

TOWN OF KENNEBUNKPORT, MAINE  
–INCORPORATED 1653–

**Board of Selectmen Agenda  
March 26, 2020  
6:00 PM**

Via zoom.us (for audio/visual)  
Join us at <https://zoom.us/j/824289710>  
Meeting ID: 824 289 710

**Conference by phone - dial by your location**

+1 312 626 6799 US (Chicago)  
+1 929 205 6099 US (New York)  
+1 346 248 7799 US (Houston)  
+1 669 900 6833 US (San Jose)  
+1 253 215 8782 US  
+1 301 715 8592 US

1. Call to Order.
2. Approve the March 12, and 16, 2020, selectmen meeting minutes.
3. 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.)
4. Public Hearing to consider new victualer's license application submitted by Colby Nunan, DBA Sanborn's Lobsters & Vegetables, 130 Main Street.
5. Consider a renewal liquor license application submitted by Nunan's Lobster Hut, Inc., DBA Nunan's Lobster Hut, Cape Porpoise.
6. Consider a renewal liquor license application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.
7. Consider a renewal special amusement permit application submitted by the Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.
8. Award the paving bid.
9. Other business.
10. Approve the March 26, 2020, Treasurer's Warrant.
11. Adjournment.

**Town of Kennebunkport  
Budget Board/Selectmen's Meeting  
March 12, 2020  
6 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of March 12, 2020

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

**Selectmen absent:** D. Michael Weston

**Others:** Barbara Barwise, Dan Beard, David Betses, Mike Claus, Carol Cook, Michael Davis, Jon Dykstra Werner Gilliam, David James, Allison Kenneway, Kathryn Leffler, Jennifer Lord, Robert MacKenzie, Larry McCullough, Dimitri Michaud, Dawn Morse, Breese Reagle, Craig Sanford, Stedman Seavey, Chris Simeoni, Jim Stockman, Steve Turner, and Laurie Smith

**1. Call to Order.**

Chair Daggett called the meeting to order at 6:03 PM.

Chair Barbara Barwise called the Budget Board Meeting to order.

The Budget Board voted unanimously to approve the Budget Board Minutes for March 5, 2020.

**2. Joint meeting with Budget Board for remaining fiscal year 2021 department operation budgets.**

Fire Chief Jay Everett, Public Works Director Mike Claus, Public Health Nurse Allison Kenneway, Director of Parks and Recreation Carol Cook, Assistant Director of Parks and Recreation Breese Reagle, and Treasurer Jen Lord all presented the remaining operational budgets.

**3. Approve the February 27, 2020, and March 5, 2020, selectmen meeting minutes.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the February 27, 2020, selectmen meeting minutes. **Vote:** 4-0.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the March 5, 2020, selectmen meeting minutes. **Vote:** 4-0.

**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.).**

There were no comments.

**5. Consider a renewal liquor license application submitted by W & A, Inc., DBA Cape Pier Chowder House, 79 Pier Road.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the Cape Pier Chowder house renewal liquor license application. **Vote:** 3-01/Selectman Daggett recused himself.

**6. Consider request for funding for the multi-town substance abuse initiative.**

Chief Robert Mackenzie from Kennebunk Police Department said putting people in jail is not working to stop substance abuse. He would like to work with other communities to be proactive and identify the problems with children early before they start abusing drugs. He requested a \$500 contribution for this initiative. He has received contributions from Kennebunk Savings Bank, Town of Kennebunk, Rotary District 7780 Recovery initiative, and others are pending.

Larry McCullough, executive director of Pinetree Institute in Eliot, said he has studied the effects of adverse childhood experiences in relation to substance abuse. The donations will help facilitate meetings with other communities so they can identify the issues and work on prevention.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Briggs, to approve \$500 contribution taken from the contingency fund to the substance abuse initiative. **Vote:** 4-0.

**7. Authorize a Quit Claim Deed for map 5, block 1, lot 7.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to authorize a Quit Claim Deed for map 5, block 1, lot 7. **Vote:** 4-0.

**8. Authorize a Quit Claim Deed for map 4, block 1, lot 3.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to authorize a Quit Claim Deed for map 4, block 1, lot 3. **Vote:** 4-0.

**9. Endorse a commitment letter to Maine DOT for Small Harbor Improvement Program Grant.**

Town Manager Laurie Smith said she needs Board approval to send a commitment letter to Maine DOT to apply for a Small Harbor Improvement Program Grant since they don't have all of the money in the reserve account for the 50-50 match when the match is due.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to endorse a commitment letter to Maine DOT for a Small Harbor Improvement Program Grant and authorize the Town Manager to apply for the SHIP Program. **Vote:** 4-0.

**10. Accept \$200 donation from the United Way of York County for the emergency fuel fund.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept a \$200 donation from the United Way of York County for the emergency fuel fund. **Vote:** 4-0.

**11. Accept \$100 donation to the Parks and Recreation Department.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept a \$100 donation to the Parks and Recreation Department. **Vote:** 4-0.

**12. Other Business.**

Ms. Smith passed around a policy authorizing the establishment of a temporary COVID-19 Leave Bank for employees who are exposed to the virus or are a caretaker to someone with the virus so that they will not be charged sick leave or vacation time for the 14 day time period. All other illnesses would be covered under the sick-time policy. She said they are making sure that employees are self-reporting if they have symptoms of COVID-19 as identified by the Centers for Disease Control (CDC) or if they have engaged in, or plan on engaging in activities that increase the likelihood of exposure to the coronavirus.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to establish a COVID-19 Leave Bank for employees for 14 days. **Vote:** 4-0.

Ms. Smith announced the school will be closing the school facilities to outside departments including the Parks and Recreation Department.

The Board recommends that as a safety measure, the Town cancel all nonessential committee meetings until further notice. This suspension applies to the following committees:

- Administrative Code Committee
- Beach Advisory Committee
- Cape Porpoise Pier Advisory Committee
- Cemetery Committee
- Conservation Commission
- Government Wharf Committee
- Growth Planning Committee
- Investment Committee
- Kennebunk River Committee
- Lighting Committee
- Parsons Way Committee
- Public Safety Committee
- Recreation Committee
- Senior Advisory Committee

- Sewer Advisory Committee
- Shade Tree Committee
- Shellfish Conservation Committee
- Solid Waste Committee
- Village Parcel Steering Committee

The following Boards/Committees are essential and require meetings:

- Board of Assessment Review
- Budget Board
- Planning Board
- Selectmen
- Zoning Board of Appeals

Ms. Smith said some committees need to give feedback on their budgets and may need to meet via conference calls.

### **13. Approve the March 12, 2020, Treasurer's Warrant.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to approve the March 12, 2020, Treasurer's Warrant. **Vote:** 4-0.

### **14. Adjournment.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to adjourn the meeting. **Vote:** 4-0.

The meeting adjourned at 8:25 P.M.

Submitted by Arlene McMurray  
Administrative Assistant

**Town of Kennebunkport  
Budget Board/Selectmen's Meeting  
March 16, 2020  
4 p.m. – Town Hall – 6 Elm Street**

Minutes of the Selectmen's Meeting of March 16, 2020

**Selectmen attending:** Patrick A. Briggs, Allen A. Daggett, Ed Hutchins and D. Michael Weston.

**Selectmen via phone:** Sheila Mathews-Bull

**Others** Laurie Smith, Alison Kenneway, Craig Sanford, Jim Burrows

**1. Call to Order.**

Chair Daggett called the meeting to order at 4 PM.

**2. Discussion of local response to COVID-19**

Town Manager Smith updated the Board on the Town's response to food insecurity and emergency services. She asked the Board for direction on continuing the Planning Board meeting on Wednesday, March 18 and the Budget Committee Meeting on March 19.

**Motion** by Selectmen Weston, second by Selectmen Briggs to postpone the Planning Board meetings until further notice. **Vote:** 4-0, one via phone not voting.

**Motion** by Selectmen Hutchins, second by Selectmen Weston to close the Town Offices to the public immediately. **Vote:** 4-0, one via phone not voting.

**3. Adjournment.**

**Motion** by Selectman Briggs, seconded by Selectman Hutchins, to adjourn the meeting. **Vote:** 4-0.; one via phone not voting.

The meeting adjourned at 4:33 P.M.

Submitted by Laurie Smith  
Town Manager

**Victualer's License Application Form**  
**Town of Kennebunkport**

**Applicant Information**

COLBY NUNAN  
Name

16 R Turbats creek road  
Home Address

Kennebunkport, ME 04046  
City/Town      State      Zip

207-632-8115  
Telephone Number

\_\_\_\_\_  
Managers Name

\_\_\_\_\_  
Manager's Phone #

frchelsearae@gmail.com  
Email address

**Business Information**

Sanborn's Lobsters & vegetables  
Business Name, d/b/a, etc.

130 Main Street  
Location (Do not use P.O. Box #)

16 R Turbats creek rd  
Mailing Address (if different)

Kennebunkport ME 04046  
City/Town      State      Zip

207 632 8115  
Telephone Number

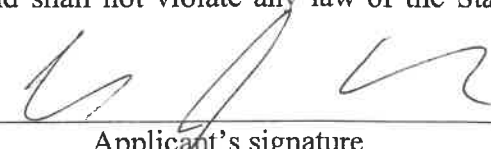
Retail seafood produce  
Type of Business

Total number of seats for food service: 0

Total number of rooms for rent: 0

Maximum number of employees per shift: 1

In making this application for a Victualer's License, I agree to conform to the provisions of the law relating to the business for which I am licensed and to all rules and regulations as provided by the Licensing Board in reference thereto; and shall not violate any law of the State relating to intoxicating liquors.

  
\_\_\_\_\_  
Applicant's signature

The fee must be enclosed with the application. The license will be mailed to you, after the hearing date, if approved.

Date of Application: 3/5/2020

Hearing Date: March 26, 2020

\*\*Feel free to come to the Selectmen's Meeting for the Public Hearing if you choose.

Filing Fee: ~~\$100.00~~ 50.00 (Payable to the Town of Kennebunkport)

**Victualer's License Application Form**  
**Town of Kennebunkport**

**Applicant Information**

COLBY NUNAN  
Name

16 R Turbats creek road  
Home Address

Kennebunkport, ME 04046  
City/Town      State      Zip

207-632-8115  
Telephone Number

\_\_\_\_\_  
Managers Name

\_\_\_\_\_  
Manager's Phone #

fvchelsearae@gmail.com  
Email address

**Business Information**

Sanborn's Lobsters & vegetables  
Business Name, d/b/a, etc.

130 Main Street  
Location (Do not use P.O. Box #)

16 R Turbats creek rd  
Mailing Address (if different)

Kennebunkport ME 04046  
City/Town      State      Zip

207 632 8115  
Telephone Number

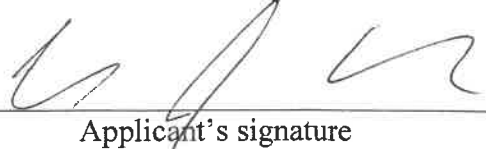
Retail seafood produce  
Type of Business

Total number of seats for food service: 0

Total number of rooms for rent: 0

Maximum number of employees per shift: 1

In making this application for a Victualer's License, I agree to conform to the provisions of the law relating to the business for which I am licensed and to all rules and regulations as provided by the Licensing Board in reference thereto; and shall not violate any law of the State relating to intoxicating liquors.

  
\_\_\_\_\_  
Applicant's signature

The fee must be enclosed with the application. The license will be mailed to you, after the hearing date, if approved.

Date of Application: 3 / 5 / 2020

Hearing Date: March 26, 2020

\*\*Feel free to come to the Selectmen's Meeting for the Public Hearing if you choose.

Filing Fee: ~~\$100.00~~ 50.00 (Payable to the Town of Kennebunkport)



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

Tracy O'Roak

Town Clerk

Sanborn's Lobsters &  
Vegetables

3/26/2020



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

**Application for an On-Premises License**

*All Questions Must Be Answered Completely. Please print legibly.*

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

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

Legal Business Entity Applicant Name (corporation, LLC): <i>Nunan's Lobster Hut, Inc.</i>	Business Name (D/B/A):
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <i>Cape Porpoise, ME</i>
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address: <i>11 Mills Rd Kennebunkport, ME 04046</i>	Email Address:
Telephone #      Fax #: <i>207-967-4362</i>	Business Telephone #      Fax #: <i>207-967-4362</i>
Federal Tax Identification Number: <i>56-2347805</i>	Maine Seller Certificate # or Sales Tax #: <i>1071867</i>
Retail Beverage Alcohol Dealers Permit:	Website address:

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

If a renewal, please provide the following information:

Your current license expiration date: *04/30/2020*

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

Food: *614,785.27*      Beer, Wine or Spirits: *92911.52*      Guest Rooms: *N/A*

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

☒ Malt Liquor (beer)      ☒ Wine      ☐ Spirits

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

- ☒ Restaurant (Class I, II, III, IV) ☐ Class A Restaurant/Lounge (Class XI) ☐ Class A Lounge (Class X)
- ☐ Hotel (Class I, II, III, IV) ☐ Hotel – Food Optional (Class I-A) ☐ Bed & Breakfast (Class V)
- ☐ Golf Course with auxiliary and mobile cart options (Class I, II, III, IV) ☐ Tavern (Class IV)
- ☐ Qualified Caterer ☐ Self-Sponsored Events (Qualified Caterers Only)
- ☐ Other: \_\_\_\_\_

*Refer to Section V for the License Fee Schedule*

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

\_\_\_\_\_

5. Business records are located at the following address:

11 Mills Rd K'Port, ME 04046

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

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

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
Richard C. Munar	04/08/1960	Saco ME
Keith B. Munar	08/07/1965	Saco ME

Residence address on all the above for previous 5 years

Name:	Address:
Richard Munar	11 Mills Rd Kennebunkport, ME 04046
Name:	Address:
Keith Munar	50 Mills Rd Kennebunkport, ME 04046
Name:	Address:
Name:	Address:

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

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

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_  
Offense: \_\_\_\_\_ Location: \_\_\_\_\_  
Disposition: \_\_\_\_\_

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

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

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

\_\_\_\_\_

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

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

*Family Seaboard Restaurant*

**Section III: For use by Municipal Officers and County Commissioners only**  
**Approval of an application for an on-premises liquor license**

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

Check only one:      ☐ City      ☒ Town      ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: Kennebunkport

Who is approving this application?    ☒ Municipal Officers  
  ☐ County Commissioners of \_\_\_\_\_ County

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

Signature of Officials	Printed Name and Title

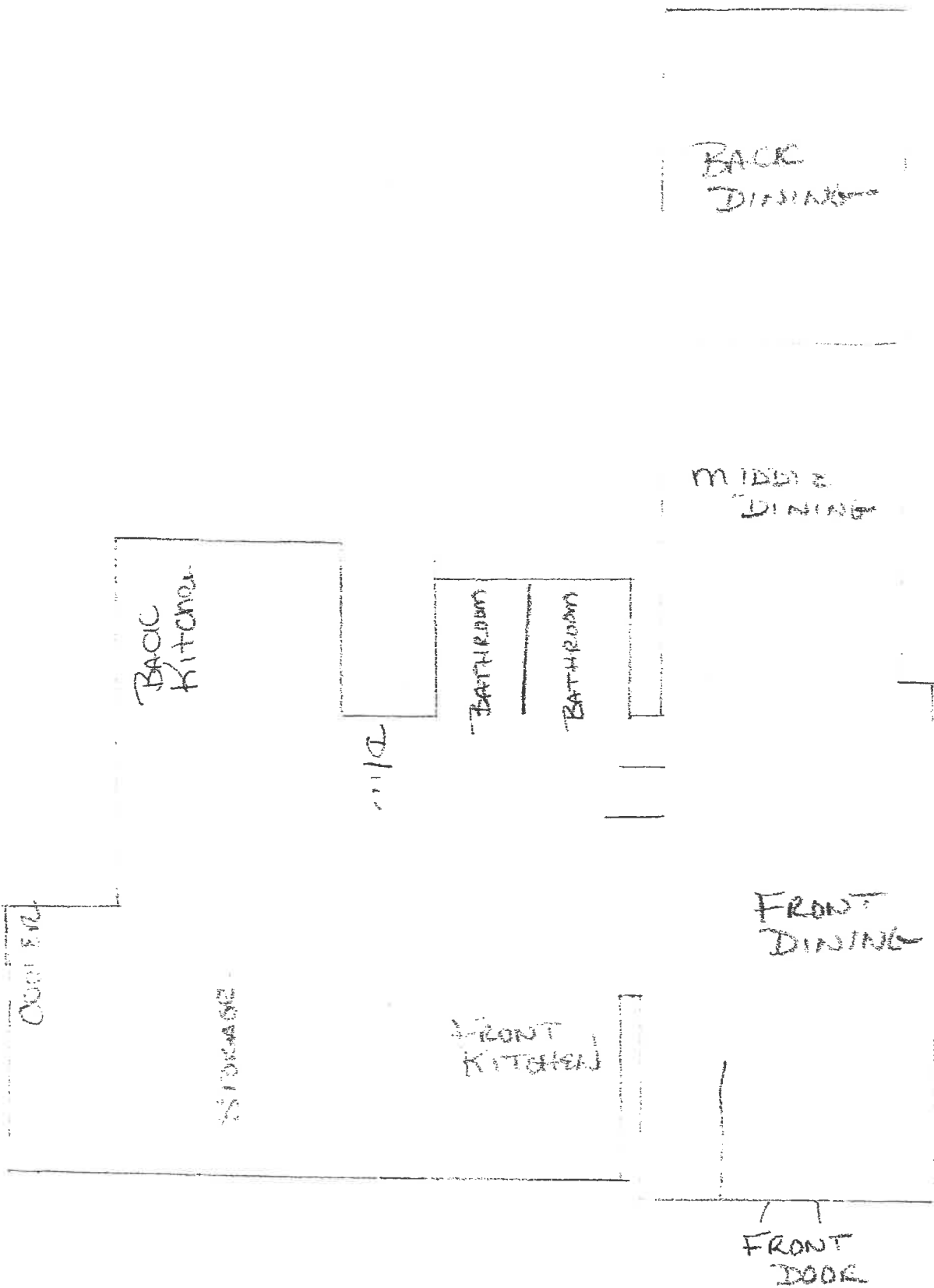
**This Approval Expires in 60 Days**

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

§653. Hearings; bureau review; appeal

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

PREMISE DIAGRAM



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

Name: Church

Distance: 900 St.


## Section II: Signature; Fee; Delivery of application

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

Please sign and date in blue ink.

Dated: February 10, 2020

  
Signature of Duly Authorized Person\*

  
Signature of Duly Authorized Person\*

Richard Numan  
Printed Name Duly Authorized Person

Keith B Numan  
Printed Name of Duly Authorized Person

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



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

Tracy O'Roak

, Town Clerk

Nunan's Lobster  
Hut  
3/20/2020



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

## Application for an On-Premises License

*All Questions Must Be Answered Completely. Please print legibly.*

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

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

Legal Business Entity Applicant Name (corporation, LLC): <u>SEASIDE HOTEL ASSOC. PARTNERSHIP</u>	Business Name (D/B/A): <u>NONANTUM RESORT</u>
Individual or Sole Proprietor Applicant Name(s): <u>N/A</u>	Physical Location: <u>95 OCEAN AVENUE</u>
Individual or Sole Proprietor Applicant Name(s): <u>N/A</u>	Mailing address, if different: <u>KENNEBUNKPORT, ME 04046</u>
Mailing address, if different from DBA address: <u>220 MAINE MALL ROAD S. PORTLAND 04106</u>	Email Address: <u>STAY@NONANTUMRESORT.COM</u>
Telephone #      Fax #: <u>207-761-2131      207-761-9208</u>	Business Telephone #      Fax #: <u>207 967 4050      N/A</u>
Federal Tax Identification Number: <u>01-0493637</u>	Maine Seller Certificate # or Sales Tax #: <u>0237544</u>
Retail Beverage Alcohol Dealers Permit: <u>N/A</u>	Website address: <u>WWW.NONANTUMRESORT.COM</u>

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

If a renewal, please provide the following information:

Your current license expiration date: 04-12-2020

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

Food: 1,925,306      Beer, Wine or Spirits: 614,847      Guest Rooms: 4,069,061

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

☒ Malt Liquor (beer)      ☒ Wine      ☒ Spirits

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

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

Refer to Section V for the License Fee Schedule

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

\_\_\_\_\_

5. Business records are located at the following address:

95 OCEAN AVENUE; KENNEBUNKPORT, ME

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

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

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

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

Name of Business	License Number	Complete Physical Address

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

Full Name	DOB	Place of Birth
TINA HEWITT-GORDON (PALMIOTTO)	10-01-1969	NISLAUNA, NY
MARK WOZNY	1-29-1958	LITTLETON, NH
NEAGAN KAARTO	02-18-1981	PETERBOROUGH, NH

Residence address on all the above for previous 5 years

Name	Address:
TINA LIVES IN	KENNEBUNK
MARK LIVES IN	KENNEBUNKPORT
NEAGAN LIVES IN	BIDDEFORD

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

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

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

☐ Yes ☒ No  
☐ Not applicable – licensee/applicant(s) is a sole proprietor

12. Is the licensee/applicant(s) directly or indirectly giving aid or assistance in the form of money, property, credit, or financial assistance of any sort, to any person or business entity holding a liquor license granted by the State of Maine? ☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

Offense: \_\_\_\_\_ Location: \_\_\_\_\_

Disposition: \_\_\_\_\_

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

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

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

\_\_\_\_\_

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 109

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

SEE ATTACH #2



DESIGNATED AREAS OF ALCOHOL SERVICE  
2020

All Public Areas Including:

Carriage Inn Front Lobby  
Heckman's Pub  
River Room  
Board Room  
Longitudes  
Traditions  
95 Ocean  
Captains Quarters  
Pool Area/Latitudes  
Carriage Inn Front Porch  
Portside Lodge Lobby  
Back Lawn

95 Ocean Avenue, PO Box 2626 \* Kennebunkport, Maine 04046  
Phone 207 967 4050 \* 800 552 5651  
[www.nonantumresort.com](http://www.nonantumresort.com)

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

Name: ST. ANN'S EPISCOPAL CHURCH

Distance: .7 MILES

## Section II: Signature; Fee; Delivery of application

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

Please sign and date in blue ink.

Dated: 2-5-2020

  
Signature of Duly Authorized Person\*

\_\_\_\_\_  
Signature of Duly Authorized Person\*

Jean Ginn Marvin  
Printed Name Duly Authorized Person

\_\_\_\_\_  
Printed Name of Duly Authorized Person

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

**Section III: For use by Municipal Officers and County Commissioners only**  
**Approval of an application for an on-premises liquor license**

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

Check only one:    ☐ City        ☐ Town        ☐ Unorganized Territory

Name of City/Town/Unorganized Territory: \_\_\_\_\_

Who is approving this application? ☐ Municipal Officers  
☐ County Commissioners of \_\_\_\_\_ County

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

Signature of Officials	Printed Name and Title

**This Approval Expires in 60 Days**

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

**§653. Hearings; bureau review; appeal**

**1. Hearings.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.



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

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

**3. Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

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

**4. Repealed**

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

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

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

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

## Section V: Fee Schedule

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

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

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

## Section VI Premises Floor Plan

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

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

SEE  
ATTACHED

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

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

*All Questions Must Be Answered Completely. Please print legibly.*

1. Exact legal name: THE NONANTUM HOTEL COMPANY
2. Doing Business As, if any: NONANTUM RESORT
3. Date of filing with Secretary of State: 5-1-28 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:  
\_\_\_\_\_
5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Herbert E. Ginn Irrevocable Trust Dated 12-31-05	910 Ginn RE 220 MAINE MALL RD SOUTH PORTLAND, ME 04106			100
Jean Ginn Marvin, President	81 NONANTUM WAY SCARBOROUGH, ME 04074	7-30-59	PRESIDENT	
Ellen E. Fontaine, Treasurer	6 WILLOWOOD LN SCARBOROUGH, ME 04074	7-1-59	TREASURER	

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

**SEASIDE HOTEL ASSOCIATES LIMITED PARTNERSHIP**  
**BUSINESS STARTED 6/22/94**  
**March 1, 2020**

**Ownership**

(see attached corporate questionnaire for General Partner)

**General Partner:**      The Nonantum Hotel Company      41% Ownership  
   S-Corporation

**Ownership:**

Herbert E. Ginn Irrevocable Trust Dated December 21, 2005

**Trustees:**

	<u>Date of Birth</u>	<u>Address</u>
Jean Ginn Marvin	7/30/59	81 Nonantum Drive Scarborough, ME 04074
Ellen E. Fontaine	7/1/59	6 Wildwood Lane Scarborough, ME 04074
Clifford M. Ginn	12/5/75	62 Marion Jordan Road Scarborough, ME 04074
Jennifer Ginn Foy	6/24/77	4839 E Rancho Tierra Drive Cave Creek, AZ 85331

**Limited Partner:**      Flash Island, Inc.      59% Ownership  
   S-Corporation

**Ownership:**

Clifford M. Ginn	11.11%
Jennifer Ginn Foy	11.11%
Adam Marvin Saco Trust - Adah P. Ginn, Trustee	11.11%
Parker Marvin Saco Trust - Adah P. Ginn, Trustee	11.11%
Colby Marvin Saco Trust - Adah P. Ginn, Trustee	11.11%
Tanya Guidi Saco Trust - Adah P. Ginn, Trustee	11.11%
Stephanie Guidi Saco Trust - Adah P. Ginn, Trustee	11.11%
Daniel Guidi Saco Trust - Adah P. Ginn, Trustee	11.11%
Matthew Fontaine Trust - Gary Fontaine, Trustee	5.55%
Sean Fontaine Trust - Gary Fontaine, Trustee	5.55%

**Officers:**

	<u>Date of Birth</u>	<u>Address</u>
Pres: Jean Ginn Marvin	7/30/59	81 Nonantum Drive Scarborough, ME 04074
Sec/Clerk: Ellen E. Fontaine	7/1/59	6 Wildwood Lane Scarborough, ME 04074

Kennebunk River

NONANTUX RESORT  
PLENISE FLOOR  
PLAN



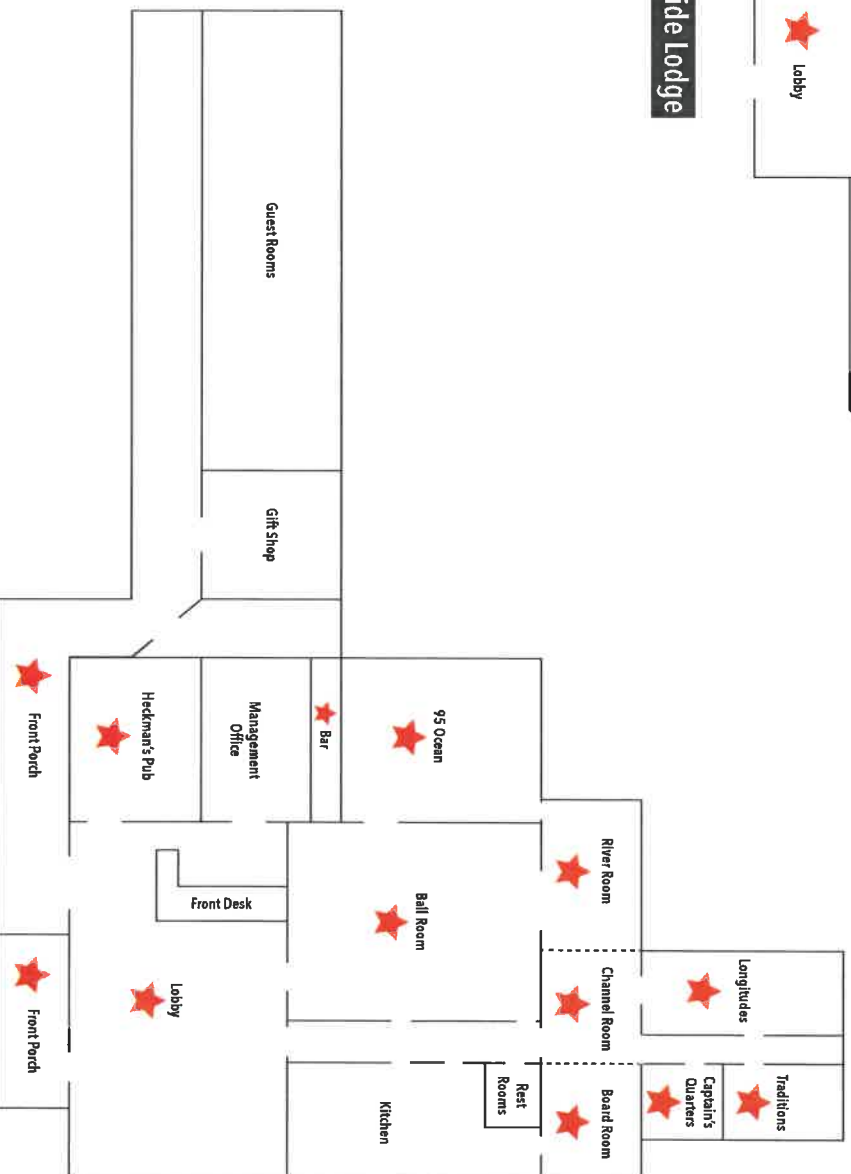
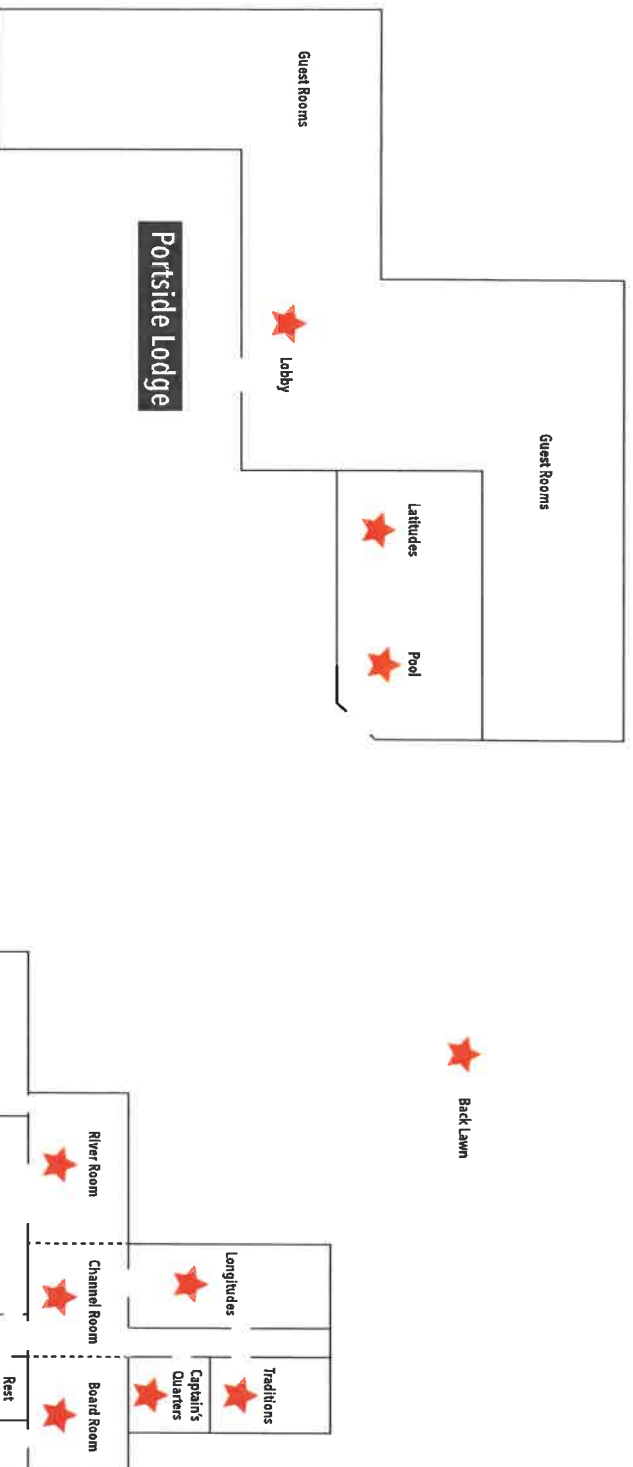
Lighthouse

Back Lawn

Back Lawn

Back Lawn

Back Lawn



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

✓

Police Chief

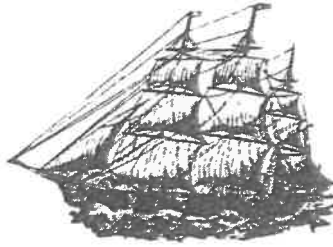
Fire Inspector

✓

Code Enforcement Officer

Tracy Orsak, Town Clerk

nonantum  
3/26/20



## TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

### APPLICATION SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant

SEASIDE HOTEL ASSOCIATES DBA NONANTUM RESORTS

Residence Address

TINA GORDON - 11 TIDEWATER CT KENNEBUNK, ME 04043

Home Telephone Number

207-590-0922

Name of Business

NONANTUM RESORTS

Business Address

95 OCEAN AVENUE

Type of Business

RESORT HOTEL

Business Telephone Number

207-947-4050

Nature of Special Amusement

EVENTS - MUSIC

Has your liquor and or amusement license ever been denied or revoked?

Yes

No

X

If yes, describe circumstances specifically. (Attach additional page if necessary)

1. Permit Fee: \$ 100.00 (payable to the Town of Kennebunkport)
2. By making application for this permit and signing this application form, I acknowledge that I am familiar with the rules and regulations governing this permit.

Signature of Applicant

Printed name:

TINA HEWETT GORDON





# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

## Memorandum

To: Laurie Smith, Town Manager  
From: Michael Claus, Kennebunkport Public Works Director  
Re: Paving Bid Review  
Date: March 20, 2020

A handwritten signature in black ink that reads "Michael Claus".

The Town of Kennebunkport received the attached paving bids for a three year paving contract on March 17, 2020. I have reviewed the bids and from a cost standpoint, Pike Industries is the low bidder based on our paving work.

An asphalt escalator clause consistent with MaineDOT contracts has been incorporated into our bid specifications. The price of paving will go up and down based on asphalt binder pricing as published by MaineDOT. The formula for determining pricing is based on the MaineDOT paving contract.

Pike Industries is qualified to perform the work under this contract, and I recommend that the Town of Kennebunkport accept their bid.

**Town of Kennebunkport**  
**Bituminous Concrete Mix/Paving Bids**  
**Tuesday, March 17, 2020 - 2:00 p.m.**

	Bidders				
	Shaw Brothers	Pike Industries	Dayton Sand & Gravel	Libby Scott	All States Asphalt
Roadwork Paving Bid Per Ton: 9.5 mm HMA	\$95.00	\$76.00	\$86.15	\$79.00	\$88.00
Roadwork Paving Bid Per Ton: 12.5 mm HMA	\$92.00	\$74.00	\$86.15	\$78.00	\$85.00
Roadwork Paving Bid Per Ton: 19 mm HMA	\$80.00	\$72.00	\$80.75	\$79.00	\$82.00
Cold Milling Price per sq yd.	\$9.00	\$2.00	\$5.50	\$2.45	\$7.00
Reclaim/Fine Grade Price per sq yd.	\$3.00	\$2.00	\$2.15	\$2.25	\$2.40
2nd Reclaim/Cement Base Price per sq yd.	\$6.50	\$5.25	\$7.00	\$8.75	\$6.50
Cold Milling of Butt Joints, Driveway Aprons/Sidewalks per sq yd.	\$22.00	\$12.00	\$15.00	\$25.00	\$10.00
Sidewalk/Driveway Aprons Fine Grade Price per sq yd.	\$5.00	\$42.00	\$1.50	\$3.00	\$20.00
Sidewalk/Driveway Apron (handwork) Paving Bid Price per ton	\$160.00	\$162.00	\$145.00	\$155.00	\$165.00
Asphalt Curb Price per Lin. Ft.	\$9.00	\$15.00	\$10.00	\$9.50	\$10.00
Asphalt Min. Curb Length Lin Ft.	200 ft	100 ft	100 ft	50 ft	300 ft
Slipform Concrete Curb Price per Lin. Ft.	\$16.00	\$21.50	\$20.00	\$20.00	\$15.00
Slipform Min. Curb Length Lin. Ft.	300 ft	100 ft	100 ft.	100 ft	300 ft
Tack Coat cost per gallon	\$10.00	\$10.00	\$7.00	\$9.00	\$7.50
Small Job Mobilization Charge	\$1,500.00	\$800.00	\$1,000.00	\$300.00	\$3,500.00
Shoulder Gravel Cost per cub. Yd.	\$45.00	\$45.00	\$38.00	\$28.00	\$50.00
Binder Component Bid Price per ton	\$552.50	\$552.50	\$552.50	\$552.50	\$552.50