed amendments seek to address areas of challenge or question including message boards, internal and external lights and timers, quantity and size of freestanding signs allowed, temporary signs, sign locations, character/appearance of signs, and sign permit application/administration procedures and processes.

It is noted that the Title 16 recodification effort will address the larger issues embedded in the code, but the smaller fixes will improve the implementation and enforcement of the code in the interim.

CURRENT SITUATION

The Planning Board reviewed and recommended to the Council the proposed amendments at their September 27th meeting.

Next Steps:

- Oct – Council to determine if a workshop is desired, schedule Public Hearing
- Nov/Dec– Public Hearing and Vote

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Proposed Title 16 Amendments
- Proposed Title 16 Enactment

**KITTERY TOWN CODE TITLE 16
SIGN CODE**

1 **AN ORDINANCE** relating to the municipality's authority for Town governance to give due and
2 proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine
3 Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A,
4 Municipalities and Counties.

5 **WHEREAS**, the Kittery Town Council is authorized to enact this Ordinance, as specified in
6 Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that
7 authorize the town, under certain circumstances, to provide for the public health, welfare,
8 morals, and safety, and does not intend for this Ordinance to conflict with any existing state or
9 federal laws; and

10 **WHEREAS**, the Town has identified areas for clarification and adjustment that improve the
11 overall effect and impact of the sign code; and

12 **WHEREAS**, the proposed amendments address changes in signage design and signage needs;
13 and

14 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER
15 §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 16 OF THE
16 TOWN CODE, AS PRESENTED.

17

18 **INTRODUCED** and read in a public session of the Town Council on the ____ day of _____,

19 20____, by:_____ {NAME} Motion to approve by Councilor

20 _____ {NAME}, as seconded by Councilor _____ {NAME} and

21 passed by a vote of _____.

22 **THIS ORDINANCE IS DULY AND PROPERLY ORDAINED** by the Town Council of Kittery,

23 Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

24 **Attest:** {NAME}, _____Town Clerk

Article II
Definitions

1 ADD to 16.2.2 Definitions:

2 Feather Flag

3 A type of banner taller than it is wide, shaped similarly to a feather, and affixed to the ground at one end.

4 Article X
5 Signs

6 § 16.8.10.1 Purpose.

7 The purpose of this article is to balance the need for adequate identification and advertising for land uses
8 to promote the economic well-being of the Town with the need to protect the public safety and maintain
9 and enhance the physical appearance of the community. This objective is to be achieved by:

- 10 A. Allowing adequate signage for the effective use of signs as a means of identifying, advertising and
11 communication of land uses;
- 12 B. Establishing the appropriate bounds for location, size, number, type and use of signs to protect traffic
13 safety, preserve property values and to promote visual order and clarity; and
- 14 C. Establishing procedures and regulations for the fair and consistent administration and enforcement of
15 these sign restrictions.

16 § 16.8.10.2 General requirements.

- 17 A. No sign may be erected, posted, enlarged, or substantially changed without a permit issued by the
18 Code Enforcement Officer (CEO) or designee ~~and also approved by the Town Planner~~, except
19 where § 16.8.10.9 provides otherwise.
- 20 B. No exterior sign may be artificially illuminated except where such lighting is hooded or shielded or
21 otherwise designed to prevent direct light spilling onto traveled ways or neighboring property.
22 Lighting specifications must be submitted to the Code Enforcement Officer with the permit
23 application.
- 24 C. No sign may contain ~~a moving~~ or animated messages ~~board~~ or displays ~~intermittent illumination,~~
25 except where necessary in time/temperature/date signs. Changes in lighting to create a special effect
26 or depict action are prohibited.
- 27 D. Any sign that interferes with or closely imitates any official traffic sign, signal or device is
28 prohibited.
- 29 E. No sign designed to be transported by means of wheels is allowed, unless said vehicle and/or trailer
30 is used in the normal day-to-day transportation operations of the advertised business. ~~All trailer signs~~
31 ~~are prohibited.~~
- 32 F. Any changeable message signs permitted by 16.8.1.2C. must be integrated into a permanently-
33 mounted sign. Such a changeable message ~~board~~ sign is to be mounted a minimum of 3 1/2 feet
34 above ground level.
- 35 G. All signs must be maintained in a safe and sound structural condition.

- 36 H. Advertising. No advertising or signage is permitted on wireless communication services facilities.
- 37 I. Any sign not expressly permitted herein is prohibited.
- 38 § 16.8.10.3 **Sign location.**
- 39 A. All signs must be permanently installed on the premises of the activity to which the advertising
40 message refers, except where § 16.8.10.7 provides otherwise or upon approval by the Town Council.
- 41 B. All signs must be located outside the full width of the right-of-way of any public way, unless
42 authorized by the Town Council.
- 43 C. Except for signs authorized in §§ 16.8.10.7 and 16.8.10.9, freestanding signs erected after October 1,
44 1997 must be located at least 33 feet from the center line of any U.S. or state numbered highway less
45 than 66 feet in width and at least 20 feet from the outside edge of the paved portion of any travel lane
46 of any U.S. or state numbered highway which has both more than two travel lanes and a total paved
47 portion in excess of 24 feet in width.
- 48 D. Signs ~~must~~ may not be placed on or above the roof of any building. All signs must be located below
49 the level of the eaves of the portion of building where the sign is to be erected, except as follows:
- 50 (1) Signage may be located above the eaves on a gable or dormer of a building, providing it does not
51 extend above or beyond the roofline of the gable or dormer; and
- 52 (2) Signage may be located on a parapet wall, provided the sign neither extends any more than eight feet
53 above the roof-wall junction of the parapet wall nor extends beyond the height of the parapet wall.
- Note: Please see Figure 3 of Chapter 16.8 at the end of this article to assist the reader in understanding acceptable and unacceptable locations of building-mounted signs according to the terms of § 16.8.10.3.
- 54 E. Building-mounted signs which extend more than six inches from the surface of the structure must
55 provide a minimum of eight feet of vertical clearance to a walkway, parking area, private drive and
56 ground surface. Such signs ~~must~~ may not extend beyond the street right-of-way boundary unless
57 authorized by the Town Council.
- 58 F. Freestanding signs ~~must~~ may not extend higher than 20 feet above the original ground level or the
59 elevation of the center line of the nearest street measured at the closest point to the sign, whichever is
60 greater.
- 61 G. Signs ~~must~~ may not be posted on trees, utility poles, traffic control devices, or unregistered motor
62 vehicles or trailers. Signs posted on fences are treated as a type of freestanding sign. Any
63 ~~unpermitted and unallowed~~ sign located in a public road right-of-way may ~~be caused to~~ be removed
64 by the Town without notice to the owner of such sign.
- 65 H. No sign may be located so that it interferes with the safe sight distances necessary for motorists to
66 proceed safely through intersections or to enter onto or exit from public streets, private roads or
67 driveways.
- 68 I. All building-mounted signs must be located only on the building that contains the activities or
69 businesses advertised. ~~except that up to 10% of the allowed signage for building-mounted signs in~~
70 ~~§ 16.8.10.6 may be allocated to signs mounted on fuel pumps and/or fuel pump canopies.~~

- 71 J. In cases where multiple freestanding signs are permitted, any additional allowed smaller freestanding
72 sign must face and be located along a separate publicly maintained street.
- 73 § 16.8.10.4 **Number of freestanding signs.**
- 74 A. Except as otherwise authorized in this section, as well as §§ 16.8.10.8 and 16.8.10.9, each
75 development is prohibited from having more than one freestanding sign.
- 76 B. Multisided signs are considered as one sign; however, the square footage of each sign face is
77 calculated to determine total sign area.
- 78 C. Where a development fronts on two publicly maintained streets and has designed and approved
79 access onto both those publicly maintained streets, the development is allowed one additional
80 freestanding sign that faces and is located along a second publicly maintained street in accordance
81 with § 16.8.10.6.
- 82 D. Where a development fronts on three publicly maintained streets and has designed and approved
83 access onto each publicly maintained street, a third freestanding sign facing and located along the
84 third publicly maintained street may be authorized at the Planning Board's discretion if it finds that
85 other freestanding signage is not visible from the third street and that there is a need for a third
86 freestanding sign to adequately communicate the business location to travelers on a third road
87 fronted by the business.
- 88 § 16.8.10.5 **Number of building-mounted signs.**
- 89 To prevent sign clutter, except for those signs authorized by § 16.8.10.8 or 16.8.10.9, each business
90 facility which is on a site where two or more businesses occupy the same building, lot or development is
91 prohibited from having more than two building-mounted, non-temporary signs.
- 92 § 16.8.10.6 **Sign area.**
- 93 A. Residential Zones. Zones designated Residential - Rural Conservation, Residential - Rural,
94 Residential - Suburban, Residential - Urban, and Residential - Village on the Zoning Map are
95 residential zones for the purpose of this section.
- 96 (1) Accessory uses, including home occupations, are allowed sign area no greater than eight square feet.
- 97 (2) Other permitted uses are allowed sign area no greater than 16 square feet, except as otherwise
98 provided. Residential developments are also allowed 24 square feet, provided that signs are located
99 within the development on premises owned by the developer or an owners' association.
- 100 B. All other zones.
- 101 (1) A single business situated on a lot of record is allowed a total sign area no greater than 300 square
102 feet or 1 1/2 square feet for every linear foot of building frontage, whichever is smaller. In any case,
103 a single business on a lot of record is allowed a minimum sign area of 72 square feet.
- 104 (2) Where two or more business facilities occupy the same building, lot or development, allowable sign
105 area is calculated as follows:
- 106 (a) Total building-mounted sign area equals 1 1/2 square feet per linear foot of building frontage for
107 each business facility. The total allowed building-mounted sign area may be allocated among
108 individual business facilities at the property owner's discretion.
- 109 (b) The development is allowed one freestanding sign not greater than 150 square feet in sign area

110 except:

111 (i) an additional freestanding sign no greater than seventy-two (72) square feet may be allowed
112 provided-:

113 (a) the property contains multiple detached principal buildings;

114 (b) the property has at least one and one-half (1.5) times the minimum street frontage for the zone;

115 (c) all principal buildings on the property have commercial uses on the first floors.

116 (ii) An additional freestanding sign no greater than 72 square feet in sign area facing and located along
117 that secondary street is allowed if the development fronts on multiple streets and has designed and
118 approved access onto each publicly maintained street. A third freestanding sign may be permitted at
119 the Planning Board's discretion in accordance with § 16.8.10.4.

120 § 16.8.10.7 **Off-premises signs.**

121 A. An individual business or service, upon application, may be assigned no more than three off-
122 premises business directional signs (OBDS). An OBDS must be designed and located so as to avoid
123 conflict with other signs and minimize impact on the scenic environment through the following
124 standards:

125 (1) Dimensions: 12 inches by 48 inches.

126 (2) Coloring: state standard blue background, white lettering, logo may be any color.

127 (3) Reflectorization: optional.

128 (4) Location: on existing assemblies (posts) where possible. No more than two assemblies per
129 intersection approach.

130 (5) Restricted areas: An OBDS must not be placed on an inbound leg of the Kittery traffic circle within
131 400 feet of its outer perimeter, or adjacent to points of scenic or historical interest, including but not
132 limited to federal, state and local parks and reserves, recognized historic sites and buildings, water
133 bridges and cemeteries.

134 B. An off-premises sign which advertises commercial or other activity without advertising any specific
135 enterprise (generic signs) may be approved by the Planning Board at size and location to be
136 specified.

137 § 16.8.10.8 **Temporary signs.**

138 All temporary signs must be installed on the premises of the activity to which the advertising message
139 refers and may not be located in the public right-of-way. Moveable or animated signs are prohibited as
140 temporary signs. The following types of temporary signs are allowed with an approved sign permit:

141 A. The use of one temporary sign, other than a trailer sign, at any one time per business, that is mounted
142 to the building or attached to a freestanding sign structure for the purpose of advertising special
143 events, provided that such signs are displayed for no longer than a combined total of 21 days in any
144 calendar quarter (January 1 to March 30, etc.), may be permitted. Total sign area for a temporary
145 sign must not exceed 72 square feet. The allowed twenty-one-day display period may be divided into
146 no more than three separate, nonoverlapping temporary periods of not less than seven days.

147 B. One additional temporary sign, other than a trailer sign, mounted to the building or to a freestanding
148 sign structure, is permitted per legally participating site for the duration of each Town Council-
149 approved sidewalk sales event.

150 C. Feather flags are prohibited.

151 § 16.8.10.9 **Signs allowed without sign permit.**

152 The following types of signs, in sizes and under conditions stated, are allowed without a Town sign
153 permit, but must conform with all other provisions of Article X of this chapter except for the provisions
154 restricting the number of signs (§§ 16.8.10.4 and 16.8.10.5) and limiting the total sign area (§ 16.8.10.6).

155 A. Public information signs. Signs for the control of traffic and other regulatory purposes, route
156 markers, street signs, warning signs, utility, danger or warning signs, signs which indicate direction
157 to hospitals, churches or other places of worship, or other public facilities.

158 B. General information signs. Signs which provide direction or instruction, such as location of
159 telephone, restrooms, parking, automatic teller machines (ATMs), transit stops, entrances and exits,
160 open and closed signs, where installed entirely upon the property to which they pertain. "Enter" and
161 "Exit" signs must not exceed four square feet in size. All other general information signs must not
162 exceed two square feet in size. Except for identifying approved off-premises parking stalls, no logos,
163 trademarks or names of businesses are permitted on general information signs. The Planning Board
164 may approve increased sizes and/or the use of logos or names of businesses on general information
165 signs when considered necessary to promote safety or eliminate confusion.

166 C. Memorial tablets. Grave markers, signs commemorating a historical figure or event, names or dates
167 of buildings to which a sign is attached.

168 D. Public notices and community signs. Official notices posted by public employees in performance of
169 their duties, and any sign for Town sponsored or supported events or facilities as approved by the
170 Town Council.

171 E. Signs placed on municipal property by the Town or signs placed on municipal property through
172 approval of the Town Council.

173 ~~E~~F. Flags of any government or recognized political subdivision. The flag of any government or
174 recognized political subdivision is allowed, provided it is displayed no higher than 50 feet above the
175 original ground level or the elevation of the center line of the nearest street measured at the closest
176 point to the flag, whichever is greater. A single memorial flagpole installation sponsored by private
177 funding not to exceed 129 feet in height installed on Town-owned or regulated property at Memorial
178 Circle is allowed.

179 ~~F~~G. Religious symbols.

180 ~~G~~H. Building street numbers. In accordance with the street-numbering map on file with the Town
181 Assessing Department;

182 ~~H~~I. Political campaign signs. Signs bearing political messages relating to an election, primary or
183 referendum, provided these signs may be displayed on:

184 (1) Public property not earlier than 30 days prior to the election, primary or referendum to which they
185 relate and are removed not later than two days thereafter.

- 186 (2) Private property without time constraints.
- 187 ~~H~~. Interior signs. Signs placed inside a building which are located at least 10 feet inside the building or
188 otherwise not oriented to be viewed from outside the building;
- 189 ~~J~~. Vehicular signs. Signs painted on or affixed to registered motor vehicles or trailers where such signs
190 are clearly incidental to the regular transportation function of the vehicle.
- 191 ~~K~~. Service club signs. Service club signs may be placed within the right-of-way of a street with
192 approval of the Commissioner of Public Works. Such signs are encouraged to be consolidated on a
193 single designated assembly structure at major entranceways to the Town. In addition, such signs not
194 exceeding four (4) square feet in size may be erected at locations where meetings of such service
195 clubs are convened.
- 196 ~~L~~. Real estate signs. Any sign advertising real estate for sale, lease or rent, provided:
- 197 (1) Each sign does not exceed 12 square feet;
- 198 (2) Each sign is located on the property being advertised, except one sign may be located as an off-
199 premises directional sign, provided the sign does not restrict safe sight distances or impair safety;
- 200 (3) No more than two signs are erected per property being advertised; and
- 201 (4) Each sign is removed within 60 days of transfer of ~~title~~property.
- 202 ~~M~~. Window signs. Any sign that is placed inside a window and is visible from the exterior of the
203 window, provided such signage covers no more than 50% of the area of any window.
- 204 ~~N~~. Legally required signs. Any sign required by local, state or federal law with sign area no greater than
205 two square feet or the minimum size required by law, whichever is larger.
- 206 ~~O~~. Food menu signs. Up to two signs advertising food items for sale on the premises at a legally
207 existing restaurant, fast-food outlet, drive-in restaurant, or snack bar are allowed, provided that:
- 208 (1) The total sign area of each such food menu sign on the site must not exceed 32 square feet; and
- 209 (2) Such food menu signs must either be building-mounted or comply with the front yard requirements
210 for structures and be located within 75 feet of the restaurant.
- 211 ~~P~~. Undercanopy, pedestrian-oriented signs. One building-mounted business identification sign per
212 business facility, not to exceed 10 square feet in size per sign, where two or more businesses occupy
213 the same building with a pedestrian walkway and canopy that parallels and connects the front
214 entrances of the business facilities. The sign must be oriented toward pedestrians using the walkway,
215 be located under the canopy near the main entrance to the business advertised and solely identify the
216 business name or logo.
- 217 ~~Q~~. Construction phase and contractor or developer signs. Signs, other than trailer signs, identifying the
218 name of a contractor or developer working on the premises and/or describing a construction project,
219 erected only during the construction phase of a development, provided:
- 220 (1) each sign does not exceed 75 square feet.

221 (2) one sign is erected per property under construction;

222 (3) the sign is removed within thirty (30) days of completion of construction.

223 S. Development or Construction Financing Signs. Signs identifying financial entities funding
224 construction are allowed provided:

225 (1) each sign does not exceed twelve (12) square feet;

226 (2) only one sign is erected per development;

227 (3) the sign is removed within thirty (30) days of the completion of construction.

228 ~~R.T.~~ Garage sale signs as allowed by § 5.4.9A(2).

229 **§ 16.8.10.10 Signs in Shoreland Overlay and Resource Protection Overlay Zones.**

230 The following provisions govern signs in the Conservation, Shoreland Overlay and Resource Protection
231 Overlay Zones, except where ~~either is~~ overlaid by the Commercial Fisheries/Maritime Uses Overlay
232 Zone. No signs are permitted in the public right-of-way:

233 A. Signs relating to goods and services sold on the premises are allowed, provided such signs do not
234 exceed six square feet in area and do not exceed two signs per premises.

235 B. Signs relating to goods or services not sold or rendered on the premises are prohibited.

236 C. Name signs such as the name of the business are allowed, provided such signs do not exceed two
237 signs per premises and do not exceed 12 square feet in the aggregate.

238 D. Residential users may display a temporary single sign not over three square feet in area relating to
239 the sale, rental or lease of the premises.

240 E. Signs relating to trespassing and hunting are allowed without restriction as to number, provided no
241 such sign exceeds two square feet in area.

242 F. Signs relating to public safety are allowed without restriction.

243 G. Signs higher than 20 feet above the ground are prohibited.

244 H. Signs may be illuminated only by shielded, non-flashing lights.

245 **§ 16.8.10.11 Sign permit application procedures.**

246 A. No person may erect, post, enlarge, relocate, replace or modify a sign except in conformance with a
247 permit issued by the Code Enforcement Officer or designee ~~and also approved by the Town Planner~~.
248 Notwithstanding the above statement, the following signs may be erected or modified without a sign
249 permit:

250 (1) Signs authorized in § 16.8.10.9.

251 (2) Changes to nameplates or "shingles" to reflect occupancy changes on an existing approved
252 freestanding sign identifying individual occupants on the site, provided no change is made to the
253 shape or size of the sign or sign area.

- 254 (3) Characters, letters and numbers may be changed on approved changeable message signs without a
255 sign permit, provided no other change is made to the sign.
- 256 (4) Signs may be maintained, cleaned or repainted, provided no change is made to the shape or size of
257 the sign or to the sign area, and provided no new business name is advertised.
- 258 B. A complete sign application submission consists of the following items submitted to the Code
259 Enforcement Officer:
- 260 (1) A completed sign permit application ~~form~~ provided by the Town, including the sign's design
261 showing location, dimensions, colors, and lighting if any;
- 262 (2) An application fee in accordance with a fee schedule established by the Town Council; [1] and
- 263 ~~(3) A self addressed, stamped envelope.~~
- 264 C. Complete applications must be reviewed by the CEO for compliance with this title. ~~Complete sign~~
265 ~~permit application submissions must be returned by the CEO after rendering a decision to the~~
266 ~~applicant if accompanied by an SASE. Incomplete sign permit application submissions will only be~~
267 ~~returned to the applicant if accompanied by an SASE.~~
- 268 D. Unless the proposed sign is located within the Shoreland Zone, the CEO must issue, deny or seek a
269 formal Planning Board opinion within 14 working days of receiving a complete sign permit
270 application submission. If either a Planning Board opinion is sought or the proposed sign is located
271 within the Shoreland Zone, the CEO must issue a permit or deny the application within 35 calendar
272 days of receiving a complete sign permit application submission.
- 273 E. The sign permit must be approved if the proposed sign conforms in every respect with the
274 requirements of this article. In the CEO's absence, or if no action is taken by the CEO within the
275 above time limits, the Town Manager or the Town Manager's designee ~~may~~ shall approve or deny
276 the sign permit application submission and direct the issuance of the sign permit.
- 277 ~~F. All new signs approved as of October 1, 1997 must display a numbered sign permit sticker provided~~
278 ~~by the Town in a visible location at the lower right hand corner of the sign face. Failure to display~~
279 ~~such sign permit sticker on signs erected as of October 1, 1997 will be considered a violation of this~~
280 ~~article. Replacement stickers are available from the CEO based on a fee schedule established by the~~
281 ~~Town Council.~~
- 282 § 16.8.10.12 **Nonconforming existing signs.**
- 283 A. All signs lawfully existing on October 1, 1997 that do not conform to the terms of this article may be
284 continued and maintained, subject to § 16.8.10.12B, but may neither be enlarged nor substantially
285 altered except in conformity with this article.
- 286 B. Lawfully nonconforming signs must be made to conform or be removed if any of the following
287 circumstances occur, individually or in combination, for a ~~consecutive three~~ one-year time period:
- 288 (1) The sign has ceased to be accurate by reason of vacancy or closure of the business which the sign
289 advertises.
- 290 (2) The sign face is blank, illegible, obscured, painted over, concealed or otherwise not decipherable.
- 291 C. In no event may the degree of nonconformity of any sign or type of signage on any lot be increased.

292 An extension to the one-year time period may be granted by the Board of Appeals as a miscellaneous
293 variance. Such an extension must be requested of the Board of Appeals before the one-year period has
294 elapsed. The extension itself may not exceed a period of one year.

295 **§ 16.8.10.13 Sign violations and appeal.**

- 296 A. The CEO must notify and order the owner to immediately correct any sign that endangers public
297 safety. Signs that endanger public safety include, but are not limited to, those which are dangerous
298 by reason of structural defect or those that interfere or obstruct a driver's safe operation of a motor
299 vehicle.
- 300 B. A nonconforming sign which is required to conform to the sign regulations per § 16.8.10.12 must be
301 brought into conformity.
- 302 C. Enforcement of the provisions of this article is in accordance with Chapter 16.4.



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: October 10, 2018
From: Kendra Amaral, Town Manager
Subject: Transfer of Funds for Government Street Wharf
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The Kittery voters approved the warrant article authorizing the Town Council to transfer and appropriate \$450,000 from the undesignated surplus for the reconstruction of the Government Street Wharf. The Council is required to approve the transfer as the final step in the funding process.

Background

The Government Street Wharf has been showing significant wear for some time. In 2007, an analysis of the site was conducted, and concluded it had approximately 10 years of service life left, if certain steps were taken to maintain the structure. In 2017, the KPA and Town agreed to conduct a follow-up structural analysis of the facility to reassess the remaining service life and begin planning for an eventual replacement of the structure.

The 2017 study found a number of structural issues and advised that “the timeframe needed for design, regulatory permitting, grant funding applications and construction” would require replacement of the structure as soon as possible. The study also recommended the immediate implementation of a weight restriction due to structural deficiencies, which the KPA enacted.

The town built into the 5-year capital plan a funding strategy that put \$50,000 a year aside for five years (starting with FY17), with the expectation that a portion of the \$350,000 estimated replacement cost would be obtained through grants. The town applied for the SHIP grant in early 2018 and began planning for design.

In early 2018, storm surge from a winter storm further impacted the structure and led to the realization that the structure was not likely going to remain useful for the next five years, and that replacement was needed immediately.

With Council approval, the June warrant article included a question to authorize Town Council to transfer up to \$450,000 of undesignated surplus for the replacement of the structure. The measure was approved.

CURRENT SITUATION

A survey was obtained and a geotechnical study was conducted as a risk management measurement. The geotechnical study informed the conceptual design for the replacement project and identified existing conditions that could impact the construction and cost.

Following the approval of the voters to allow for the transfer of the funds to the project, the administration worked with the KPA to bid the project and line up a contractor. The project is a design/build project, with conceptual plans being supplied pro bono by Bruce Crawford, a member of the KPA.

Three bids were received, ranging in price from \$519,600 to \$942,494. The lowest price bid was deemed to be both responsive and responsible. The KPA has performed some value engineering with the contractor and is able to get the price to \$493,750 (inclusive of \$10,950 ledge removal allowance). The voter approved \$450,000 in combination with the KPA Facility Reserve fund (4116) provides sufficient funds to advance the project.

In conversations with the SHIP Grant administrator, it was identified that the town would have to wait until 2020 for potential grant funding. Given that time frame, we estimate the increased cost of the project will likely equal if not exceed the potential grant funds in 2020. It was deemed a net negative option.

RECREATIONAL USE

Members of the Council have requested that recreational amenities be identified and considered as part of this project. It must be noted that the replacement cost of the existing structure exceeds the \$450,000 available for funding. We specifically looked at:

- Pedestrian access
- Lighting
- Street furniture (benches)
- Boat/kayak launches
- Floats

Pedestrian Access – we are reviewing the survey conducted for the project and identifying whether we can incorporate a sidewalk or path along Town Landing leading from Government Street to the wharf. If possible, the project will need engineering for the sidewalk and stormwater impacts (drainage), and separate funding. We are planning to repave Town Landing in the spring/summer of 2019 to improve the pavement access as part of our ROW/road project.

Lighting – the structure has electric service. The current scope includes the removal and reinstallation of the hoist. The design does not preclude lighting, which can be added in the future as funding allows.

Street furniture – we will be looking to add benches once the reconstruction is complete. Mr. Crawford, who developed the concept drawings, believes a bench or two can be placed on the

structure without impacting safety for commercial and non-commercial users. The decking and railings will be replaced as part of the project, making the general aesthetic improved for passive enjoyment of the site.

Boat/kayak launches – As is evident by the attached survey, the town’s property boundary does not include a sufficient amount of space for a boat or kayak launch at this site. The east boundary line is right at the structure and the west boundary is insufficient to accommodate a launch ramp.

Floats – the existing structure is a pre-existing non-conforming structure. It can be replaced in kind as is, but any expansion would be required to meet current setbacks. Setback requirements are 25’ from the lot lines and 50’ from existing abutting structures. That limits the addition of floats to the front of the pier. Anything added to the front cannot be permitted to impede navigation, access to abutting structures, or access to existing moorings. This can be further studied by engaging a marine engineer to do a detailed evaluation, but it is unclear if such investment will yield options that will not significantly impact the existing uses for the structure.

PROPOSED SOLUTION/RECOMMENDATION

Approve transfer of funds as approved by voters in June 2018.

ATTACHMENTS

- Bid Submission Summary
- June 2018 Town Meeting Results
- Government Street Site Survey

Government Street Wharf Replacement
Bids Due August 27, 2018
Summary of Submissions

	ACK	Maritime Construction	Brock
Demolition	\$135,130	\$35,000	\$76,000
Engineering	37,995	30,000	35,000
Installation of Wooden Pier	344,527	254,000	367,000
Retaining Walls	314,765	98,200	54,000
Site Work	67,552	70,500	118,000
Bulk Ledge Removal	29,200	25,500	37,500
Sediment and Erosion Control	13,325	6,400	10,000
	\$942,494	\$519,600	\$697,500
Ledge Removal Unit Cost per CY	\$584	\$510	\$750
Value Engineering			
Change fastener specification		\$ (2,700)	
Paving of approach incorporated into Town Lnd Paving		\$ (8,000)	
Reduce ledge removal allowance to approx 22 CY		\$ (14,280)	
Revised Total Bid Amount		\$ 494,620	
Available Funds			
Town Warrant Authorization		\$ 450,000	
KPA Facility Reserve		\$ 53,964	
Total Available		\$ 503,964	
Contingency (net available)		\$ 9,344	
		2%	

**CERTIFICATE OF ELECTION
TOWN MEETING
JUNE 12, 2018**

I, Joyce Tobey, duly elected Moderator, do hereby certify the following to be the true results of the Town Meeting Election held in Kittery on Tuesday, June 12, 2018. Said election was held in accordance with the provisions of M.R.S. 30-A.

TOTAL VOTES CAST 1939

Article 2: Shall the town vote to authorize Town Council to transfer up to \$125,000 from unassigned funds (unencumbered surplus) and appropriate and expend up to \$125,000 when necessary into account #2022 Compensated Absences, to maintain a positive fund balance to pay for accrued vacation and /or sick leave to settle any unpaid benefits owed to retiring employees in FY'18?

Town Council Recommends - Vote: Yes 7 No 0

YES 1622 **NO** 259 **BLANK** 58

Article 3: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$25,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend up to \$25,000 for the purpose of paying the town's cost on accepted insurance claims against the town?

Town Council Recommends - Vote: Yes 7 No 0

YES 1614 **NO** 252 **BLANK** 73

Article 4: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$100,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend up to \$100,000 for the purpose of providing the town's match to federal, state and non-profit grants?

Town Council Recommends - Vote: Yes 7 No 0

YES 1659 **NO** 218 **BLANK** 62

Article 5: Shall the town vote to authorize Town Council to transfer from unassigned funds (unencumbered surplus) an amount not to exceed \$40,000, when necessary and appropriate, and expend said amount to cover shortfalls in the FY'18 town departments' fuel accounts due to the unpredictable fuel pricing markets?

Town Council Recommends - Vote: Yes 7 No 0

YES 1653 **NO** 226 **BLANK** 60

Article 6: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$40,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend said amount for the purpose of providing the town's General Assistance Program as required by town, state and federal laws in FY'18?

Town Council Recommends - Vote: Yes 7 No 0

YES 1646 **NO** 202 **BLANK** 91

Article 7: Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$50,000 when necessary from the unassigned funds (unencumbered surplus) and to appropriate and expend said amount at the discretion of the Town Council to pay for emergency repairs and energy efficiency improvements to town-owned facilities that are not contemplated in the regular FY'18 operating budget?

Town Council Recommends - Vote: Yes 7 No 0

YES 1602 NO 241 BLANK 910

Article 8: Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$50,000 from the unassigned funds (unencumbered surplus) and to appropriate and expend said amount for a Municipal Property Tax Assistance program to credit property taxes owed for certain residents that meet the program requirements?

Town Council Recommends - Vote: Yes 7 No 0

YES 1674 NO 182 BLANK 83

Article 9: Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$450,000 from the unassigned funds (unencumbered surplus) and to appropriate and expend up to \$450,000 for the replacement of the Government Street Wharf for commercial and leisure use?

Town Council Recommends - Vote: Yes 7 No 0

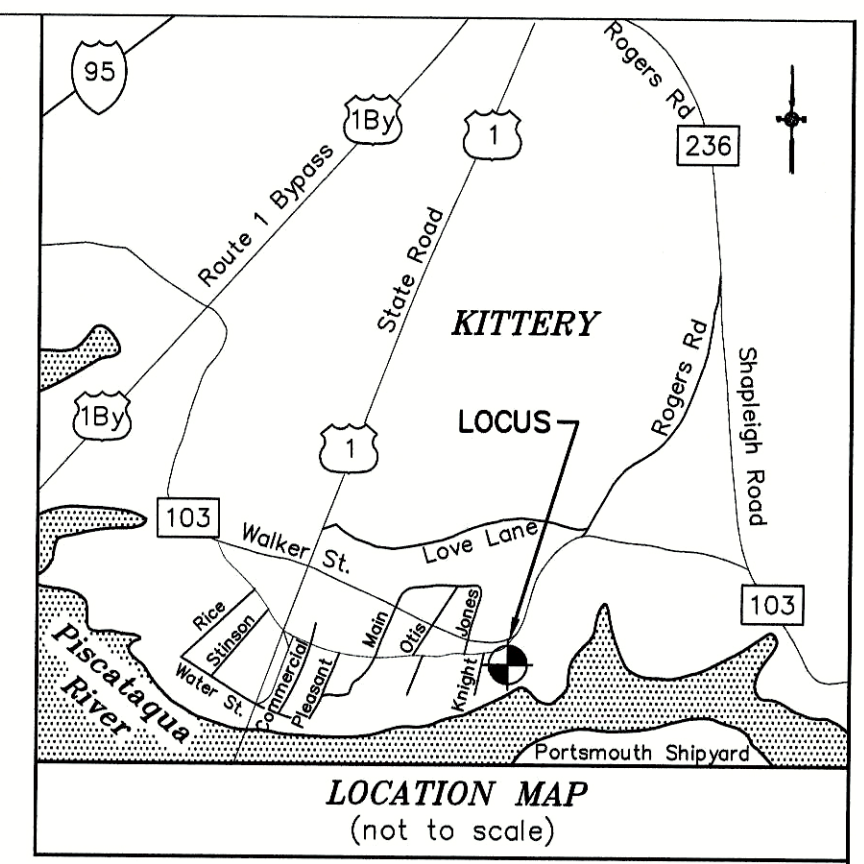
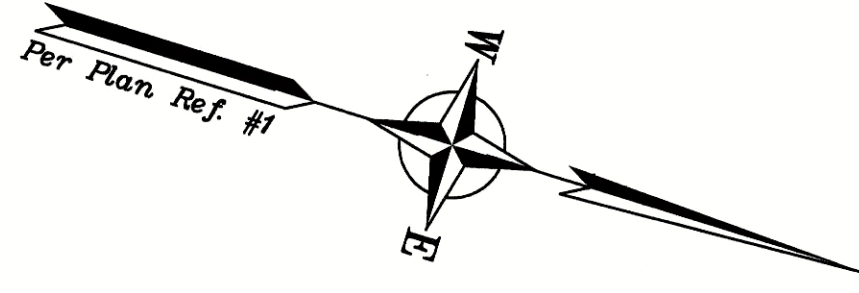
YES 1554 NO 294 BLANK 91


Joyce Tobey, Moderator

6-12-18
Date

A true copy

ATTEST: _____
Town Clerk



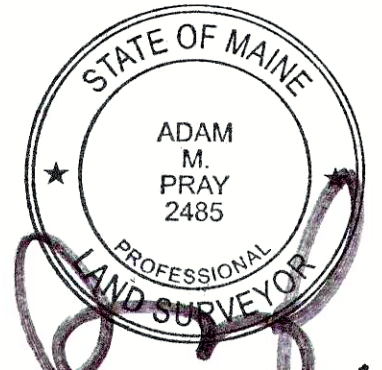
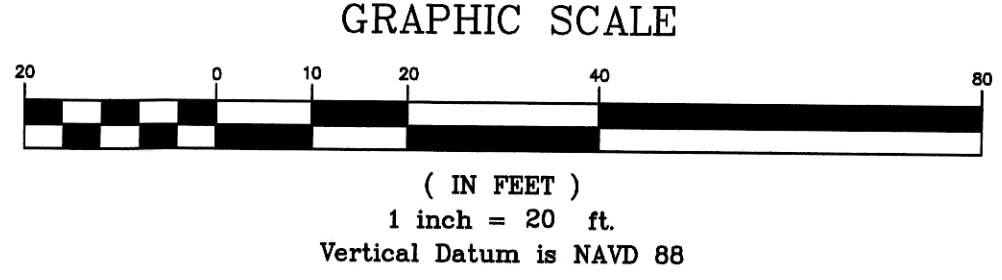
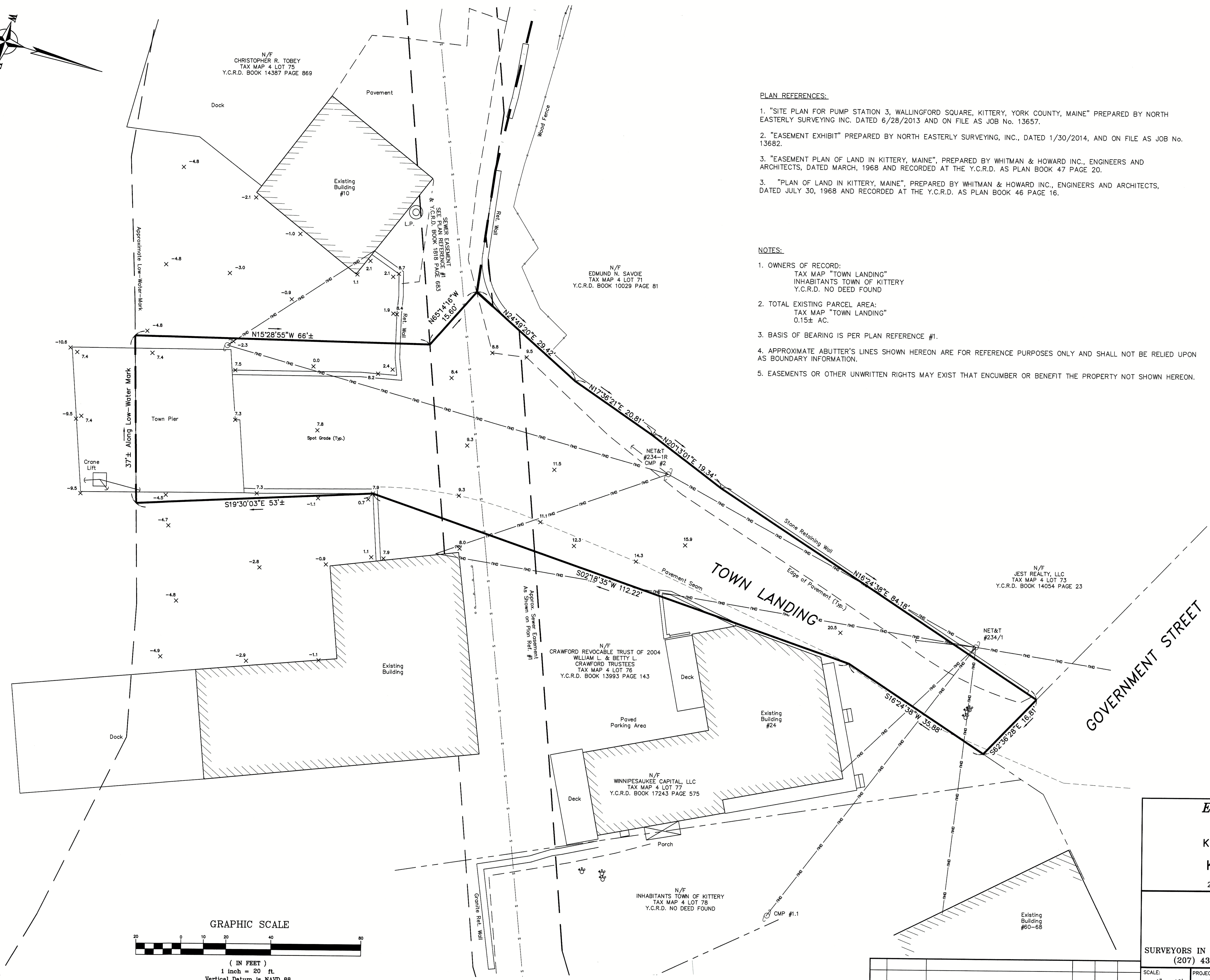
PLAN REFERENCES:

- "SITE PLAN FOR PUMP STATION 3, WALLINGFORD SQUARE, KITTERY, YORK COUNTY, MAINE" PREPARED BY NORTH EASTERLY SURVEYING INC. DATED 6/28/2013 AND ON FILE AS JOB No. 13657.
- "EASEMENT EXHIBIT" PREPARED BY NORTH EASTERLY SURVEYING, INC., DATED 1/30/2014, AND ON FILE AS JOB No. 13682.
- "EASEMENT PLAN OF LAND IN KITTERY, MAINE", PREPARED BY WHITMAN & HOWARD INC., ENGINEERS AND ARCHITECTS, DATED MARCH, 1968 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 47 PAGE 20.
- "PLAN OF LAND IN KITTERY, MAINE", PREPARED BY WHITMAN & HOWARD INC., ENGINEERS AND ARCHITECTS, DATED JULY 30, 1968 AND RECORDED AT THE Y.C.R.D. AS PLAN BOOK 46 PAGE 16.

NOTES:

- OWNERS OF RECORD:
TAX MAP "TOWN LANDING"
INHABITANTS TOWN OF KITTERY
Y.C.R.D. NO DEED FOUND
- TOTAL EXISTING PARCEL AREA:
TAX MAP "TOWN LANDING"
0.15± AC.
- BASIS OF BEARING IS PER PLAN REFERENCE #1.
- APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED UPON AS BOUNDARY INFORMATION.
- EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN HEREON.

PISCATAQUA RIVER



5/22/18

EXISTING CONDITIONS
FOR PROPERTY AT
Kittery Town Landing
Kittery, York County, Maine
PREPARED FOR
Kittery Port Authority
c/o Bruce Crawford
200 Rogers Rd., Kittery, Maine, 03904

North
W EASTERLY
SURVEYING, Inc.
SURVEYORS IN N.H. & MAINE 191 STATE ROAD, SUITE #1
(207) 439-6333 KITTERY, MAINE 03904

SCALE: 1" = 10'	PROJECT NO. 18613	DATE: 5/3/18	SHEET: 1 OF 1	DRAWN BY: A.M.P.	CHECKED BY: P.L.A.
--------------------	----------------------	-----------------	------------------	---------------------	-----------------------

DRAWING No: 18613 Boundary
FIELD BOOK No: "York #38" **Tax Map "Town Landing"**

REV.	DATE	STATUS	BY	CHKD	APPD.

M 4/78

10/10

10/10

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

PRESENT LICENSE EXPIRES 10-28-18

NEW application: Yes No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> 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"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>KITTERY FORESIDE LLC</u>	Business Name (D/B/A) <u>ANNEKE JANS</u>
APPLICANT(S) –(Sole Proprietor) DOB:	Physical Location:
DOB:	City/Town State Zip Code
<u>60 WASHINGTON SQUARE</u>	
Address	Mailing Address
<u>KITTERY ME 03904</u>	<u>60 WASHINGTON SQUARE</u>
City/Town State Zip Code	City/Town State Zip Code
<u>207-439-0001</u>	<u>KITTERY ME 03904</u>
Telephone Number Fax Number	Business Telephone Number Fax Number
<u>27-3499377</u>	<u>207-439-0001</u>
Federal I.D. #	Seller Certificate #: or Sales Tax #:
<u>JASONCANTY@COMCAST.NET</u>	<u>1147456</u>
Email Address: Please Print	Website:
	<u>ANNEKEJANS.NET</u>

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ — FOOD \$ 400K LIQUOR \$ 300K
- Is applicant a corporation, limited liability company or limited partnership? YES NO
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? Yes No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.
(Use an additional sheet(s) if necessary.)

License #	Name of Business
Physical Location	City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES NO
6. If manager is to be employed, give name: JASON CANRY
7. Business records are located at: 60 HAWINGFORD SQ. KITTERY ME 03904
8. Is/are applicant(s) citizens of the United States? YES NO
9. Is/are applicant(s) residents of the State of Maine? YES NO
10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
JASON ADAM CANRY	6/6/70	LOWELL, MA
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
KITTERY, ME		

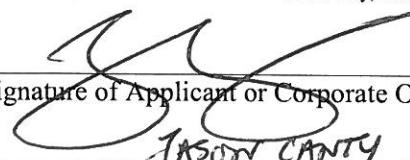
11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO
- Name: _____ Date of Conviction: _____
- Offense: _____ Location: _____
- Disposition: _____ (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit directly in your license, if issued?
Yes No If Yes, give name: _____
13. Has/have applicant(s) formerly held a Maine liquor license? YES NO
14. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: GOLDEN GOOSE PROPERTIES 21 MADBURY RD DURHAM NH 03824
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) 90 SEAT BISTRO DINNER SEVEN NIGHTS, BAR, KITCHEN + 2 BATHROOMS
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES NO Applied for: _____
17. 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
18. 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: BUSINESS LOAN / OPTIMA BANK + TRUST

The Division of Liquor Licensing & Enforcement 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 SEPTEMBER 18, 20 18
Town/City, State Date

Please sign in blue ink


 Signature of Applicant or Corporate Officer(s)
JASON CANTY
 Print Name

 Signature of Applicant or Corporate Officer(s)

 Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications).....	\$ 10.00
Class I Spirituous, 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 Spirituous, 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 Spirituous 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 Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

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

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:
 Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing and Enforcement
 8 State House Station, Augusta, ME 04333-0008 (Regular address)
 10 Water Street, Hallowell, ME 04347 (Overnight address)
 Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§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. [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-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. [2003, c. 213, §1 (AMD).]

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. [1995, c. 140, §5 (NEW).][2003, c. 213, §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,c.45, 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 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; [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; [2009, c. 81, §1 (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; and [2009, c. 81, §2 (AMD) .]

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. [2009, c. 81, §3 (NEW) .]

[2009, c. 81, §§1-3 (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) .]

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. [1993,c.730,§27(AMD) .]

[1995,c.140,§6(AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

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.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

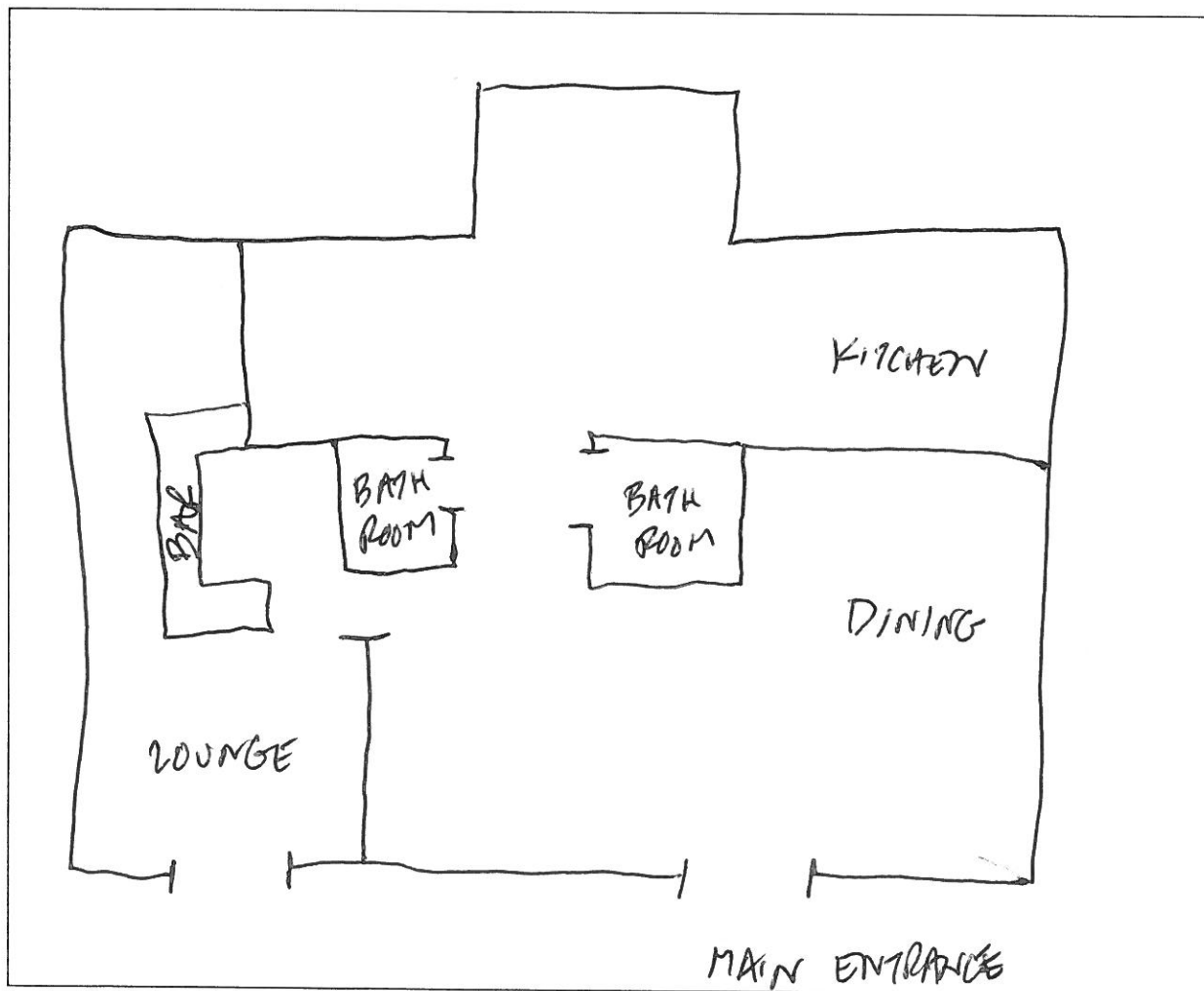
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347 (overnight)
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



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.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: KITTERY FORESIDE LLC
- Doing Business As, if any: ANNEXE VANS
- Date of filing with Secretary of State: OCT 2010 State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
JASON ADAM CANTY	49 LOVE LANE KITTERY, ME 03904	6-6-70	OWNER	100

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

- If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____


Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Owner or Corporate Officer

9-18-19

Date

JASON CANRY

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

10/10

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

PRESENT LICENSE EXPIRES 12/12/18

NEW application: Yes No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: 11/15/2018

Business hours: 11:30-9pm daily

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|--|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> 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"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Rolling in the mud llc	Business Name (D/B/A) When Pigs fly Pizzeria
APPLICANT(S) –(Sole Proprietor) _____ DOB: _____	Physical Location: 460 US route 1
DOB: _____	City/Town Kittery State ME Zip Code 03904
Address 460 US route 1	Mailing Address 40Brickyard ct
City/Town Kittery State ME Zip Code 03904	City/Town York State ME Zip Code 03909
Telephone Number 207-438-7036 Fax Number 207-363-2511	Business Telephone Number 207-363-0612 Fax Number 207-363-2511
Federal I.D. # 27-3936816	Seller Certificate #: 1148785 or Sales Tax #:
Email Address: info@sendbread.com Please Print	Website: www.whenpigsflypizzeria.com

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____

2. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 2,366,197 LIQUOR \$ 137,774

3. Is applicant a corporation, limited liability company or limited partnership? YES NO

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

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

If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

(Use an additional sheet(s) if necessary.)

License #	Name of Business

Physical Location

City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES NO

6. If manager is to be employed, give name: Ryan McNally

7. Business records are located at: 460 US Route 1 Kittery, ME

8. Is/are applicant(s) citizens of the United States? YES NO

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

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers.

Full Name (Please Print)	DOB	Place of Birth
Ryan Stephen McNally	4/16/88	York, ME
Emma Naomi Siegel	12/1/1990	York, ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
2 Wingate Lane Dover, NH 03820		
3 Idlewood Lane Kittery , ME 03904		

11. 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: Andrew Siegel/ Ryan McNally Date of Conviction: 5-80/ 2007,2008 Offense: OUI/ possession , misdemeanor Location: Portsmouth, NH/ Portlan ME, Portland ME

Disposition: Fine & Suspension/ Fine,Fine

12. Will any law enforcement official benefit directly in your license, if issued?

Yes No If Yes, give name: _____

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

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

15. Describe in detail the premises to be licensed: **(On Premise Diagram Required)** Same as last year see -attached

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

YES NO Applied for: _____

17. 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? 2.4 miles

Which of the above is nearest? school

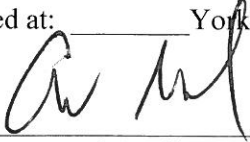
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

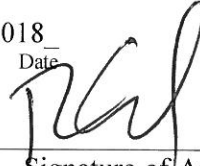
The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

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: York, ME on 9/16, 2018
Town/City, State Date



Please sign in blue ink



Signature of Applicant or Corporate Officer(s)
 Andrew Siegel
 Print Name

Signature of Applicant or Corporate Officer(s)
 Ronald Siegel
 Print Name

FEE SCHEDULE

FILING FEE: (must be <u>included</u> on all applications)	\$ 10.00
Class I Spirituous, 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 Spirituous, 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 Spirituous 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 Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)	\$ 495.00
CLASS V: Clubs without catering privileges.	
Class X Spirituous, Vinous and Malt – Class A Lounge	\$2,200.00
CLASS X: Class A Lounge	
Class XI Spirituous, Vinous and Malt – Restaurant Lounge	\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.	

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

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§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. [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-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. [2003, c. 213, §1 (AMD).]

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. [1995, c. 140, §5 (NEW).][2003, c. 213, §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, c. 45, 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 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; [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; [2009, c. 81, §1 (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; and [2009, c. 81, §2 (AMD).]

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. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (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).]

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. [1993, c. 730, §27 (AMD) .]

[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

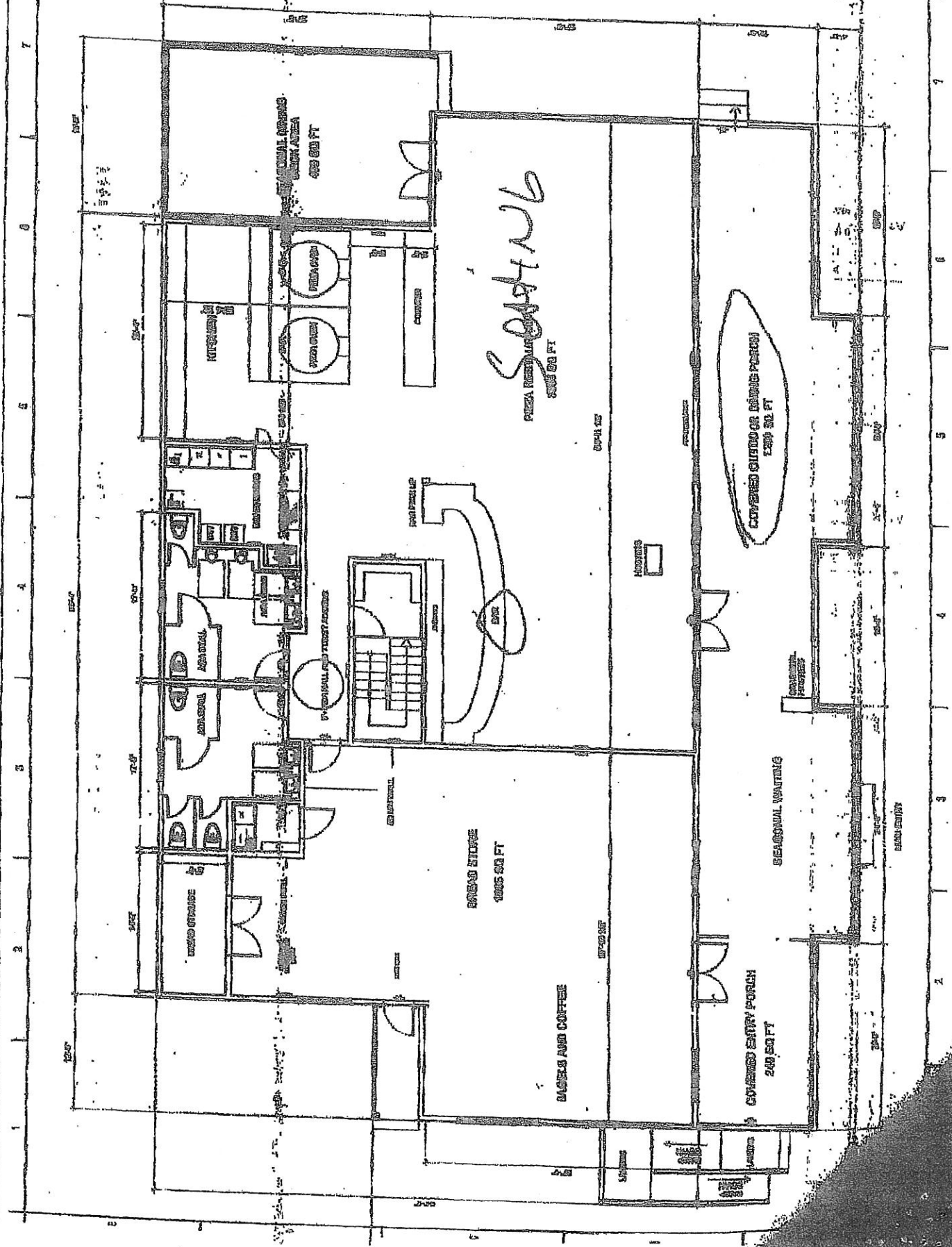
5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

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.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

WHEN PIGS FLY
ROTTLEBY, MAINE

PROJECT NO. 100-100
DATE: 10-1-83
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1/8" = 1'-0"



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.**

A large, empty rectangular box intended for the applicant to draw a facility drawing or floor plan. The box contains handwritten text in the center: "See Attached".



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes No

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: __Rolling in the Mud llc
2. Doing Business As, if any: When Pigs Fly Pizzeria
3. Date of filing with Secretary of State: _12-21-10_ 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 and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Ronald Siegel	25 Harbor Hill Rd York, ME	9/9/58	president	50
Andrew Siegel	11 Rams head lane York & 4 Snap hook Dr York, ME	3/3/62	Vice President	50

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

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

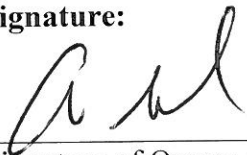
7. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes No

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: <u>ANDREW SIEGEL</u>	<u>RYAN MCNALLY</u>
Date of Conviction: <u>5/80</u>	<u>2007 & 2008</u>
Offense: <u>OUI</u>	<u>POSSESSION + MISDEMEANOR</u>
Location of Conviction: <u>PORTSMOUTH - NH</u> PORTSMOUTH - NH	<u>PORTLAND ME & PORTLAND ME</u>
Disposition: <u>FINE + SUSPENSION</u>	<u>FINE + FINE</u>

Signature:



Signature of Owner or Corporate Officer

9/16/18

Date

ANDREW SIEGEL

Print Name of Owner or Corporate Officer

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov