

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 23rd, 2018
7:00 PM
Agenda**

1. Pledge of Allegiance

2. Public Hearing- 1. 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.

2. D. W. Moore, dba Cabbage Island Clambake, Map R-09, Lot 15, located at Cabbage Island, Boothbay, Maine for renewal of a Restaurant Liquor (Class I, II, III, IV) license and a seasonal Special Amusement Permit.

3. White Anchor Inn, Chad Mostats, owner, Map R06, Lot 009, located at 609 Wiscasset Rd, Boothbay, Maine for renewal of Innkeepers License

3. Public Comment

4. Approve Minutes- May 9th, 2018

5. Reports- 1. The Town will be posting a construction schedule for the Rte. 27 corridor project and it will be posted to the website upon completion.

2. The Federal court has approved the consent decree between the Town of Boothbay and Coastal Maine Botanical Gardens, however we are still awaiting dismissal at the State level.

3. The Landscape Committee is working to try to get a schedule for the upcoming work along Rte. 27.

4. We have an update on the revaluation project. See attached memo

5. The Umaine Aqua Ventus project (wind turbine) is still in the process of conducting core samples as explained in the attached memo.

6. I've met with MDOT regarding the park and ride grant and we are formulating a plan and a tentative time line while working with public works and the Water District.

7. The sidewalk project from the BBH YMCA to Clifford Park is slated for Spring of 2019.

8. I have a meeting with Nell Tharpe regarding the Comprehensive Plan committee set up for the 30th of this month in regard to structure.

9. I have met with a local donor for the Clifford Park playground equipment and I'm waiting on a quote for the materials.

10. I had a discussion with Representative Hawke regarding a request from the Sea and Science Center for a crosswalk near the East Boothbay Marina to the Mill Pond, even though this not a municipal rd. the municipality would assume the responsibility.

6. Old Business-

7. New Business- 1. Meeting with the Boothbay Superintending School Committee re: the recent superintendent hiring.

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8. Public Comment

9. Review Warrants and sign

10. Adjourn Meeting

TOWN OF BOOTHBAY

PUBLIC NOTICE

The Boothbay Board of Selectmen will hold a public hearing on May 23, 2018 at 7:00 p.m. at the Boothbay town offices located at 1011 Wiscasset Rd, 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 5/11/2018

Run 5/17/2018

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

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

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 6-14-18

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: CARRIAGE HOUSE RESTAURANT LLC			Business Name (D/B/A) CARRIAGE HOUSE RESTAURANT LLC		
APPLICANT(S) –(Sole Proprietor) KELLY P. FARRIN			DOB: 03-02-83		
Physical Location: 388 OCEAN POINT ROAD			DOB:		
City/Town EAST BOOTHBAY			State MAINE		Zip Code 04544
Address 388 OCEAN POINT ROAD			Mailing Address 388 OCEAN POINT ROAD		
City/Town EAST BOOTHBAY		State MAINE	Zip Code 04544		
City/Town EAST BOOTHBAY		State MAINE	Zip Code 04544		
Telephone Number 802 233 5414		Fax Number		Business Telephone Number 207 633 6025	
Federal I.D. # 81-1836201		Seller Certificate #: or Sales Tax #: 1178104			
Email Address: Please Print kel3283@aol.com			Website: eatcarriagehouse.com		

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

Requested inspection date: _____ Business hours: _____

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 \$ _____ LIQUOR \$ _____

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

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

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

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

License # Name of Business (Use an additional sheet(s) if necessary.)

Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
6. If manager is to be employed, give name: JOHN M. UTLEY
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. Give maiden name, if married:
Use a separate sheet of paper if necessary.


Name in Full (Print Clearly)	DOB	Place of Birth
KELLY P. FARRIN	03-02-83	BATH, MAINE
JOHN M. UTLEY	03-24-86	LOUISVILLE, KENTUCKY
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
EAST BOOTHBAY, MAINE		
BOOTHBAY, MAINE		
BOOTHBAY HARBOR, MAINE		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☐ NO ☒
- Name: _____ Date of Conviction: _____
- Offense: _____ Location: _____
- Disposition: _____ (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____
13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒
14. Does/do applicant(s) own the premises? Yes ☒ No ☐ If No give name and address of owner: _____
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) RESTAURANT (TWO FLOORS INSIDE), FRONT TOP FLOOR OUTSIDE PORCH, SIDE PATIO (OUTSIDE)
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____
17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? ONE MILE
- Which of the above is nearest? CHURCH
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒
- If YES, give details: _____

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, MAINE on 05/11, 20 18
Town/City, State Date


Signature of Applicant or Corporate Officer(s)
Kelly P. Green
Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

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

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

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

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

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

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

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 23, 2018
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) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

*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
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*

DIVISION USE ONLY
<input type="checkbox"/> Approved
<input type="checkbox"/> Not Approved
BY:

ON PREMISE DIAGRAM

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 of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



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

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

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

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

Please clearly complete this form in its entirety.

1. Exact legal name: CARRIAGE HOUSE RESTAURANT LLC
2. Doing Business As, if any: CARRIAGE HOUSE RESTAURANT LLC
3. Date of filing with Secretary of State: 03/30/2016 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

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

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
KELLY P. FARRIN	388 OCEAN FRONT RD. EAST BOOTHBAY, ME 04544	03/02/85	OWNER/ CHEF	100%

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

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

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

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: _____

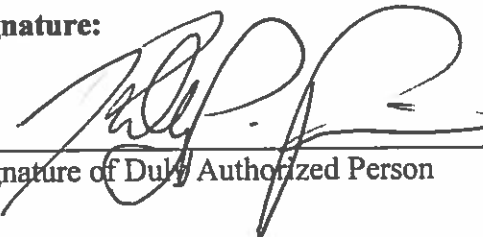
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

 5/10/12

Signature of Duly Authorized Person Date

KELLY P. FARRIN

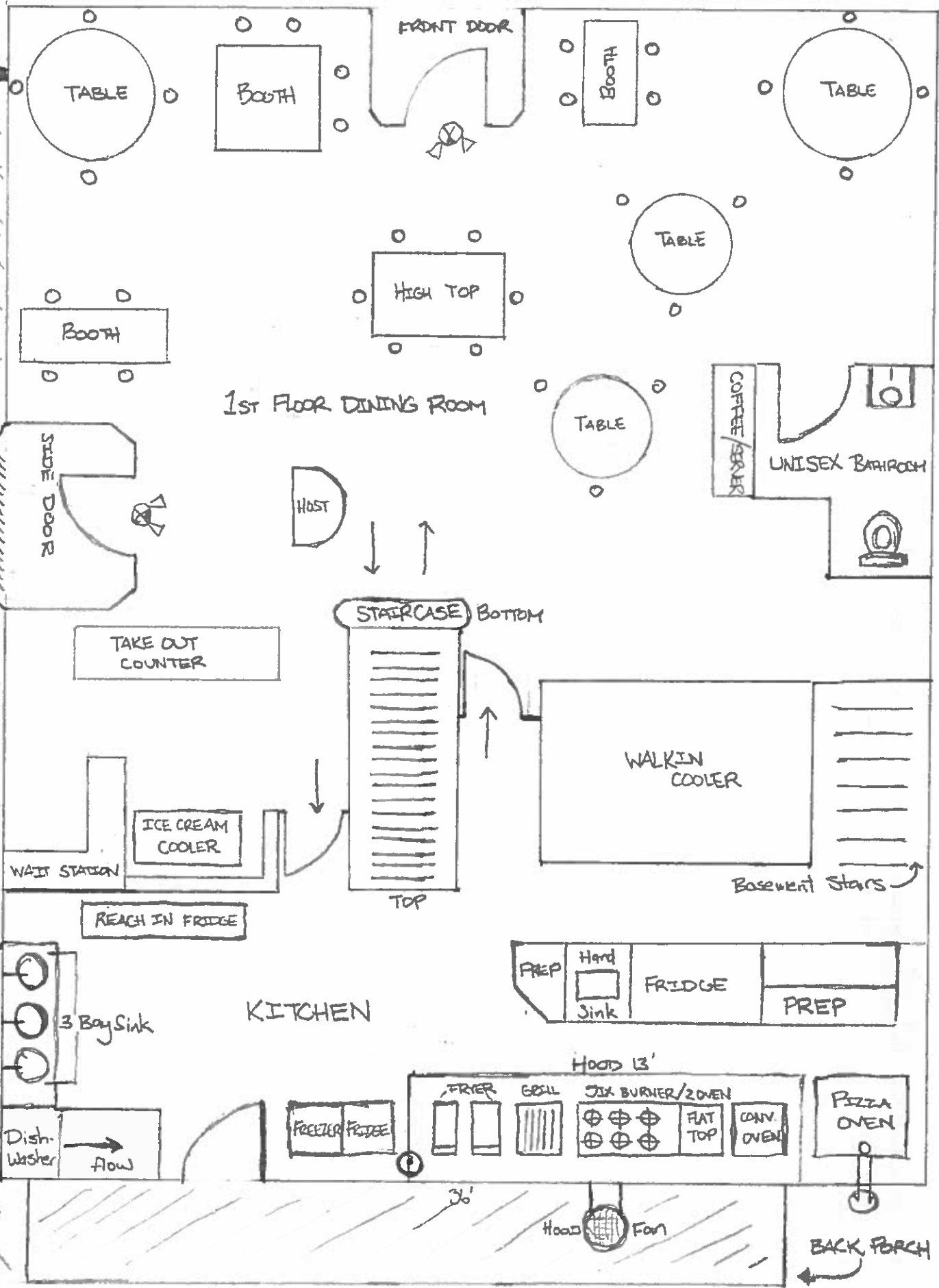
Print Name of Duly Authorized Person

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

CARRIAGE HOUSE RESTAURANT LLC
388 OLEAN POINT ROAD, EAST BOOTHBAY, MAINE 04544

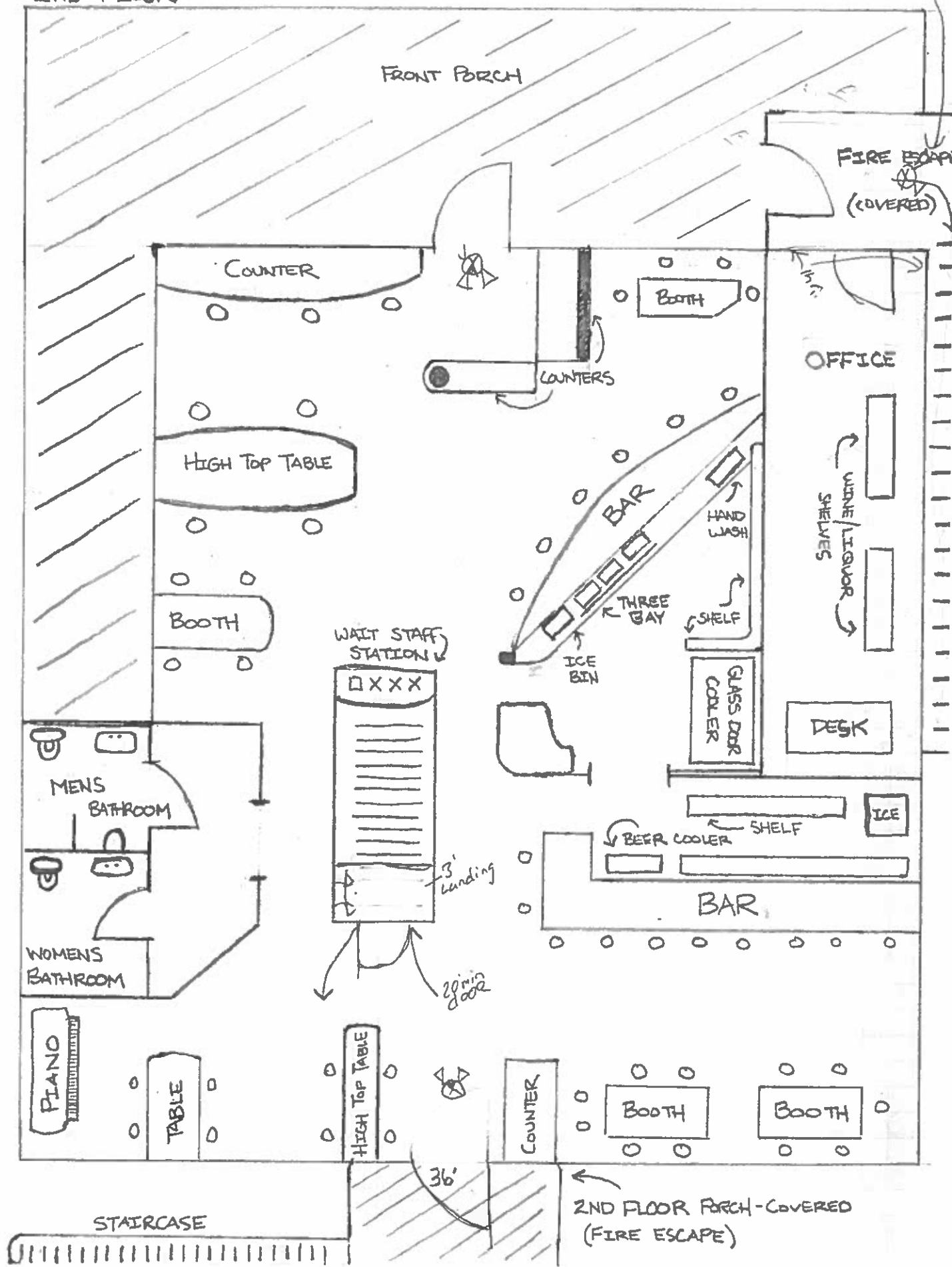
1ST FLOOR



CARRIAGE HOUSE RESTAURANT
388 OCEAN POINT ROAD, EAST BOOTHBAY, MAINE 04544

Stair to be
5/8 Drywall
w/Latex Paint

2ND FLOOR



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 23, 2018 at 7:00 p.m. at the Boothbay town offices located at 1011 Wiscasset Rd, Boothbay, Maine for the following:

D. W. Moore, dba Cabbage Island Clambake, Map R-09, Lot 15, located at Cabbage Island, Boothbay, Maine for renewal of a Restaurant Liquor (Class I, II, III, IV) license and a seasonal Special Amusement Permit.

To Register 5/1/18 Run May 17, 2018

TOWN OF BOOTHBAY

SPECIAL AMUSEMENT PERMIT APPLICATION

Corporation or Business Names: CABBAGE ISLAND CLAMBAKESAddress of establishment: CABBAGE ISLANDMailing address: P.O. BOX 21 EBOOTHBAY Phone: 415/906Name of Application/Owner: D WAYNE MOOREApplication? New: Renewal: ✓ email:

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: DECK + FRONT LAWNSchedule of Planned Entertainment: (days of the week, hours): N/A

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.

4/30/8

Date of application

Receipt

D Wayne Moore
Applicant's signature

Conditions or Restrictions:

Board of Selectmen - Licensing Board

 Date of Hearing:

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

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

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 6/23/18

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>D W MOORE LTD</u>			Business Name (D/B/A) <u>CABBAGE ISLAND CLAMBAKES</u>		
APPLICANT(S) –(Sole Proprietor)			DOB:		
Address <u>P O BOX 21</u>			Mailing Address <u>P O BOX 21</u>		
City/Town <u>E B O O T H B A Y</u>			State <u>ME</u>		
Zip Code <u>04544</u>			Zip Code <u>04544</u>		
Telephone Number <u>207 633-7200</u>			Fax Number <u>N/A</u>		
Federal I.D. # <u>01 0439799</u>			Seller Certificate #: or Sales Tax #: <u>23 5426</u>		
Email Address: Please Print <u>N/A</u>			Website: <u>CABBAGEISLANDCLAMBAKES.COM</u>		

If business is NEW or under new ownership, indicate starting date: N/A

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 300.00 LIQUOR \$ 300.00
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

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

License #	Name of Business
Physical Location	City / Town

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

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

7. Business records are located at: CARDER (5202)

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. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
ROBERT L MOORE	2/23/49	BROCKTON, MA
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
PARKER DRIVE, NEWARK, OHIO 43055		

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

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

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

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

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

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

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

Which of the above is nearest? CHURCH

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

If YES, give details: _____

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: RE BOOTHSBY MARINE on 4/28/, 20 18
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Robert L Moore

Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00

CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00

CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00

CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00

CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00

CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00

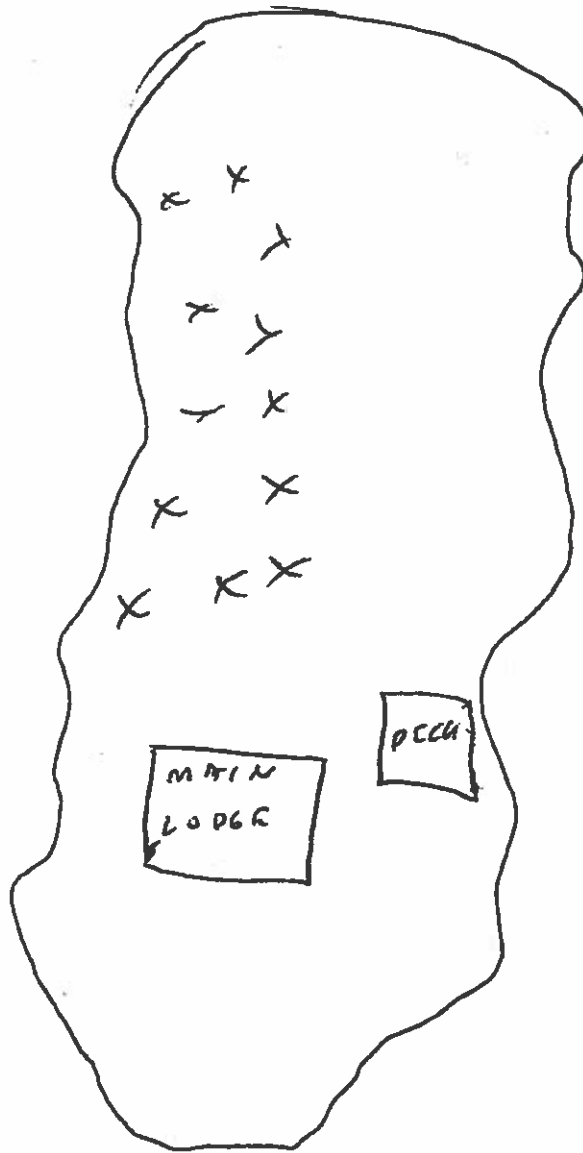
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00

CLASS XI: Restaurant/Lounge; and OTB.

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

PREMISE DIAGRAM



X - ARE
PICNIC
TABLES

20 1 = 21



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.
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 23, 2018
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).]

TOWN OF BOOTHBAY

PUBLIC HEARING NOTICE

The Boothbay Board of Selectmen will hold a public hearing on May 23, 2018 at 7:00 p.m. at the Boothbay town offices located at 1011 Wiscasset Rd, Boothbay, Maine for the following:

White Anchor Inn, Chad Mostats, owner, Map R06, Lot 009, located at 609 Wiscasset Rd, Boothbay, Maine for renewal of Innkeepers License.

To the Register May 7, 2018 Run May 17, 2018

Map 06Lot 009

License fee \$50

Pd 5/7/18

TOWN OF BOOTHBAY

Advertising \$60

LICENSE APPLICATION FOR INNKEEPERS AND LODGING HOUSESAPPLICANT'S NAME & POSITION: Chad Mostats, OwnerNAME OF BUSINESS: White Anchor Inn TELEPHONE 207-633-3788BUSINESS ADDRESS: 609 Wiscasset Rd, Boothbay, MaineMAILING ADDRESS: 609 Wiscasset Rd, Boothbay, ME ZIP 04537

INNKEEPER:

LODGING HOUSE:

(Hotel/Motel) No. of Rooms 23 (Bed & Breakfast) No. of RoomsLength of Season May to October
Month Starting Month Ending

KNOW ALL MEN THAT I/WE _____ of _____

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.

Chad Mostats POA [Signature]
Principal_____
Surety_____
Surety

We hereby approve / deny this application as presented.

Board of Selectmen

Public Hearing date: 5/23/18

Board of Selectmen

Charles R. Cunningham -
Chairman
Steven Lewis – Vice Chairman
Dale Harmon
Kristina Ford
Michael Tomacelli

Town Manager

Daniel Bryer Jr.



**Town of Boothbay
Board of Selectmen Meeting
Wednesday, May 9, 2018
7:00 PM
MINUTES**

Present: Steven Lewis, Dale Harmon, Michael Tomacelli, Chuck Cunningham, Kristina Ford, Town Manager Dan Bryer, Town's Attorney Sally Daggett and Secretary Sherry Tibbetts

Pledge of Allegiance:

Kristina Ford congratulated both Dale Harmon and Steve Lewis on being reelected to the board.

Public Hearing:

PGC2, LLC, dba Boothbay Harbor Country Club Wellness Center – Map R07/lot 002-B located at 40 Birch Lane, Boothbay, Maine for a new (first-time) Liquor License for the Fitness Center on the Golf Course Property. Dan Bryer reported that the taxes on the property have been paid and there are no Notice of Violations. Steve Lewis made a motion to approve this application as presented and Dale Harmon seconded the motion. Vote: 5-0 in favor.

Edwin & Lori Mitchell, dba Boothbay Resort – Map R04/lot 165 located at 301 Adams Pond Road, Boothbay, Maine for renewal of an Innkeeper's License. Dan Bryer reported that the taxes on the property have been paid and there are no Notice of Violations. Dale Harmon made a motion to approve this application as presented and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Boothbay Craft Brewery, Inc. applicants Edwin & Lori Mitchell – Map R06/lot 009 located at 301 Adams Pond Road, Boothbay, Maine for renewal of a seasonal Special Amusement Permit. Dan Bryer reported that the taxes on the property have been paid and there are no Notice of Violations. Dale Harmon made a motion to approve this application as presented and Steve Lewis seconded the motion. Vote: 5-0 in favor.

Coastal Maine Botanical Gardens - Map R04/lot 109 located at 132 Botanical Gardens Drive, Boothbay, Maine for renewal of a seasonal Special Amusement Permit. There are notice of violations on the property and this is a standard renewal. Dale Harmon made a motion to approve this application as presented and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

AM Firpo Enterprises, LLC dba Smuggler's Cove Inn / 1820 House –Map U06/lot11 located at 727 Ocean Point Road, East Boothbay, Maine for renewal of a Restaurant Liquor (Class I, II, III, IV) license, and Innkeepers License and a Special Amusement permit. Dan Bryer reported that the taxes on the property have been paid and there are no Notice of Violations. Kristine Ford made a motion to approve this application as presented and Dale Harmon seconded the motion. Vote: 5-0 in favor.

Public Comment:

Jean Reese-Gibson asked about the playground equipment, she had expected to see it under old business and it is not on the agenda. Dan Bryer said he is working on it. The Public Works is currently checking with two companies about the cost to fix the small things, a temporary fix until the whole thing

can be replaced/repaired. Kristina Ford suggested this topic be included in the reports section until there is a solution.

John Zieggra spoke on behalf of the Boothbay Region Water District's Board. He talked about a recent report that in part said there was no evidence of SOC contamination in Adams Pond and Knickerbocker Lake. This was great news since there was concern after learning of herbicide spraying by the MDOT on Rt. 27 last year. Mr. Zieggra thanked the CEO Jason Lorrain for brokering a deal with MDOT to not spray in that area and an agreement was signed last week not to spray herbicides in that area. This would not have been possible without Jason Lorraine and the Water District Board wanted to thank him for his great work.

Nell Tharpe said she was the prior co-chair of the Comprehensive Plan Committee and there had been talk of creating a two person ad-hoc committee to follow up and make sure the plan was being followed but nothing has been done to that effect.

John Pottle said he was present to discuss topic #7 on the agenda and asked if he could discuss it now and the Selectmen said they would like to discuss it when it appeared on the agenda.

Approve Minutes:

Steve Lewis made a motion to approve the minutes of April 25th 2018 and Dale Harmon seconded the motion. Vote: 5-0 in favor.

Reports:

Dan Bryer reported the following:

Code Enforcement has several various permits pending, there are no new permits for the Planning Board and there is one permit for the Board of Appeals.

The Public Works is busy doing spring clean-up, sweeping, repairing picnic tables, etc.

The Business Office just sent out 30 day notices for late taxes. Payment plans were worked out with two citizens and the taxes have now been paid.

The Town will now be posting a construction schedule for the Rt. 27 corridor project and it will be posted to the website upon completion. Dan said he is just looking at two formats and wants to make sure the most user friendly one is the one on the website. Kristina Ford said the sign warning of road work should be moved up by the Hardwick Road.

The Federal court had approved the consent decree between the Town of Boothbay and Coastal Maine Botanical Gardens, however we are still awaiting dismissal at the State level.

The Landscape Committee is working to try to get a schedule for the upcoming work along Rt. 27. This should start tomorrow and there will be a two year agreement with the Landscaper (Farley) to guarantee the plants for two years.

I met with the Lincoln County Sherriff's representative and we have come up with a tentative plan for placement and access to the office. 15 keys need to be made for the Sherriff's office. It has been determined they do not need a solitary line and the internet access has been worked out. Steve Lewis said he wants to make sure they keys are returned as personnel in the Sherriff's office changes. There is not a definite time for when the Sherriff's will start coming and going from the office.

The Umaine Aqua Ventus project (wind turbine) is still in the process of conducting core samples. Chuck Cunningham said he would like to see someone form the project at a Selectmen's meeting in the near future to say why this is taking so long.

I've met with MDOT regarding the park and ride grant and we are formulating a plan and a tentative time line while working with public works and the Water District.

The sidewalk project from the BBH YMCA to Clifford Park is slated for Spring of 2019. Kristina Ford asked if that was a start or finish date and Dan reported it was a start date.

Old Business: None

New Business:

Maine DOT - Rob Betts and Dave Allen from the Maine DOT were present to discuss the pending Barbers Island Bridge project. The DOT would like to post the bridge for 20 ton. They plan on advertising in July and hope to have a temporary bridge in place within a year. The finish date for the completion of a new bridge would be September 2020. Dan Bryer said he has reached out to the Fire Department, School Busses, etc. to see what this would mean to them. The Selectmen discussed that this would be a burden for contractors, oil trucks, etc. but Mr. Betts said there really is nothing else they can do, the main span is rusted through and there is nothing left to weld anything to. The State is very concerned about safety and is moving this project through as fast as they can. The Selectmen are not favoring a 20 ton limit but are in favor of safety and that has to be the priority.

Consent Agreement – Authorizing the CEO to execute a consent agreement on behalf of the Town with Peter and Kathryn Wagner relating to the land use violation on Sawyers Island Road, tax map R4 lot 78 and authorizing any further action necessary and appropriate related to resolving the violation.

Attorney Sally Dagget briefly walked everyone through what has happened to date, in December 2017 the CEO issued a NOV to the Wagner's (property owners) and the Molinelii's (violators). The Wagner's have worked with the Town on a plan of action and the Molinelii's did not meet the March 16th deadline. The CEO and the Town's attorney have drawn up a consent agreement which needs the approval of the Selectmen and the Selectmen need to set the fine that will be imposed. The fine will be suspended and if the work is completed and the November 1st deadline for implementation of the plan is met the fine will not have to be paid.

John Pottle representing Gene Molinelii asked the board to table this item for two weeks. He said there is a history that goes back several years and this consent agreement now will leave the way open for future conflict and he wants to resolve the issue between the properties first. Both Mr. Pottle and Mr. Molinelii talked about Steve Pelletier, the forester engaged by the Molinelii's and about grandfathered land and that they did nothing wrong. They did submit a plan today to the Town, they did not realize they had to meet the March 16th deadline.

Mr. Wagner said he is following the lead of the Town and the DEP. His property was damaged and he just wants the property fixed and he is willing to sign the consent agreement that is before the Selectmen tonight.

Kristina Ford questioned what was to be gained by waiting two weeks, the rules dictate tree cutting.

Gene Molinelii said there is factual controversy, his deed gives him a view easement of the Sheepscot River, and he says that the environmental regulations for this property are grandfathered. Mr. Molinelii said he did not need a permit for most of the cutting that was done and that he received an email from Art Dunlap saying that this was a good faith cut that was grandfathered. Mr. Molinelii said if the Wagner's had kept the vegetation cut then he would not have had to do anything but they failed to live up to the view easement.

Steve Lewis asked if they had anything in writing to show that the Town agreed to this cutting. Mr. Lewis also said the Molinelii's had seven months and only put in a plan today and that is unacceptable. This issue needs to be resolved, there is no reason to put it off.

Chuck Cunningham said he felt like the Molinelii's had enough time to get their stuff together. The Wagner's have already said they agree to the consent agreement tonight. If there is a violation of a view easement that is a civil matter and has nothing to do with the Town.

Kristina Ford asked what the Molinelii's hope to accomplish in the next two weeks and Mr. Pottle said they would get input from MDOT and would work with the Wagner's. Mr. Pottle also went into some more history of the land and previous cuts.

Mike Tomacelli asked when the last time this property was cut? The Molinelii's said it was the landowner's obligation to cut on this land.

Kristina Ford asked about grandfathered cutting, she said she had not heard of that before.

Sally Dagget explained that there is some language in the ordinance but there is a dispute on what this is, it is inconsistent. Art Dunlap felt this cut was in violation and Jason Lorrain felt it was in violation that is why a NOV was given.

Steve Lewis made a motion to authorize the CEO to execute a consent agreement on behalf of the Town with Peter and Kathryn Wagner relating to the land use violation on Sawyers Island Road, tax map R4/ lot 78 and authoring further action necessary and appropriate related to resolving the violation and for the fine to be set at \$1,000. Kristina Ford seconded the motion. During the discussion Mr. Wagner again said he and his wife agree with the consent agreement. Vote: 5-0 in favor.

Public Comment: None

Review Warrants and sign: Dale Harmon made a motion to review the warrants and sign them and Mike Tomacelli seconded the motion. Vote: 5-0 in favor.

Adjourn meeting: At 8:25PM Dale Harmon made a motion to adjourn the meeting and Kristina Ford seconded the motion. Vote: 5-0 in favor.

We were not able to convert the Vision sketches to the new sketch software so we had to enter them by hand. This was difficult from a schedule/budget perspective but allowed us to fully convert the sketches to our preferred software and sketch format.

We were only partially successful in converting the building and land data from Vision to the ODonnell assessing software. Like the sketches, this was tough on the schedule/budget but we were able to make up the difference with direct data entry.

We recently generated a list of properties for revisit and have completed the visits. The data is being entered as I write. This will happen one more time.

We talked about my staff being refused entry. Overall the people of Boothbay have been cooperative and I have no reservations in our ability to work with the data that we are collecting to produce equitable values.

I am very pleased to report that the real estate market has been increasingly active over the last few years and there is ample property sales data to work with to set value.

From this point forward the project is mostly in my hands. We have populated the database, I have reviewed the sales data, I have calibrated the computer pricing model and I am nearly done reconciling the sales studies. I expect to complete that this weekend. Once that is done the next few weeks will be an iterative process of reviewing individual properties followed by minor adjustments to the pricing and then further review. It has been my experience that the more review we do before sending notices, the less cleanup there is in the taxpayer review hearings and thus a cleaner commitment and fewer unhappy taxpayers.

