

TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653-

MAINE'S FINEST RESORT

Board of Selectmen Agenda Village Fire Station – 32 North Street May 28, 2015 – 6 PM

1. Call to Order.
2. 6 PM -Public hearing to consider the warrant articles for the June Town Meeting ballot.
 - a. Amendment to the Land Use Ordinance concerning resident mixed use structures.
 - b. Amendment to the Land Use Ordinance concerning definition of lot area.
 - c. Amendment to the Land Use Ordinance concerning performance standards of hotels, motels, bed and breakfasts, and inns.
 - d. Amendment to the Land Use Ordinance concerning the official shoreland zoning map.
 - e. Amendment to the Land Use Ordinance concerning permitted use structures.
 - f. Amendment to the Land Use Ordinance concerning errors and omissions.
 - g. Amendment to the Dog Ordinance.
 - h. Withdrawal from RSU #21.

The Growth Planning Committee will report its recommendations on the Land Use Ordinance amendments.

3. Approve the May 14, and 19, 2015, selectmen meeting minutes.
4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).

5. Consider a renewal liquor license application submitted by Arundel Marine Service, Inc., DBA Arundel Wharf Restaurant, 43 Ocean Avenue.
6. Public Hearing to consider applications for victualer's licenses for the period from June 1, 2015, through May 31, 2016.
7. James Burrows presents update on EMA plan.
8. Update from Judith Barrett regarding the Public Health Office staffing.
9. Award the bid for the recreation department minibus.
10. Consider sewer extension for Wallace Woods subdivision.
11. Consider purchase of self-contained breathing apparatus (SCBA) replacement air cylinders for the fire department.
12. Approve a street opening permit for Traci Freed and Mark Corbett for sewer service at 2 Woodlawn Avenue (Map 9, Block 4, Lot 22).
13. Consider the Proclamation recognizing the 90th birthday of Barbara Bush.
14. Authorize the Town Manager to sign the Animal Shelter Agreement.
15. Other business.
16. Approve the May 28, 2015, Treasurer's Warrant.
17. Adjournment.

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TOWN OF KENNEBUNKPORT NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE

A public hearing will be held at the Village Fire Station, 32 North Street
on Thursday, May 28, 2015 at 6:00 p.m.
by the Kennebunkport Board of Selectmen
to take public comment on each of the following topics to be voted on
by Referendum Ballot
at the June 9, 2015 Annual Town Meeting:

1. Amendment to the Land Use Ordinance concerning Residential Mixed Use Structures.
2. Amendment to the Land Use Ordinance concerning the Definition of Lot Area.
3. Amendment to the Land Use Ordinance concerning Performance Standards of Hotels, Motels, Bed & Breakfasts and Inns.
4. Amendment to the Land Use Ordinance concerning the Official Shoreland Zoning Map.
5. Amendment to the Land Use Ordinance concerning Certain Permitted Use Structures.
6. Amendment to the Land Use Ordinance concerning Errors and Omissions.
7. Amendment to the Dog Ordinance.
8. Withdrawal from R.S.U. #21.

The **Growth Planning Committee** shall also report
it's recommendation on the Land Use Ordinance amendments.

Copies of the proposed new ordinances and amendments are
available for inspection at the office of the Town Clerk
and on the Town's website at www.kennebunkportme.gov

FURTHER TAKE NOTICE

A separate public hearing will also be held
immediately following the Board of Selectmen hearing
at the Village Fire Station by the **Planning Board**
to take public comment on the same proposed
Land Use Ordinance amendments referenced above.

April Dufoe, Town Clerk

QUESTION 1

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING RESIDENTIAL MIXED USE STRUCTURES

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Residential Mixed Use Structures" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will allow, within certain designated zones and with certain limitations, two principal uses – a residential use combined with a commercial use to be blended and located within a single principal building on a lot without requiring a doubling of the minimum lot size.]

Note: Underlined language is proposed to be inserted and words ~~stricken-out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend Article 2.2 as follows:

2.2 Definitions

Residential Mixed Use: A primary use to which a principal building may be devoted which blends and combines a residential use with a commercial use located within no more than one principal building on a lot. For purposes of minimum lot size calculations, outside of the Shoreland Zone, a Residential Mixed Use as defined shall be considered a single use.

Streetscape: An area that lies between the street curb and the façade of the adjacent building.

Workforce Housing: Affordable housing for households with earned income that is insufficient to secure quality condition housing in reasonable proximity to the work place.

Amend Articles 4.6, 4.9, 4.10 and 4.11 as follows:

Article 4 – ZONE REGULATIONS

Add the following under the column entitled “Conditional Uses Subject to Planning Board Site Plan Review” for the following zones:

4.6 Riverfront Zone: Residential Mixed Use

4.9 Cape Porpoise East & Cape Porpoise West Zones: Residential Mixed Use

4.10 Cape Porpoise Square Zone: Residential Mixed Use

4.11 Free Enterprise Zone: Residential Mixed Use

Amend Article 6.9.A.7 as follows:

ARTICLE 6 – TOWN WIDE REGULATIONS

6.9 Off-Street Parking and Loading-Non-Residential

A. Except in the Dock Square Zone, the following standards shall apply to all new uses or establishments, and also to all existing uses or establishments which expand or increase their volume or intensity of use, whether such expansion occurs inside or outside of a building. All new or enlarged off-street parking, loading or vehicular service facilities including driveways shall also conform to this section.

7. The following minimum off-street parking requirements shall be provided and maintained:

USE

Residential Mixed Use

MINIMUM REQUIRED PARKING

Parking for the Non-Residential Component
based on the requirements listed in this
section.

Add a new Article 6.10.5 as follows:

6.10 Residential Parking Standards

5. Parking for residential components of Residential Mixed Use shall be as follows:

<u>1 Bedroom Unit</u>	<u>1 Parking Space</u>
<u>2 or more Bedroom Unit</u>	<u>2 Parking Spaces</u>

Amend Article 7.13 & 7.14 as follows:

ARTICLE 7 – PERFORMANCE STANDARDS FOR SPECIFIC ACTIVITIES, LAND USES AND ZONES

7.13 Roomers

7.13 Residential Mixed Use

Purpose: To provide for smaller scale housing options, specifically workforce housing and small scale commercial options by encouraging mixed use structures without requiring twice the minimum lot size on conforming lots.

- A. A request for Residential Mixed Use requires submittal of a site plan that shall include the property owner with deed reference, lot boundaries and dimensions to scale, the location and set backs of all buildings and parking areas and open spaces.
- B. Minimum lot size and building setbacks shall meet the underlying zone requirements. Minimum open space (area not occupied by structures or parking) shall be 60% of total lot area.
- C. Streetscapes created by new development must be pedestrian-oriented. There shall be a direct pedestrian connection between the principal building entrance and the sidewalk(s) or path(s) along the adjoining street(s) if the commercial use is open to the public and/or fronts an existing public sidewalk or path.
- D. Parking shall meet the requirements set forth in Article 6. Parking shall be predominantly located to the side and/or rear of the building.
- E. Residential Mixed Use structures located on properties connected to the Town's wastewater collection system must be approved by the Sewer

Department. Properties utilizing subsurface waste system and private wells must meet the standards required in the Maine Subsurface Waste Rules.

In addition:

1. Existing septic systems must be evaluated for condition and capacity by a licensed Site Evaluator. A reserve area is required for existing and new systems in the event that replacement is necessary. Bi-annual pump-outs of septic systems servicing the property are required and documentation must be provided to the Town upon request.
 2. Properties serviced by private wells must provide to the Code Enforcement Office a water quality test to ensure adequate water quality prior to issuance of a Certificate of Occupancy.
- F. A request for Residential Mixed Use shall include a plan of the entire building showing a separate layout of all finished levels identifying the use of all rooms and the location of all entrances/exits.
- G. The number of dwelling units permitted with a commercial use as identified in the definition of Residential Mixed Use shall be limited to two.
- H. Individual dwelling units shall consist of a minimum of 600 square feet of habitable space and may not have any living space on a third story unless it meets the minimum Life Safety requirements as defined in the Building Code.
- I. The dwelling unit(s) shall be occupied as a primary residence (primary residence shall be defined as more than six (6) months per year).
- J. Where permitted only one (1) home occupation shall be permitted per dwelling unit.
- K. The minimum commercial unit size shall be 500 square feet of gross floor area. The commercial area may not exceed 2 times the total residential area.
- L. All new or redeveloped structures shall meet or exceed NFPA requirements for the applicable fire suppression system.
- M. Any specific performance standards otherwise identified in this Ordinance related to the commercial use must also be met.

7.14 Roomers

QUESTION 2

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING THE DEFINITION OF LOT AREA

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning the Definition of Lot Area" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will revise the definition of lot area used when calculating allowable lot coverage by excluding beach areas in that calculation.]

Note: Underlined language is proposed to be inserted and words ~~stricken-out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend Article 2.2 as follows:

2.2 Definitions

Lot Area: The total area located within the lines of a lot as measured on a horizontal plane. Within the Shoreland Zone, lot area shall exclude land areas below the normal high-water line of a water body and any other adjacent areas of sand, if any, located between the normal high water line of a water body and either the seaward edge of a structure such as a sea wall or the seaward edge of dune vegetation.

QUESTION 3

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING PERFORMANCE STANDARDS OF HOTELS, MOTELS, BED & BREAKFASTS AND INNS

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Performance Standards of Hotels, Motels, Bed & Breakfasts and Inns" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will allow existing non-conforming Hotels, Motels, Bed & Breakfasts and Inns to construct ADA and Life Safety compliant stairwells and elevator shafts without the need for a variance.]

Note: Underlined language is proposed to be inserted and words ~~stricken out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend Article 7.7.A as follows:

7.7 Hotels, Motels, Bed & Breakfasts, and Inns

- A. Except in the Dock Square Zone where the minimum property line setbacks in Section 4.5 shall apply, no part of any building used for a Hotel, Motel, Bed & Breakfast, or Inn shall be closer than forty (40) feet to the property line, provided that any such building used for a Hotel, Motel, Bed & Breakfast, or Inn, constructed prior to January 1, 2015, shall be exempt from applicable dimensional requirements only to the extent necessary to achieve compliance with Americans with Disabilities Act (ADA) and Life Safety requirements for stairwells and elevator assemblies. An area of open space, not less than twenty (20) feet wide, shall be maintained and planted with grass, bushes, flowers or trees, all along each lot line and along the street, except for entrance and exit driveways and except as needed for construction or renovation of ADA and Life Safety compliant stairwells and elevator assemblies. The open space shall not be used for automobile parking.

QUESTION 4

**PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND
USE ORDINANCE CONCERNING THE OFFICIAL
SHORELAND ZONING MAP**

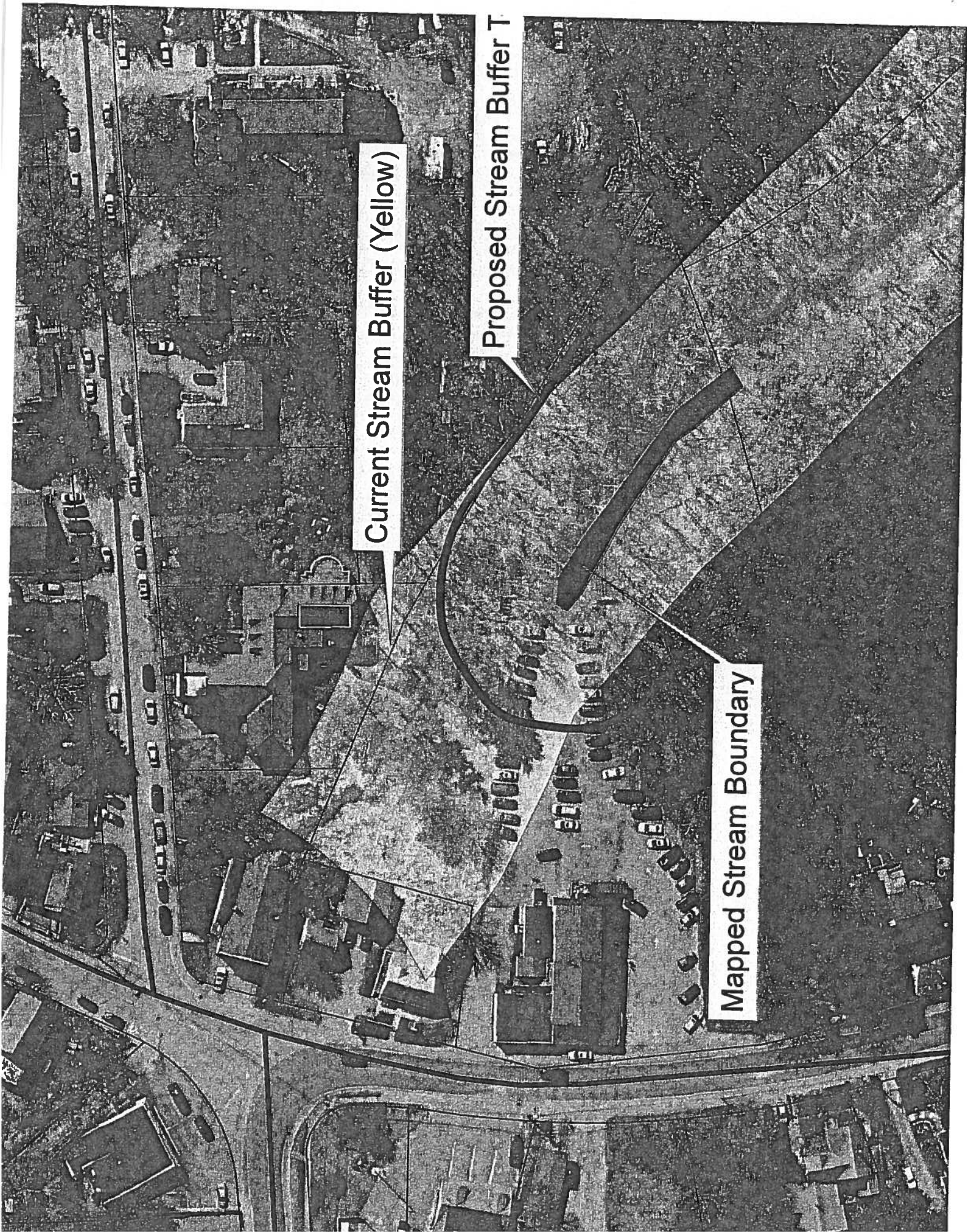
Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning the Official Shoreland Zoning Map" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will revise an existing stream buffer in Cape Porpoise Square to reflect the actual stream boundaries.]

Note: Underlined language is proposed to be inserted and words ~~stricken-out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend the Official Shoreland Zoning Map as follows:

See the attached Exhibit A.



Current Stream Buffer (Yellow)

Proposed Stream Buffer T

Mapped Stream Boundary

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING CERTAIN PERMITTED USE STRUCTURES

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Certain Permitted Use Structures" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will remove Planning Board Site Plan review requirements for permitted structures associated with agriculture, farm stands or storage and repair of fishing equipment.]

Note: Underlined language is proposed to be inserted and words ~~stricken out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend Article 10.2.B.1 as follows:

ARTICLE 10 – PLANNING BOARD SITE PLAN REVIEW

10.2 Site Plan Approval Required

B. Site Plan Review and Approval shall not be required:

1. For detached single family dwellings, accessory apartments, two family dwellings, home occupations and their accessory buildings, driveways and parking areas; or structures associated with agriculture, farm stands or storage and repair of fishing equipment.

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING ERRORS AND OMISSIONS

Shall an ordinance entitled "June, 2015 Amendment to the Kennebunkport Land Use Ordinance Concerning Certain Typographical Errors and Omissions" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will correct certain typographical errors and omissions from past warrant articles.]

Note: Underlined language is proposed to be inserted and words ~~stricken-out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Amend Article 3.2.D as follows:

3.2 Official Zoning Maps

D. Code Officer's Interpretation May be Appealed

In the event that a dispute cannot be resolved by the use of the rules in section 3.2.C above, the applicant or the Code Enforcement Officer may refer the matter to the Board of Appeals who shall interpret location of the disputed zoning district boundaries or location of the normal high water mark, pursuant to the procedure for administrative appeals, as set forth in section ~~9-2~~ 9.3. The Code Enforcement Officer shall provide copies of any such administrative appeal application to both the Conservation Commission and the Growth Planning Committee, as well as to the Department of Environmental Protection in cases involving any Shoreland Zone, so these bodies may have an opportunity to provide background information, comments and recommendations to the Board of Appeals regarding interpretation of the official maps. Where uncertainty exists as to the exact location of district boundary lines, the Board of Appeals shall be the final authority as to the location of district boundaries subject to the appeals provisions in section ~~9-2~~ 9.3.

Amend Article 10.8.B as follows:

10.8 Planning Board Procedure for Site Plan Review

- B.** Following the receipt of an application the Board may hold a pre-hearing meeting with the applicant to discuss submission requirements and general concerns of the Board. The Planning Board may also request that the application include a report from the Chief of Police, the Fire Chief, the

Superintendent of the Water District and the Superintendent of the Sewer Department containing their recommendations regarding the proposed use. Within forty-five (45) days of the submission of a completed application, with all supporting documentation, the Board shall hold a public hearing. At least ten (10) days prior to the hearing date, the Town Clerk shall publish a notice of the hearing in a newspaper of general circulation in Kennebunkport. The notice shall identify the property involved, the applicant, the nature of the ~~appeal~~ application, and the time and place of the public hearing.

Amend Article 11.2.I as follows:

11.2 Permit Required

- I. Roads, Filling or Grading: Road construction and filling or grading of land, as described in Article ~~6.15~~ 6.14.

Amend Article 11.12.H as follows:

11.12 Growth Management Permit Required

- H. Issuance procedure. Growth management permit applications shall be submitted to the Code Enforcement Officer who shall endorse each with the date and time of receipt. ~~On~~ In the event two or more growth management permit applications are received simultaneously, the Code Enforcement Officer shall give preference to growth management permit applicants who are permanent residents of Kennebunkport constructing dwelling units on property which they are the owner of record. Remaining ties shall be settled by random selection. The Code Enforcement Officer shall review growth management permit applications in the same order as they are received. The Code Enforcement Officer shall review all growth management permit applications for completeness and accuracy. When the Code Enforcement Officer finds an application to be complete, the Code Enforcement Officer shall approve it by signing the application and endorsing the date and time of approval on the application. For purposes of this section, failure of the Code Enforcement Officer to act within twenty (20) days upon a completed growth management permit application shall not constitute denial of the application.

PROPOSED AMENDMENT TO THE DOG ORDINANCE

Shall an ordinance entitled "June, 2015 Amendment to the Dog Ordinance" be enacted? (A true copy of which is on file in the Town Clerk's Office and is incorporated by reference.)

[Note of Explanation: This amendment will repeal and replace the Dog Ordinance adopted June 9, 1976.]

Repeal the Kennebunkport Dog Ordinance adopted at a Special Town Meeting on June 9, 1976 and replace it with the following:

ANIMAL CONTROL ORDINANCE

Section A: Purpose

The purpose of this ordinance is to require that all animals in the Town of Kennebunkport be kept under the control of their owner or keeper at all times so that they will not injure persons or other animals, damage property or create a public safety threat.

The provisions of this ordinance that apply to the owner of an animal apply equally to any person keeping, or having control, custody or possession of that animal.

Section B: Definitions

1. **ANIMAL:** Every living, sentient creature not a human being.
2. **ANIMAL CONTROL:** Control of dogs, cats and domesticated or undomesticated animals.
3. **ANIMAL CONTROL OFFICER:** Any person appointed by the Town of Kennebunkport to enforce animal control laws.
4. **ANIMAL SHELTER:** A facility that includes a physical structure that provides temporary shelter to stray, abandoned, abused or owner-surrendered animals.
5. **AT LARGE:** Off the premises of the owner, unleashed and not under the Voice and Sight control of a responsible party.
6. **BEACH:** The beaches within the Town of Kennebunkport commonly referred to as Goose Rocks Beach, Colony Beach, and Cleaves Cove.

7. DOG: Any of large and varied groups of domesticated animals in the canine family.
8. LEASH: Hand held device, 15 feet or less in length, which can be used to restrain a dog.
9. OWNER: Owner or any person or persons, firm, association or corporation owning, keeping or harboring an animal or any person having custody, possession, or control of an animal.
10. RESPONSIBLE PARTY: Any person who has custody, possession or control of a dog, whether or not that person is the Owner.
11. RESTRICTED AREAS: Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that is designated for special protection for piping plovers or other endangered species based upon scientific and historical data.
12. VOICE AND SIGHT CONTROL: "Voice Control" means that the dog returns immediately to and remains by the side of the responsible party in response to the responsible party's verbal command. "Sight Control" means that dog is always within sight of the responsible party and the dog is capable of complying with Voice Control. If a dog approaches or remains within 10 feet of any person other than the responsible party, that dog is not under voice control and is in violation of this Ordinance unless such person has communicated to the responsible party by spoken word or gesture that such person consents to the presence of the dog. A dog barking repeatedly is not considered under Voice and Sight Control.

Section C: Requirements for Control of Animals

1. AT LARGE DOGS: It is unlawful for any dog, licensed or unlicensed, to be at large within the Town of Kennebunkport, except when used for hunting. Dogs shall be considered at large unless leashed or under Voice and Sight Control of a responsible party. A responsible party shall maintain control of their dog(s) at all times, not allow the dog(s) to charge, chase or display aggression towards any person, or disturb or harass any person, other dogs or wildlife. A responsible party shall have a leash in his/her possession for any dog that is off leash. The owner of any dog found at large or otherwise in violation of this section will be subject to the civil penalties provided in the Ordinance and/or Maine State Law, Title 7, Section 3911.
2. DOGS LEASHED: A leash shall be used to restrain a dog: (a) if the dog fails to respond to voice commands when off the premises of the owner, (b) when a dog is walking with a responsible party on roads and sidewalks in the Town of

- a. An owner or responsible party shall always be required to leash their dog on any of the applicable beaches referenced above when directed to do so by a law enforcement officer or Animal Control officer.
- b. Pet waste must be picked up immediately and disposed of properly in an appropriate litter receptacle.
- c. Dogs must be kept at least 200 feet from any designated Restricted Area.
- d. Restricted Areas include the following:
 - i. Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove that has been roped off, fenced off or otherwise demarcated or posted by governmental officials or their agents to protect the nesting site of a piping plover or of any other endangered species protected under federal or state law.
 - ii. **The West End Plover Protection Area** is a Restricted Area on Goose Rocks Beach that begins at Norwood Avenue and continues westerly to the Batson River.
- e. From April 1 to September 30, if under Voice and Sight Control, dogs may be off leash on the beach between 6 am and 7:30 am, except to the extent the rules in Sections D(2)(a), (c) and (d) above may require otherwise.
- f. From April 1 to September 30, dogs must be on leash between 7:30 am and 8:30 am, and after 6:00 pm.
- g. From June 15 to September 30, dogs are not permitted on the beach from 8:30 AM to 6:00 PM. This provision does not apply to use of a service dog by a person with a disability when the dog is required to perform work or tasks directly related to the person's disability.
- h. From October 1 through March 31, if under Voice and Sight Control, dogs may be off leash on the beach, except for the hours of 12-2 pm when they must remain on leash, and except to the extent the rules in Sections D(2)(a), (c) and (d) above may require otherwise.

Section E: Rulemaking Authority governing Other Public Resources

Notwithstanding the general rules found in Section C herein, the Board of Selectmen shall have the authority to adopt specific rules governing dogs on other publicly owned or operated lands located within the Town of Kennebunkport, such as public parks.

Kennebunkport, or (c) if the responsible party is ordered by the Animal Control Officer or a law enforcement officer to leash the dog. The owner of any dog found in violation of this section will be subject to the civil penalties provided in the Ordinance.

3. **IMPOUNDMENT OR RETURN OF AT LARGE DOGS:** All dogs found at large in violation of this Ordinance or Title 7, M.R.S.A., Section 3911 may be impounded at the animal shelter or returned to the owner, at the discretion of the Animal Control Officer or law enforcement officer.
4. **LICENSES:** No dog shall be kept within the limits of the Town of Kennebunkport unless such dog is licensed by the owner in accordance with Maine State Law.
5. **RABIES TAGS:** Rabies tags obtained from a veterinarian for immunization against rabies must be securely attached to the dog's collar and must be worn by the dog for which the tag was issued except when the dog is hunting, in training or in an exhibition or on the premises of the owner.
6. **CONTROL OF ANIMAL WASTE:** An owner or responsible party must remove and dispose of any feces left by his/her animal on any sidewalk, street, beach, public property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his or her property). Deposit of feces left off property of the owner shall be placed in an appropriate litter receptacle.

Section D: Specific Requirements for Dogs on Beaches

1. **AUTHORITY:** The Board of Selectmen shall have the authority to adopt specific rules governing dogs on Goose Rocks Beach, Colony Beach and Cleaves Cove that are more restrictive than the provisions of Section C of this Ordinance. For example, the Board of Selectmen may designate Restricted Areas on these beaches for special protection for piping plovers or other endangered species based upon scientific and historical data consistent with state and federal laws governing endangered species. For specific rules governing dogs on Goose Rocks Beach, the Board of Selectmen shall have the authority to adopt such rules after consultation with the Goose Rocks Beach Advisory Committee, in accordance with Section IV.D of the Beach Use Ordinance for Goose Rocks Beach.
2. **DOG RULES ON BEACHES:** The following rules, adopted in accordance with Section D.1 above, apply to the following beaches located within the Town of Kennebunkport: Goose Rocks Beach, Colony Beach and Cleaves Cove.

Section F: Penalties

1. Any person who violates any provision of this Ordinance shall be subject to civil penalties for each violation, as follows:

First violation: not less than \$50.00 and not more than \$100.00, plus costs and reasonable attorneys' fees.

Second violation: not less than \$100.00 and not more than \$250.00, plus costs and reasonable attorneys' fees.

Third and subsequent violations: not less than \$250.00 and not more than \$500.00, plus costs and reasonable attorneys' fees.

2. Notwithstanding multiple violations of this Ordinance, any person who violates Section C(4) (Licenses), or Section C(5) (Rabies Tags) of this Ordinance shall be subject to a civil penalty of not more than \$100.00 for each offense, consistent with 7 M.R.S.A., Sections 3918 and 3924.
3. All civil penalties collected pursuant to this Ordinance shall be recovered to the use of the Town of Kennebunkport and deposited in the separate account required by 7 M.R.S.A., Section 3945.
4. A person issued a civil violation citation for violating this Ordinance may elect to pay the minimum penalty specified above for each violation alleged in the citation, in lieu of appearing in court to answer the citation. Such payment must be received at the Office of the Town Clerk in the amount specified by the Animal Control Officer by the seventh day prior to the court appearance date specified in the citation. Upon receipt of such payment by the Clerk, the Animal Control Officer or law enforcement officer shall cause the citation to be dismissed. However, the violations alleged in the citation shall be deemed admitted for purposes of assessing any future penalties under this section.
5. Any civil penalty collected for a violation of this Ordinance shall not preclude the Town from imposing or collecting a fine or penalty for a violation of the Barking Dog Ordinance (adopted March 10, 1984).

Section G: Severability Clause

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

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**Town of Kennebunkport
Selectmen/Budget Board Meeting
May 14, 2015
6:30 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of May 14, 2015

Selectmen attending: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, and Sheila Mathews-Bull

Others: Bob Almeder, Kevin Crawley, Michael Davis, Erin Gott, Paul Hogan, David James, Maureen King, Crystal McCurdy, Lee McCurdy, Arlene McMurray, Alan Moir, Bruce Rudolph, Bob Sherman, Chris Simeoni, Laurie Smith, Suzanne Stohlman, Tim Summers, and others

1. Call to Order.

Chair Daggett called the meeting to order at 6:30 PM.

2. Executive session per MRSA 1, §405-6D to discuss labor negotiations.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to go into executive session per MRSA 1, §405-6D to discuss labor negotiations. **Vote:** 5-0.

The Board went into executive session at 6:30 PM and came out at 7:10 PM.

Chair Daggett announced that no action was taken.

3. Approve the April 23, 2015, selectmen meeting minutes.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the April 23, 2015, selectmen meeting minutes. **Vote:** 5-0.

4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).

None.

5. Consider a renewal liquor license application submitted by MacDonald Management, Inc., DBA Hurricane Restaurant, 29 Dock Square.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the renewal liquor license application submitted by MacDonald Management, Inc., DBA Hurricane Restaurant, 29 Dock Square. **Vote:** 5-0.

6. Consider a renewal special amusement permit submitted by Brooks F.

MacDonald, DBA Hurricane Restaurant, 29 Dock Square.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the renewal special amusement permit submitted by Brooks F. MacDonald, DBA Hurricane Restaurant, 29 Dock Square. **Vote:** 5-0.

Chair Daggett mentioned that both applications were inspected and approved by the police, fire and code enforcement departments.

7. Presentation by Superintendent of Schools Kevin Crowley regarding RSU #21 building construction project.

Superintendent Kevin Crowley gave a 30 minute slide presentation on the building renovations project for Consolidated, Mildred Day, and Kennebunk High School. He explained that the new building plans address safety issues and A.D.A requirements.

8. Consider Arbor Day Proclamation.

Chair Daggett read the Arbor Day Proclamation.

Suzanne Stohlman, chair of the Shade Tree Committee, announced that the Maine State Arbor Day will take place in Kennebunkport this year on Monday, May 18. She said Bob Palmer will receive the Frank Knight Excellence in Community Forestry Award. She invited the Selectmen to the ceremony. She said Kennebunkport will be recognized for 38 years in the Tree City USA program.

Town Manager Laurie Smith congratulated the Shade Tree Committee and Bob Palmer.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the Arbor Day Proclamation as written. **Vote:** 5-0.

9. Goose Rocks Beach Advisory Committee recommendations

a. Expend \$5,000 for invasive species project.

Ms. Smith said volunteers will be removing invasive species from the rocks and right-of-way along the parcels at Goose Rocks Beach and plan to replace them with native species. The Goose Rocks Beach Advisory Committee (GRBAC) voted to match the funding from the Kennebunkport Conservation Trust and recommended the expenditure of \$5,000 for this project from the Goose Rocks Beach fund.

Paul Hogan, member of the GRBAC, said they have 25 volunteers for this Saturday. They may also go back in June and in the fall. They want to see

how far they can get. He said the bittersweet is the worst problem followed by the rosa rugosa. They have a volunteer arborist who is helping select the replacement plants.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to expend up to \$5,000 from the Goose Rocks Beach reserve account for the plantings after the invasive species removal project. **Vote:** 5-0.

b. Expend \$300 on beach signs to reflect new Dog Ordinance.

The GRBAC also voted to recommend the expenditure of \$300 on stickers that will be placed on the signs at Goose Rocks if the Dog Ordinance passes at June Town Meeting.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the expenditure of \$300 from the Goose Rocks Beach reserve account on beach signs to reflect the new Dog Ordinance if it passes at Town Meeting. **Vote:** 5-0.

c. Place doggie bag dispensers at all public right-of-ways.

The GRBAC voted to recommend placing doggie bag dispensers at all public right-of-ways. There are nine documented right-of-ways, and three of them currently have dispensers. Each dispenser costs approximately \$100 each. There are additional costs for the dispenser bags and the labor to refill and maintain them.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to expend \$1,000 from the Goose Rocks Beach reserve account to place doggie bag dispensers at all the public right-of-ways. **Vote:** 5-0.

10. Consider application for limited purpose aquaculture license for Eric Gott.

Erin Gott explained his plans to grow oysters in a floating tray in a cove between Vaughn and Bass Islands and answered questions. He said it takes three years to grow oysters and that one oyster purifies 50 gallons of water.

Harbormaster Lee McCurdy said it is a good spot because no boats navigate there.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve and authorize the Town Manager to sign the application for a limited purpose aquaculture license for Erin Gott. **Vote:** 5-0.

11. Consideration of Pier budget.

Harbormaster Lee McCurdy presented the Pier budget. In order to balance the

budget, the Town will need to transfer \$15,000 from the Piers capital reserve account and transfer \$3,529 from the Piers unrestricted fund balance.

Ms. Smith said the auditors recommend having 90 days of working capital which would be \$83,090.

Motion by Selectman Barwise, seconded by Selectman Briggs, to approve the Pier budget as presented. **Vote:** 5-0.

12. Consideration of Wastewater Department budget.

Wastewater Superintendent Allan Moir presented his budget and answered questions. He said he tried to keep the budget down as much as possible. He presented information on capital projects that need to be completed in the upcoming years to prepare them for future costs.

Ms. Smith added that they do not want to be in a position where things fall apart.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the Wastewater budget as presented. **Vote:** 5-0.

Mr. Moir mentioned that the sewer user fee increased \$5, from \$410 to \$415.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the sewer user fee of \$415.00. **Vote:** 5-0.

13. Consideration of Dock Square Parking Lot budget

Ms. Smith said there is a reduction in the salary and benefits because the parking lot is changing to an automated system. Office supplies increased for credit card fees.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the Dock Square Parking Lot budget as presented. **Vote:** 5-0.

14. Presentation by Carol Cook regarding a proposed trail at Beachwood.

Director of Parks and Recreation Carol Cool explained that last year, the proposed trail at Beachwood was rejected because of concerns from an abutter. She is proposing a new entrance to the trail on the opposite side of the parcel by the playground by Tyler Brook. She said the Portside Rotary and the Kennebunkport Conservation Trust will assist with manpower.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the proposed trail at Beachwood. **Vote:** 5-0.

Selectman Briggs asked her the status of Silas Perkins Parks.

She responded that some of the trees and shrubs were removed and she is dealing with the Yacht Club regarding drainage.

She said the plant sale was extended to May 20.

15. Consideration of letters to voters regarding RSU #21 withdrawal and school bond project.

The Board received two letters in their meeting packets: one regarding ballot question 8-RSU withdrawal; and the other regarding the RSU #21 bond. Ms. Smith asked them if they would like to mail them out to voters.

Discussion followed and David James expressed his concerns of what wasn't in the letters such as the costs if they withdraw and the MSAD 71 carryover debt. He also mentioned that he heard that the Arundel Board of Selectmen support the bond issue.

Selectman Matthews-Bull commented that Kennebunk has a higher population and does not pay that much more than Kennebunkport.

Selectman Barwise added that Kennebunkport also does not have as much representation on the School Board as Kennebunk.

Maureen King said if the vote for withdrawal passes, the Town would be committed to the withdrawal process.

Ms. Smith explained the withdrawal process, and that they could still decide not to withdraw after they follow the steps of withdrawal process.

The Board agreed to send the two letters out to the voters using one color of paper for the bond and another color of paper for the withdrawal so as not to confuse people.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to send the two letters to the voters re: withdrawal and the school bond. **Vote:** 5-0.

16. Reporting of payments for Local Circuit Breaker Program.

Ms. Smith said the Town reimbursed six people for a total of \$1,646.00. She said they probably do not need the additional \$20,000 proposed for June and could decrease the funding at the open Town Meeting to zero for fiscal year 2016.

17. Other business.

Ms. Smith encouraged everyone to check out the new town website at www.kennebunkportme.gov.

Ms. Smith announced that the *Kennebunkport Town Review* will be a supplement in the May 22 *Kennebunk Post*.

18. Approve the May 14, 2015, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the May 14, 2015, Treasurer's Warrant. **Vote:** 5-0.

19. Adjournment

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to adjourn. **Vote:** 5-0.

The meeting adjourned at 9:07 PM.

Submitted by Arlene McMurray
Administrative Assistant

**Town of Kennebunkport
Selectmen Meeting
May 19, 2015-9 AM
Town Hall-6 Elm Street**

Minutes of the Selectmen's Meeting of May 19, 2015

Selectmen attending: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, and Sheila Mathews-Bull

Others: Arlene McMurray, Laurie Smith

1. Call to Order.

Chair Daggett called the meeting to order at 9:00 AM.

2. Sign the Certificates of Commitment of Sewer User Rates.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to sign the Certificates of Commitment of Sewer User Rates. **Vote:** 5-0.

Town Manager Laurie Smith went over what was going to be on the next agenda and updated the Board on the status of the Dock Square Parking Lot automated system.

3. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to adjourn. **Vote:** 5-0.

The meeting adjourned at 9:29 AM.

Submitted by Arlene McMurray
Administrative Assistant

Arundel Wharf

③

This application has been reviewed and approved by the following Municipal Officials,
whose signatures are on file with the Town Clerk:

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Capri Dwyer, Town Clerk

Department of Public Safety
Liquor Licensing & Inspection
Division



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

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES JULY 19, 2015

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

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

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.)		2. Business Name (D/B/A)	
Arundel Marine Service, Inc.		Arundel Wharf Restaurant	
DOB: 1974		43 Ocean Ave	
DOB:		Location (Street Address)	
Address 43 Ocean Ave.		City/Town Kennebunkport	State ME Zip Code 04046
Kennebunkport ME 04046		Mailing Address PO Box 1950	
City/Town	State	Zip Code	City/Town Kennebunkport State ME Zip Code 04046
Telephone Number 207-967-3444	Fax Number 207-967-5462	Business Telephone Number 207-967-3444 Fax Number 207-967-5462	
Federal I.D. # C-123456789		Seller Certificate # 07714	

3. If premises is a hotel, indicate number of rooms available for transient guests: NA
4. State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ 11,233,218.00 LIQUOR \$ 460,535.93
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- If YES, complete Supplementary Questionnaire
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: Candace Malloch
8. If business is NEW or under new ownership, indicate starting date: NA
- Requested inspection date: _____ Business hours: _____
9. Business records are located at: business address
10. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐
11. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

164 State House Station Augusta Me 04333-0164
Tel: 207-624-7220 Fax: 207-287-3424

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

Name in Full (Print Clearly)	DOB	Place of Birth
Robert S. Williamson	4.29.52	Biddeford ME
Gregory W. Jackson	4.26.48	Biddeford ME

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

ARUNDEL, MAINE
KENNEBUNK, MAINE

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

Yes ☐ No ☒ If Yes, give name: _____

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

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

17. Describe in detail the premises to be licensed; (Supplemental Diagram Required) Arundel Wharf Rest.

all as previously licensed

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

YES ☒ NO ☐ Applied for: _____

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1000 ft. Which of the above is nearest? So. Congregational Church

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

If YES, give details: _____

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

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

Dated at: Kennebunkport ME on May 13, 2015
Town/City, State Date

Signature of Applicant or Corporate Officer(s)
Gregory W. Jackson

Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)
Robert S. Williamson

Print Name

MAINE DEPT OF PUBLIC SAFETY

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



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

- Exact Corporate Name: Arundel Marine Service
Business D/B/A Name: Arundel Wharf Restaurant
- Date of Incorporation: Jan. 3, 1974
- State in which you are incorporated: Maine
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: N/A
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Robert S. Williamson	Arundel	4-29-52	85	Pres
Gregory W. Jackson	Kennebunk	4-26-48	15	GM-Governor
Stephen Y. Hodsdon	Kennebunk	1-20-50	0	Clerk

- What is the amount of authorized stock? 250 Outstanding Stock? 100
- Is any principal officer of the corporation a law enforcement official? Yes ☐ No ☒
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes ☐ No ☒
- If YES, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: Kennebunkport ME On: _____
City/Town Date

Gregory W. Jackson
Signature of Duly Authorized Officer

May 13, 2015
Date

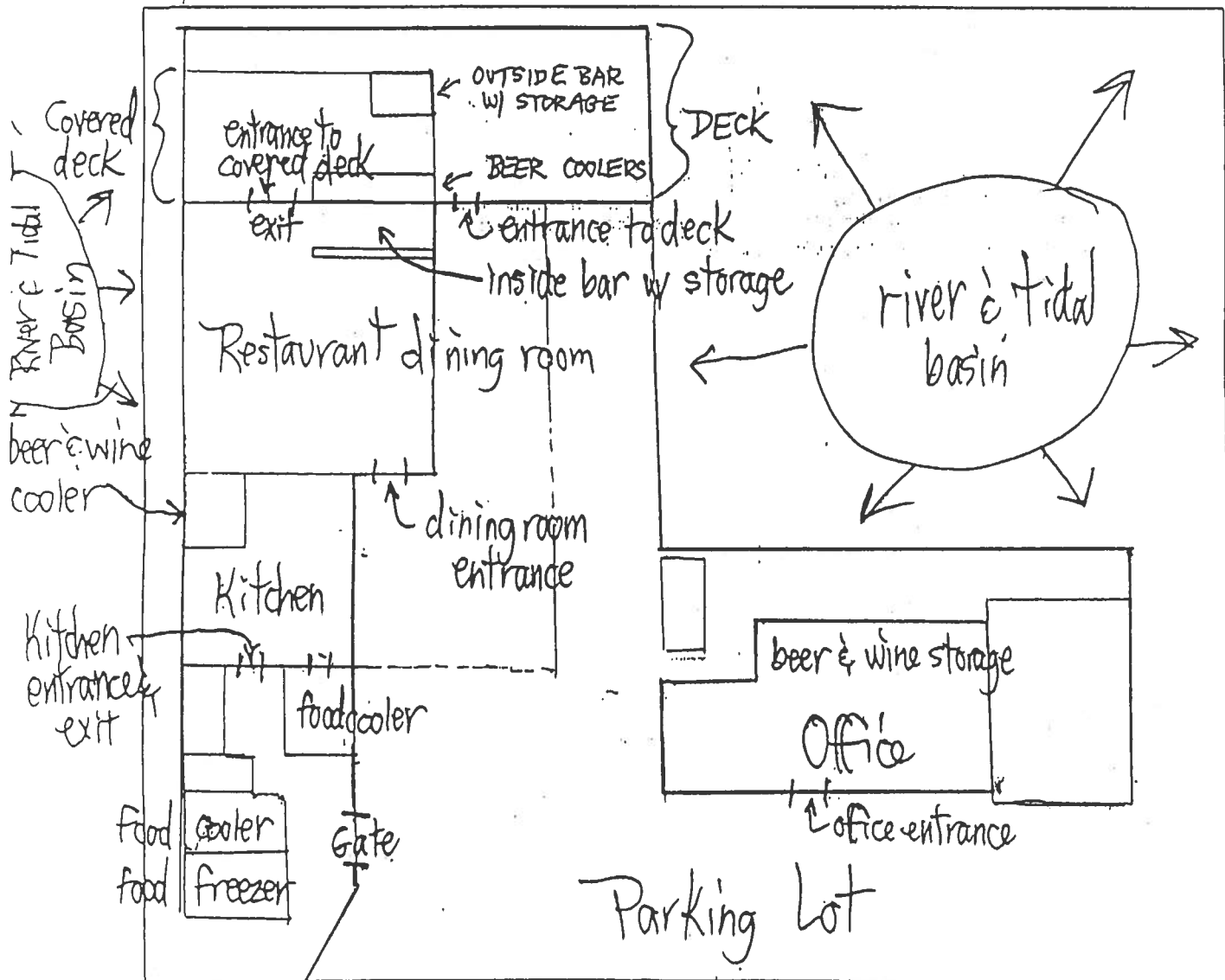
Gregory W. Jackson
Print Name of Duly Authorized Officer



SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your licensed premise and the areas that consumption and storage of liquor is allowed, The Bureau of Liquor Enforcement 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 Bureau for liquor consumption.



OFFICES LOCATED AT: 397 WATER STREET GARDINER, MAINE 03345

(207) 624-8745 (Voice)

(207) 624-4478 (TDD)

(207) 624-8767 (Fax)

Print Name

Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

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

FILING FEE..... \$ 10.00

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

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

STATE OF MAINE

Dated at: Kennebunkport, Maine York ss
City/Town (County)

On: May 28, 2015
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
 - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
 - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
 - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §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 violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
 - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
 - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
 - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
 - A. [1993, c.730, §27 (rp).]
 4. **No license to person who moved to obtain a license. (REPEALED)**
 5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. 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.



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

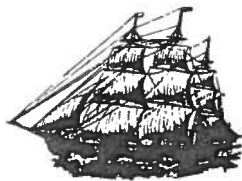
TOWN OF KENNEBUNKPORT

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kennebunkport Board of Selectmen, acting in their capacity as the Victualer's Licensing Board will conduct a public hearing on Thursday, May 28, 2015 at 7:00 PM at the Kennebunkport Village Fire Station, 32 North Street, Kennebunkport, Maine to consider applications for Victualer's Licenses for the period June 1, 2015 through May 31, 2016, in accordance with the provisions of the Victualer's Licensing Ordinance adopted by the Town on March 21, 2000.

The Licensing Board may license as many persons of good moral character to be Innkeepers, Victualers and Tavernkeepers in the Town as it considers necessary.

April Dufoe
Town Clerk



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

VICTUALER'S LICENSING HEARING

MAY 28, 2015

KENNEBUNKPORT VILLAGE FIRE STATION 32 NORTH STREET

We, the undersigned officials of the Town of Kennebunkport and Members of the Victualer's Licensing Board, do authorize the Town Clerk to issue a Victualer's License to the business establishments on the attached sheet. The license shall be valid from June 1, 2015 through May 31, 2016 in accordance with the provisions of the Victualer's Licensing Ordinance adopted by the Town on March 21, 2000.

Sheila Matthews-Bull

Edward W. Hutchins, II

Patrick A. Briggs

Allen A. Daggett

Stuart E. Barwise

BUSINESS NAME	BUSINESS LOCATION	CONTACT NAME	MAILING ADDRESS	CITY/STATE	ZIP	PHONE #	ALT #	# SEATS	# ROOMS	EMP/SHIFT	LIQ.EXP
1802 House	15 Locke Street	Roger & Teri Walker	15 Locke Street	Kennebunkport, ME	04046	967-5632		12	6	2	
Alisson's Restaurant	11 Dock Square	Adam Padgett	P.O. Box 344	Kennebunkport, ME	04046	967-4841		135	0	23	April 15
Arundel Wharf Restaurant	43 Ocean Ave.	Greg Jackson	P.O. Box 1950	Kennebunkport, ME	04046	468-7194		225	0	25	June 19
Aunt Marie's Ice Cream	10 Ocean Ave.	J. Steven Kingston	10 Boatswain Lane	Kennebunkport, ME	04046	967-3321	229-4114	0	0	3	
Bandaloop	2 Ocean Ave.	W. Scott Lee	5 Oak Grove Lane	Kennebunkport, ME	04046	967-4994	205-4994	78	0	11	March 24
Bradbury Bros. Market	167 Main Street	H. Stedman Seavey	P.O. Box 7267	Cape Porpoise, ME	04014	967-3939	967-5991	0	0	10	
Breakwater Inn	131-133 Ocean Avenue	Vaida Labzinyte	P.O. Box 5600	Kennebunkport, ME	04046	967-5333	967-4750	125	20	18	July 12
Breakwater Spa	127 Ocean Avenue	Vaida Labzinyte	P.O. Box 5600	Kennebunkport, ME	04046	967-5333	967-4750	25	15	7	April 24
Cape Arundel Golf Club	19 River Road	Anne Raynor	P.O. Box 1447	Kennebunkport, ME	04046	967-3494	229-4203	0	0	14	
Cape Arundel Inn	208 Ocean Ave.	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-2125	967-1503	65	14	15	
Cape Pier Chowder House	79 Pier Road	Allen & Wanda Daggett	P.O. Box 7217	Cape Porpoise, ME	04014	967-0123	967-0900	24	0	5	March 20
Cape Porpoise Creamery	166 Main Street	John Morin	12 Mills Rd	Kennebunkport, ME	04046	967-3370	603-209-4436	0	0	2	
Cape Porpoise Kitchen	1 Mills Road	Peggy Smith Liversidge	P.O. Box 231	Kennebunkport, ME	04046	967-1150	985-9258	12	0	8	
Captain Fairfield Inn	8 Pleasant Street	Leigh Blood	P.O. Box 3089	Kennebunkport, ME	04046	967-4454	781-241-7852	18	9	4	Jan. 26
Captain Jefferts Inn	5 Pearl Street	Sarah M. Lindblom	P.O. Box 691	Kennebunkport, ME	04046	967-2311		20	16	10	August 2
Captain Lord Mansion	6 Pleasant Street	Bev Davis & Rick Litchfield	P.O. Box 800	Kennebunkport, ME	04046	967-2341	967-3224	75	0	7	
Captain's	1 Pier Road	Lance Persson	P.O. Box 56	Kennebunkport, ME	04046	967-4533	985-0122	10	4	2	
Captain's Garden House	38 Maine Street	Bev Davis & Rick Litchfield	P.O. Box 800	Kennebunkport, ME	04046	967-2235	967-3224	10	4	1	
Chetwynd House Inn	4 Chestnut Street	Robert Knowles	P.O. Box 130	Kennebunkport, ME	04046	967-3704	985-0122	8	4	0	
Cove House	11 South Main Street	Barry Jones	11 South Main St	Kennebunkport, ME	04046	967-4422	284-3957	15	0	2	
Dock Square Coffee House	18 Dock Square	Samantha Asher	P.O. Box 542	Kennebunkport, ME	04046	286-7389		18	6	1	
Dock Square Inn	3 Temple Street	Kymara Loneragan	P.O. Box 1123	Kennebunkport, ME	04046	967-3315	229-8810	32	12	4	
Edgewater Inn	126 Ocean Ave.	Peter Ciriello & Caroline Neish	P.O. Box 2578	Kennebunkport, ME	04046	286-9848	286-4031	0	0	2	
Five Acre Farm	1 Bryant Lane	Melinda Anderson	43 Bryant Lane	Kennebunkport, ME	04046	967-3556		0	8	2	
Fontenay Terrace Motel	128 Ocean Ave.	David Reid	128 Ocean Ave	Kennebunkport, ME	04046	967-3351		0	0	1	
From Anne's Garden	230 Beachwood Ave.	Anne Dolinsky	230 Beachwood Ave.	Kennebunkport, ME	04046	967-5572	967-5991	0	0	6	
Goose Rocks Beach General Store	3 Dyke Road	Elizabeth Seavey	P.O. Box 7267	Cape Porpoise, ME	04014	978-857-0677		12	0	8	
Goose Rocks Dairy	278 Mills Road	Mary & Nicholas Costello	P.O. Box 2737	Kennebunkport, ME	04046	978-857-0677		120	0	15	
Goose Rocks Dairy Breakfast	278 Mills Road	Nicholas Costello	P.O. Box 2737	Kennebunkport, ME	04046	967-2074	251-0499	14	7	1	
Harbor Inn	90 Ocean Ave.	Katherine Jones	P.O. Box 1838	Kennebunkport, ME	04046	967-9050	967-1503	60	36	30	May 25
Hidden Pond	354 Goose Rocks Road	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-9111	967-5772	108	0	14	May 30
Hurricane Restaurant	29 Dock Square	Brooks MacDonald	P.O. Box 1801	Kennebunkport, ME	04046	967-2090	967-3696	200	2	8	
Kennebunk River Club	115 Ocean Avenue	Joe Brooke	P.O. Box 994	Kennebunkport, ME	04046	967-2621	967-1503	60	49	25	March 15
Kennebunkport Inn	One Dock Square	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-3993	967-1503	65	33	12	
Ledge on the Cove	29 South Main Street	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-2562	646-4691	45	0	8	April 14
Labels Lobster Claw	124 Ocean Ave.	Robert Fischer	P.O. Box 1956	Kennebunkport, ME	04046	967-2117	208-7220	34	17	8	
Maine Stay Inn & Cottages	34 Maine Street	Judith & Walter Hauer	P.O. Box 1800	Kennebunkport, ME	04046	603-235-3227	603-235-3228	0	0	6/7	
Maine Treats LLC dba Ben & Jerry's	5 Union Street	Brian Gentile	P.O. Box 2083	Derry, NH	03038	516-306-1992		35	3	4	NEW
Mangiamo dba Roma Pizza	5 Union Street	Luca Pizzuti	22 Narcissus Drive	Syosset, NY	11791	415-0706		20	0	3	
Moon Rose Café	8 Spring Street	Tom Murphy	25 South Main Street	Kennebunkport, ME	04046						

BUSINESS NAME	BUSINESS LOCATION	CONTACT NAME	MAILING ADDRESS	CITY/STATE	ZIP	PHONE #	ALT #	# SEATS	# ROOMS	EMP/SHIFT	LIQ.EXP
Nonantum Resort	95 Ocean Ave.	Tina Hewett-Gordon	P.O. Box 2626	Kennebunkport, ME	04046	967-4050	590-0922	200	109	36	April 12
Nunan's Lobster Hut	9 Mills Road	Richard & Keith Nunan	11 Mills Road	Kennebunkport, ME	04046	967-4362	967-4206	84	0	15	April 30
Ocean Woods Resort	71 Dyke Road	Kathleen Spang	71 Dyke Road	Kennebunkport, ME	04046	967-1928	468-6667	85/125	32	12	April 10
Old Fort Inn	8 Old Fort Ave.	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-5353	967-1503	32	16	10	May 18
Old Parsonage Guest House	15 School Street	John Spitta	15 School Street	Kennebunkport, ME	04046	967-4352		8	3/4	1	
Old Salt's Pantry	5 Ocean Ave.	John Belvea	P.O. Box 401	Kennebunkport, ME	04046	967-4966	617-320-3931	Take Out	0	3	
Patten's Berry Farm	76 North Street	Don & Dawn Patten	269 County Road	Gorham, ME	04038	967-2418	400-2223	Take Out	0	4	
Pier 77	77 Pier Road	Jaye Morency	P.O. Box 7709	Cape Porpoise, ME	04014	967-8500	351-1305	125	0	10	April 30
Port Lobster Company	122 Ocean Ave.	Kathy Anuszewski	P.O. Box 729	Kennebunkport, ME	04046	967-2081	967-2159	Take Out	0	10	
Rhumb Line Resort	41 Turbats Creek Road	Sheila Matthews-Bull	P.O. Box 3067	Kennebunkport, ME	04046	967-5457	967-3622	50	59	14	Feb. 1
Rococo Ice Cream	6 Spring Street	Lauren Guphill	538 School Street	Berwick, ME	03901	251-6866		0	0	6	
Roma Pizza	24 Ocean Ave. Unit B3&4	Luca Pizzuti	22 Narcissus Drive	Syosset, NY	11791	516-306-1992		20	1	1	
Salt and Honey	24 Ocean Ave # 516	Alison Riggieri/Jackson Yordon	P.O. Box 1459	Kennebunkport, ME	04046	508-410-1931	617-755-0226	45	0	4	
Sanborn's Seafood & Vegetables	Westvale Road	Roberta Sanborn	130 Main Street	Kennebunkport, ME	04046	967-2293		Take Out	0	1	
Seashore Trolley Museum	195 Log Cabin Road	Sheri Alcock	P.O. Box A	Kennebunkport, ME	04046	967-2800	415-6901	20	0	3	
Springer Hill Farm	52 Old Cape Road	Caroline Cluff	52 Old Cape Road	Kennebunkport, ME	04046	344-9103		Take Out	0	0	
The Boathouse Waterfront Hotel	21 Ocean Ave.	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-8223	967-1503	250	25	30	
The Candy Man	20 Dock Square	John Biagioni	P.O. Box 1271	Kennebunkport, ME	04046	967-5693	781-608-5281	0	0	3	
The Colony Hotel	140 Ocean Ave.	John Martin	140 Ocean Ave.	Kennebunkport, ME	04046	967-3331	468-1262	250	125	30	May 15
The Wayfarer	2 Pier Road	Scott Lewis	P.O. Box 1926	Kennebunkport, ME	04046	967-8961	271-2322	60	0	7	
Tides Beach Club	254 Kings Highway	Debra Lennon	182 Port Road	Kennebunk, ME	04043	967-3757	967-1503	65	21	25	May 25
Wicked Tails	4 Spring Street	Scott Lewis	P.O. Box 2742	Kennebunkport, ME	04046	973-271-2322		Take Out	0	2	
Wolf Farm & Lobster	376 Mills Road	Bernd Wolff	376 Mills Road	Kennebunkport, ME	04046	283-1729	282-1856	0	0	3	
Yachtsman Lodge & Marina	57 Ocean Ave.	Jason Martel	P.O. Box 5600	Kennebunkport, ME	04046	967-2511	967-4750	30	30	8	

9

**Kennebunkport
Parks & Recreation**

Memo

To: Laurie Smith, Town Manager
Kennebunkport Board of Selectmen

From: Carol G. Cook, Director of Parks & Recreation

Date: May 26, 2015

Re: Bid for Replacement MicroBus

We have been building a reserve fund for the replacement of our 2004 bus, with an expected cost of up to \$50,000 "for a 2015 GMC 3500 Series Cutaway with a Thomas Built body or Micro Bird MFSAB 200." The Request for Bids, including all specifications, were sent to 4 companies. We received 2 bids.

WC Cressey and Son, Inc of Kennebunk	\$46,519.15
Trade-in value	<u>\$ 4,623.00</u>
No other alternates noted	\$41,896.00 net
O'Connor Bus Sales of Portland	\$48,690.00
Trade-in value	<u>\$ 4,500.00</u>
No side wheelchair lift door or cargo net	\$44,190.00 net

I recommend that we go with the bid from O'Connor Bus Sales at \$48,690. It is not the low bid, but it is still within the budgeted figure. Both vehicles are on the same chassis, the body is different, and we feel that the overall style and quality of the Girardin Micro Bird body warrant the expenditure of additional funds. The Girardin offers additional head and leg room, increased visibility through larger windows, better storage area, more attractive style (promotional photos on reverse), and immediate availability (the Cressey bid listed an anticipated delivery date if order placed by June 1, 2015 as 90-120 days compared to June 9 for O'Connor).

I expect that the Board will determine if we want to accept the trade-in over putting the old vehicle out to bid.

Thank you for your time and consideration.

MICRO BIRD® G5 GM - MFSAB



Versatile transportation for up to 30 passengers



Multi-Function School Activity Bus

Built to FMVSS/CMVSS School bus construction for your peace of mind.

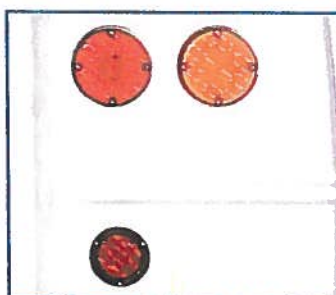


Integrated child seats and 3-point lap and shoulder seat belts are available for enhanced safety and versatility.



Maximum visibility of loading zone is provided by fully-glassed entrance door and unobstructed "More-View" window.

Standard 32" electric double-opening door.



LED clearance lights, direction lights and stop lights are standard equipment offering enhanced safety, while reducing operating and maintenance costs.



Also Available:

Special needs Micro Bird with double-leaf wheelchair doors offer protection on both sides of the lift, thus adding to passenger safety, while offering superior weather seal and door strength.

COUNT ON BLUE BIRD

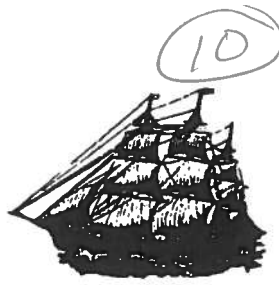
LEADN MADE AT WWW.BLUEBIRD.COM





THE MINOTOUR





KENNEBUNKPORT WASTEWATER DEPARTMENT

Date: April 20, 2015

To: The Board of Selectman

From: Allan Moir

Re: Sewer extension for Wallace Woods Subdivision.

Sebago Technics for Turner Porter has applied to connect ten house lots from the Wallace Woods Subdivision into the collection system.

The Wastewater Dept. hired Pinkham & Greer Engineers to review the application, and to make a recommendation on allowing them to tie into the collection system.

I have reviewed the report and Pinkham & Greer does not have a problem with them tying into system, there should be little or no impact to our system. (See attached report)

I also have reviewed all of the documents and I would recommend that the applicant be allowed to tie into the collection system.

I would also like to recommend the Town never take possession of this system because it is a pressure system.

Sewer Extension Application

Project Name: Wallace Woods Subdivision

Applicant: Turner Porter

Address: 34 Raeder Drive, Stratham, NH 03885

Phone number: (603) 502-6054

Engineering firm: Sebago Technics, Inc.

Contact Person: Steve Doe

Address: 75 John Roberts Road, Suite 1A

Phone number: (207) 200-2056

Contractor: _____

Contact Person: _____

Address: _____

Phone number: _____

Location of the proposed extension Tax Map # 9 Block # 3 Lot # 1B

Street Address: 45 North Street, Kennebunkport, ME 04046

Does the Sewer Extension have frontage on the collection system Yes ☒ No ☐

Is this expansion for industrial or commercial use? Yes ☐ No ☒

If yes will the user have to comply with US EPA Pretreatment Standards Yes ☐ No ☐ N/A

Is this property in the resource protection, shore land protection, critical edge, flood plain zone or in a sand dune area? Yes ☐ No ☒

Do you have the necessary environmental permits to do the project ? Yes ☒ No ☐

Will this project require planning board approval in any way ? Yes ☒ No ☐

The Sewer Extension will be

- A. Within the public way ☐
- B. On private property only ☒
- C. On both public and private property ☐

Description of Sewer Extension

Linear feet of pipe in the public way. Already Constructed

Linear feet of pipe on private property. Approximately 1,048 ft in private force main

Number of new sewer units to be served:

On the public way None

On private property 10 additional single family units

Estimated start date of construction? Spring/ Summer 2015

Estimated completion date? Fall/ Winter 2015

General Description of extension: The construction at a low pressure force main system to serve 10 additional residences. Force main will connect to the existing public gravity system in the proposed private right-of-way.

All applications must include the following:

A survey showing the location and the proposed sewer extension

A copy of the survey and the engineering drawing's, will be submitted on a 3.5 inch computer disk in the DWG format for use with AutoCAD along with the paper drawings.

A list of all the property owners and mailing address that are within two hundred (200) feet of the proposed sewer extension. This list must be submitted on a 3.5 computer disk and be able to be used with MS Word.

Proof of the owner of the project to secure a letter of credit, equal to the amount of 125% of the estimated cost of the project. This letter will be issued to The Town of Kennebunkport before approval of the project is given.

In consideration of the granting of this application, the undersigned agrees to the following:

To accept and abide by all the rules and regulations of the Town of Kennebunkport Sewer Dept. and the State of Maine Dept. of Environmental Protections and the US Environmental Protection Agency and all pertinent ordinances and regulation.

Approval of this application is only for the concept of the sewer extension. Approval of the construction plans and specifications will be needed before any construction can begin.

If approval is given for this project, two (2) complete sets of plans and specifications must be given to the Sewer Superintendent for his approval. The plans and specifications must be approved by the Superintendent at least 30 day before the start of the project.


To submit a sewer connection application for each building that will be connecting into the collection system, due to this sewer extension and pay all the appropriate fees.

Application Fees:

\$5.00 / foot of pipe in the sewer extension.	\$ <u>5.00 x 1048 = \$5,240.00</u>
\$500.00 / sewer unit served by this project.	\$ <u>500.00 x 10 = \$5,000.00</u>

All fees will be based on the higher amount of the per foot costs or the per units cost.

Date: 2/4/15 Signed: 
(Applicant or if a corporation the president only)

\$ 5,240.00 Application Fees paid 
(Certification by)

Date of approval from The Board of Selectman: _____

Date of Town Meeting: _____

Date of Acceptance or Rejection at Town Meeting: _____

File: 15113

PINKHAM & GREER
CIVIL ENGINEERS

28 VANNAH AVE. PORTLAND, ME. 04103
Tel: 207.781.5242 Fax: 207.781.4245

April 14, 2015

Mr. Allan Moir
Kennebunkport Sewer District
PO Box 1038
Kennebunkport, ME 04046

RE: REVIEW OF WALLACE WOODS SUBDIVISION

Dear Allan,

I have reviewed the application for sewer extension for Wallace Woods Subdivision. My review included a cursory review of the treatment plant data, the flow capacity of the Mill Lane Pump Station, the gravity sewer lines to the treatment plant and the drawings prepared by Sebago Technics for the project. I assume you are not experiencing any capacity or operation issues currently.

Based on approximately 3,000 gpd from this project, the treatment should continue to function as it currently does. I noted you have inflow spikes during heavy rain storms that increase the maximum inflow to the plant. I would expect this pressure system to be tight and exacerbate that problem.

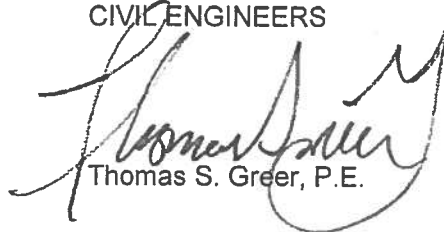
Using a peaking factor of 3, the existing gravity sewer will be less than 50% capacity with this project on line, well within the limits that I would find acceptable.

The pump station has a journal weekly periods that the pumps ran 12 to 15 hours. These are anomalies in the data as most peak weeks are in the 6 to 7 hour range. At 7 hours the total flow would be in the 10,000 gpd range. Total run time on the pumps would be about 60 minutes per day. The addition of 3,000 gpd will increase by about 17 minutes. This is well within the normal operational times for the pump station. It has sufficient capacity for this project.

I have reviewed the plans dated 3/31/15 detailing the design of the pressure system. It appears to be conventional system meeting the normal design criteria. The depth of the forcemain should be noted on the plans. Also the detail on sheet 9 of 9 uses 3" diameter pipe. The forcemain is labeled 2", these just need coordination.

Note my review is limited to the sewer system only. Please let me know if you have any questions.

PINKHAM & GREER,
CIVIL ENGINEERS



Thomas S. Greer, P.E.

Enclosure

cc: Steve Doe-Sebago Technics, File

TSG/rjs

45 NORTH STREET
KENNEBUNKPORT, ME 04046



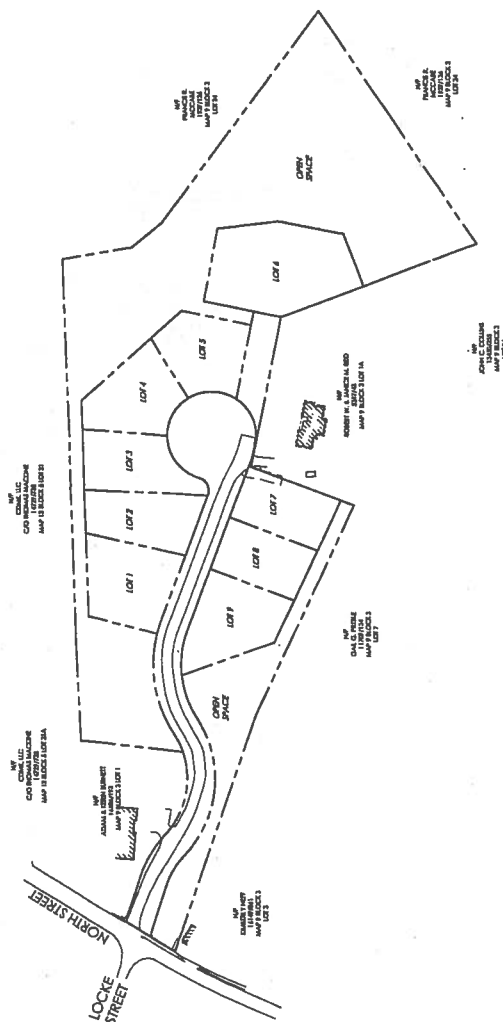
APPLICANT:

TURNER PORTER
34 RAEDER DRIVE
STRATHAM, NH 03885

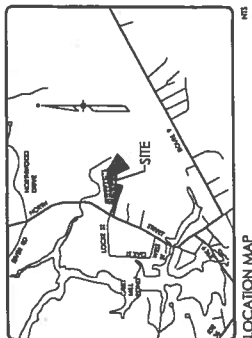
ENGINEER/SURVEYOR:



215 Avon Roberts Rd. - Suite B
1A South Portland ME
04106
Tel. 207-273-1101



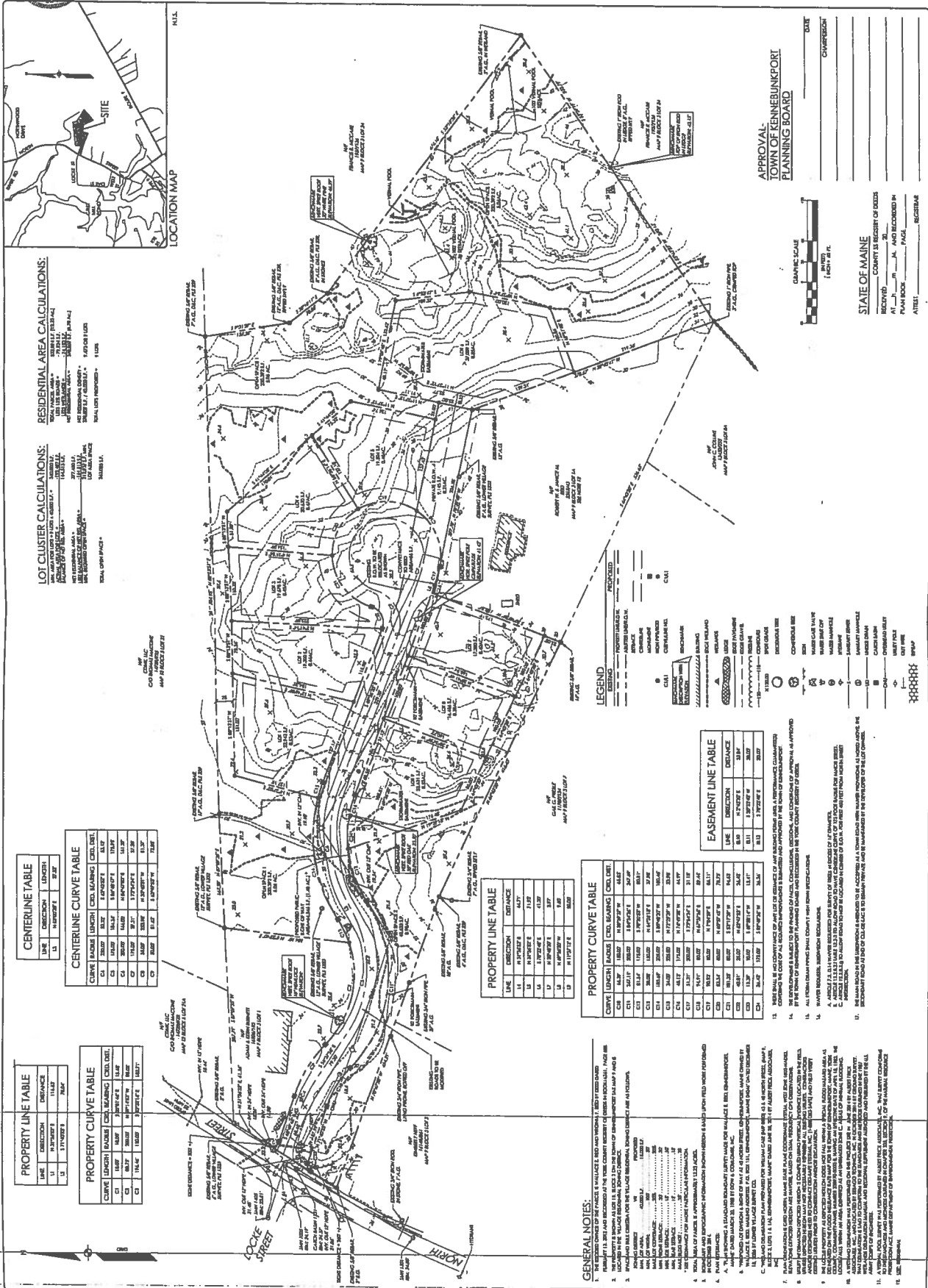
SCALE: 1" = 100'



SHEET INDEX:

- | | |
|---|-----------------------------------|
| 1 | COVER SHEET |
| 2 | EXISTING CONDITIONS PLAN |
| 3 | SUBDIVISION PLAN |
| 4 | PLAN & PROFILE |
| 5 | PLAN & PROFILE |
| 6 | EROSION CONTROL NOTES AND DETAILS |
| 7 | DETAILS |
| 8 | DETAILS |
| 9 | DETAILS |

REVISED THROUGH 1-21-15



GENERAL NOTES:

- [illegible]

10

ARTICLE VI - SEWER EXTENSIONS

Sec. 1. Sewer Extensions within Public Way at Public Expense. Sewer extensions to be located within public ways and individual building sewers to the property line may be constructed by the Town at public expense if the voters of the Town acting at an annual or special town meeting authorize such an extension and appropriate the necessary funds therefore. Under this arrangement, each property owner shall pay for and install the building sewer from the public sewer to his or her residence or place of business in accordance with the requirements of Article V. Property owners may request that an article authorizing such a sewer extension and appropriating the necessary funds therefore be included in the warrant of the next annual town meeting by filing a written petition signed by a majority of the benefiting property owners with the Selectmen at least ninety (90) days prior to the annual meeting. Prior town meeting approval is required before the project may be built at public expense.

Sec. 2. Sewer Extensions within Public Way at Private Expense. If the Town does not elect to construct a sewer extension within a public way at public expense, or upon proper application, any property owner, builder or developer may offer to make an unconditional gift to the Town of a sewer extension to be constructed within a public way at the property owner's own expense under a private contract. The property owner, builder, or developer offering to make such an unconditional gift to the Town shall follow the requirements outlined below:

(A) Submission Requirements:

The applicant will submit an application provided by the Sewer Department to the Superintendent along with the following materials:

- An application fee in an amount equal to the greater of Five dollars (\$5.00) per linear foot of pipe for the proposed sewer extension, or Five hundred dollars (\$500.00) per sewer unit charge which will be assessed under Article XIII, Sec. 2 against the buildings which the applicant intends to construct, develop or provide with sewer service in connection with the proposed sewer extension. These fees shall also include any sewer units that are on abutting properties that will be able to connect to this extension. Such application fees shall be placed in a separate non-lapsing account to be used by the Town for the purpose of paying the costs of publishing legal notices, holding public hearings, reviewing sewer extension applications and studying the impacts thereof in accordance with the provisions of this Article.
- Conceptual drawings and specifications for the project. Project drawings and specification must be submitted electronically and on paper copies.
- A survey showing the location of the property and the proposed sewer extension. This information shall be submitted as a paper drawing and electronically in the DWG format for

use with AutoCAD. The digital transfer of any subdivision plan data shall be delivered on the Town's chosen Horizontal Datum: Maine State Plane Coordinate System: Maine West Zone FIPS Zone 1802, North American Datum 1983; Units: US Survey Feet.

The preferable vertical datum is North American Vertical Datum 1988 (NAVD88). However, if only National Geodetic Vertical Datum 1929 (NGVD29) is possible, this is permissible. The choice of vertical datum must be indicated on the digital submission. The Ellipsoid is GRS 80 (Geodetic Reference System 1980).

Data shall have survey grade positional accuracy. Data could be developed using either Real Time Kinematic (RTK) GPS, survey-grade Static GPS data collection or traditional methods of occupying known, high-precision surveyed monuments. The datum, survey methods, and type of survey equipment used shall be identified.

- A list of all the property owners and mailing addresses that are within two hundred (200) feet of the proposed sewer extension property boundaries. This list shall be submitted on paper and electronically and be able to be used with MS Word format.
- Proof of the ability to secure an irrevocable letter of credit or post cash or other cash equivalent in a form acceptable to the Board of Selectmen in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the project. The letter of credit or the cash security will remain in effect until after the guaranty has expired.
- Any other information the Town may require on a case-by-case basis.

If any easements, rights, title, or interests to other properties are required for the construction of the sewer extension, the property owner, builder, developer or applicant must have acquired them before the Town will make any review.

(B) Review of Extension Application:

The Superintendent shall immediately give the completed application to the Secretary of the Planning Board who shall refer it to the Planning Board. The Planning Board shall schedule a public hearing to be held within sixty (60) days of receipt of a completed application as determined by the Superintendent.

At least ten (10) days prior to the hearing date, the Secretary to the Planning Board shall publish a notice of the hearing in a newspaper of general circulation in the Town. The notice shall identify generally the route of the proposed extension, the name of the applicant, and the time and place of the public hearing.

Notice of the hearing shall be sent by the Town by certified mail to the owners of all property within two hundred (200) feet of the property boundaries of the project at least seven (7) days in advance of the hearing. The owners of abutting property shall be considered to be those

shown on the tax lists as those against whom taxes are assessed. The Planning Board shall maintain as a part of the record for each case a completed list of all property owners so notified. Failure of any property owner to receive a notice shall not necessitate another hearing or invalidate the action of the Planning Board.

At the hearing, the applicant, Superintendent, and any other interested person may be heard. The public hearing may be continued to a later date at the discretion of the Planning Board.

With the approval of the Town Manager, the Planning Board may arrange for a study of the likely impacts of the proposed sewer extension. Such study shall address but not be limited to the following issues:

- (a) Whether there are reasonable alternative methods of sewage disposal at the site or sites to be served by the proposed extension;
- (b) Whether the proposed extension will result in significant benefit or harm to environmental quality;
- (c) Whether the proposed extension will provide economic benefits or will significantly increase costs to the Town;
- (d) Whether the proposed extension will tend to significantly increase residential, commercial or industrial development in the area to be served by the extension and whether such increase is compatible with the Town's Comprehensive Plan; and
- (e) Such other issues as the Planning Board may direct.

Within forty-five (45) days of the close of the public hearing or receipt of the results of the Planning Board's study, whichever is later, the Planning Board shall issue a written recommendation to the Board of Selectmen as to whether the sewer extension project should be built and whether the proposed unconditional gift of such extension to the Town should be accepted or refused and shall state the reasons for its recommendation.

With the approval of the Town Manager, the Sewer Superintendent may arrange for a study of the likely impacts of the proposed sewer extension. Such study may address but not be limited to the following issues:

- (a) Whether the proposed extension will significantly increase or decrease user fees within the Town;
- (b) Whether the proposed extension will be compatible with future or planned extensions of the sewer system within the Town;

- (c) Whether the increase in sewage resulting from the proposed extension can be adequately handled by the existing treatment plant, pumping stations and other facilities;
- (d) Such other issues as the Superintendent may direct.

Within forty-five (45) days of the close of the Planning Board's public hearing or receipt of the results of the Superintendent's study, whichever is later, the Superintendent shall issue a written recommendation to the Board of Selectmen as to whether the sewer extension project should be built and whether the proposed unconditional gift of such extension to the Town should be accepted or refused and shall state the reasons for its recommendation.

The studies requested by the Planning Board and/or the Sewer Superintendent shall be paid for from the non-lapsing account established under this Section or by such other monies as may be properly authorized. In the event that the costs associated with any of the studies exceed (80%) eighty percent of the application fees, the applicant will be assessed additional fees to cover the cost of doing the studies.

Following the receipt of the Planning Board's and Superintendent's recommendations, the Board of Selectmen shall approve or deny the project.

(C) Acceptance of Unconditional Gift by Town Meeting:

All sewer extensions, including any pumping stations, constructed at the property owner's or applicant's expense, together with a sewer easement in a form satisfactory to the Selectmen, must be offered to the Town as an unconditional gift.

Following the Selectmen's approval of the project but prior to the Selectmen's insertion of an article in the warrant, the property owner, builder or developer must submit plans and specifications for the proposed sewer extension to the Sewer Superintendent for his review, including a complete set of drawings on paper and on a computer disk in the Auto-Cad format (DWG), showing the equipment as proposed to be installed. The Superintendent must approve said plans and specifications before any work is commenced and before an article can be placed in the warrant.

Following the Superintendent's approval of the plans, specifications and drawings, the Selectmen shall insert an article in the warrant of the next annual or special town meeting to see if the Town will vote to accept the proposed unconditional gift of the sewer extension that will be in the Town's road way. A special town meeting may be called to address this one item if the applicant agrees to bear the cost of the meeting. The recommendations of the Planning Board and Sewer Superintendent may be set forth as an informational item beneath the article in the warrant calling the annual or special town meeting.

The article included in the warrant shall require as a condition to acceptance of the proposed gift that the applicant shall furnish the Town with an irrevocable letter of credit or cash or cash equivalent in a form acceptable to the Board of Selectmen to ensure proper completion of the

project. The guarantee shall be in an amount equal to one hundred twenty-five percent (125%) of the estimated cost of the project and shall remain in effect until after the contractor's warranty period has expired or until any adjustments are made by the Sewer Superintendent as referenced in Section E below. The amount of the guarantee shall be increased if the cost of the project, as determined by final bids, is significantly higher than the estimated costs furnished to the Planning Board. The Town Manager shall order such adjustment to be made if needed to provide security equal to one hundred twenty-five (125%) of the cost of the project. The article included in the warrant shall also provide that acceptance of a sewer extension to be constructed at private expense shall be subject to prior approval of the contractor and the terms of the construction contract by the Selectmen.

(D) Construction and Inspection after Approval by Town Meeting:

If the Town votes to accept the proposed gift of a sewer extension to be constructed in a public way under private contract, the applicant must obtain all permits required under existing ordinances and state law, including a permit from the Board of Selectmen. All construction shall at least meet the minimum design and construction specifications provided by the Town, which shall be given to the property owner, builder or developer at the time a permit is obtained. No construction or work on the sewer extension project may begin until (1) the Superintendent has approved the plans and specifications submitted by the property owner, builder or developer, and (2) the unconditional gift of the sewer extension has been accepted by the Town meeting.

Each building sewer must be installed and inspected as required in Article V and the fees required under Article V shall be paid. The installation of the sewer extension shall be subject to periodic inspection by the Superintendent or his authorized representatives, who shall include a full time inspector if the Superintendent determines it to be in the Town's best interests. The expenses for said inspection shall be paid for by the owner, builder or developer. The Superintendent's decisions shall be final in matters of quality and methods of construction. The sewer, as constructed, must pass all tests required in Article V before it is to be used.

It is the responsibility of the applicant to ensure compliance with all of the applicable requirements of the Maine Department of Environmental Protection (DEP), the federal Environmental Protection Agency (EPA) and the Town.

(E) Town Acquisition of All Sewer Extensions:

Within (30) thirty days after the installation, inspection of the project and the connection of 90% of the intended sewer units as described in Section 2(D) above, the owner shall convey title to said sewer extension to the Town, together with a perpetual sewer easement and maintenance easement. Said sewers and pump stations, after conveyance to the Town, shall be guaranteed by the property owner, builder, or developer against defects in materials or workmanship for twelve (12) months after acceptance by the Town, provided, however, that after completion of construction of the sewer line extension and acceptance thereof by the Town, but prior to the expiration of the

twelve (12) month warranty period, the Sewer Superintendent shall have discretion to release to the owner up to ninety percent (90%) of the guarantee amount upon the Superintendent's determination that the sewer extension has been properly constructed, is free of defects in materials or workmanship and is operationally sound. The guarantee shall be in a form and in an amount acceptable to the Town Manager, who may act in consultation with the Selectmen, the Sewer Superintendent, the Town's attorney, and any other appropriate persons.

Sec. 3. Sewer Extensions Located on Private Property at Private Expense. Any property owner may request permission of the Town to construct at the property owner's own expense a sewer extension on private property serving two (2) or more buildings. The property owner, builder, or developer shall offer to make an unconditional gift to the Town of a sewer extension to be constructed on private property at the property owner's own expense under a private contract. The property owner, builder, or developer offering to make such an unconditional gift to the Town shall follow the requirements outlined in Section 2(A) and (B) above.

Following the Selectmen's approval of the project, the property owner, builder or developer must submit plans and specifications for the proposed sewer extension to the Sewer Superintendent for his review, including a complete set of drawings on paper and on computer disk in the Auto-Cad format (DWG), showing the equipment as proposed to be installed. The Superintendent must approve said plans and specifications before any work is commenced.

Digital transfer of any subdivision plan data shall be delivered on the Town's chosen Horizontal Datum: Maine State Plane Coordinate System: Maine West Zone FIPS Zone 1802, North American Datum 1983; Units: US Survey Feet.

The preferable vertical datum is North American Vertical Datum 1988 (NAVD88). However, if only National Geodetic Vertical Datum 1929 (NGVD29) is possible, this is permissible. The choice of vertical datum must be indicated on the digital submission. The Ellipsoid is GRS 80 (Geodetic Reference System 1980).

Data shall have survey grade positional accuracy. Data could be developed using either Real Time Kinematic (RTK) GPS, survey-grade Static GPS data collection or traditional methods of occupying known, high-precision surveyed monuments. The datum, survey methods, and type of survey equipment used shall be identified.

Construction of a sewer extension on private property at private expense, however, need not be delayed until after a Town meeting vote to accept the proposed unconditional gift of the extension. Although the property owner, builder or developer must offer the sewer extension to the Town as an unconditional gift, if the unconditional gift is rejected the sewer extension will remain the property of the property owner and not the Town.

Kennebunkport Fire Department
Capital Account # 3904-3003
SCBA Replacement Air Cylinders
Budgeted Amount \$11, 200

11

We maintain between 125 and 140 air cylinders for use with our self-contained breathing apparatus (SCBA). This quantity allows us to meet the requirements for having 2 cylinders per air pack plus additional spares for use while empty cylinders are refilled. The cylinders must be retired from service after 15 years. This purchase is part of a multi-year planned replacement of the cylinders to avoid having to replace an excessive quantity in any single year.

There are two full-service vendors authorized to sell Scott air pack products in Maine. Pricing from national non-service national vendors is also shown for comparison purposes:

	Price Each	Qty	Total
Industrial Protection Services (IPS) So. Portland	715.00	14	10,010.00
Fire Tech & Safety Winthrop	712.15	14	9,970.10
Walmart (yes, that Walmart!) National	818.92	14	11,464.88
Grainger Industrial Products National	1725.00	14	24,150.00

We are requesting to purchase 14 cylinders from IPS. IPS has been providing excellent service to the Kennebunkport Fire Department. Their local representative has picked up products needing repair, saving us from shipping costs; and in many cases has been able to perform repairs for us on the spot and at no cost.



125 John Roberts Rd
South Portland, ME 04106
PH: 207-847-3313
Jon Usher-Maine Sales
jusher@ipp-ips.com

PRICE QUOTE FOR:
Kennebunkport Fire Department
Dick Stedman
PO Box 505
Kennebunkport, ME 04046

DATE:
5/21/2015

Product/Description	Price Ea	Qty	Extension
Scott Safety 4500 PSI 30 Minute Duration Carbon Fiber Cylinder p/n 804721-01	\$715.00	14	\$10,010.00

FIRE TECH & SAFETY OF NEW ENGLAND, INC.
 PO Box 435
 84A Route 133
 Winthrop, ME 04364-0435
 1-800-331-7900 Fax (207) 377-6260



Quote

Date	Quote #
5/14/2015	413

Name / Address
KENNEBUNKPORT F.D.-ME 32 NORTH STREET P.O. BOX 505 KENNEBUNKPORT, ME 04046



			Rep
			NW
Qty	Description	Unit Price	Total
14	SCOTT-CARBON CYL. & VALVE 4500 30 MIN SHIPPING AND HANDLING INCLUDED IN PRICE	712.15 0.00	9,970.10 0.00
		Total	\$9,970.10

[Gift Cards](#) [Registry](#) [Lists](#) [Weekly Ads](#) [Store Finder](#) [Track Order](#) [Savings Catcher](#) [Help](#)

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All Departments

My Local Store

Value of the Day

Tips & Ideas

Join the waitlist for unlimited shipping



"Five stars for quality, value, durability, absorbency." - main

Shop Now

Home Improvement > Safety Equipment & Gear

SCOTT SAFETY 804721-01 SCBA Cylinder, 4500 psi, Gray, Carbon Fiber

11 reviews Q&A



\$818⁹² Out of stock



Quantity: 1

Get in-stock alert

Add to list

Sold by Zoro | Return policy

Shipping
Not available

FREE pickup
Not available

SCBA Cylinder,4500 psi,Gray,Carbon Fiber

More about this item...

Check out these related products



\$917⁷⁰

BRADLEY S19-310AC
Drench Shower With...



\$439⁶⁵

EATON CHAR-LYNN 101-
1015 Motor,...

Reduced Price



\$396⁰⁰

Was \$435.60
You save \$39.60

WarmlyYours WHMA-
240-0315 Mat Snow...



\$407⁶⁵

3M 06-0100-20/37172
Welding Helmet,...



\$551¹⁰

PARKER
TB0295A5100AAAA...

\$7

BRA
Drei



Rollback Roundup

THOUSANDS of NEW ITEMS just added!

Save Now

About this item

Customer reviews

Item recommendations

Policies

[View Product Family](#)

SCBA Cylinder, 4500 psi, Gray, Carbon Fiber

SCOTT SAFETY**Clearance Price****\$1,725.00 / each**
Price ~~\$1,816.00~~ / each

1

[Add to Cart](#)[+ Add to List](#)

Confirm ZIP Code to determine availability.

ZIP Code

04011

[Save](#)[Be the first to write a review](#) | [Ask & Answer](#)[How can we improve our Product Images?](#)☐ [Compare](#)Item # **5EER6**Mfr. Model # **804721-01**UNSPSC # **46182004**Catalog Page # **2408**Shipping Weight **11.7 lbs.**Country of Origin **USA** | *Country of Origin is subject to change.**Note: Product availability is real-time updated and adjusted continuously. The product will be reserved for you when you complete your order. More*

Technical Specs

Item	SCBA Cylinder	Cylinder Material	Carbon Fiber
Pressure	4500 psi	Color	Gray
Duration	30 min.	For Use With	Scott Safety Self Contained Breathing Apparatus

12

TOWN OF KENNEBUNKPORT
Street Opening Permit

PROPERTY INFORMATION

Name of Homeowner: Traci Freed & Mark Corbett Date: 5-20-2015
Address: 2 Woodlawn Avenue, Kennebunkport, ME 04046
Telephone: 617-216-0599 Map, Block, Lot: Map 9 Block 4 Lot 22
Street to be excavated: Woodlawn Avenue
Size of excavation (length and width): 24' x 5'
Reason for excavation: Sewer service to house
Permit Conditions: If there is, any intrusion into the black top, road should be paved from curb to curb.

CONTRACTOR INFORMATION

Date of excavation: After June 1, 2015
Name of Contractor: North East Excavation
Address: 29 Haley Rd Arundel ME - 04046
Telephone: 1-207-205-7375 Fax: N/A

BOND & INSURANCE INFORMATION

Performance Bond: ☐ Cash ☒ Check ☐ Money Order ☐ Surety Bond ☐ Other
Bond Amount: \$2,000
Company that issued the bond (if applicable): _____
Person or entity providing the bond to the Town (contractor, property owner, other): Property owner
Insurance Company: Acadia Insurance
Signature of person completing the application: [Signature] Date: 5-20-2015

APPROVED

Highway Superintendent: [Signature] Selectmen: _____
Selectmen: _____ Selectmen: _____
Selectmen: _____ Selectmen: _____
Date Approved: _____

*Please attach map or sketch showing the location and size of any cuts to be made; a bond; and proof of insurance.

Application Fee: \$25.00
Date Paid: 5-20-2015
Amount Paid: \$25.00
☐ Cash ☒ Check ☐ Money Order



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
5/18/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Tapley Insurance Agency Inc.
300 York Street
PO Box 808
York ME 03909-0808

CONTACT NAME: Timothy Klajbor
PHONE (A/C No. Ext.): (207) 363-7894 FAX (A/C No.): (207) 363-4794
E-MAIL ADDRESS: tklaibor@tapleyagency.com

INSURED
NORTHEAST EXCAVATION & HARDSCAPING
29 HALEY ROAD
ARUNDEL ME 04046

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Acadia Insurance Company	31325
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 14-15

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		CNA5026814-13	12/14/2014	12/14/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
A	AUTOMOBILE LIABILITY					
	<input checked="" type="checkbox"/> ANY AUTO					
	<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS		CAA5026962-13	12/14/2014	12/14/2015	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist BI-single \$ 1,000,000
	<input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					
	UMBRELLA LIAB <input type="checkbox"/> OCCUR					
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A			WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

EVIDENCE OF LIABILITY INSURANCE FOR EXCAVATING WORK PERFORMED BY THE INSURED DURING THE POLICY PERIOD.

CERTIFICATE HOLDER

CANCELLATION

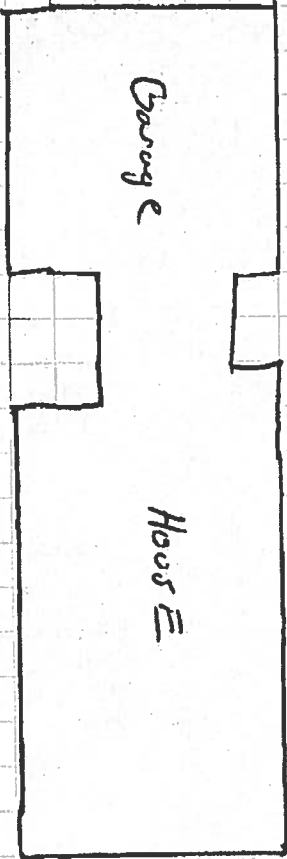
KENNEBUNKPORT SEWER DISTRICT
71 WATER STREET
KENNEBUNKPORT, ME 04043

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Timothy Klajbor/TIM

Freed and Corbett



Colbert

New Sewer line

Water valves

Wood lawn

Wildes District Road

5

Sewer main

Sewer main

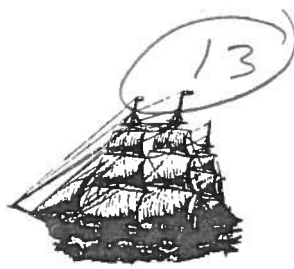
5

Town of KENNEBUNKPORT
----- R e c e i p t -----

Thank You for Your Payment

05/20/15 8:53 AM ID:JLL #12969-1
TYPE----- REF--- AMOUNT
Miscellaneous
road opening

Amount 25.00
Total: 25.00*
Paid By: Creative Coast Construction - a)
Remaining Balance: 0.00
Balance reflects all related accounts"
check : 25.00
1803 - 25.00



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

PROCLAMATION RECOGNIZING the 90th Birthday of Barbara Bush

WHEREAS, Former First Lady Barbara Bush was born on June 8, 1925, in New York City; and

WHEREAS, Barbara Bush has been a summer resident of Kennebunkport for many years; and

WHEREAS, 90 years of life well lived is something to be admired by all; and

WHEREAS, Barbara Bush has committed her life to the purpose of public service promoting literacy by creating the Foundation of Family Literacy; and

WHEREAS, Barbara Bush, during her productive lifetime, has earned the respect and affection of the residents of Kennebunkport as shown by the planting of Ganny's Garden, a tribute to her on the Village Green; and

WHEREAS, the Selectmen of Kennebunkport and the residents of Kennebunkport wish to honor her on this special occasion;

NOW, THEREFORE BE IT RESOLVED, that the Kennebunkport Board of Selectmen, do hereby extend best wishes to Barbara Bush on the occasion of her 90th birthday, with sincere congratulations and well wishes for many more happy and productive years.

Signed this 27th day of May, 2015 by the Kennebunkport Board of Selectmen.

Stuart Barwise

Patrick Briggs

Allen Daggett, Chair

Edward Hutchins

Sheila Matthews-Bull

14



THE ANIMAL WELFARE SOCIETY, INC.

HOLLAND ROAD • POST OFFICE BOX 43 • WEST KENNEBUNK, MAINE 04094-0043 • 207/985-3244

ANIMAL SHELTER AGREEMENT, KENNEBUNKPORT

This agreement is by and between the Animal Welfare Society, Inc., a non-profit corporation organized and existing under the laws of the State of Maine (herein-after AWS), Old Holland Road, West Kennebunk, Maine and the *Town of Kennebunkport*, Maine (hereafter municipality). The terms of this agreement shall take effect on July 1, 2015 and shall remain in effect until June 30, 2016.

Whereas, The State of Maine requires municipalities to enter into a contract with, or have an arrangement for, a shelter that will accept stray animals originating within that municipality.

Whereas, The AWS operates an animal shelter as defined in 7 M.R.S. Section 3907 which is a suitable facility for the housing and/or disposal of said animals and desires to make said facilities available to the municipality for a reasonable fee.

Now Therefore, in consideration of the mutual promises contained herein the parties agree as follows:

1. The AWS will confine such stray and lost dogs and cats as may be delivered to it by an authorized agent of the municipality for the legal impoundment period. At the end of this period, the AWS will make such a disposition as it seems fit in accordance with 7 M.R.S. Sections 3912, 3913, 3968 et. seq.
2. Delivery of said animals shall be accepted from the municipality's Animal Control Officer/Police from 9:00 a.m. to 5:00 p.m., Monday through Saturday. Police and/or Animal Control Officer will be issued a key to an after hours holding room at the Shelter. Private citizens residing in the municipality may bring stray cats, dogs and ferrets to the Shelter during regular Shelter hours (Monday through Saturday from 9:00 a.m. to 5:00 p.m.). Animals delivered to the AWS by municipality's Animal Control Officer or police after hours shall be placed by the person delivering the animal in pens, kennels and crates made available in the holding areas by AWS for that purpose. It is the responsibility of the Police and/or Animal Control Officer leaving an animal after hours to provide bedding, food and water for said animal as provided by the AWS.
3. The municipality agrees to comply with all applicable laws and regulations related to stray, injured or abandoned animals, including but not limited to 7 M.R.S. Section 3948 (Medical attention). Law enforcement officers and animal control officers shall take a stray animal to its owner, if known, or, if the owner is unknown, to a shelter and **shall** ensure that **any injured companion animal** that is at large or in a public way is given

proper medical attention), as well as all of AWS' written regulations, policies and guidelines, as issued or modified from time to time, including but not limited to those issued in January 2008 (as revised May 2009) and May 11, 2009, receipt of which municipality hereby acknowledges. The municipality agrees to and shall indemnify and hold harmless AWS for any claims arising out of actions and/or inactions of the municipality's police officers and animal control officers in the catching, detaining, processing, documenting and delivery of any animal under this agreement, and for any violation by the municipality's animal control officer or police officers of the provisions of this Agreement, of applicable laws or regulations, or AWS' written policies delivered to municipality.

4. The AWS shall assist municipality's residents in allowing owned animals to be claimed during regular business hours. As a practice, AWS does not collect impoundment fees for the municipality but will generally request proof of payment prior to releasing an animal to its owner. AWS also reserves the right to release an animal without proof of payment of impoundment fees if a case warrants the release in AWS' judgment (with no liability on the part of AWS).

5. For services provided by the AWS to municipality under this Agreement or under applicable law, the municipality agrees to pay AWS the total sum of \$4,853.18, which is based on (\$1.397) per capita/per year, of the municipality's population as of 2010 Census, payable in advance quarterly payments.

Fee calculation: Population as of 2010 Census:

Population: $3474 \times \$1.397 \text{ per capita} = \$4,853.18$

6. This agreement represents the entire agreement between the parties with respect to the subject matter hereof and supersedes any and all prior oral or written agreements, expressions or understandings with respect thereto. Amendments or modifications of the terms or conditions of this Agreement shall not be effective without prior express written approval signed by both parties hereto.

7. This agreement shall be governed by and construed in accordance with the laws of the State of Maine.

Date: 4/15/15 
Executive Director for AWS

Date: _____
Signature _____ Title _____

Print Name

Title

Quarterly Payment Schedule:

1st Payment due date:	July 1, 2015	Amount:	\$1,213.29
2nd Payment due date:	October 1, 2015	Amount:	\$1,213.29
3rd Payment due date:	January 1, 2016	Amount:	\$1,213.29
4th Payment due date:	April 1, 2016	Amount	\$1,213.31
		Total	\$ 4,853.18

Date Contract Mailed to Municipality: 4/16/15

Date Contract Received back by AWS: _____

