

Board of Selectmen

Charles R. Cunningham, Chairman
Steven C. Lewis, Vice Chairman
Dale C. Harmon
Kristina Ford
Michael Tomacelli

Town Manager

Daniel Bryer



Town of Boothbay
Board of Selectmen Meeting
Wednesday May 22nd, 2019
7:00 PM
Agenda

1. **Pledge of Allegiance**

2. **Public Hearing-** 1. Coastal Maine Botanical Gardens, applicant for a renewal of liquor license (Restaurant Class I,II,III,IV) Map R04, Lot 109 located at 132 Botanical Gardens Drive, Boothbay, ME. Also, a renewal of a Special Amusement Permit.
2. Carriage House Restaurant, owner Kelly Farrin, applicant for a renewal of liquor license, Class I,II,III,IV) Map U12 Lot 14 located at 388 Ocean Point Road, Boothbay, ME.
3. 1820 House Restaurant, Inc., (formerly Smuggler's Cove Inn), Map U06, Lot 11, located at 727 Ocean Point Rd, East Boothbay, Maine for renewal of a Special Amusement permit and an Innkeepers License at Smuggler's Cove Inn at the same location.
4. Cameron Clan Snack Co LLC at 798 Wiscasset Rd for a new Mobile Food Service License.

3. **Public Comment**

4. **Approve Minutes**

5. **Reports- Town Office Reports**

BOS Action Items

1. The landscaping around rte. 27 - Dormant
2. The Common project- Current
3. The Umaine Aqua Ventus project - Dormant
4. MDOT Park and Ride Facility- Dormant
5. Potential grant for electric vehicle charging station- Ongoing

Pending BOS Action Items

1. Broadband- Ongoing
2. The housing group is continuing to discuss availability of land or subdivisions near municipal water and sewer for the analysis of affordable, workforce, and elder housing options. - Ongoing



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3. BOS Meeting with Board Trustees- Ongoing
6. **Old Business-** 1. Broadband discussion
7. **New Business-** 1. Wharves and Weirs- Constance Jones, located at 4 Waterfront Road North, Tax Map R05, Lot 67-3. Applicant seeks approval to construct a 5' x 24' seasonal pier with a seasonal 36' x 3' runway and a 10' x 20' float orientated parallel to shore. The project also includes a skidway consisting of two 40' skids 9' apart anchored to the ledge.

2. Wharves and Weirs- Graham and Nancy Hurst, located at 333 Barters Island Road, Tax Map R04, Lot 102. Applicant seeks approval to construct a 37' x 6' pier to a seasonal 34' x 3' runway and a 10' x 20' float parallel to the shore. The project includes a 13' x 4' sloped walkway extended from an existing shed.

3. Mike Maxim- Boothbay Lights update
8. **Public Comment**
9. **Review Warrants**
10. **Adjourn Meeting**

TOWN OF BOOTHBAY

PUBLIC NOTICE

The Boothbay Board of Selectmen will hold a public hearing on May 22 , 2019 at 7:00 p.m. at the Boothbay town offices located at 7 Corey Lane, Boothbay, Me for the following:

Coastal Maine Botanical Gardens, applicant for a renewal of liquor license (Restaurant Class I,II,III,IV) Map R04, Lot 109 located at 132 Botanical Gardens Drive, Boothbay, ME.
Also, a renewal of a Special Amusement Permit.

To Register 5/13/2019

Run 5/16/2019

TOWN OF BOOTHBAY

SPECIAL AMUSEMENT PERMIT APPLICATION

Corporation or Business Names: Coastal Maine Botanical Gardens

Address of establishment: 132 Botanical Gardens Drive

Mailing address: P.O. Box 234, Boothbay, ME 04537

Name of Application/Owner: Coastal Maine Botanical Gardens

Other owners of Business: _____

Is Application: New: _____ Renewal: X Telephone #: 1033-8084

CLASS OF LICENSE APPLIED FOR:

- ☐ Class A - Unamplified vocal or instrumental music
☒ Class B - Entertainment other than music
☒ Class C - Amplified vocal or instrumental music
Class D - Dancing

Will admission fee be charged: Yes X No _____

Specifically described area to be used for entertainment purposes: Inner gardens

not parking areas

Schedule of Planned Entertainment: (days of the week, hours): Monday thru Sunday
There are only several events a month just land on different days. 6pm - 10pm

I certify that I am familiar with the SPECIAL AMUSEMENT ORDINANCE of the Town of Boothbay as adopted on August 29, 1979, and I agree to abide with all of the conditions and regulations contained therein.

Date of application

5-13-19

Receipt _____

Applicant's signature

[Signature]

Conditions or Restrictions:

Board of Selectmen - Licensing Board

Date of Hearing: _____

Scheduled Events so far

July 11th Annual Presidents Reception 6pm to 9pm

August 22nd for the member movie night 7pm to 10 pm

Gardens Aglow November 13th thru December 31st Thursday thru Sunday 4pm to 9pm with a couple Wednesday shows for Press night and Local Night.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0008
TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

NOTICE

To avoid any delay in the processing of your application and issuance of your liquor license, please make sure that:

- ☐ You completed the application in full. It is suggested to have submitted 30 days prior to the expiration date of your liquor license.
- ☐ Application and Corporate Questionnaire forms are signed by the owner(s) or corporate officer(s).
- ☐ The application is signed by the Town or City Municipal Officers or County Commissioners.
- ☐ The license fee submitted is for the correct Class you are applying for and includes the \$10.00 filing fee. The check can be made payable to "Treasurer, State of Maine" and both fees can be submitted on one check. If the business is located in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- ☐ Your room (if applicable), food and liquor gross income for the year is filled in
- ☐ A diagram of the facility to be licensed needs to accompany **ALL** New and Renewal applications.
- ☐ Corporations, limited liability companies, partnerships must complete and submit the Corporate Information Required for Business Entities who are Licensees. If not a publicly traded entity, ownership must add up to 100%.

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)

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
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:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

PRESENT LICENSE EXPIRES: 7/16/19

NEW application: ☐ Yes ☒ No

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

Requested inspection (New Licensees/ Ownership Changes Only) 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"/> GOLF COURSE (Class I,II,III,IV) | <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING |
| <input type="checkbox"/> OTHER: _____ | | <input type="checkbox"/> SELF-SPONSORED EVENTS |

(QUALIFIED CATERERS ONLY)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Coastal Maine Botanical Gardens	Business Name (D/B/A)
APPLICANT(S) –(Sole Proprietor) Coastal Maine Botanical Gardens DOB:	Physical Location: 132 Botanical Gardens Drive
DOB:	City/Town Boothbay State ME Zip Code 04537
Address 132 Botanical Gardens Drive	Mailing Address PO Box 234 Same As Above? <input type="checkbox"/>
City/Town Boothbay State ME Zip Code 04537	City/Town Boothbay State ME Zip Code 04537
Telephone Number 207-633-8084 Fax Number	Business Telephone Number 207-633-8000 Fax Number
Federal I.D. # 01-0476545	Seller Certificate #: or Sales Tax #: 1087573
Email Address: awilliams@mainegardens.org	Website: www.mainegardens.org

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 \$ 449,000 LIQUOR \$ 19000

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 permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

6. If manager is to be employed, give name: Amy S Williams

7. Business records are located at: 132 Botanical Gardens Drive, Boothbay, ME 04537

8. Is/are applicants(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
Erin McGregor Forbes, Portland Maine	09/15/1970	Washington DC
Amy S Williams, Boothbay Maine	05/24/1977	Boothbay Harbor, ME
Adam Harkins, Southport ME	10/11/1975	Bath, ME
11. Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Name: • See above	City:	State:
Name:	City:	State:
Name:	City:	State:

12. Has/have applicant(s) or manager ever been convicted of any violation of the law, other then 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)

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

Yes ☐ No ☒ If Yes, give name: _____

14. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ Full License since 2007 NO ☐

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

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) Cafe Building, Outdoor eating area terrace and Lawn

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

YES ☒ NO ☐ Applied for: _____

18. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 Miles

Which of the above is nearest? Church

19. 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: Donations & Grants

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: _____ on _____, 20____
Town/City, State Date

PLEASE SIGN IN BLUE INK


Signature of Applicant or Corporate Officer(s)
Amy S Williams
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 III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: 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 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.	
SELF-SPONSORED EVENTS: Qualified Caterers Only	\$ 700.00

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) .]



Alcoholic Beverages and Lottery Operations
Liquor Licensing & Enforcement
Post Office Station, Augusta, ME 04333-0008
Post Office Box 100, Hallowell, ME 04347 (overnight)
Phone: (207) 287-7220 Fax: (207) 287-3434
Email: MaineLiquor@maine.gov



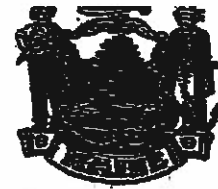
ON PREMISE DIAGRAM
(Facility Drawing/ Floor Plan)

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 with a thin black border, intended for the applicant to draw a facility drawing or floor plan.

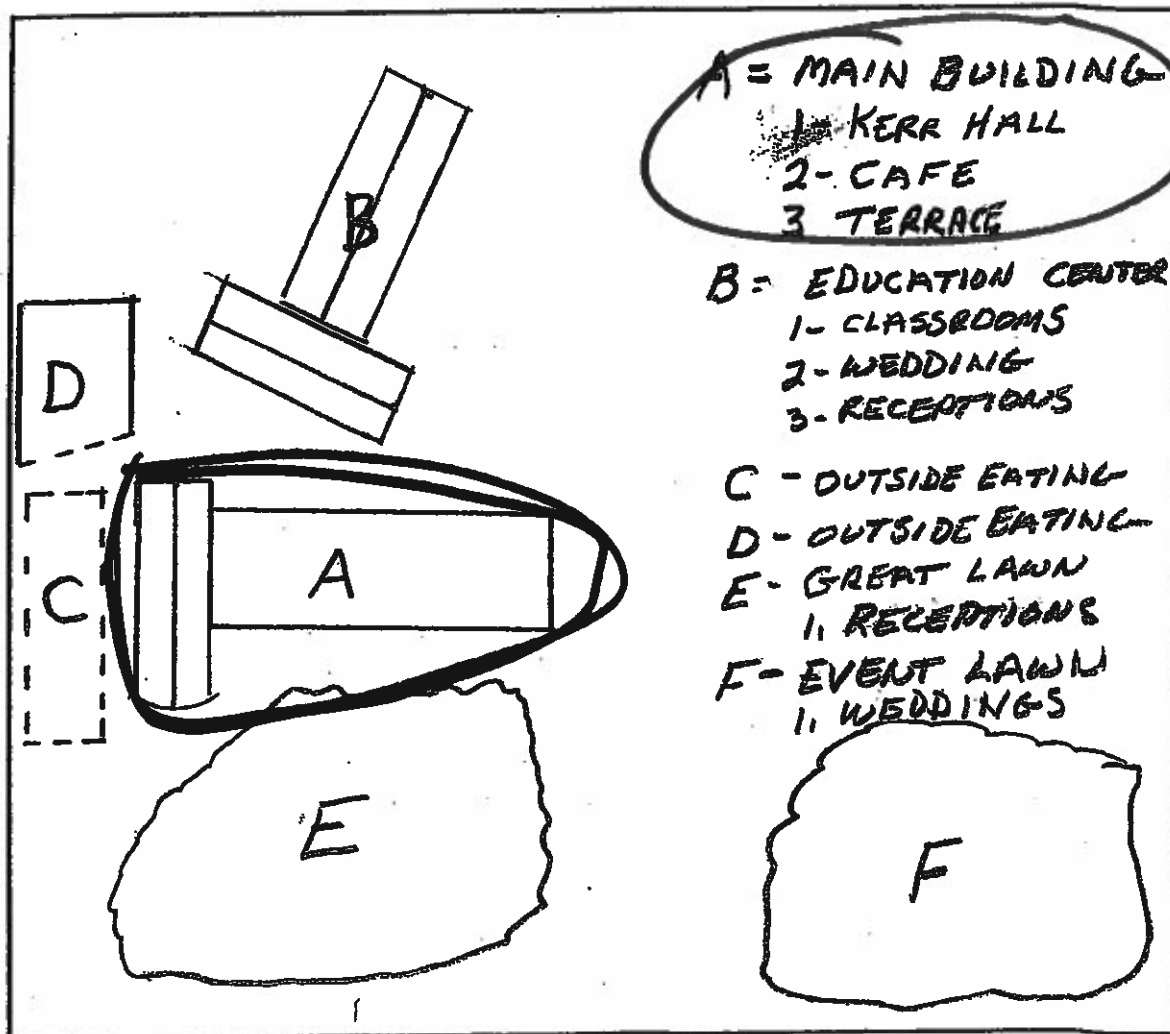




**SUPPLEMENTAL APPLICATION FORM
ON-PREMISE DIAGRAM**

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring 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 of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Department for liquor consumption.



Division of Alcoholic Beverages and Lottery
Operations

Questions 1 to 4 must
the Maine Secretary of
questions regarding this
Secretary of State's

Division of Liquor Licensing and Enforcement

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

match information on file with
State's office. If you have
information, please call the
office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Coastal Maine Botanical Gardens
2. Doing Business As, if any: _____
3. Legal Entity's FEIN #: 01-0476545
4. Date of filing with Secretary of State: 10/14/1992 State in which you are formed: ME
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
6. 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 %
Erin McGregor Forbes	188 Capisic Street, Portland Maine 04102	09/15/70	COO	0
David Emery	415 West Tyne Drive, Nashville TN 37205	09/28/44	Chairman	0
Louise McIlhenny	9 Hunts Cove Road Nobleboro ME 04555	02/23/50	Vice Chair	0
John Abbott	701 Belle Meade Blvd, Nashville TN 37205	9/11/54	Treasurer	0

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

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

8. 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

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

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

PLEASE SIGN IN BLUE INK

Erin MacGregor-Forbes
Signature of Owner or Corporate Officer

6/9/2019
Date

Erin MacGregor-Forbes, Chief Operating Officer
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

Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008 (Regular Mail)
10 Water Street, Hallowell, ME 04347 (Overnight Mail)
Telephone (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov



REQUEST FOR EXTENSION OF LICENSE ON PREMISE

Legal Name: Ocean Point Inn License Number: AOE-1920-4073
DBA Name: Ocean Point Inn Expiration Date: 5/25/2019
Physical Address: 191 Shore Road City, State, Zip Boothbay, ME 04544
Mailing address: PO Box 409 E. Boothbay ME 04544
Street / PO Box City State Zip
Phone: 207 633 4200 Fax: 207 633 6040 Email address: opi@oceanpointinn.com

Name, address, telephone number of Property Owner (if property is rented or leased, need copy of rental agreement / lease):

Anthony E. Krason 58c Ocean Ridge Drive, E. Boothbay, ME 04544
Temporary ☐ Permanent ☒ Inside ☐ Outside ☒ Live Entertainment: Yes ☐ No ☒ 207 446 4771
Start Date: 5/24/19 End Date (if applicable): Oct 14, 2019
Reason for this request: Liquor & food service poolside

This request for an extension of service area for on premise license location MUST have Town / County Commission approval and MUST have a diagram submitted with this form.

Outdoor Restrictions:

There must be a stanchion or fence completely enclosing the area. Signs must be posted, stating "no alcohol beyond this point". There must be sufficient employees at the extension of premise, which would be able to control and monitor the area.

Anthony E. Krason pres.
Signature of Owner / Corporate Officer

Anthony E. Krason
Printed Name of Owner / Corporate Officer

For Municipal Approval Only

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.

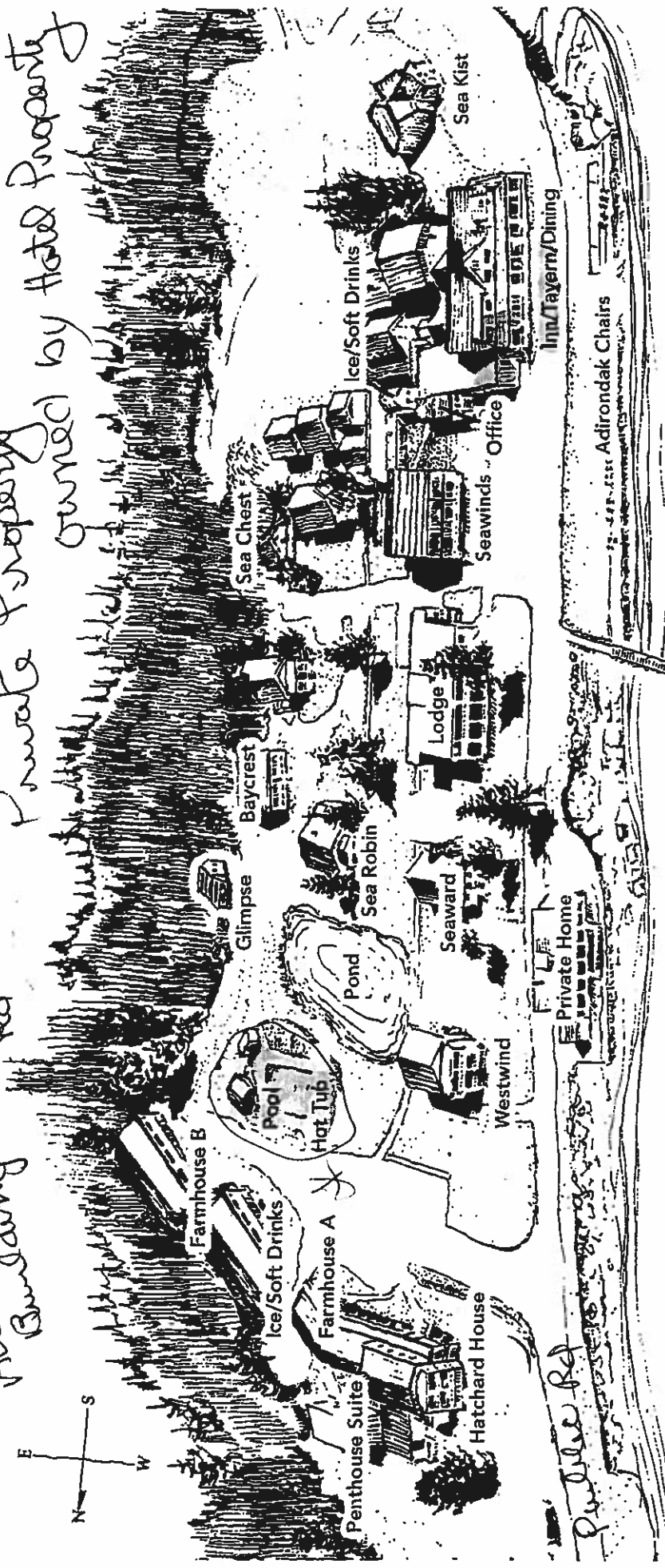
Dated at: Boothbay, Maine Lincoln
City/Town (County)

On: 5/22/19
Date

The undersigned being: ☒ Municipal Offices ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Boothbay, Maine

Signature of Officials	Printed Name	Title

All Building 14150000
 Building 14150000
 Private Property
 owned by Hotel Property



Linekin Bay

Atlantic Ocean



207-633-4200
www.oceanpointinn.com

Be sure to give the Front Desk
 your email address to receive email
 specials and event updates.

Office Hours: 7am - 11:00pm
 Check Out: 11:00am. If checking out before 7:30am
 please settle your account the prior night.

POOL & HOT TUB » 10am - Sunset
 Open Memorial Day Weekend to Columbus Day
 Pool is Heated mid June to mid September

DINNER » 5 - 9pm
 Dinner Nightly Memorial Day Weekend to Columbus Day

BREAKFAST » 7:30 - 10am
 Memorial Day Weekend to Columbus Day
 Full Hot Buffet Breakfast free for all guests

RECEIVED
 MAY 10 9 2005
 LIQUOR LICENSING
 DEPARTMENT

MAINE DEPT OF PUBLIC SAFETY

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



APPLICATION FOR SPECIAL PERMIT FOR CATERING PRIVILEGES

OFF PREMISES ~~\$10.00 (per day)~~

Seasonal

Check Payable: Treasurer State of Maine

License No.: HOF-1990 Name of Licensee: Ocean Point Inn

Mailing Address: 40-73 P.O. BOX 409

Town/ City: East Boothbay State: Maine Zip Code: 04544

Telephone: (207) 633-4200 Fax: (207) 633-6040

Title and Purpose of Event: Liquor Service Pool side (enclosed area)

Location of Event: Pool area

Physical Address: 191 Shore Road

Town/City: East Boothbay State: Maine Zip Code: 04544

☐ Indoor Event ☒ Outside Event (IF OUTSIDE AREA, DIAGRAM MUST BE INCLUDED)

Describe specific indoor and/or outdoor area to be licensed: Outdoor pool (fenced +

small lawn area fenced)

Date of Event: Season May 24 - Oct 14 Time - From: 11 AM To: 9 pm

Number of Persons Attending: max 80

Name of Sponsor: Ocean Point Inn

Address: 191 Shore Road Town/City: East Boothbay

State: Maine Zip Code: 04544 Telephone Number: (207) 633-4200

cell (207) 446-4771

Anthony E. Krason
Signature of Licensee or Corporate Officer

4/8/19
Date

Anthony E. Krason
Print Name of Licensee or Corporate Officer

FOR USE ONLY BY DEPT. OF PUBLIC SAFETY - LIQUOR LICENSING

RESTRICTIONS:

[] APPROVED - PERMIT # _____ DATED: _____

[] NOT APPROVED ISSUED BY: _____

RECEIVED
MAY 09 2019
Liquor Licensing
Enforcement

TOWN OF BOOTHBAY

PUBLIC NOTICE

The Boothbay Board of Selectmen will hold a public hearing on May 22, 2019 at 7:00 p.m. at the Boothbay town offices located at 7 Corey Lane, Boothbay, Me. for the following:

Carriage House Restaurant, owner Kelly Farrin, applicant for a renewal of liquor license, Class I,II,III,IV) Map U12 Lot 14 located at 388 Ocean Point Road, Boothbay, ME.

To Register 5/06/2019

Run 5/16/2018

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
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:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

PRESENT LICENSE EXPIRES: _____

NEW application: ☐ Yes ☒ No

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

Requested inspection (New Licensees/ Ownership Changes Only) Date : _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input 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"/> GOLF COURSE (Class I,II,III,IV) | <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING |
| <input type="checkbox"/> OTHER: _____ | | <input type="checkbox"/> SELF-SPONSORED EVENTS |

(QUALIFIED CATERERS ONLY)

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: CARRIAGE HOUSE RESTAURANT LLC			Business Name (D/B/A) CARRIAGE HOUSE RESTAURANT LLC		
APPLICANT(S) –(Sole Proprietor) KELLY P. FARRIN			DOB: 03/02/1983		
Address 398 OCEAN POINT ROAD			Physical Location: 398 OCEAN POINT ROAD		
City/Town EAST BATHURAY			State ME		Zip Code 04844
Mailing Address Same As Above? <input checked="" type="checkbox"/>					
Telephone Number 207-633-6025			Fax Number		
Business Telephone Number 207 633 6025			Fax Number		
Federal I.D. #			Seller Certificate #: or Sales Tax #:		
Email Address: KEL3283@AOL.COM			Website: EATCARRIAGEHOUSE.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 \$ 120,000 LIQUOR \$ 140,000

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 permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

5. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License #

Name of Business

Physical Location

City / Town

6. If manager is to be employed, give name: KELLY P. FARRIN

7. Business records are located at: CARRIAGE HOUSE RESTAURANT

8. Is/are applicants(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
KELLY P. FARRIN	05/02/1983	BATH, MAINE

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

Name: KELLY P. FARRIN	City: EAST BETHRAY	State: MAINE
Name:	City:	State:
Name:	City:	State:

12. 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)

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

Yes ☐ No ☒ If Yes, give name: _____

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

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

16. Describe in detail the premises to be licensed: (On Premise Diagram Required)

COMPLETE RESTAURANT INSIDE, FRONT DECK, PATIO

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

YES ☒ NO ☐ Applied for: _____

18. 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? 1.8 MILES

Which of the above is nearest? CHURCH

19. 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: BOOTHBAY on _____, 20 19
Town/City, State Date

PLEASE SIGN IN BLUE INK

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Print Name

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)	\$ <u>10.00</u>
Class I Spirituous, Vinous and Malt	\$ <u>900.00</u>
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 III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: 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 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.	
SELF-SPONSORED EVENTS: Qualified Caterers Only	\$ 700.00

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer. All 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: BOOTHBAY, Maine LINCOLN
City/Town (County)

On: MAY 22, 2019
Date

The undersigned being: ☒ Municipal Officers ☐ County Commissioners of the
☐ City ☒ Town ☐ Plantation ☐ Unincorporated Place of: Boothbay, 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.**

A large, empty rectangular box with a black border, intended for the applicant to draw a facility drawing or floor plan of the premises.



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

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

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: CARRIAGE HOUSE RESTAURANT LLC
2. Doing Business As, if any: _____
3. Legal Entity's FEIN #: _____
4. Date of filing with Secretary of State: _____ State in which you are formed: _____
5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: _____
6. 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 %
KENT P. GREEN	308 OCEAN POINT ROAD	03/02/1983	OWNER	100 %

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

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

8. 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

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

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

PLEASE SIGN IN BLUE INK



Signature of Owner or Corporate Officer

05/06/2019
Date

Kelly P. Fadden

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

TOWN OF BOOTHBAY

PUBLIC HEARING NOTICE

The Boothbay Board of Selectmen will hold public hearings at their regular Board of Selectmen's meeting on May 22, 2019 at 7:00 p.m. at the Boothbay town offices located at 7 Corey Lane, Boothbay, Maine for the following:

1820 House Restaurant, Inc., (formerly Smuggler's Cove Inn), Map U06, Lot 11, located at 727 Ocean Point Rd, East Boothbay, Maine for renewal of a Special Amusement permit and an Innkeepers License at Smuggler's Cove Inn at the same location.

To Register 5/6/19

Run 5/16/19

Fee 50.00 license fee
~~60.00~~ ~~45.00~~ advertising

Map _____ Lot _____

TOWN OF BOOTHBAY

LICENSE APPLICATION FOR INNKEEPERS AND LODGING HOUSES

APPLICANT'S NAME & POSITION: ALAN FIRPO owner

NAME OF BUSINESS: Smugglers Cove INN & 1820 HOUSE RESTAURANT TELEPHONE 207-633 2800

BUSINESS ADDRESS: 727 OCEAN POINT RD email: _____
EAST BOOTHBAY, ME 04544

MAILING ADDRESS: SAME ZIP _____

INNKEEPER:

LODGING HOUSE:

☒ (Hotel/Motel) 54 No. of Rooms _____ (Bed & Breakfast) _____ No. of Rooms

Length of Season May to OCT
Month Starting Month Ending

KNOW ALL MEN THAT I/WE ALAN FIRPO of EAST BOOTH BAY, ME

AS PRINCIPAL OWNER AND I/WE _____ and _____

As surety has been duly licensed as a(an) INNKEEPER OR LODGING HOUSE, under the authority granted the Municipal Officers at 30-A M.R.S.A., Section 3801, within said Town of Boothbay, until the first Monday of May Next and that said principal and surety shall in all respects conform to the provisions of law relating to the business For which this license is issued, lest this obligation shall be voided.

R2 Principal

Surety

Surety

We hereby approve / deny this application as presented.

Board of Selectmen

5/6/2019
(date)

Public Hearing date: 5/22/19 Receipt #: _____ Date: 5/6/19

Paid \$110 - LPM

TOWN OF BOOTHBAY

SPECIAL AMUSEMENT PERMIT APPLICATION

Corporation or Business Names: Smugglers Cove Inn & 1420 House Restaurant Telephone #: 207 633 2800

Address of establishment: 727 Ocean Point Rd, Boothbay ME 04544 Map U06 Lot 11

Mailing address: SAME

Name of Application/Owner (s): ALAN FRAS

Email: afiras528@aol.com

Is Application? New: ☐ Renewal: ☒

CLASS OF LICENSE APPLIED FOR:

- ☐ Class A - Unamplified vocal or instrumental music
☐ Class B - Entertainment other than music
☒ Class C - Amplified vocal or instrumental music
☐ Class D - Dancing

Will admission fee be charged? Yes No ☒

Specifically described area to be used for entertainment purposes:

INSIDE RESTAURANT

Specifically planned entertainment (days of the week, hours):

Weekends 4-9
Week days 5-9

I certify that I am familiar with the SPECIAL AMUSEMENT ORDINANCE of the Town of Boothbay as adopted on August 29, 1979, and I agree to abide with all of the Conditions and regulations contained therein.

Applicant's signature: [Signature]

Date of Application: 5/6/2019

Date of Hearing: 5/22/19

Board of Selectmen-Licensing Board:

Conditions or Restrictions:

TOWN OF BOOTHBAY

PUBLIC HEARING NOTICE

The Boothbay Board of Selectmen will hold a public hearing at their regular Board of Selectmen's meeting on May 22, 2019 at 7:00 p.m. at the Boothbay town offices located at 7 Corey Lane, Boothbay, Maine for the following:

Cameron Clan Snack Co LLC at 798 Wiscasset Rd for a new Mobile Food Service License.

To Register 5/8/2019 Run May 16th edition

TOWN OF BOOTHBAY

APPLICATION FOR MOBILE FOOD SERVICE OR ICE CREAM TRUCK

APPLICATION FEE: \$100.00 Advertising: \$60

DATE RECEIVED 5-6-19

PUBLIC HEARING DATE: 5/22/19

Pd \$160.00 5/6/19 QM

Business Name: Cameran Clan Snack Co

Mailing Address: PO Box 120 Boothbay ME ZIP 04537

Business Phone Number: 207 838 3381 email: CClSnackCo@gmail.com

Applicant's Address: 68 Thim Cove Rd Date of Birth: 1-15-72

Applicant's Address: ZIP 04537

Where is your base station? Boothbay ME 798 Wiscasset Rd

What will be your hours of operation? Sunrise - Sunset

What will be your days of operation? 7 days A Week
we will be open when its Sunny no set days

Description of Vehicle(s): (Please submit photos of vehicles, license plate numbers of vehicles being used, copy of current registration(s), and a copy of your liability insurance policy for same.)

Cher Tahoe - 733 230

Driver's name(s), and copy of Driver's License for each driver. Lester Spear

What products will you be selling from your vehicle(s), and are they pre-packaged, or prepared on-site?

popcorn - Fudge - Lemonade

Please attach copy of State of Maine Business License.

Signature of Owner(s)

we are buying the property at 798 Wiscasset Rd.
That property is Designated For Retail Use. we will pop
corn there on busy weekends + weekdays.

LIMITED LIABILITY COMPANY

STATE OF MAINE

NONCOMMERCIAL REGISTERED AGENT

**STATEMENT OF
APPOINTMENT or CHANGE
(for Maine or Foreign LLC)**

Cameron Clan Snack Co., LLC

(Name of Maine or Foreign Limited Liability Company)

File No. 20185057DC Pages 2
Fee Paid \$ 35
DCN 2191092310055 AGNT
FILED
04/16/2019


Deputy Secretary of State

A True Copy When Attested By Signature


Deputy Secretary of State

Pursuant to 5 MRSA §§105, 108, & 109 the undersigned limited liability company executes and delivers the following statement of appointment and/or change of name or address by a noncommercial Registered Agent.

FIRST: ("X" all boxes that apply)

- A. ☐ change of address
- B. ☒ change to/of noncommercial registered agent and address
- C. ☐ change of noncommercial registered agent
- D. ☐ change in name of current noncommercial registered agent

SECOND: The name and address of the current registered agent appearing on the record in the Secretary of State's office:

Jennifer Ingham

(name of current registered agent)

599 State Route 129, Walpole, ME 04573

(physical street address, city, state and zip code)

P.O. Box 103, Walpole, ME 04573

(mailing address if different from above)

THIRD: (For foreign limited liability companies only)

Jurisdiction of Organization: _____

Date authorized to transact business in the State of Maine: _____

FOURTH: Complete this item as follows based on your selection in Item First:

- A. The new address of the noncommercial registered agent (provide address information only);
- B. The name and address of the new noncommercial registered agent (provide name and address information);
- C. The name of the new noncommercial registered agent (provide name only); OR
- D. The new name of the current noncommercial registered agent (provide name only).

Melissa Holmes Whitt

(name of new noncommercial registered agent or new name of current noncommercial registered agent)

251 Ocean Point Rd., Boothbay Harbor, ME 04538

(physical street address, not a P.O. Box – city, state and zip code)

(mailing address if different from above)

FIFTH: Pursuant to 5 MRSA §§105.2 or 108.3, the registered agent as listed above has consented to serve as the registered agent for this limited liability company.

SIXTH: The undersigned noncommercial registered agent of the following limited liability company(s) has notified each limited liability company of the change indicated in Item First A or D:

Name of Limited Liability Company	Jurisdiction	Date authorized or organized in Maine
-----------------------------------	--------------	---------------------------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ Names of additional limited liability companies attached hereto as Exhibit ____, and made a part hereof.

Dated 4-10-19

*By 
(authorized signature)

Lester Spear, Member
(type or print name and capacity)

*This statement **MUST** be signed as follows:

- (1) if Item First, A or D was selected, then by the noncommercial registered agent; OR
- (2) if Item First, B or C was selected, then by a person authorized by the limited liability company

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752 Email Inquiries: CEC.Corporations@Maine.gov

MAINTENANCE

**DRIVER'S
LICENSE**

**USA
ME**



+ SPEAR

ZLESTER D

PO BOX 33

STRATTON ME 04982

Id 9546242

4d ISSUED

4d EXPIRES

01/22/2016

01/15/2022

3 DOB 01/15/1972

15 GENDER

18 HEIGHT

17 WEIGHT

18 EYES

18 HAIR

M

6-01"

215

BL

BRN

9 CLASS C

10 ENDOR

12 REST



State of Maine

DEPARTMENT OF HEALTH AND HUMAN SERVICES

EST ID. 24231

EATING PLACE - MOBILE

CAMERON CLAN SNACK CO
68 TWIN COVE RD
BOOTHBAY ME 04537

EXPIRES: 04/10/2020

FEE. \$200.00

ATTN LESTER SPEAR
CAMERON CLAN SNACK CO LLC,
COMPANY
CAMERON CLAN SNACK CO
PO BOX 120
BOOTHBAY ME 04537



James H. Rankin
Commissioner

NON-TRANSFERABLE

Filing Fee:
\$85.00

Maine check payable to:
Secretary of State

Please file by
April 1, 2019

STATE OF MAINE
2019 ANNUAL REPORT
FOR LIMITED LIABILITY COMPANIES ON FILE AS OF
DECEMBER 31, 2018

Pursuant to 31 M.R.S.A. §1005.3, the information on the
report must be current as of the date signed.

Do not change any preprinted information on this form.

Filing by April 1, 2019 will allow
us to provide better service. The
report filing deadline is still June
1, 2019. A \$50 late filing fee will
be assessed if the report is late.

DCN Number:

2190019152956

Charter Number:

20185057 DC

CAMERON CLAW SNACK CO., LLC
JENNIFER INGHAM, REGISTERED AGENT
PO BOX 103
WALPOLE, ME 04573

If you have any questions regarding the completion of this annual report or if the preprinted information on this report form is incorrect, contact the Reporting & Information Section at (207) 624-7752. All corporate forms are available on our website at www.maine.gov/sos/cor/corp. To file your annual report online, go to www.SOSonline.org and click on the Interactive Corporate Services link. Please see reverse side of this form for additional filing instructions. --> --> -->

1. A brief statement of the character of the business in which the limited liability company is actually engaged in the State of Maine; if none, so indicate: (31 M.R.S.A. §1005.1(2))

Manufact Production of Kettle Popped Popcorn for Wholesale and Events

2. Name of at least one Member or Manager, or other authorized person: (31 M.R.S.A. §1005.1(3))

Jennifer Ingham, Manager/Owner

Lester Spear, Spear and Associates
Co-Owner

Street address of each (not P.O. Box):
(physical location (not P.O. Box) - street, township, zip)

599 State Route 129 Walpole, ME 04573

13 Trillium Loop
Wyman, ME 04982

THIS PREPRINTED FORM MUST BE USED. However if more space is needed, please attach additional pages, using one side only. All attachments must contain the name and charter number of the limited liability company across the top of the page. Each page should be numbered consecutively. List number of pages attached: _____

Dated: 1/10/19

Jennifer Ingham
AUTHORIZED SIGNATURE
Jennifer Ingham / Co-Owner Manager
(TYPE OR PRINT NAME AND CAPACITY)

(Signature - 31 M.R.S.A. §1005.1(3). Penalty for false or willfully false info - 31 M.R.S.A. §1007)

RETURN TO: Reporting Section, Bureau of Corporations, Elections and Commissions, 401 State House Station, Augusta, ME 04333

FORM NO. 1010-13 (Rev. 4/7/2011)

ME **MAINE MOTOR VEHICLE INSURANCE IDENTIFICATION CARD**
(STATE) The policy provides the minimum insurance required by law.

COMPANY NUMBER 13072 COMPANY ☒ COMMERCIAL ☐ PERSONAL
United Ohio Insurance Co

POLICY NUMBER CFP0030410 EFFECTIVE DATE 4/24/2019 EXPIRATION DATE 4/24/2020

YEAR 2008 MAKE/MODEL CHEVROLET TAHOE VEHICLE IDENTIFICATION NUMBER 1GNFK13098R220998

AGENCY/COMPANY ISSUING CARD

Chapman and Chapman
PO Box 1030 108 Main Street
Damariscotta ME 04543 (207)563-3143

INSURED

Cameron Cian Snack Co
PO Box 120

Boothbay ME 04537

SEE IMPORTANT NOTICE ON REVERSE SIDE

**THIS CARD MUST BE KEPT IN THE INSURED
VEHICLE AND PRESENTED UPON DEMAND**

IN CASE OF ACCIDENT: Report all accidents to your Agent/Company as soon as possible. Obtain the following information:

1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

ME

MAINE MOTOR VEHICLE INSURANCE IDENTIFICATION CARD

(STATE) The policy provides the minimum insurance required by law.

COMPANY NUMBER

13072

COMPANY

United Ohio Insurance Co



COMMERCIAL



PERSONAL

POLICY NUMBER

CPF0030410

EFFECTIVE DATE

4/24/2019

EXPIRATION DATE

4/24/2020

YEAR

2018

MAKE/MODEL

REM 7X16 CGR

VEHICLE IDENTIFICATION NUMBER

POPCORN TRAILER 4YMCL1621PT031541

AGENCY/COMPANY ISSUING CARD

Chapman and Chapman

PO Box 1030

Damariscotta

108 Main Street

ME 04543

(207)563-3143

INSURED

Cameron Clan Snack Co

PO Box 120

Boothbay

ME 04537

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1. Name and address of each driver, passenger and witness.
2. Name of Insurance Company and policy number for each vehicle involved.

Lynn Maloney

From: Lester Spear <ccsnackco@gmail.com>
ent: Tuesday, April 30, 2019 4:15 PM
To: Lynn Maloney
Subject: Cameron Clan Snack Co Mobile Food Service Application
Attachments: annual report.pdf; Copy of Aut Registration 2018-2019; Copy Of Lester Spears Maine Drivers Licence; DHHS Food Mobile Licence; Town Of Boothbay Application for Mobile Food Vending; IMG_9722.HEIC

Lori

Please find the attached information for the Mobile food vending application. I will bring a check over tomorrow. I also still need to get the Insurance information to you Im waiting for my Ins co to send it over.

Thanks,

Lester Spear
207-838-3381

Increasing Broadband Access in Boothbay

Business analysis and Recommendations

May 2019

Objective

Boothbay wishes to position the town for economic growth and year round jobs, and it understands that broadband performance is critical to that objective. A strategy is required to:

1. Provide adequate service to existing residential and traditional commercial customers as well as completing the grid to include competitive options that include unserved/underserved residential customers.
 - a. Adequate residential service is currently defined as 25 Mbps (down) and 4Mbps up (as reported by Island Institute and based on federal standards). There are no separate standards for commercial users.
2. Support residential customers that have no service through current provider (Spectrum or Consolidated) with competitively priced options. In 2019 that standard requires a “wired” connection. Support includes development of competition through leveraging town (and willing commercial) collective bargaining strengths.
3. Develop a model of leveraging the town’s assets to attract competition in service to the objectives of all consumers of Broadband in the town.

Engagement

The town of Boothbay, Maine, engaged myself, Tom Myette, and my firm Omnihelios to perform 40 hours of work toward the effort of understanding its current broadband performance levels and future broadband requirements. The recommended approach was summarized and presented in April 2019. (Exhibit DOC-1).

Summary

Boothbay broadband performance is not, on the whole, underserved. Commercial users are satisfied with response from 3 vendors (Spectrum, Consolidated, LCI/Tidewater) and there is active bidding for their accounts and experienced support for negotiating the best contracts and services. Residential users, however, and particularly those outside of negotiated “residential” standards (for example 2 pole/250 private drives), are unable to get the same service levels at the same prices.

1. Speeds up to 1Gbps are supplied to commercial users, while some outlying residences perform below 25Mbps for the same monthly fees. Direct dedicated lines have been run to single use commercial customers – often passing through residential neighborhoods. Accessibility to residences is a design and provider business option.
2. Business models for commercial customers are proactive and logical, while some of the challenges facing consumers with the same exact technical requirements are draconian, obtuse and truly bizarre. There is no apparent technical, profitability, or other reason to make a business case for this disparity except a **lack of competition**.
3. Residential “exception” users outside of service standards (250’/2 poles) are apparently the most unserved/underserved based on anecdotal data. This information is considered proprietary by the current providers Spectrum and Consolidated, who provide the bulk of the broadband trunk lines to these neighborhoods.
4. Residential users are not skilled, nor have the leverage to negotiate competitive options because individually they cannot provide an incentive for legacy providers to provide competitive pricing (for buildouts) and cannot influence new entry into the market on their own
5. While the town may not have an interest in paying for Residential “exception” longer connections, the town can, and should offer assistance either contractually or strategically in broadband coverage in the area.
6. State Level funding requires expensive survey’s (\$150k in the case of one local town) to determine **what the providers know already: the specific locations underserved market**.
7. While Boothbay would have difficulty on the whole qualifying for state grants as “unserved” or even “underserved” given these competitors and what is locally possible for most customers, the exceptions are meaningful, and the service standards for the retail clients **impact the very local home offices most likely to need it (longer driveways on expensive properties with customers who wish to telecommute or operate home businesses part, or full time)**.

The problem then, is managing resources and expectations and leveraging local strengths to address exceptions. That is - Boothbay’s problem is not a general condition of underservice.

Work Strategy

Residential service levels and commercial service levels are not the same, in Boothbay and elsewhere on the peninsula but often commercial demand drives retail service levels. In order to understand the problem of the underserved, we begin with the significant businesses and their provider relationships – including the Coastal Maine Botanical Garden (CMBG) by Consolidated, the Bigelow Lab lines along Back Narrow’s by Tidewater, the Boothbay Country Club/Ocean Front Resort by Spectrum, and the Washburn and Doughty line in East Boothbay also by Spectrum. Each of them has been able to get high speed fiber connections, usually dedicated to them (but not always) and are the reason why Boothbay has attracted the attention of three providers to our area (Consolidated, Tidewater, and Spectrum) and a 4th (Axiom) that is eager to enter our marketplace.

1. Interview Commercial Clients:

- a. To understand current service levels and satisfaction levels of major businesses (See list 1.c). This will define the nature and scope of what is currently possible in the town as well as how we might leverage the infrastructure they are driving to better serve residential customers.
 - b. To determine from those same businesses (1.c) future plans and future requirements that might impact broadband demand – and to see if those businesses anticipated any difficulty in getting those services.
 - c. Understand, coordinate, introduce and leverage local IT experience in town wide negotiations.
- 2. Understand Exceptions:
 - a. Perform Public forums and develop simple survey.
 - b. Identify patterns in service gaps in “unserved” (no hard wired cable) or “underserved” residents (Note: does not include a complete residential survey).
- 3. Identify Strategic Opportunities to improve broadband service levels
 - a. Review current agreements (“Franchise Agreement”).
 - b. Consider business models of new providers to foster competition through partnership and directed competition including leveraging financing.
- 4. Comply with ConnectME and other grant opportunity steps within scope of Boothbay.
 - a. Share information with Boothbay Harbor (and access to work, invite to meetings).

Note on Surveys: Understand of a town’s “unserved” and “underserved” status is required by ConnectME and other grants to help establish funding priorities. While some towns have attempted surveys (paper, online) response for a number of reasons has not been anything more than anecdotal information (See Edgecomb). Other towns, including Topsham/Pownal have engaged expensive audits (\$150k) to perform this work – for information that already exists but is “proprietary.” Since this was out of scope, Boothbay may have better options outside of ConnectME, and ConnectME is reconsidering survey requirements in light of their ineffectiveness, we have recommended the Public Forum option alone.

The Work

Principals at the 4 major commercial broadband users in Boothbay were engaged for interviews performed by Mr. Myette. In attendance was Dan Bryer, Town Manager. They included Coastal Maine Botanical Gardens, Bigelow Labs, Boothbay Country Club, and Washburn and Doughty. Summary of findings attached (DOC:) Each of these users had successfully negotiated better contracts with one of three providers: Consolidated, Spectrum, and Tidewater.

After that work, interviews with Jeff Letourneau, UMaine (MaineREN) were conducted via video conference. In attendance were Dan Bryer, Kristina Ford. Tom Woodin from Boothbay Harbor was invited, acknowledged, and chose not to attend.

Mr. Myette reviewed the Franchise Agreement with Mr. Bryer (Last negotiated 1992). Mr. Myette solicited the input of the Local Access Channel regarding budgets and the related Franchise agreement

on their operation but after repeated requests the Local Access Channel declined to agree to an interview.

Mr. Myette and Mr. Bryer engaged a local provider who competed with the current providers on the peninsula, LCI/Tidewater. There we learned of their business model (and their technical standards) and their interest in expansion. We also engaged them on some potential new services envisioned as an outcome of this Broadband initiative.

A Public hearing was held on May 9th, attended by two unserved users who run businesses on Back River Road. They took a survey to their neighbors who they said would submit information to the town Manager, Mr. Bryer for our records. We discussed their frustration with current service providers and attempts to negotiate a solution.

Mr. Myette drove Back River Road for a visual inspection of driveways and current lines.

Notes and emails summarized in this document.

Findings/Recommendations (in bold print).

1. Local Providers: Boothbay has at least 4 broadband options competing for clients in the region (Spectrum, Consolidated, LCI/Tidewater, Axiom). High speed fiber optic cable runs down Route 27 (multiple vendors including Consolidated & Spectrum) and Back Narrows road (Tidewater) and Back River Road. There may be more (not in scope to audit all lines). As a result of bidding to Coastal Maine Botanical Gardens (CMBG), Washburn and Doughty, Bigelow high speed fiber exists to three points of service that otherwise may have been underserved – and these lines are upgraded constantly as service demands increase. While some lines are dedicated (and not “looped” for connections to residences en-route) the commercial and educational services have attracted active bidding and competition in our area.
 - a. **Organize, consolidate, and leverage local strengths including TIF’s, large non-profit users interested in giving back to community, large users interested in attracting local employees to develop new partnerships for underserved and unserved users (See RFP below).**
 - b. **Local competitors offer more attention and reasonable pricing because they do business in our back yard. They do not compare profitability models with New York, Boston or even Portland (like the big companies) where resources are directed first.**
2. Impact of Commercial Clients on local broadband service.
 - a. Boothbay hosts 4 major broadband users: Coastal Maine Botanical Gardens (CMBG), Bigelow Labs, Washburn and Doughty, Boothbay Harbor Country Club.
 - b. None of these commercial establishments compete with each other, all are interested in attracting employees of their own to the region (and thus interested in residential broadband service levels).

- c. All 4 commercial users interviewed were “satisfied” or “happy” with service levels and attention and all had major upgrades within the past year and were serviced by Spectrum, Consolidated, or Tidewater.
 - d. All 4 commercial users interviewed have sophisticated negotiation experience that they are willing to share.
 - i. MaineREN connection through Bigelow (available for limited classes of commercial users like schools, libraries and public institutions).
 - ii. Support/consulting firms employed for internal design and specifications.
 - iii. Professional IT staff with on the ground experience of pitfalls, negotiations, and other information.
 - e. In all cases except the Bigelow/Tidewater relationship – dedicated fiber run to these businesses was apparently not reusable (“looped”) for residential connections along the same line.
 - f. **Draw from these organizations IT experience to help negotiate future partnerships and RFP’s. Include these IT professionals in a town/peninsula wide Broadband consortium.**
 - g. **Consolidate community businesses negotiating power to include improved residential service levels and access.**
 - h. **Ask these organizations as part of their own RFP’s to require “looped” fiber as a trunk standard along public ways to their property.**
3. Wifi Hot spot exists in town on the town Common. And although inside users (Point of Sale for Farmers and other markets) are aware of this it was unknown to many when this consultation began.
- a. ***Develop (or buy or borrow) hot spot applications that channel users through updated options to drive business to local businesses (NOTE: LCI DEMO SCHEDULED FOR JUNE 2019).***
 - b. ***Post physical signs directing users in hot spot sites.***
 - c. ***Advertise hot spot access in marketing materials, and when promoting trade shows on hot spot sites.***
 - d. ***Money from advertisers could make up in part for some lost funds to Local Community Access Channel. .***
4. ConnectME. The ConnectME Authority is a public instrumentality of Maine state government whose mission is to facilitate the universal availability of broadband to all Maine households and businesses and help them understand the valuable role it can play in enriching their lives and helping their communities thrive. <https://www.maine.gov/connectme/about>
- a. Determining precise exceptions (e.g. long drives on Back Narrows) has cost other community’s ~\$150k and months to provide in order to establish “need” and there is a low likelihood that we would qualify for attention...
 - b. ...Focused on “unserved” and “underserved” – which with limited exception does not apply to Boothbay community.
 - c. Boothbay has other access to capital, supporting commercial users and other leverage to move faster with little financial impact.

- d. **Consider grants for Hot Spot development hardware/software and managed services.**
 - e. **Consider grants for vocational training of workforce to build out new local networks with local providers.**
 - f. **Consider asking for state wide user educational video's (testing broadband performance or setting up wifi network as examples).**
5. Public Utility Option. Some unserved and even some underserved towns have elected this option because they have felt they could not attract competition for better services from existing providers (mostly Consolidated and Spectrum).
- a. Such an approach requires (but is not limited to):
 - i. Developing or hiring new town skills and resources
 - ii. Upfront "build out" capital ((+2mm)
 - iii. Ongoing maintenance (including disaster recovery)
 - iv. Acceptance of risk of changing technologies.
 - b. Boothbay is not unserved, and there is at least 1 local provider who has modern standards and resources. A public utility seems unnecessary.
 - c. Boothbay has active interest to provide services.
 - d. Rapid changes in industry make a Public Utility option risky – e.g. 5G impact
 - e. Increasing winds/weather challenges increase maintenance risk.
 - f. **Boothbay's need for a Public Utility is low, the cost high, the risk higher, the service redundant, and is not worth further consideration at this time.**
6. Local service performance and access. Commercial users, and MaineREN clients (Schools, Libraries and other public institutions) set potential – although some of these services are not accessible by residential users for technical (not looped) or business model (non-profits only) limitations. Residential information is considered "proprietary" to Spectrum and Consolidated providers and therefore is only anecdotal.
- a. Currently the fastest known internet speeds in Boothbay is 1Gbps down/up via Consolidated, negotiated by MaineREN, for Bigelow Labs.
 - b. Jeff Letourneau at UMaine related a 50Gbps connection to the Boothbay Region High School.
 - c. All 4 large broadband users are spread through town and have varying service levels, expandable to meet their needs (see **Attached DOC-2**).
 - d. Unserved residential locations have only been found in areas like Back Narrow Road, where long driveways in Spectrum service areas have been quoted \$10k-\$16k to run lines/connections for wired (not Fiber) service levels.
 - i. Adopt community vendor standards to require access to any drive less than 250 feet (or 2 poles)
7. Fiber Optic Cable. It is a misconception to believe that Fiber connections are simply about exponentially faster speeds. Other benefits include:
- a. Up time improvements (dramatic as reported by all 4 large commercial users).
 - i. Particularly in wet weather.
 - ii. Less static interference than wired solutions.

- b. Fixed speeds – less effect/or no effect on summer traffic because of dedicated nature of Fiber broadband delivery (according to LCI/Tidewater).
 - c. Aesthetics (compare poles for fiber vs. coaxial and other forms of coppers)
 - d. ***All new builds should require Looped Fiber standard, and, the town should look at current wired connections as a liability to their broadband needs. Current service providers should be persuaded through whatever methods possible to upgrade their services to looped, fiber-to-house connections and should have a plan to do so or they should not benefit from any town business, TIF (money or zone) consideration.***
8. Local vendor vs. large vendor. Boothbay is currently served by three providers. Two are USA wide and Spectrum and Consolidated own most of the residential services.
- a. Large current providers have a working legacy system now in which they are capitalized and, presumably is making money. These large firms measure Return on Investment (ROI) against other markets as well as Boothbay where customer saturation per mile is lower.
 - b. Large current providers' legacy technology is both a strategic advantage, and a consumer disadvantage since without options they are reluctant to upgrade residential connections to Fiber.
 - c. Large current providers price out exception (+250 feet driveways and private roads) without competition and with legacy technology compliant with their older systems.
 - d. New vendors have no legacy infrastructure and reflect technical designs that are as new, including fiber.
 - e. New vendors have adopted standards (looped fiber) to attract not only the target operation (say a large commercial user) but also the customers along the way. While apparently more expensive, this business model is more transformative to new technologies for all.
 - f. Local vendors are owned and operated by companies that do business locally, whose leadership lives locally, and whose business models are designed locally without comparison to large urban centers. As a result, and in comparison, they have been receptive to creative thinking, have adopted transparent pricing models, and since their buildouts are new, are dedicated to "best practices" and "long term return" business models including "Fiber to house" and "Looped Fiber" runs.
 - g. A competitive marketplace between more than one providers benefits the community and all the providers.
 - h. **Develop incentives to build infrastructure to promote new providers who present new technologies, transparent pricing, community interaction on jobs and giving, fair pricing of exceptions, and new competition generally.**
9. Industrial Park – currently served by fiber to Route 27 (unknown what is within park), has been unable to attract any businesses built on data use (mostly storage, dock manufacturers and metal fabricators). It currently has access to Fiber running down Route 27 (Spectrum and Consolidated).

- a. Broadband access is as much about marketing as it is access – we recommend whatever new partner commits to a built service level of 100Mbps (up/down) to attract attention and support town promotion.**
- 10. Education – While commercial users are trained and have the support to troubleshoot issues, identify needs, and negotiate solutions, residential users often do not.
 - a. Request educational videos and other tools from providers and ConnectME to help consumers troubleshoot problems.**
 - b. Request educational information from ConnectME on resources for how to negotiate for new services with providers. .**
- 11. Jobs - should towns like Boothbay partner with new service providers, or launch initiatives to transform their broadband networks, they should consider training their own students for these good jobs.
 - a. Request vocational training costs for local employees via scholarships and negotiation with all providers.**
 - b. Request large commercial users to include job creation and vocational opportunities in their RFP's.**
 - c. Request ConnectME to develop incentives for providers for job creation and vocational training as part of their grant and community support model.**
- 12. Franchise Agreements. Boothbay's was last negotiated in 1992, and focused on Cable TV. This agreement pays for \$30k per year to local access TV. Due to the loss of many cable clients, this support has eroded and local access is related to an obscure cable channel, and has increasingly relied on broadband internet models (including Facebook) to "transmit" to users. New sources of revenue will be required.
 - a. Already Local access channel is being pushed to back of cable lineup – and they too have used social media/internet to reach audience.
 - b. At risk is Funding (Annual \$30k) which will probably dry up as the business for cable diminishes.
 - c. Consider alternative channels of funding through WIFI hot spot advertising, and agreements from towns in return for access to capital and town business.**
- 13. "Out of standard" long driveways. Current service providers have required expensive (\$10-16k) buildouts of connections to longer driveways. While these driveways are often on high value properties (presuming the funds to pay these fees) they are also properties where there is a greater likelihood of a home office, or, a non-resident from an urban center who would like to spend more of their time in our community telecommuting. While it may not be in the town's best interest to assume all the costs of these exception locations – there is no reason why the town cannot help structure and negotiate fair fees from providers for the extensions. One provider in our group quotes \$1/ft above ground and \$2/ft in conduit – about 1/10 of the costs of the current provider.
 - a. Include the cost of "exception" private driveways (over 250 feet/2 poles) in all RFP negotiations as a factor.**
- 14. While the Peninsula has been encouraged to coordinate their efforts among the towns, nothing in this Report would diminish or overlap envisioned pieces of a Boothbay Harbor or Southport

initiative. In fact the capital improvements in Boothbay's RFP would serve to accelerate any initiatives in these towns because Boothbay serves as the broadband gateway. Coordination then would be just as effective in a modular approach as they would be if a single, peninsula RFP were envisioned – in fact the town by town RFP approach would likely be a faster solution because of unique financing options (TIFF) in Boothbay.

15. LCI's participation with attendance at meetings and their current business models (Looped fiber, fixed pricing, low "exception" costs) exist as examples of a hungry, nimble, local competitor.

Additional recommended actions:

- 1. Leverage town access to capital seed competition with new providers:**
 - a. Consider other financing options (Bonding, general fund).**
 - i. Identify direct investment limit**
 - ii. Identify "loan" limit.**
 - b. Consider use of existing TIF funding and other access to capital to drive town priorities (See RFP).**
 - i. Limits to area in design and creative planning of options.**
 - ii. Identify direct investment limit.**
 - iii. Identify "loan" limit**
- 2. Leverage town business for negotiations of best practices and other requirements:**
 - a. Coordinate town offices and other municipal (E.g. Chamber, water district) Customers as one customer.**
- 3. Leverage town knowledge and common vested interests with big users and form consortium that meets to negotiate and plan broadband initiatives on peninsula:**
 - a. Invite IT professionals from Big 4 users (and other growing businesses) with voting seats.**
 - b. Invite a representative from each town to cover interests of residents as the "5th business."**
 - c. Encourage Private Commercial and Public (MaineREN) contracts to adopt standards like "looped" fiber to allow for benefits to adjoining residential users.**
- 4. Market and promote assets:**
 - a. Consider development of high speed access, ready to Industrial park:**
 - i. Industrial Park lit fiber to make market statement of Boothbay's interest in attracting data businesses. Recommend 100Gbps up/down this year.**

- b. Develop, buy, or acquire access through partnerships (LCI for example) access to applications that manage free hot spots to direct consumers to local attractions and businesses.
 - i. Demonstration of one application from LCI planned for June 2019. Ask for other DEMO's from other potential providers.
 - ii. Generate advertising sales through chamber or direct sell to businesses. Consider using sales generated to support nonprofits like Local Access Channel given anticipated declining revenue from cable suppliers (Franchise agreement).
 - iii. Advertise and promote town hot spots in trade, on line, and with signs.
- 5. Protect Local Access Channel
 - a. Redirect local hot spot application revenue in part to channel.
 - b. Consider asking for financial and technical support in all negotiations.
- 6. Advocate "exception" property (+250Ft/2pole private drive) solutions in all negotiations – even while not paying for the exceptions themselves.
- 7. Jobs: prioritize local training and local hiring for build out and maintenance.
 - a. Expanded needs will require an expanded workforce.
 - b. Coordinate apprenticeships and training with local resources.
 - c. Develop and support scholarships through local giving (private and commercial).
- 8. Create an RFP incorporating town priorities in return for town benefits (including capital plans via TIF) to providers (Spectrum, Consolidated, LCI at minimum) with a 60 day reply. Include (but do not limit to) priorities:
 - a. Looped fiber standard.
 - b. Fiber to House standard for all (no other line type from pole to house).
 - c. Transparent, fixed rates over period of time (min one year) – with ACTIVE notice that the rate is going to change. New rates presented to town annually for review and approval.
 - d. Transparent pricing of 2 pole/250 feet standards for buildouts and maintenance of private driveways and associations.
 - e. Clear scheduled reporting through town offices for exception/unserved/underserved households (and businesses) with service standards for access including initial build out and storm/disaster recovery. Adopt "no house left behind" attitude in RFP's.
 - f. 100Gbps up/down for Industrial Park into park to end of road
 - g. Gifts and support (technical) to Local Access Channel and prominent placement on any controlled channel line-up.

- h. **Low cost or free access to Hot Spot software with ability to drive advertising dynamically.**
 - i. **Consider finance options for TIF funds including grants as well as a low (Libor) or no interest loan repaid through a % of fees taken until loan is paid off.**
 - j. **Jobs: Growth in new unserved customers, and a more rapid upgrade of technology will require new staffing. What do bidders offer in the way of local job opportunities and training including apprenticeships, financial vocational support?**
- 9. Executive session negotiation strategy.**
- 10. Execute negotiations with providers.**

Glossary of Terms

P.O.S. – Point of Sale system. Most local users who employ these devices over the internet keep some data locally and use a credit card company to perform the actual transaction (for security reasons). This puts traffic strain on broadband since there is much more back and forth data for a transaction.

MaineRen - was created by the University of Maine System to deliver the cyberinfrastructure necessary to participate in, and be considered for, high-technology research. As the National Science Foundation has made the ability to demonstrate appropriate levels of Cyberinfrastructure a requirement for funding, it is crucial in Maine's ability to attract and retain this high-technology research that our institutions have access to the national and international R&E community through a facilities-based RON. <http://www.maineren.net/> MaineREN currently aids/negotiates-for Bigelow Labs and our local schools and Libraries (including Southport – which has exclusive access to Fiber on the island).

Fiber Optic Cable - is a high-speed data transmission medium. It contains tiny glass or plastic filaments that carry light beams. Digital data is transmitted through the **cable** via rapid pulses of light

Lit vs. Dark Fiber: Lit fiber is “managed” fiber with services running over it – “dark” fiber is just a physical line intended for competing companies to “light” with managed services. When one company owns the “dark” fiber they control the game – when a company “lights” its own fiber they are assured of control.

ConnectME - is a public instrumentality of Maine state government whose mission is to facilitate the universal availability of broadband to all Maine households and businesses and help them understand the valuable role it can play in enriching their lives and helping their communities thrive. Duties of the Authority include:

- Establish criteria defining unserved and underserved areas;
- Promote use of broadband service;
- Support broadband investment;
- Facilitate state support of deployment of broadband infrastructure;
- Collect and disseminate information; and
- Administer funds.

Mbps - **Mbps** stands for Megabits per second. **MBps** stands Megabytes per second. The two terms are similar, but **Mbps** is used to specify Internet connection speeds, whereas **MBps** is used to specify how much of a file is downloaded/uploaded per second.

Gbps - stands for billions of bits per second and is a measure of bandwidth on a digital data transmission medium such as optical fiber . With slower media and protocols, bandwidth may be in the Mbps (millions of bits or megabits per second) or the Kbps (thousands of bits or kilobits per second) range.

Boothbay Broadband
Business Analysis: The Problem
OmniHelios, LLC

Presentation to Board of Selectmen, March 27, 2019.

Problem, three constituent classes:

1. Residences
 - a. Some streets have no broadband connections.
 - i. No definitive list of this outage is in public domain (private companies know).
 - b. Some residents experience "slower" connections than contracted
 - i. No data to support this claim
 - ii. Service perception and reality may be based on lack of education.
 1. Internal routers & wifi.
 2. Bandwidth limits with new demands (e.g. multiple streaming, HD streaming, gaming, backups).
2. Existing Commercial Users
 - a. No recent polling of broadband performance.
 - b. No recent polling of existing business requirements.
 - c. No recent polling of future business requirements.
3. Potential Users
 - a. New business approaching us.
 - b. New businesses we wish to attract
 - i. E.g. Software developers, call center.
 - ii. E-Commerce hot spots (e.g. Town Common).
 - c. Public hot spots (to promote town attractions & hospitality, direct to chamber of commerce).

Other considerations

4. Work should consider grant process requirements (e.g. Polling/surveys & public meetings).
5. "Soft" considerations including pricing models in updated 'Franchise Agreement(s).'
 - a. E.g. fixed, equitable pricing per Mbps.
6. Managing multiple broadband suppliers.
7. Managing moving targets for increasing demand.
 - a. New Technologies (demand/supply – e.g. virtual development/5G)
 - b. Winter load vs. Summer load.
8. Education, outreach & marketing.

Town of Boothbay Broadband Initiative Service Levels by Customer Class DOC-2 of Report	Contact	Provider	Service Required Down/Up Mbps	Service 2 Peak Stress	Peak Demand drivers	Future demand drivers	issue	NOTES
Class 1: Commercial	CMBG Tina Heavener Bigelow Labs Kevin Guay Washburn & Doughty Justin Clark BBH Country Club Jon Doody	Consolidated Tidewater* Spectrum	100/100 500/500** 25/25	100/100* 500/500** 25/25 100/100***	Volume, POS**** Backups File transfer POS, 2 sites	VC***** Backups, VC File transfer/CAD None	Peak load on hot spots effects POS performance (including ticket sales) Huge data backups from modeled data Satisfied Customer Satisfied Customer	Changed to Consolidated for new 1Gbps connection through MAINE REN Conversion to Fiber eliminated downtime
Class 2: Residential See Survey's collectet at May 9th Public Forum.								

*Changed, post interview, now Consolidated

** Moving to 1 Gbps

*** Conversion to dedicated fiber (including internal runs) eliminated peak stress and downtime problems of previous copper.

**** POS = Point of Sale

***** VC = Virtual Classrooms

***** Some stress encountered lowering performance during peak visiting hours in summer and winter. CMBG says all connections to buildings and within are fiber.



April 23, 2019,

Dear; Town Manager, Board of Selectmen & Planning Board;

The public on-site hearing for the Wharves and Weirs application ramp & float project for Constance Jones was held as advertised on Wednesday April 23rd at 8:40 A.M. The project is located on 4 Waterfront Lane North.

Lauren Stockwell explained the project that does include a new ramp and float, as well as a haul out for the float. The town of Boothbay was represented by Harbor Master Peter Ripley and Selectman Mike Tomacelli. The owner was represented by Sam Morris. The Army Corps has approved this plan as of 02/19.

There does not seem to be any effect of diminished or restricted ingress or egress by riparian owners. There is no evidence that this project will cause injury to others that use this area of Cross River. I have received no objections oral or written about this project.

This project will NOT interfere with navigation in Cross River area.

I see no problems with this proposed ramp and float project as submitted by Constance Jones.

Respectfully submitted,

Peter B. Ripley

Harbor Master



**Findings of Fact
Town of Boothbay Planning Board
Wharves and Weirs Zoning Permit Application**

May 15, 2019

Graham & Nancy Hurst
PO Box 602
Boothbay, ME 04537

RE: Property Located at 333 Barthers Island Road, Tax Map R-04, Lot 102

Dear Mr. & Mrs. Hurst,

On May 15, 2019 the Town of Boothbay Planning Board acted on your Wharves and Weirs Zoning Permit application and made the following findings and conclusions;

Findings of Fact:

1. The applicants are Graham & Nancy Hurst, represented by Stockwell Environmental. Property taxes on account of the premises for which the approval is requested have been paid in full.
2. The property is located at 333 Barthers Island Road. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #4134 on Page #101. The property is in the Special Residential Zone with the Shoreland Zone Overlay. The property is further identified as Assessor's Tax Map R04, Lot 102. It contains 1.5 acres.
3. Town has received copies of the NRPA and the Army Corp. of Engineers permit applications. The Harbormaster has inspected the site and given his approval.
4. Applicant seeks approval to construct a 37' x 6' pier to a seasonal 34' x 3' runway and a 10' x 20' float parallel to the shore. The project includes a 13' x 4' sloped walkway extending from an existing shed.

Add in shed way 10' x 36'

Conclusions

Based on the above stated facts, the Planning Board makes the following conclusions:

x2 - none put apart

Right, Title or Interest in the Property

The applicant has demonstrated Right, Title or Interest in the property in question.

Motion made by *A. Smith*, seconded by *B. Smith*

Vote _____ 5 In Favor 0 Against

Review Criteria

General The Code Enforcement Officer and Planning Board shall consider the following criteria and, before granting approval, must determine that the application is in conformance with the land use goals and objectives of Section 1.8, the standards of Section 3 and that the proposed development or use:

- A. Will maintain safe and healthful conditions;
- B. Will not result in water pollution, erosion or sedimentation to surface waters;
- C. Will adequately provide for the disposal of wastewater;
- D. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
- E. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters; {38 § 440-A}
- F. Will protect archaeological and historic resources as designated in the Comprehensive Plan;
- G. Will not adversely affect existing commercial fishing or maritime activities in the Maritime Commercial District; and
- H. Will avoid problems associated with floodplain development and use. {DEP § 16 D}

The applicant has/ has not demonstrated that this proposal meets the criteria set forth in Section 3.6, Review Criteria, of the Town of Boothbay Zoning Ordinance.

Motion made by Anne He , seconded by Brenda

Vote 5 In Favor 0 Against

Additional Review Criteria

3.10.9 Docks, Piers, Wharves, Bridges and other structures and uses extending over or below the highwater line of a great pond, stream, and outlet stream or within a wetland shall meet the following standards:

- A. Access from shore shall be developed on soils appropriate for such use and constructed so that erosion is controlled by employing Best Management Practices;
- B. The location shall not interfere with existing developed or natural beach areas;
- C. The facility shall be located so as to minimize adverse effects on fisheries;
- D. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. Non-commercial docks, piers and wharves shall not exceed 6 feet in width and commercial docks, piers and wharves shall not exceed 12 feet in width;
- E. The structure/use shall not have an unreasonable adverse effect on the value or enjoyment of abutting property owners;
- F. The structure/use shall not be a threat to public safety, health or welfare;
- G. The structure shall conform to all local, state and federal regulations in existence at the time of construction or change. {DEP § 15 C}

The applicant ✓ has/ has not demonstrated that this proposal meets the criteria set forth in Section 3.10.9, Docks, Piers, Wharves, Bridges, of the Town of Boothbay Zoning Ordinance.

Motion made by Amelle, seconded by Bruce

Vote _____ 5 In Favor 0 Against

1.8.5 Shoreland The Town should adopt, administer, and enforce land use regulations consistent with the Department of Environmental Protection's guidelines for municipal shoreland zoning ordinances to:

- A. Provide the required zoning and subdivision standards while at the same time preserving those activities, within the zoned areas, that are indigenous to the region;
- B. Further the maintenance of safe and healthful conditions;
- C. Prevent and control water pollution;
- D. Protect fish spawning grounds, aquatic life, bird and other wildlife habitat;
- E. Protect buildings and lands from flooding and erosion caused by development and use;
- F. Protect archaeological and historic sites;
- G. Protect commercial fishing and maritime industries;
- H. Protect freshwater and coastal wetlands;
- I. Control building sites, placement of structures and land uses;
- J. Conserve shore cover, and visual as well as actual points of access to inland and coastal waters;
- K. Conserve natural beauty and open space; and
- L. Anticipate and respond to the impacts of development in shoreland areas. {DEP § 1}

The applicant ✓ has/ has not demonstrated that this proposal meets the criteria set forth in Section 1.8.5, Shoreland, of the Town of Boothbay Zoning Ordinance.

Motion made by Amelle, seconded by Bruce

Vote _____ 5 In Favor 0 Against

Decision

Based on the above findings of fact and conclusions, the plans and supporting information submitted, testimony and evidence submitted at the Planning Board meetings on the application, on motion made by Amelle and seconded by Bruce, the Planning Board ✓ approved/ denied the wharves and weirs/shoreland zoning permit application subject to the conditions of approval set forth below, all for the reasons set forth in the findings and conclusions.

Vote _____ 5 In Favor 0 Against

Conditions of Approval

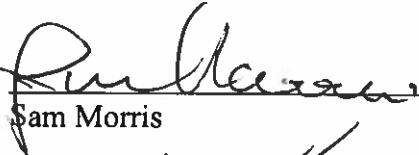
None. This application was approved as presented.

Appeal

Any appeal from this decision must be made to the Board of Appeals within 30 days after the date of the decision of the Planning Board, in accordance with the Section V of the Zoning Ordinance.

Date: May 15, 2019

By:


Sam Morris


Rob Ham


Bruce Bowler


Annette Stormont


Dimsie McBride


Peggy Kotin

cc: Board of Selectmen
Code Enforcement Officer



August 9, 2018,

Dear; Town Manager, Board of Selectmen & Planning Board;

The public on-site hearing for the Wharves and Weirs application ramp & float project for Graham & Nancy Hurst was held as advertised on Thursday August 9th at 3:30 P.M. The project is located on 333 Barter's Island Road.

Lauren Stockwell explained the project that does include a new ramp and float, as well as a haul out for the float. The town of Boothbay was represented by Harbor Master Peter Ripley.

There does not seem to be any effect of diminished or restricted ingress or egress by riparian owners. There is no evidence that this project will cause injury to others that use this area of Back River. I have received no objections oral or written about this project.

This project will NOT interfere with navigation in Back River/Knickercane areas.

I see no problems with this proposed ramp and float project as submitted by Graham & Nancy Hurst.

Respectfully submitted,

Peter B. Ripley

Harbor Master



**Findings of Fact
Town of Boothbay Planning Board
Wharves and Weirs Zoning Permit Application**

May 15, 2019

Constance H. Jones
2 Waterfront Road North
Boothbay, ME 04537

RE: Property Located at 4 Waterfront Road North, Tax Map R-05, Lot 67/3.

Dear Ms. Jones,

On May 15, 2019 the Town of Boothbay Planning Board acted on your Wharves and Weirs Zoning Permit application and made the following findings and conclusions;

Findings of Fact:

1. The applicant is Constance Jones, represented by Stockwell Environmental Consulting. Property taxes on account of the premises for which the approval is requested have been paid in full.
2. The property is located at 4 Waterfront Road North. The deed for the proposed project can be seen at the Lincoln County Registry of Deeds in Book #4728 on Page #165. The property is in the C1 Zone with the Shoreland Zone Overlay. The property is further identified as Assessor's Tax Map R05, Lot 67-3. It contains 1.03 acres.
3. Town has received copies of the NRPA and the Army Corp. of Engineers permit applications. The Harbormaster has inspected the site and given his approval.
4. Applicant seeks approval to construct a 5' x 24' pier with a seasonal 36' x 3' runway and a 10' x 20' float oriented parallel to shore. The project also includes a skidway consisting of two 40' skids 9' apart anchored to the ledge.

Conclusions

Based on the above stated facts, the Planning Board makes the following conclusions:

Right, Title or Interest in the Property

The applicant has demonstrated Right, Title or Interest in the property in question.

Motion made by Rob, seconded by _____

Vote 4-0 ✓ In Favor Against

Review Criteria

General The Code Enforcement Officer and Planning Board shall consider the following criteria and, before granting approval, must determine that the application is in conformance with the land use goals and objectives of Section 1.8, the standards of Section 3 and that the proposed development or use:

- A. Will maintain safe and healthful conditions;
- B. Will not result in water pollution, erosion or sedimentation to surface waters;
- C. Will adequately provide for the disposal of wastewater;
- D. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
- E. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters; {38 § 440-A}
- F. Will protect archaeological and historic resources as designated in the Comprehensive Plan;
- G. Will not adversely affect existing commercial fishing or maritime activities in the Maritime Commercial District; and
- H. Will avoid problems associated with floodplain development and use. {DEP § 16 D}

The applicant ✓ has/ has not demonstrated that this proposal meets the criteria set forth in Section 3.6, Review Criteria, of the Town of Boothbay Zoning Ordinance.

Motion made by Rob, seconded by BRUCE

Vote 4-0 ✓ In Favor Against

Additional Review Criteria

3.10.9 Docks, Piers, Wharves, Bridges and other structures and uses extending over or below the highwater line of a great pond, stream, and outlet stream or within a wetland shall meet the following standards:

- A. Access from shore shall be developed on soils appropriate for such use and constructed so that erosion is controlled by employing Best Management Practices;
- B. The location shall not interfere with existing developed or natural beach areas;
- C. The facility shall be located so as to minimize adverse effects on fisheries;
- D. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character and uses of the area. Non-commercial docks, piers and wharves shall not exceed 6 feet in width and commercial docks, piers and wharves shall not exceed 12 feet in width;
- E. The structure/use shall not have an unreasonable adverse effect on the value or enjoyment of abutting property owners;
- F. The structure/use shall not be a threat to public safety, health or welfare;

G. The structure shall conform to all local, state and federal regulations in existence at the time of construction or change. {DEP § 15 C}

The applicant ☒ has/ has not demonstrated that this proposal meets the criteria set forth in Section 3.10.9, Docks, Piers, Wharves, Bridges, of the Town of Boothbay Zoning Ordinance.

Motion made by Rdb, seconded by BAE Ande
Vote 4-0 ☒ In Favor Against

1.8.5 Shoreland The Town should adopt, administer, and enforce land use regulations consistent with the Department of Environmental Protection's guidelines for municipal shoreland zoning ordinances to:

- A. Provide the required zoning and subdivision standards while at the same time preserving those activities, within the zoned areas, that are indigenous to the region;
- B. Further the maintenance of safe and healthful conditions;
- C. Prevent and control water pollution;
- D. Protect fish spawning grounds, aquatic life, bird and other wildlife habitat;
- E. Protect buildings and lands from flooding and erosion caused by development and use;
- F. Protect archaeological and historic sites;
- G. Protect commercial fishing and maritime industries;
- H. Protect freshwater and coastal wetlands;
- I. Control building sites, placement of structures and land uses;
- J. Conserve shore cover, and visual as well as actual points of access to inland and coastal waters;
- K. Conserve natural beauty and open space; and
- L. Anticipate and respond to the impacts of development in shoreland areas. {DEP § 1}

The applicant ☒ has/ has not demonstrated that this proposal meets the criteria set forth in Section 1.8.5, Shoreland, of the Town of Boothbay Zoning Ordinance.

Motion made by Rdb, seconded by Ande
Vote 4-0 ☒ In Favor Against

Decision

Based on the above findings of fact and conclusions, the plans and supporting information submitted, testimony and evidence submitted at the Planning Board meetings on the application, on motion made by Rdb and seconded by BAE Ande, the Planning Board ☒ approved/ denied the wharves and weirs/shoreland zoning permit application subject to the conditions of approval set forth below, all for the reasons set forth in the findings and conclusions.

Vote 4-0 ☒ In Favor Against

Conditions of Approval

 None. This application was approved as presented.

Appeal

Any appeal from this decision must be made to the Board of Appeals within 30 days after the date of the decision of the Planning Board, in accordance with the Section V of the Zoning Ordinance.

Date: ^{May 15}
~~April 17~~, 2019

By: _____

Sam Morris


Rob Ham


Bruce Bowler


Annette Stormont


Dimsie McBride

Peggy Kotin

cc: Board of Selectmen
Code Enforcement Officer