

TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda
January 26, 2023 @ 6:00 PM
VILLAGE FIRE STATION
32 North Street**

This is an in-person meeting but the public may join in Zoom webinar format

Join by **computer or mobile device** and click on:

<https://us06web.zoom.us/j/88669469680>

or go to **ZOOM** and enter the **webinar ID**: 886 6946 9680

By **phone** 1(929) 205 6099 US

1. Call to Order.
2. Approve the January 12, 2023, 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. Consider the following renewal liquor license and special amusement permits submitted by the Kennebunkport Resort Collection:
 - a. Tides Beach Club, LLC located at 930 Kings Highway
 - b. Yachtsman Hospitality, LLC at 57 Ocean Avenue
 - c. The Boathouse at Kennebunkport, LLC at 21 Ocean Avenue
 - d. Cape Arundel Inn, LLC located at 208 Ocean Avenue
 - e. Ivy One, LLC d/b/a The Clubhouse at Cape Arundel Inn located at 8 Old Fort Avenue
 - f. Lodge on the Cove, LLC located at 29 South Main Street
 - g. The Kennebunkport Inn, LLC at 1 Dock Square
 - h. Hidden Pond, LLC located at 354 Goose Rocks Road
5. Consider the renewal liquor license and special amusement permit submitter by the Rhumb Line Motor Lodge d/b/a Rhumb Line Resort, located at 41 Turbats Creek Road.
6. Annual Investment Presentation by H.M. Payson.

7. Request for forgiveness of the attorney's fees from Brian and Dinorah Ellis (43 School St).
8. Appoint Nathan Shore and Stephen Kaagan to the Climate Action Plan Task Force with expiration of October 2023.
9. Discussion of the Goose Rocks Beach parking permit fees for 2023.
10. Other Business.
11. Approve the January 26, 2023, Treasurer's Warrant.
12. Adjournment.

AGENDA ITEM DIVIDER

Town of Kennebunkport
Board of Selectmen Meeting
January 12, 2023
6:00 PM

MINUTES

Selectmen attending: Edward Hutchins, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra Michael Weston.

1. Call to Order.

Selectman Hutchins called the meeting to order at 6:01 PM.

2. Approve the December 22, 2022, meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull to approve the amended December 8, 2022, selectmen meeting minutes. **Voted:** 5-0. **Motion passed.**

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.)

No one in the community room nor attending via Zoom came forward.

No motion was necessary. No motion was taken.

Chairman Hutchins elected to re-order the agenda and address item 7 now so as not to make the applicants sit through other lengthy agenda items.

7. Consider Street Opening Permit for South Main Street.

Public Works Director Chris Simeoni provided an overview. Applicants are requesting a street opening on South Main Street for a new water main to go down to Woodland Drive. An announcement of the repaving of South Main Street was sent on August 2nd, 2022, and the repaving happened on September 28th 2022. No responses were received to the announcement. By ordinance there is a moratorium that the road will not be opened within 5 years of paving.

The applicant said he never received the announcement letter at his Yarmouth address though he has received other Town mailings. Jack, representing Woods Excavating said the bond for this job would be increased from \$2,000 to \$7,500 and that they would pave the full width of the road, 25 feet out in both directions from the trench for a total of 50 feet. The Selectmen expressed concern about cutting into the road and asked Chris Simeoni for his opinion of Woods' proposal. Chis said that he was OK with it, and

it was the best option under the circumstances. Jack went on to relay from a well driller the opinion that a well would draw brackish water and would need to be treated for a significant up front and annual cost. Selectman Hutchins countered that well efficacy varies based on location and depth of the well.

Chris Woods, owner of Woods Excavation said they already had a significant amount invested in pipe and blasting and was willing to own the trench path for 5 years. Duncan McDougal, the general contractor, reported he had spoken with the KK&WWD and with Werner Gilliam, but no mention had been made about this road paving. Selectman Hutchins responded that it is not the Town's responsibility to notify all area developers about road paving.

Discussion among the Selectmen followed regarding how to permit this request but not set a precedent of breaking the moratorium. Chris Woods proposed a 5-year bond for \$15,000.

Motion by Selectman Dykstra that the Town permit the requested opening of South Main Street by Woods Excavating on the conditions that it be repaved 25 feet in both directions from the cut and that it be protected by a 5-year bond in the amount of \$15,000 with condition of the road to be determined by the Town; seconded by Selectman Daggett. **Voted: 5-0. Motion passed.**

4. Audit presentation by Casey Leonard of RKO for FY 2022.

Town Finance Director Nicole Evangelista said that the FY 2022 audit was conducted in October and had gone very well with expenditures under projected budget and revenues were over budget. She introduced Casey Leonard of RKO, who did the audit presentation. The audit was completed on December 21st. The Town received an unmodified, clean opinion with no material weaknesses or significant deficiencies.

Mr. Leonard also noted that in FY 2021 the Town submitted its financial statements to the Governmental Financial Officers' Association for participation in their Annual Comprehensive Financial Report (ACFR) Program where it received a Certificate of Excellence in Financial Reporting. Kennebunkport was one of twenty Towns that received this distinction out of a possible two hundred local governments.

The total fund balance decreased \$448,737 in FY 2022 compared to FY 2021. Revenues were \$546,292 over budget, due in part to greater than expected excise taxes, revenue sharing, building permits issued, and short term rental fees. Expenditures were \$1,231,977 under budget, due in part to lower than expected costs for administration, planning & development, unneeded tax abatements, vacancies in the

police department, and committed funds which are not expended until their intended use.

Mr. Leonard saw no real trend in change of revenue distribution over the past several years. General fund expenditure distribution was also quite consistent from FY 2021 to FY 2022 with Education being the largest component at about 50%.

Selectman Weston had some questions about the \$6 million wastewater bond and if the Town should fund depreciation. Chris Simeoni agreed that this should be looked at.

Motion by Selectman Weston, seconded by Selectman Dykstra, to authorize the permits. **Voted: 5-0. Motion passed.**

5. Consider Annual Transfer to Capital Reserve Fund balance.

Nicole Evangelista informed the Board that in accordance with Town fund balance policy she recommends that the Board move funds in excess of 18% of budget from the general fund to the capital improvement fund. This amount is \$468,351, which will leave the capital improvement fund with a balance of \$1.1 million.

Motion by Selectman Dykstra, seconded by Selectman Weston, to transfer the funds as recommended. **Voted: 5-0. Motion passed.**

6. Presentation of Capital Improvement Plan.

Town Manager Laurie Smith Explained that this presentation is the beginning of our budget process, and that the plan is a living document that's expected to change within the year. This is a 5-year plan, not a budget. The FY 24 budget will be derived from the plan. The following items were presented by various Town departments:

- Administration
 - Records Preservation - \$7,000
 - New Town Hall Construction - \$4.5 M
- Fire
 - Replace Engine 12 - 1997 PV - \$765,000
 - Firefighter PPE - \$22,000
 - Replace Ladder 34 - \$1.4 M (Kittredge Fund)
 - Village Fire Station Design - \$120,000
- Parks and Recreation
 - Park Amenities Phase 1 (Parson's Field & Fireman's Park)
 - Replace Bus (FY 25) - \$75,000
 - Public Boat Launch Site (FY 25) - \$500,000
 - Village Parcel Trails (FY 27)

December 22, 2022, BOS Meeting Minutes

- Cape Porpoise Pier
 - #1 Hoist Replacement - \$7,500
- Police
 - Replace Cruiser Video Server - \$13,000
 - Repair Roofline and gutters at PD and Nurse's Office - \$15,000
 - Replace Grinder Pump (sewerage from Nurse's Office) - \$6,000
 - Replace 2018 Cruiser (Dodge with Ford Hybrid) - \$65,000
- Public Works – Road Improvements
 - Wildes District Rd and other overlays (FY 24) - \$966,000
 - Wildes District reclaim and West, Oak, Locke resurface (FY 25) - \$850,000
 - River Rd, Wildes District resurface and other (FY 26) - \$810,000
 - Road overlays (FY 27) - \$453,000
 - School St. reconstruction & Washington Ct. overlay - \$725,000
- Public Works – Equipment replacement
 - Replace 2012 International Workstar SA - \$260,000
 - Replace 2006 F-250 4X4 - \$70,000
 - Replace tires on John Deere 544 Loader - \$18,000
- Public Works - Special Projects
 - Government Wharf Beach Landing Ramp - \$25,000
 - Pier Road Reconstruction & Sidewalks - \$2.6 M
 - Acquisition of Automated Waste Collection Bins - \$310,000
 - Purchase of LED Streetlight Fixtures - \$250,000
 - Ocean Ave Resiliency – Wandby Area (future)
 - Head of the Harbor Resiliency Project (future)
- Wastewater
 - Pump Station Replacement
 - SCADA & PLC Replacement - \$170,000
 - Control Panels – Pumps, Chemical Feed, Blowers - \$280,000
 - Aeration Tank Bridges for Mixers - \$60,000
- CIP FY 24 Total - \$7.9 Million
 - Funding Sources
 - Grant - \$2.5 Million
 - Budget - \$3.769 Million
 - Trust Fund - \$765,000
 - Reserve - \$900,000
- CIP FY 24-28 Total \$37.6 Million

Laurie Smith stated that she will need the Board's input regarding the budget and bonding for the future projects. She also listed various bonds that are maturing in the next few years.

No motion was necessary. No motion was taken.

8. Accept donations to the emergency fuel fund:

- a. \$500.00 from Richard Driver
- b. \$700.00 from Kennebunkport Residents Association
- c. \$1,000.00 from an anonymous donor
- d. \$2,000.00 from Atlantic Hall
- e. \$5,000.00 from the William J.J. Gordon Foundation

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept \$500.00 from Richard Driver, \$700.00 from Kennebunkport Residents Association, \$1,000.00 from an anonymous donor, \$2,000.00 from Atlantic Hall and \$5,000.00 from the William J.J. Gordon Foundation. **Voted:** 5-0. **Motion passed.**

9. Accept \$50.00 from Barbara Cameron and the Madonna Chapter 144 towards the emergency food fund:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept \$50.00 from Barbara Cameron and the Madonna Chapter 144 towards the emergency food fund. **Voted:** 5-0. **Motion passed.**

10. Accept a \$700.00 donation from the Kennebunkport Residents Association towards the general nurses' account:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$700.00 donation from the Kennebunkport Residents Association towards the general nurses' account **Voted:** 5-0. **Motion passed.**

11. Other business.

None of the Selectmen nor Town Manager Laurie Smith had any other business to discuss.

No motion was necessary. No motion was taken.

12. Approve the January 12, 2023 Treasurer's Warrant.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the December 20, 2022, Treasurer's Warrant. **Voted: 5-0. Motion passed.**

13. Adjournment.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett to adjourn. **Voted: 5-0. Motion passed.** Meeting adjourned at 8:01 PM.

Submitted by,
Dave Powell,
Technology Specialist

AGENDA ITEM DIVIDER



KENNEBUNKPORT TOWN CLERK

To: Laurie Smith, Town Manager
Board of Selectmen

Fr: Tracey O’Roak, Town Clerk

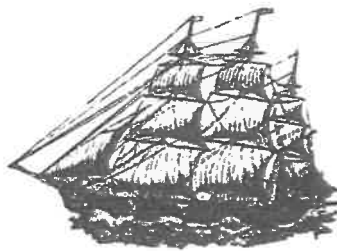
Re: Liquor License and Special Amusement Applications

Dt: January 20, 2022

We have received the following renewal applications for Liquor Licenses and/or Special Amusement licenses:

- **Tides Beach Club**, 930 Kings Highway – renewal liquor and special amusement
- **Yachtsman Hotel & Marina Club**, 57 Ocean Avenue – renewal liquor, mini-bar and special amusement permit
- **The Boathouse Hotel**, 21 Ocean Ave - renewal liquor and special amusement
- **Cape Arundel Inn**, 208 Ocean Avenue - renewal liquor and special amusement
- **The Clubhouse at Cape Arundel Inn**, 8 Old fort Avenue - renewal liquor and special amusement
- **Lodge on the Cove**, 29 South Main Street - renewal liquor and special amusement
- **The Kennebunkport Inn**, 1 Dock Square - renewal liquor and special amusement
- **Hidden Pond**, 354 Goose Rocks Road - renewal liquor, mini-bar and special amusement permit
- **Rhumb Line Resort**, 41 Turbats Creek Road - renewal liquor and special amusement

Staff have reviewed the applications and provided approval for this license and, therefore, I recommend approval.



TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant Tides Beach Club, LLC
Residence Address 2 Livewell dr ste 203 Kennebunk ME 04043
Home Telephone Number 207 967 1519
Name of Business Tides Beach Club
Business Address 930 Kings Highway Kennebunkport ME 04046
Type of Business Hotel / Restaurant
Business Telephone Number 207 967 3757
Nature of Special Amusement Live music / dancing

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.

Justin Grimes
Signature of Applicant

Printed name: Justin Grimes

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

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

6. Is the licensee/applicant(s) citizens of the United States? Yes No
7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Tides Beach Club, LLC (applicant)		
Justin Grimes	05/07/2022	Portsmouth, NH
EOS Regional Resort Holdingco		

Residence address on all the above for previous 5 years	
Name	Address:
Justin Grimes	Kennebunkport, ME
EOS Regional Resort Holdingco	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12391
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043		BB-2020-12386
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 21.00

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 attached

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 Philips by the Sea Episcopal Chapel

Distance: 3.50

Section II: Signature of Applicant(s)

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: 1/17/2023


Signature of Duly Authorized Person

Justin Grimes
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

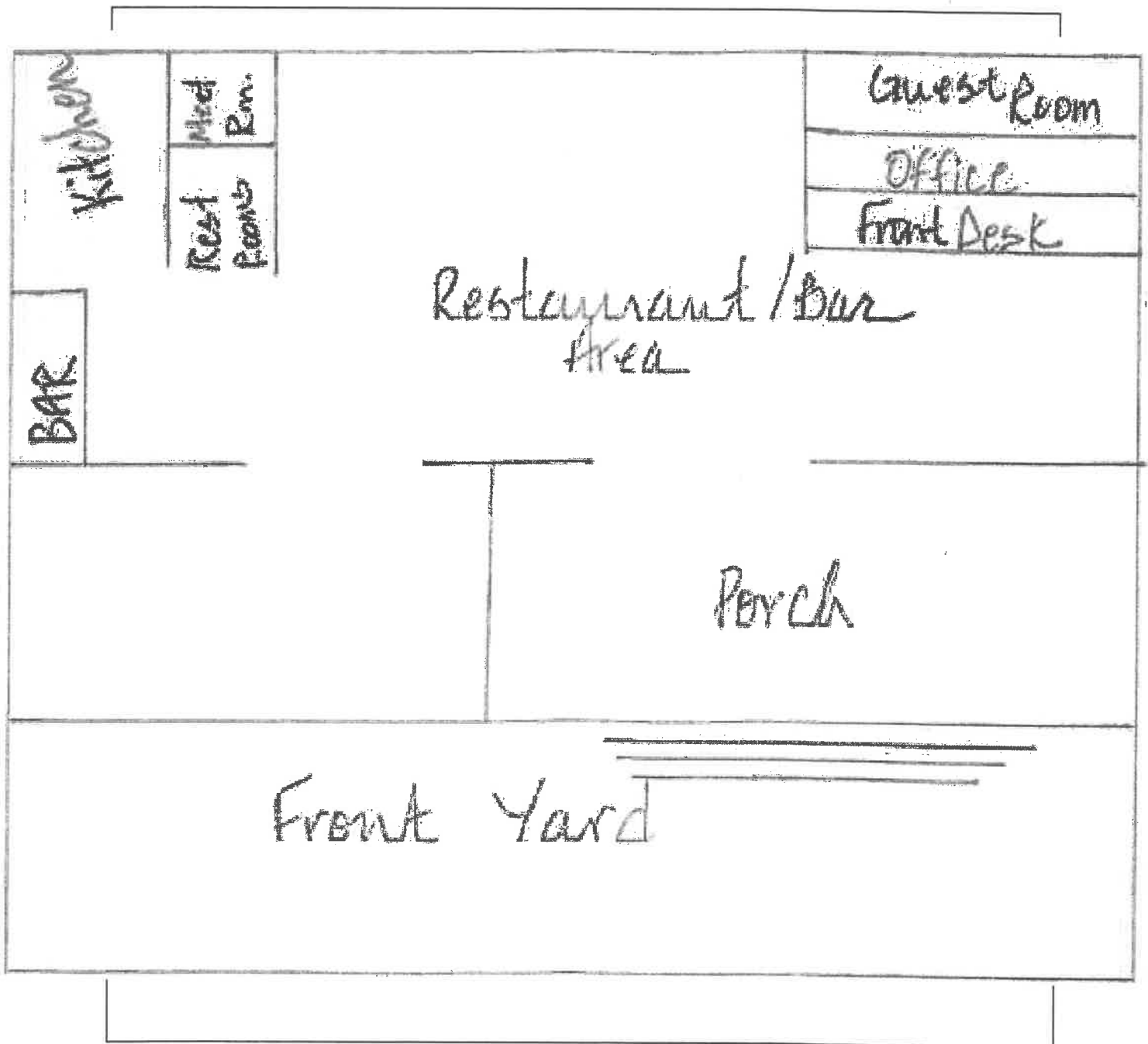
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

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.



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.

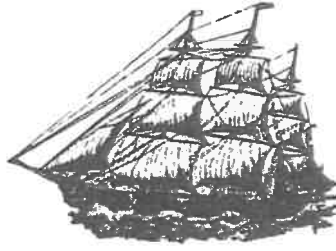
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Tides Beach Club, LLC
2. Doing Business As, if any: Tides Beach Club
3. Date of filing with Secretary of State: 09/10/2010 State in which you are formed: ME
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
EOS Regional Resorts Holdings			Memeber	100.0000
Justin Grimes	Kennebunkport, ME	05/07/1987	Managing Dir	0.0000

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



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant Yachtsman Hospitality, LLC

Residence Address 2 Linewell dr ste 203 Kennebunk ME 04043

Home Telephone Number 207 967 1519

Name of Business Yachtsmen Hotel & Marina Club

Business Address 57 Ocean ave Kennebunkport ME 04046

Type of Business Hotel / Marina Bar / Marina

Business Telephone Number 207 967 2511

Nature of Special Amusement Live music / dancing

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.

Justin Ganes
Signature of Applicant
Printed name: Justin Ganes

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Yachtsman Hospitality, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resort Holdingco		

Residence address on all the above for previous 5 years

Name	Address:
Justin Grimes	Kennebunkport, ME
Name	Address:
EOS Regional Resort Holdingco	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12391
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043		BB-2020-12386
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 30.00

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 attached

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: Franciscan Monstery

Distance: 1.00

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Signature of Duly Authorized Person

Justin Gimes
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

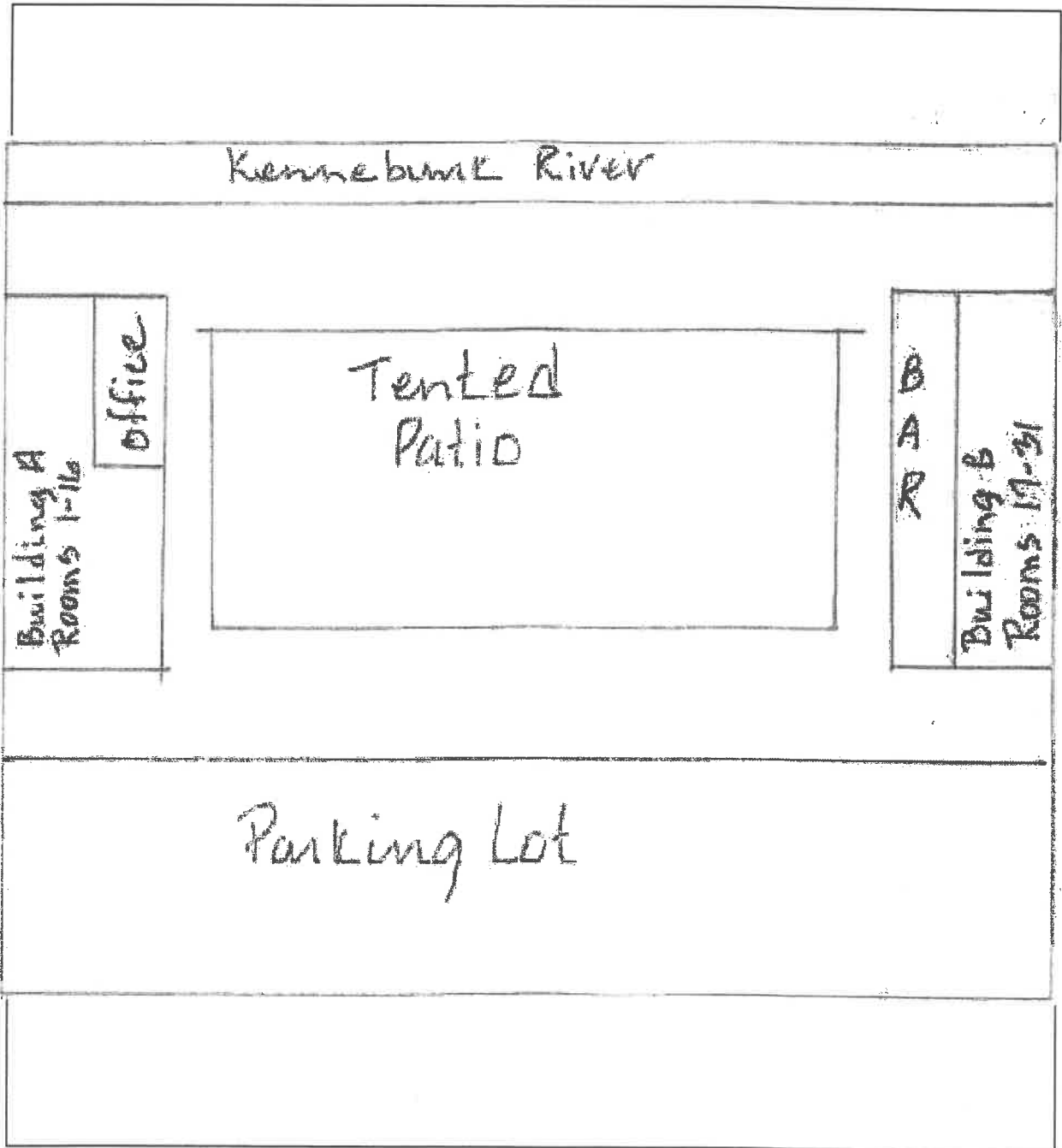
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

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.



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: Yachtsman Hospitality, LLC
2. Doing Business As, if any: Yachtsman Hotel & Marina Club
3. Date of filing with Secretary of State: 09/20/2017 State in which you are formed: ME
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
EOS Regional Resorts Holdings			Memeber	100.0000
Justin Grimes	Kennebunkport, ME	05/07/1987	Managing Dir	0.0000

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

Bureau of Alcoholic Beverages & Lottery Operations
 Liquor Licensing & Enforcement Division
 8 State House Station,
 Augusta, ME 04333-0008
 Phone: (207) 624-7220
 Fax: (207) 287-3434
 Email inquiries: MaineLiquor@Maine.gov



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

Hotel Mini-bar Application

PRESENT LICENSE EXPIRES: 05/12/2023

Fee Schedule

Hotels with a current Liquor License.....\$100.00
 Number of Mini-bars requested 30 X \$5.00 @ Mini-bar = 150 (not to exceed \$900.00)

Hotels without a Liquor License.....\$200.00
 Number of Mini-bars requested _____ X \$10.00 @ Mini-bar = _____

Filing Fee.....\$10.00

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Yachtsman Hospitality, LLC			Business Name (D/B/A) Yachtsman Hotel and Marina Club		
APPLICANT(S) –(Sole Proprietor)		DOB:	Physical Location: 57 Ocean Ave		
		DOB:	City/Town Kennebunkport	State ME	Zip Code 04046
Address			Mailing Address 2 Livewell Dr Ste 203		
City/Town	State	Zip Code	City/Town Kennebunk	State ME	Zip Code 04043
Telephone Number 207-967-1519		Fax Number 207-967-1516		Business Telephone Number 207-967-2511	
Federal I.D. # 82-2988557		Seller Certificate #: or Sales Tax #: 1190016			
Email Address: Please Print licenses@krcmaine.com			Website: www.yachtsmanlodge.com		

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

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

2. If manager is to be employed, give name: Justin Grimes

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

Requested inspection date: _____ Business hours: _____

4. Business records are located at: 2 Livewell Dr Ste 203 Kennebunk, ME 04043

5. Is/are applicants(s) citizens of the United States? YES NO

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

STATE OF MAINE

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

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, 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 herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD) .]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

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

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).] [1995, c. 140, §6 (AMD) .]

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

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

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee. [1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

All fees must accompany application, made payable to: Treasurer, State of Maine

Payments by check subject to penalty provided by Sec. 3-B, Title 28A, MRS

Please mail to:

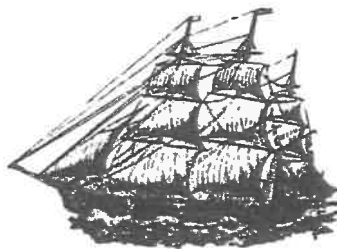
Bureau of Alcoholic Beverages & Lottery Operations

Liquor Licensing & Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight mail)

Email inquiries: MaineLiquor@Maine.gov



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant The Boathouse at Kennebunkport

Residence Address 2 Linemell dr ste 203, Kennebunk ME 04043

Home Telephone Number 207-967-1519

Name of Business The Boathouse Hotel

Business Address 21 Ocean ave Kennebunkport, ME 04044

Type of Business Hotel | Restaurant

Business Telephone Number 207 967 8223

Nature of Special Amusement Live music | dancing

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.

Justin Grimes
Signature of Applicant

Printed name: 12/8/22 Justin Grimes

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
The Boathouse at Kennebunkport, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resorts Holdingco, LLC		n/a

Residence address on all the above for previous 5 years

Name	Address:
Justin Grimes	Kennebunkport
Name	Address:
EOS Regional Resorts Holdingco, LLC	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LIC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12391
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043		BB-2020-12386
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 25.00

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)

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: South Congregational Church

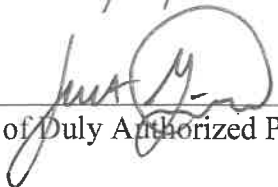
Distance: 0.20

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Justin Gaines
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

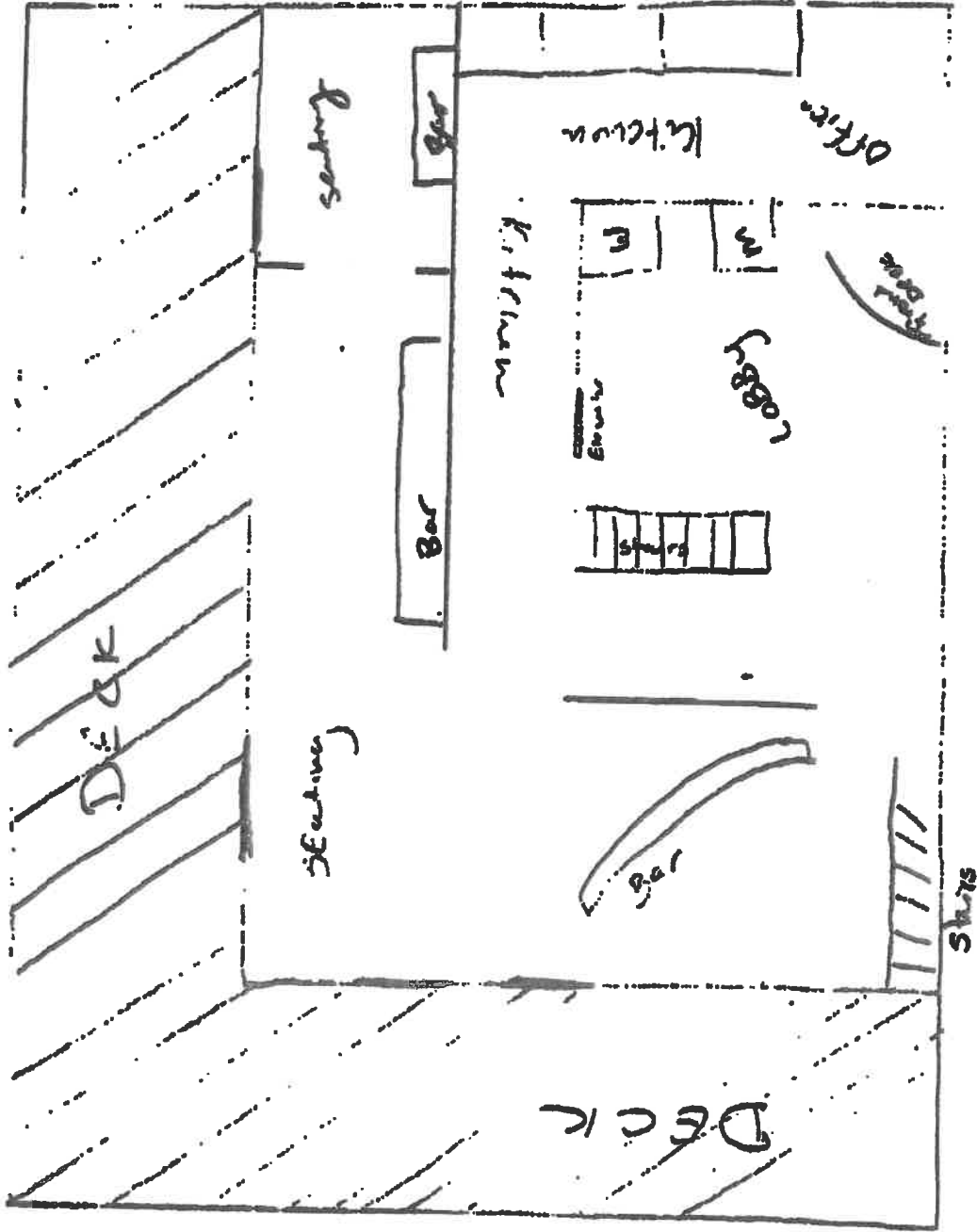
Section VI Premises Floor Plan

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

The Boathouse



The Boathouse Hotel + Marina Floor Plan

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.

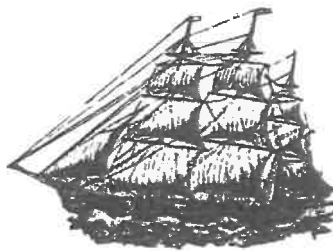
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: The Boathouse at Kennebunkport, LLC
2. Doing Business As, if any: The Boathouse Hotel
3. Date of filing with Secretary of State: 02/20/2003 State in which you are formed: ME
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
EOS Regional Resort Holdings			Member	100.0000
Justin Grimes	Kennebunkport, ME	05/07/1987	Managing Dir	0.0000

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



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant Cape Arundel Inn, LLC

Residence Address 2 Livenell dr # 203 Kennebunk ME 04043

Home Telephone Number 207 967 1519

Name of Business Cape Arundel Inn

Business Address 208 Ocean ave Kennebunkport ME 04046

Type of Business Hotel | Restaurant

Business Telephone Number 207 967 2125

Nature of Special Amusement Live music | dancing

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: Justin Gimes

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Cape Arundel Inn, LLC - applicant		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resorts Holdingco, LLC		n/a

Residence address on all the above for previous 5 years	
Name	Address:
Justin Grimes	Kennebunkport
Name	Address:
EOS Regional Resorts Holdingco, LLC	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOF-2020-12387
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Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
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Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 29.00

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 attached

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 by the Sea Episcopal Church

Distance: 2.10

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Signature of Duly Authorized Person

Justine Grimes
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

CHairs
AND
TABLE

PREMISE DIAGRAM



where liquor is served

CHairs
AND
TABLE

Rock Board

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.

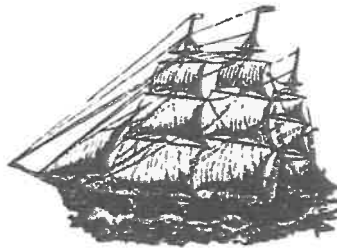
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Cape Arundel Inn, LLC
2. Doing Business As, if any: Cape Arundel Inn
3. Date of filing with Secretary of State: 02/22/2013 State in which you are formed: ME
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
EOS Regional Resorts Holdings			Memeber	100.0000
Justin Grimes	<i>Kennebunkport, ME</i>	05/07/1987	Managing Dir	0.0000

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



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

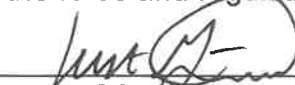
Name of Applicant Ivy One, LLC
Residence Address 2 Linwell dr Ste 203 Kennebunk ME 04043
Home Telephone Number 207 967 1519
Name of Business The Clubhouse at Cape Arundel Inn
Business Address 8 Old Fort Ave Kennebunkport ME 04046
Type of Business Inn / Restaurant
Business Telephone Number 207 967 5353
Nature of Special Amusement Live music / dancing

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: 12/8/22 Justin Grimes

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Ivy One, LLC - Applicant		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resorts Holdingco, LLC		

Residence address on all the above for previous 5 years	
Name	Address:
Justin Grimes	Kennebunkport
EOS Regional Resorts Holdingco, LLC	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOF-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046		HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12391
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043		BB-2020-12386
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 15.00

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 attached

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 by the Sea Episcopal Church

Distance: 0.30

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Signature of Duly Authorized Person

Justin Gager
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

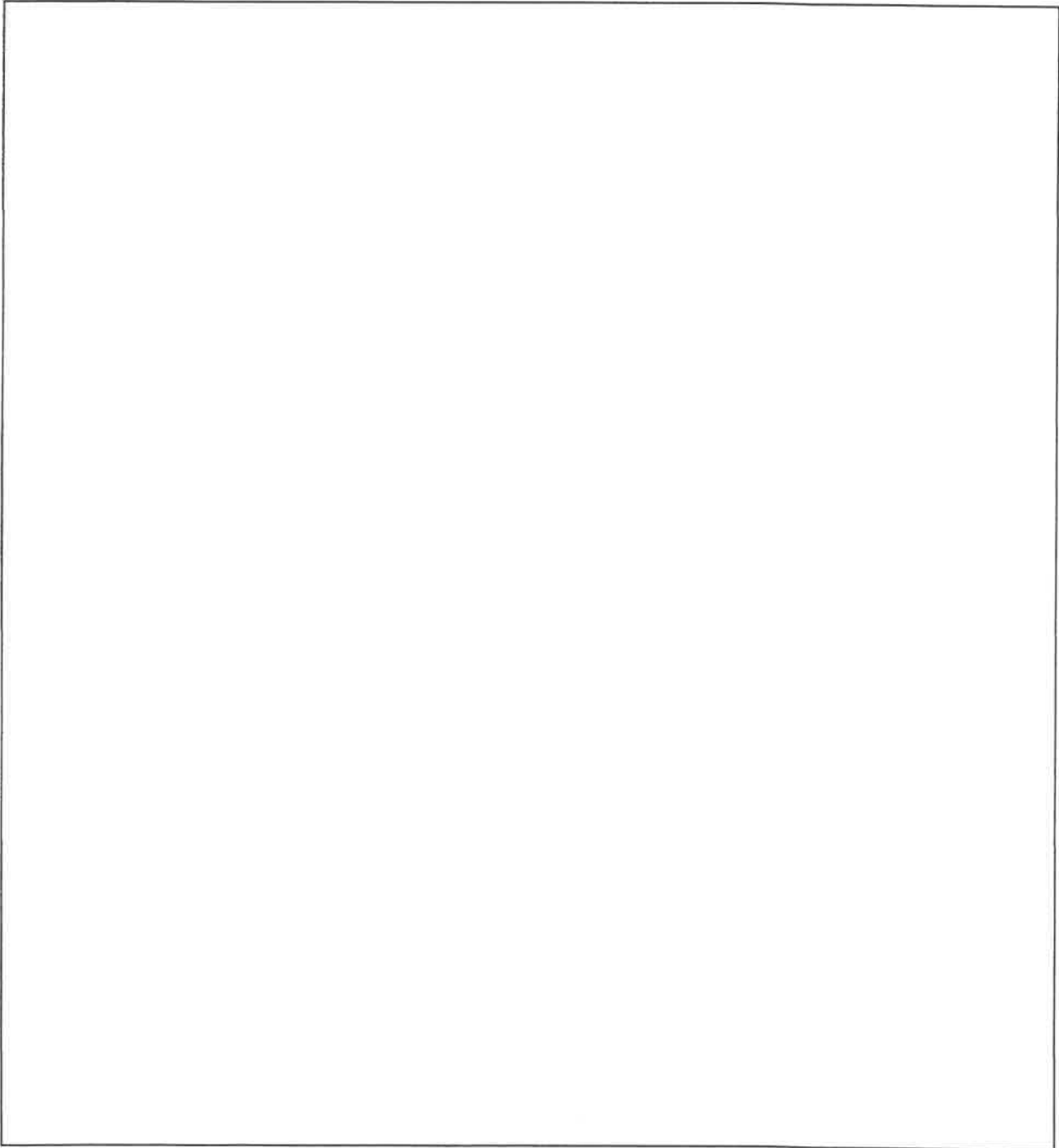
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

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.

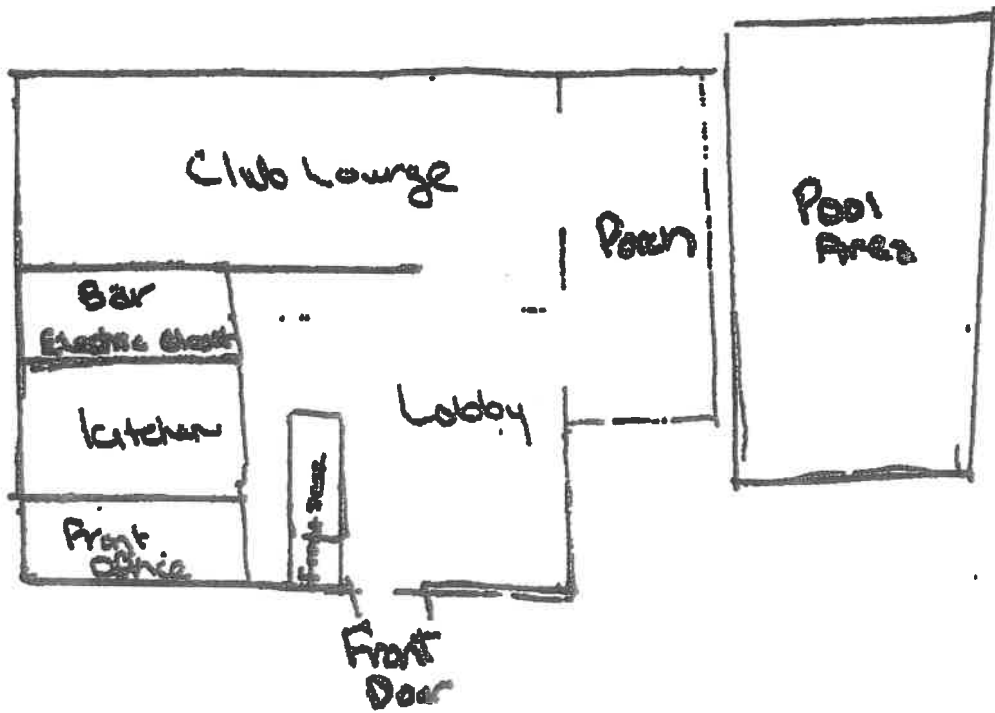
Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside 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.

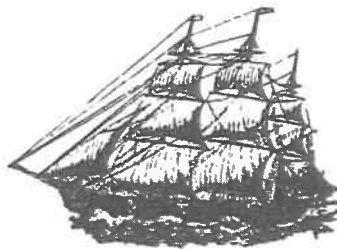


Old Fort Inn

FLOOR PLAN DIAGRAM

Old Fort Inn





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

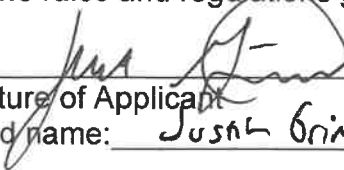
Name of Applicant Lodge on the Cove, LLC
Residence Address 2 Linwell dr ste 203 Kennebunk ME 04043
Home Telephone Number 207 967 1519
Name of Business Lodge on the Cove
Business Address 29 South Main St. Kennebunkport ME 04046
Type of Business Hotel / Restaurant
Business Telephone Number 207 - 967 - 3993
Nature of Special Amusement Live music / dancing

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: Justin Grimes

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input checked="" type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

6. Is the licensee/applicant(s) citizens of the United States? Yes No
7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Lodge on the Cove, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resort Holdingco		

Residence address on all the above for previous 5 years	
Name	Address:
Justin Grimes	Kennebunkport, ME
EOS Regional Resort Holdingco	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046		HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046		CAR-2020-12388
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12391
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043		BB-2020-12386
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12385
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043		CARL-2022-14330

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: 30.00

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 attached

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: Franciscan Monstery

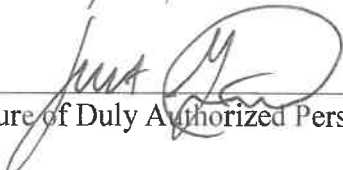
Distance: 1.60

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Justy Gomez
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 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.

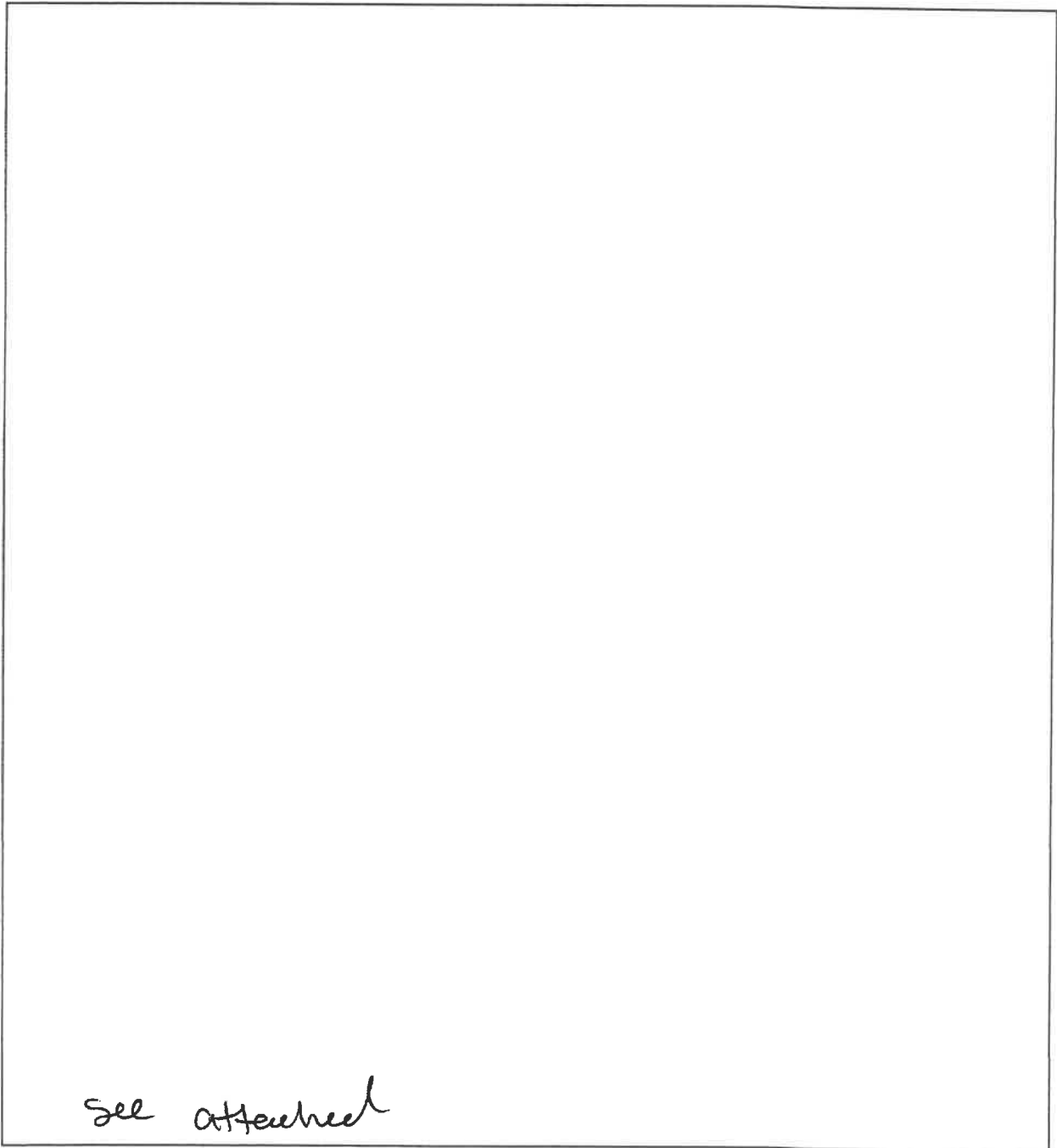
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

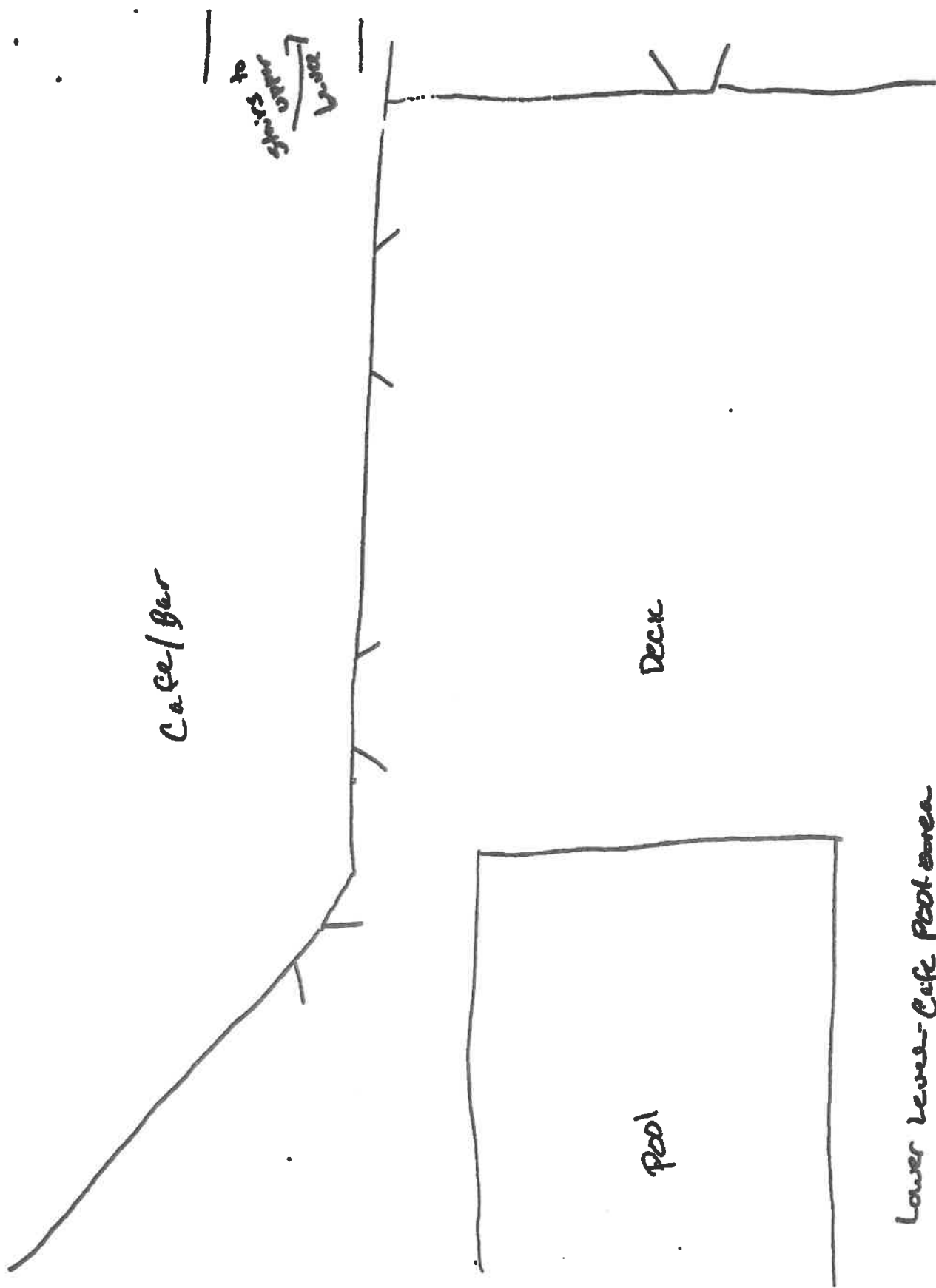
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

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

Lodge on the Cove



Cafe/Bar

Deck

Pool

Lower Level Cafe Foot-candle

Access to
outdoor
lounge

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.

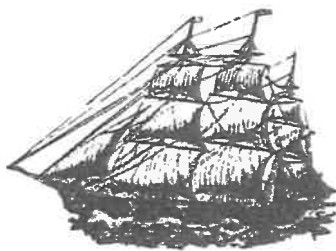
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Lodge on the Cove, LLC
2. Doing Business As, if any: Lodge on the Cove
3. Date of filing with Secretary of State: 08/01/2007 State in which you are formed: ME
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
EOS Regional Resort Holdings			Member	100.0000
Justin Grimes	Kennebunkport, ME	05/07/1987	Managing Dir	0.0000

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



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant The Kennebunkport Inn, LLC
Residence Address 2 Linwell dr ste 203 Kennebunk ME 04043
Home Telephone Number 207 967 1519
Name of Business The Kennebunkport Inn
Business Address One Dode Sq Kennebunk port ME 04044
Type of Business Hotel | Restaurant
Business Telephone Number 207 967 2621
Nature of Special Amusement Live music | dancing

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: Justin Giner

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
The Kennebunkport Inn, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resort Holdingco, LLC		

Residence address on all the above for previous 5 years

Name: Justin Grimes Address: Kennebunkport, ME

Name: EOS Regional Resort Holdingco Address: New York, NY

Name: Address:

Name: Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046		HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
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Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
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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

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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

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18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 36.00

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 attached

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: South Congregational Church UCC

Distance: 0.07

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Signature of Duly Authorized Person

Justin Games
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

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A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

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C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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E. A violation of any provision of this Title;

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A. Repealed

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- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
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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.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

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.

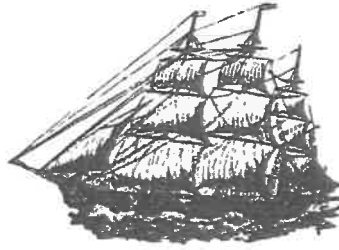
All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: The Kennebunkport Inn, LLC
2. Doing Business As, if any: The Kennebunkport Inn
3. Date of filing with Secretary of State: 12/13/2002 State in which you are formed: ME
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
EOS Regional Resorts Holdings	New York, NY		Member	100.0000
Justin Grimes	Kennebunkport, ME	05/07/1987	Managing Dir	0.0000

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



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant Hidden Pond, LLC
Residence Address 2 Livewell dr apt 203 Kennebunk ME 04043
Home Telephone Number 207 967 1519
Name of Business Hidden Pond
Business Address 354 Goose Rocks rd Kennebunkport ME 04046
Type of Business Resort / restaurant
Business Telephone Number 207 967 9050
Nature of Special Amusement Live Music / dancing

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: 12/8/22 Justin Brines

4. 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 (included optional licenses, please check if apply) (Class I, II, III, IV) Auxiliary Mobile Cart
- Tavern (Class IV) Other: _____
- Qualified Caterer Self-Sponsored Events (Qualified Caterers Only)

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

2 Livewell Dr Ste 203 Kennebunk, ME 04043

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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
see attached		

12. 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
Hidden Pond, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resort Holdingco		

Residence address on all the above for previous 5 years

Name	Address:
Justin Grimes	Kennebunkport, ME
Name	Address:
EOS Regional Resort Holdingco	New York, NY
Name	Address:
Name	Address:

KRC Property Info

LLC Name	Property/Hotel Name (DBA)	Physical Address	Mailing/Billing Address	Liquor License #
Cape Arundel Inn, LLC	Cape Arundel Inn	208 Ocean Ave, Kennebunkport, ME 04046	2 Livewell Dr. Suite 203 Kennebunk, ME 04043	HOF-2020-12389
Hidden Pond, LLC	Hidden Pond	354 Goose Rocks Rd, Kennebunkport, ME 04046		HOF-2020-12393
Kennebunkport Inn LLC	Kennebunkport Inn	1 Dock Square, Kennebunkport, ME 04046		HOF-2020-12394
Lodge on The Cove LLC	Lodge On The Cove	29 S. Main Street, Kennebunkport, ME 04046		HOT-2020-12387
Ivy One LLC	The Clubhouse	8 Old Fort Ave, Kennebunkport, ME 04046		HOF-2020-12390
Tides Beach Club LLC	Tides Beach Club	254 Kings Hwy, Kennebunkport, ME 04046	CAR-2020-12388	
Boathouse at Kennebunkport LLC	The Boathouse	21 Ocean Ave, Kennebunkport, ME 04046	HOF-2020-12391	
The Grand Hotel & Suites	The Grand Hotel	1 Chase Hill, Kennebunk, ME 04043	BB-2020-12386	
Yachtsman Hospitality LLC	Yachtsman	57 Ocean Ave, Kennebunkport, ME 04046	HOF-2020-12385	
KBK Restaurant, LLC	Via Sophia by the Sea	27 Western Ave, Kennebunk, ME 04043	CARL-2022-14330	

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: 56.00

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 attached

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: Saint Phillips by the Sea Episcopal Chapel

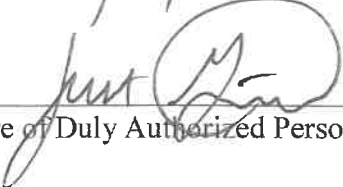
Distance: 3.60

Section II: Signature of Applicant(s)

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: 1/17/23


Signature of Duly Authorized Person

Justin Grimes
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of Municipal or County Approval unless submitted to the Bureau

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.

A. The bureau shall prepare and supply application forms.

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.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

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;

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;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

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 permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

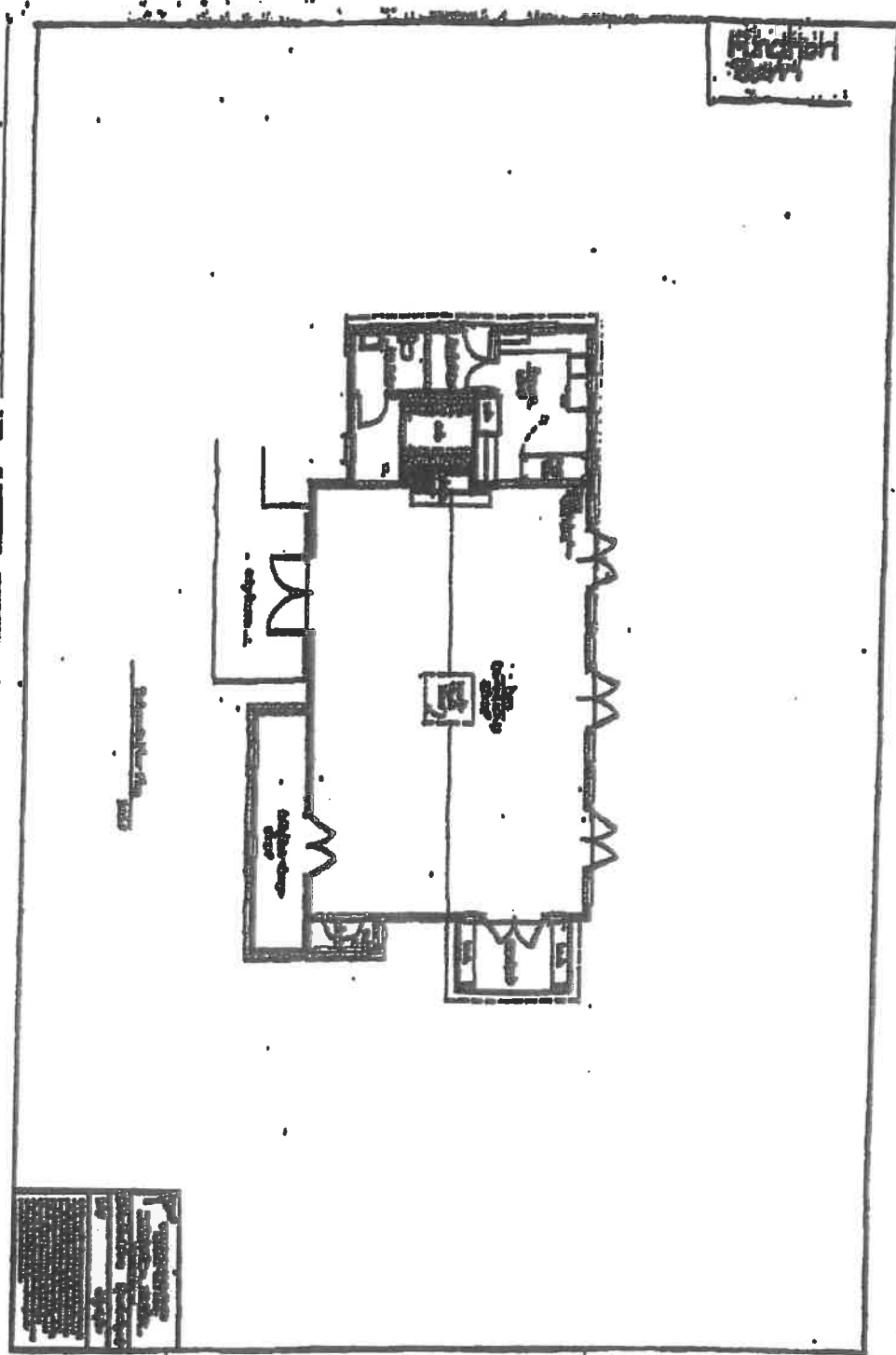
Section V: Fee Schedule

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

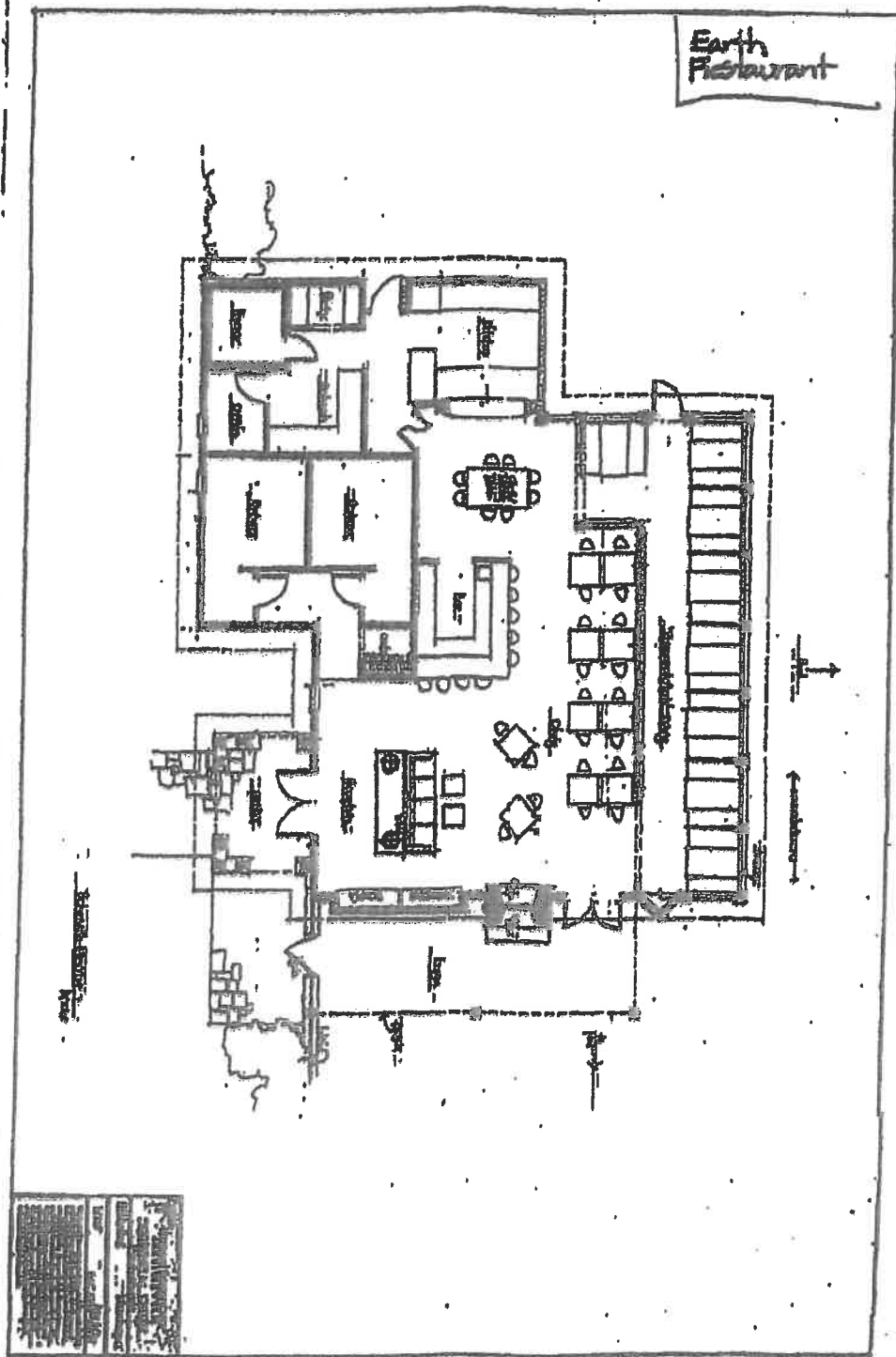
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together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

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) 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
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only 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
Class III	For the Sale of Wine Only 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
Class IV	For the Sale of Malt Liquor Only 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
Class III and IV	For the Sale of Malt Liquor and Wine Only 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
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Hidden Pond / Function Room



Hidden Pond / Earth



Bureau of Alcoholic Beverages & Lottery Operations
 Liquor Licensing & Enforcement Division
 8 State House Station,
 Augusta, ME 04333-0008
 Phone: (207) 624-7220
 Fax: (207) 287-3434
 Email inquiries: MaineLiquor@Maine.gov



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

Hotel Mini-bar Application

PRESENT LICENSE EXPIRES: 02/11/2023

Fee Schedule

Hotels with a current Liquor License.....\$100.00
 Number of Mini-bars requested 46 X \$5.00 @ Mini-bar = 230 (not to exceed \$900.00)

Hotels without a Liquor License.....\$200.00
 Number of Mini-bars requested _____ X \$10.00 @ Mini-bar = _____

Filing Fee.....\$10.00

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: Hidden Pond, LLC		Business Name (D/B/A) Hidden Pond	
APPLICANT(S) –(Sole Proprietor) DOB:		Physical Location: 354 Goose Rocks Rd	
DOB:		City/Town Kennebunkport	State ME
Address		Zip Code 04046	
Mailing Address 2 Livewell Dr Ste 203		City/Town Kennebunk	State ME
City/Town	State	Zip Code	Zip Code 04043
Telephone Number 207-967-1519	Fax Number 207-967-1516	Business Telephone Number 207-967-6550	Fax Number
Federal I.D. # 26-0629869		Seller Certificate #: or Sales Tax #: 1131323	
Email Address: Please Print licenses@krcmaine.com		Website: www.hiddenpondmaine.com	

- Is applicant a corporation, limited liability company or limited partnership? YES NO
- If Yes, please complete Corporate Information Required for Business Entities who are licensees.
- If manager is to be employed, give name: Justin Grimes
- If business is NEW or under new ownership, indicate starting date: _____
 Requested inspection date: _____ Business hours: _____
- Business records are located at: 2 Livewell Dr Ste 203 Kennebunk, ME 04043
- Is/are applicants(s) citizens of the United States? YES NO
- Is/are applicant(s) residents of the State of Maine? YES NO

7. 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
Hidden Pond, LLC (applicant)		
Justin Grimes	05/07/1987	Portsmouth, NH
EOS Regional Resorts Holdingco		
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Justin Grimes	Kennebunkport, ME	
EOS Regional Resorts Holdings	New York, NY	

8. 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: _____

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

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

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

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

13. 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? 3.5 Which of the above is nearest? saint philips by the sea chapel

14. 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: mortgage

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

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

Dated at: Kennebunk, ME on January 17, 20 23
Town/City, State Date

Please sign in blue ink


 Signature of Applicant or Corporate Officer(s)
Justin Grimes
 Print Name

 Signature of Applicant or Corporate Officer(s)

 Print Name

STATE OF MAINE

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

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: _____, 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 herby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD) .]

2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]

[2009, c. 81, §§1-3 (AMD) .]

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

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).] [1995, c. 140, §6 (AMD) .]

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

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

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee. [1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

All fees must accompany application, made payable to: Treasurer, State of Maine

Payments by check subject to penalty provided by Sec. 3-B, Title 28A, MRS

Please mail to:

Bureau of Alcoholic Beverages & Lottery Operations

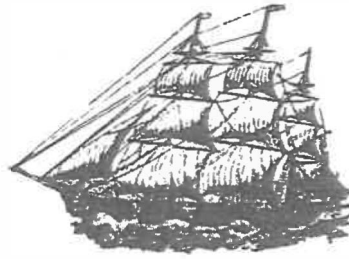
Liquor Licensing & Enforcement

8 State House Station, Augusta, ME 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight mail)

Email inquiries: MaineLiquor@Maine.gov

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

APPLICATION
SPECIAL AMUSEMENT PERMIT FOR
DANCING AND ENTERTAINMENT

Name of Applicant Sheila Matthews-Bull
 Residence Address 59 Langsford Rd Kennebunkport ME
 Home Telephone Number 207-967-3622
 Name of Business Rhumb Line Resort
 Business Address 41 Turbats Creek Rd Kennebunkport
 Type of Business Hotel
 Business Telephone Number 207-967-5457
 Nature of Special Amusement music, weddings, functions

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

Yes _____ No

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.

Sheila Matthews-Bull
 Signature of Applicant
 Printed name: Sheila Matthews-Bull

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

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

41 Turbats Creek Road Kennebunkport, ME 04046

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

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

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. 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

9. 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

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. 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

12. 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
Sheila Matthews-Bull	9/8/49	Lowell, MA

Residence address on all the above for previous 5 years

Name: Sheila Matthews-Bull	Address: 59 Langsford Road Kennebunkport
Name:	Address:
Name:	Address:
Name:	Address:

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:

Kennebunk Savings Bank 104 Main St. Kennebunk ME

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: 59

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)

Pool/Lounge Area / Function rooms

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: Wildwood Chapel

Distance: 300 Ft.

Section II: Signature of Applicant(s)

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: 1/18/23

Sheila Matthews Bull
Signature of Duly Authorized Person

Signature of Duly Authorized Person

Sheila MATTHEWS Bull
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

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.

Dated: _____

Who is approving this application? Municipal Officers of _____

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 Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

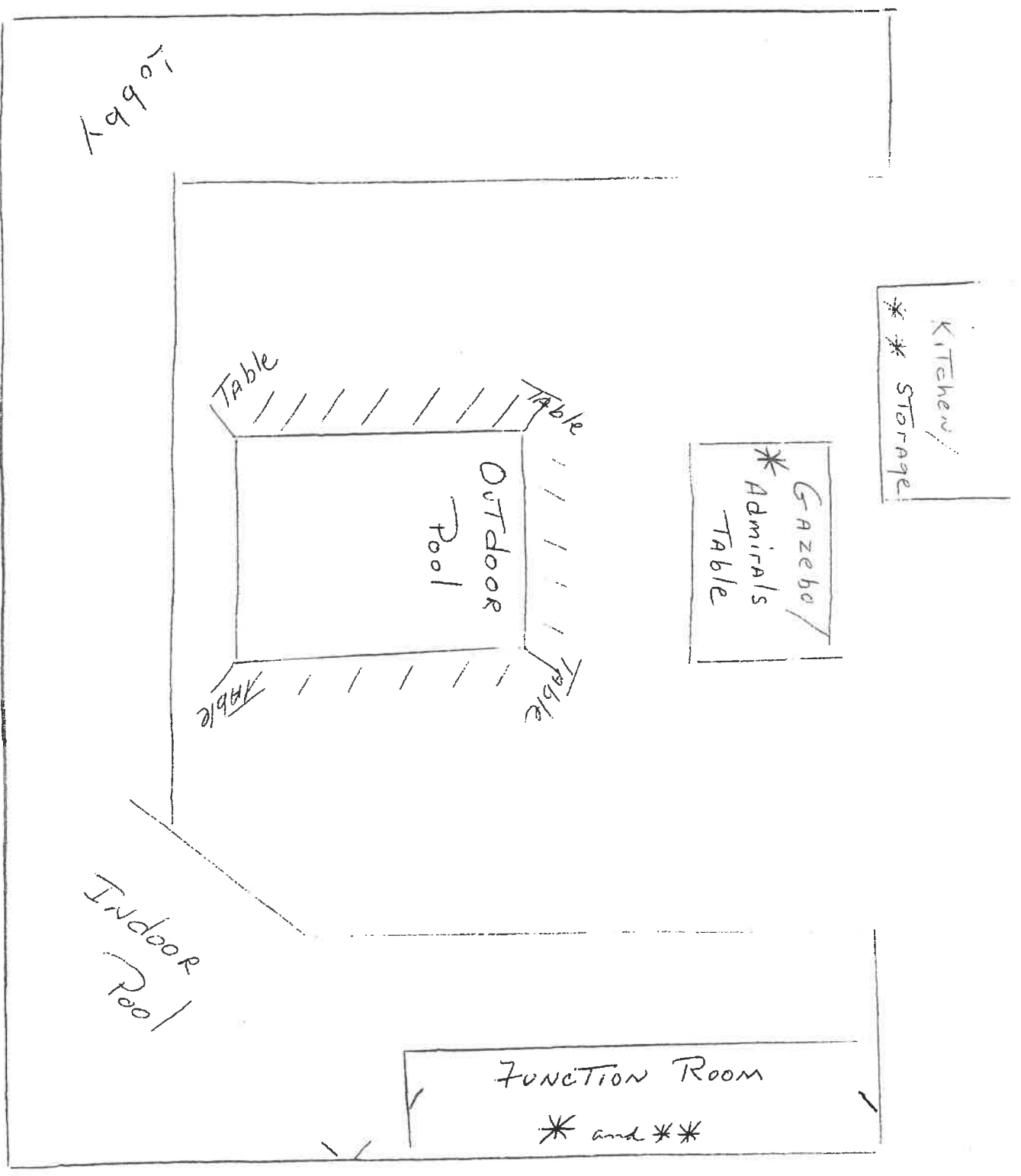
Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§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.

A. The bureau shall prepare and supply application forms.

Liquor served
 in function
 Room and
 under
 Gazebo
 ** Storage
 in Kitchen
 and function
 Room



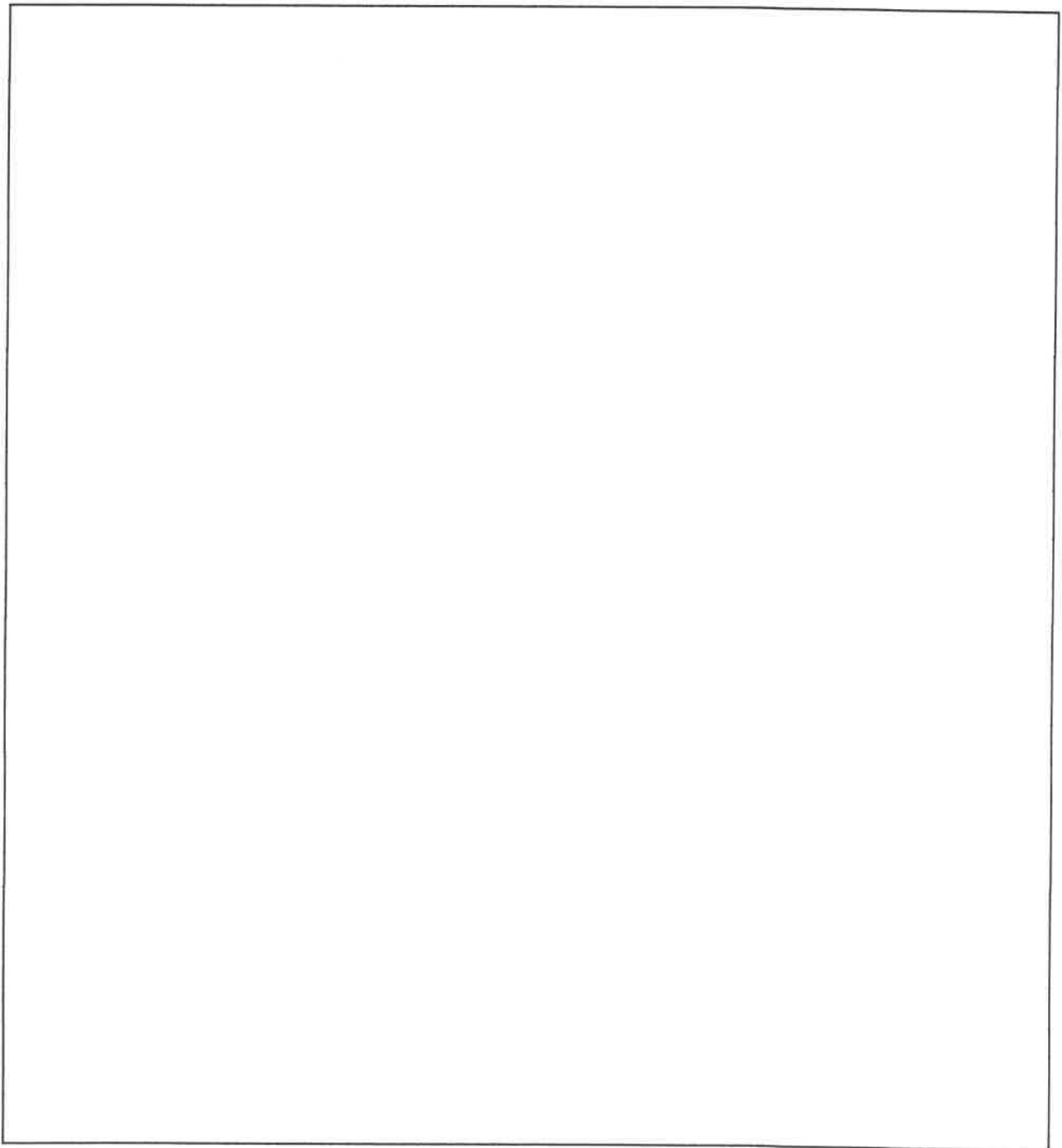
Rhomb Live Motel Lodge
 PO Box 3067

207-967-5457

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.



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: Rhumb Line Motor Lodge
2. Doing Business As, if any: Rhumb Line Resort
3. Date of filing with Secretary of State: Dec 10 1985 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
Sheila Matthews Bell	59 Langsford Rd Kport	9/8/49	Owner President	86
Elizabeth Clark Susan Caldwell Lorna Bryant	20 Bryant Lane Kport			14

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

AGENDA ITEM DIVIDER

HMPayson

Investment Review

JANUARY 2023

PREPARED FOR

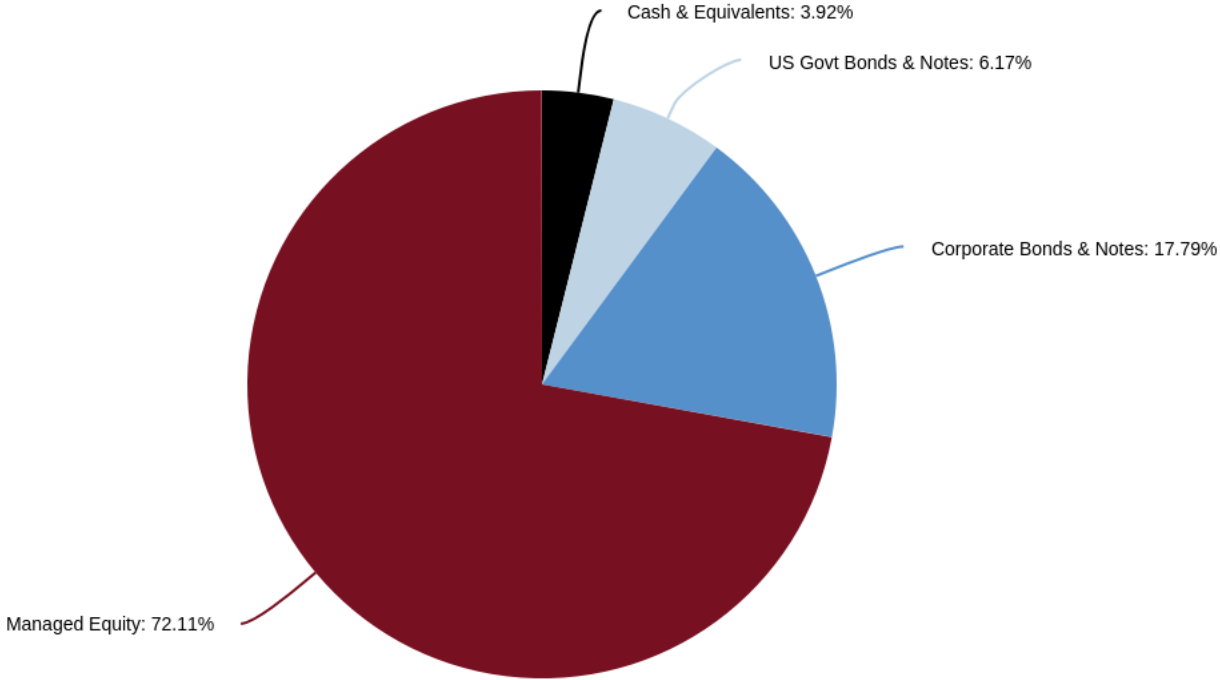
Town of Kennebunkport

Daniel M. Lay, Esq.
PORTFOLIO MANAGER

Noah J. Petrucci, CFA
RELATIONSHIP MANAGER

Jenny L Robinson
RELATIONSHIP ADMINISTRATOR

Asset Allocation by Account TOWN OF KENNEBUNKPORT



Style Class	Current Value	Current Percent
Cash & Equivalents	\$64,973	3.92%
US Govt Bonds & Notes	\$102,280	6.17%
Corporate Bonds & Notes	\$294,855	17.79%
Managed Equity	\$1,194,989	72.11%
Total	\$1,657,096	100.00%

As of December 31, 2022

Individual Account Gross Performance

TOWN OF KENNEBUNKPORT

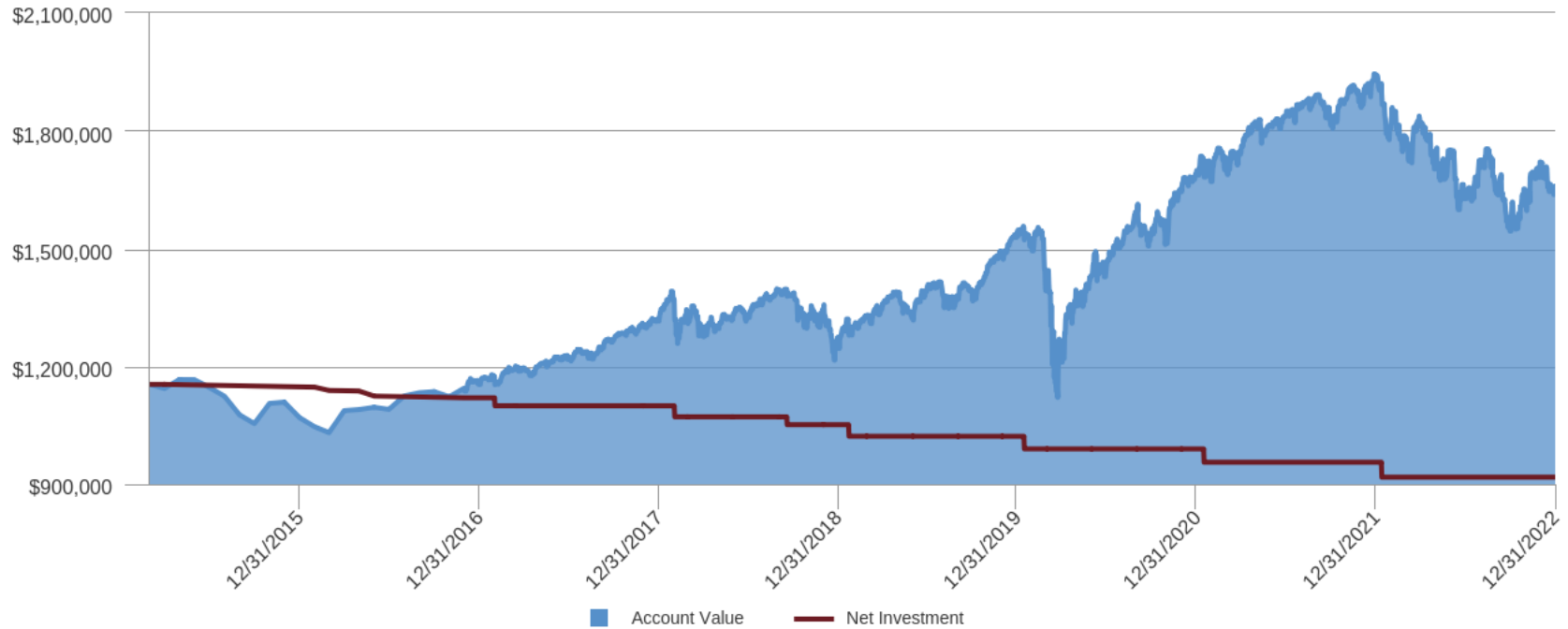
Style Class	Fiscal YTD beginning 7/1 Gross Return	Previous 1 Year Gross Return	Previous 3 Years Gross Return	Previous 5 Years Gross Return	Inception to Date (02/28/2015) Gross Return
Cash & Equivalents	1.60%	1.74%	0.84%	1.33%	* 1.26%
<i>FTSE USBIG 1 Mo. Treasury Bill</i>	1.36%	1.48%	0.66%	1.20%	1.12%
US Govt Bonds & Notes	* 1.01%	* 1.01%	* 1.01%	* 1.01%	* 1.01%
<i>Bloomberg Intermediate Government</i>	(0.44%)	(0.44%)	(0.44%)	(0.44%)	(0.44%)
Corporate Bonds & Notes	0.27%	(3.17%)	0.38%	1.83%	* 1.62%
<i>Bloomberg US Credit 1-5 Years</i>	(0.24%)	(5.56%)	(0.41%)	1.26%	1.42%
High Yield Bonds	-	-	-	* 5.03%	* 4.09%
<i>Bloomberg Global High Yield</i>	-	-	-	3.22%	5.46%
Mortgage Securities	-	-	* 3.56%	* 3.56%	* 3.56%
<i>Bloomberg US Mortgage Backed Securities</i>	-	-	3.40%	3.40%	3.40%
Multi Category Bond Fund/ETF	* 0.29%	* (0.15%)	* 0.11%	* 0.11%	* 0.11%
Managed Equity	2.69%	(15.52%)	9.23%	12.20%	11.24%
<i>100% S&P 500 Index</i>	2.31%	(18.11%)	7.66%	9.42%	10.03%
Foreign Equity Funds	-	* (15.50%)	* 0.44%	* 0.67%	* 3.50%
<i>MSCI All Country World Index X - US Net</i>	-	(6.55%)	4.92%	3.59%	4.70%
Total	2.21%	(12.31%)	5.46%	7.99%	7.59%
<i>70% (75% S&P 500 25% ACWI exUS) 25% BB US Int Gvt/Crd 5% 3MTB</i>	1.68%	(14.07%)	4.13%	5.65%	6.28%

* Partial period return

As of December 31, 2022

Account Value vs. Net Investment

TOWN OF KENNEBUNKPORT



	Fiscal YTD beginning 7/1	Inception to Date (02/28/2015)
Start Value	\$1,626,755	\$1,154,444
Net Contribution	\$0	(\$236,259)
Investment Gain/Loss	\$30,341	\$738,911
Ending Value	\$1,657,096	\$1,657,096

As of December 31, 2022

Town of Kennebunkport Distribution Review as of 12/31/2022

	Market Value 12/31/2022	2018*	2019	2020	2021	2022	Since Inception through 12/30/2022
Kittredge Trust	\$931,055.17	-\$27,929.65	-\$29,365.39	-\$31,863.29	-\$33,951.39	-\$38,035.23	-\$187,721.24
Macomber Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$5,969.44
Picavet Trust	\$724,579.80	-\$19,811.05	\$0.00	\$0.00	\$0.00	\$0.00	-\$27,725.38
TOTAL		-\$47,740.70	-\$29,365.39	-\$31,863.29			-\$221,416.06

*Began using the 4% spending calculation in 2018

TOWN OF KENNEBUNKPORT

Holdings as of: December 30, 2022

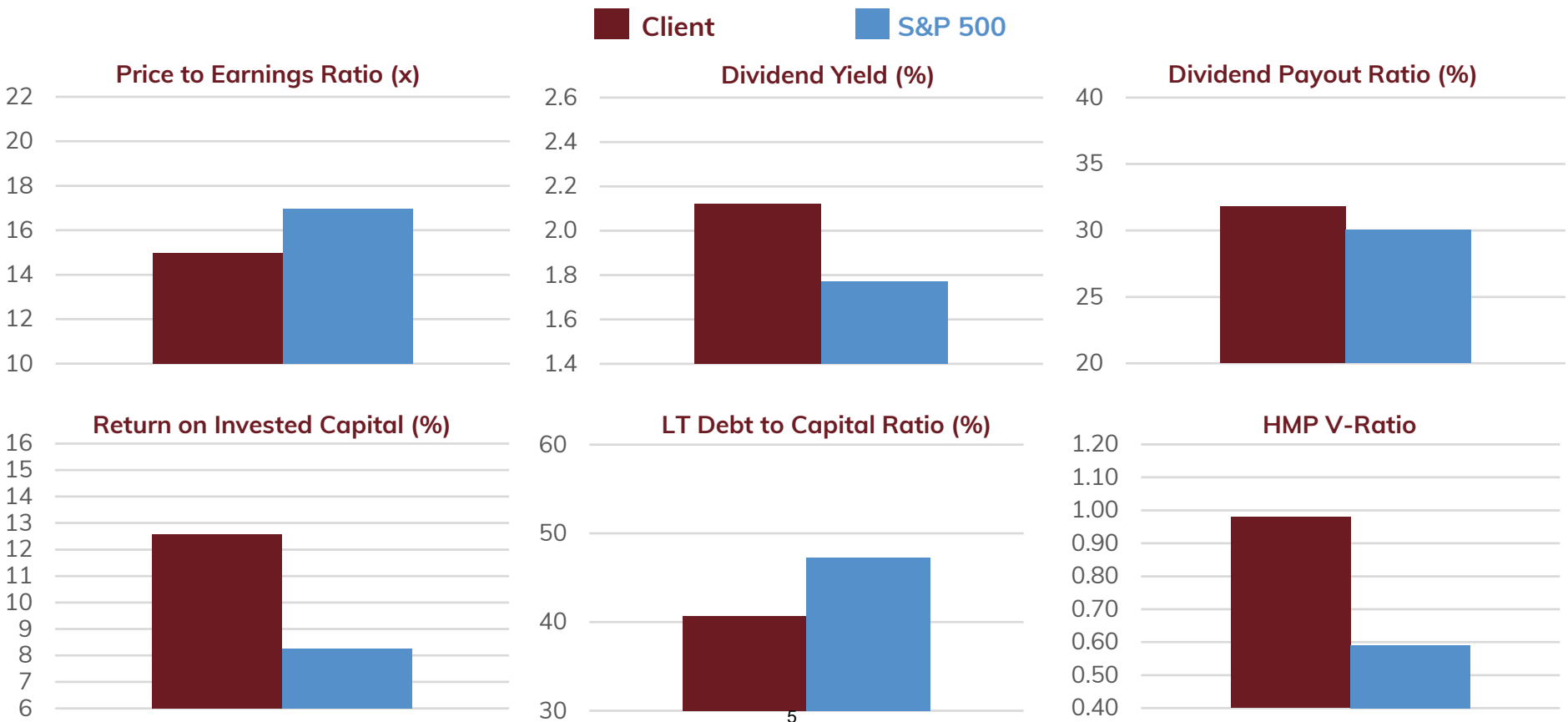


$$\text{V-Ratio} = \frac{\text{ROIC} + \text{Dividend Yield}}{\text{Price-to-Earnings Ratio}}$$

$$\text{ROIC} = (\text{Earnings} - \text{Dividends}) / \text{Total Capital}$$

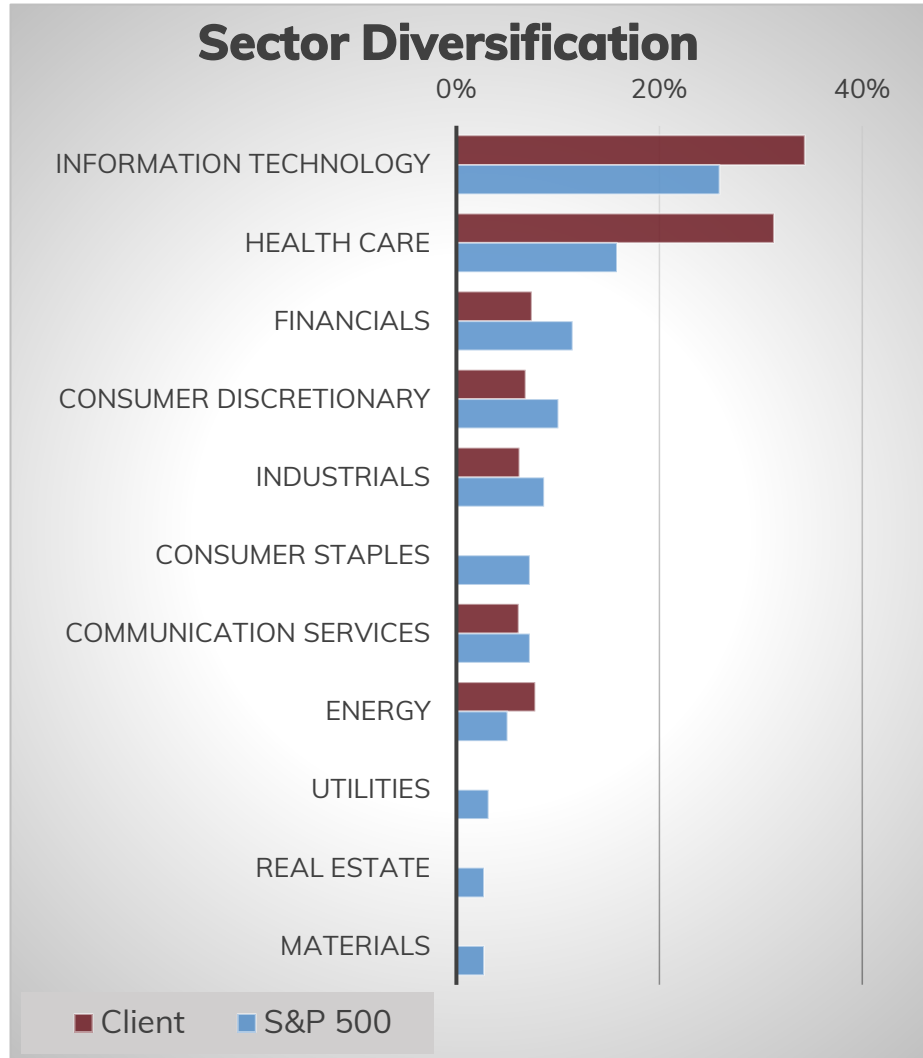
Consistently profitable companies with shareholder-friendly capital allocation tend to outperform over time. We believe that portfolios constructed around these characteristics, combined with a disciplined approach toward valuation, offer enhanced potential long-term returns. HM Payson's V-Ratio captures these features by weighing an approximation of quality against a measure of price.

Characteristics Summary	Client	S&P 500
Price to Earnings (x)	15.0	17.0
Dividend Yield (%)	2.1	1.8
Payout Ratio (%)	32	30
Return on Invested Capital (%)	12.6	8.2
Long term Debt to Capital (%)	41	47
V-Ratio	0.98	0.59



TOWN OF KENNEBUNKPORT

Holdings as of: December 30, 2022



Sector	S&P 500 Index: Median Values			Portfolio Weighted		
	Return on Tangible Assets	*AFG Economic Margin™	CP / EV Yield	ROTA	AFG EM™	CP / EV Yield
Information Technology	16.9%	15.6%	4.0%	28.8%	30.8%	5.0%
Health Care	15.1%	15.8%	3.6%	19.9%	23.7%	5.8%
Financials	2.1%	4.9%	5.3%	9.5%	15.5%	10.4%
Consumer Discretionary	10.7%	8.1%	3.6%	17.9%	13.0%	3.5%
Industrials	11.6%	11.9%	3.7%	11.1%	13.4%	4.0%
Consumer Staples	14.9%	12.8%	3.2%			
Communication Services	8.6%	7.8%	6.1%	22.7%	13.1%	6.0%
Energy	5.6%	0.5%	3.7%	8.2%	3.4%	5.4%
Utilities	2.6%	0.2%	-0.9%			
Real Estate	3.8%	9.2%	3.3%			
Materials	8.9%	5.7%	4.6%			
Index/Portfolio	9.4%	9.6%	3.8%	20.8%	21.9%	5.6%

Value is greater than Index Median

* Economic Margin = Economic Profit as a % of a firm's productive capital base (Trademark of The Applied Finance Group™, Ltd.)

TOWN OF KENNEBUNKPORT

Holdings as of: December 30, 2022



Stock Characteristics - 10 Largest Holdings

Company	Sector	Weight	Yield	Payout	5 Yr Div Growth	5 Yr EPS Growth	P/E	ROIC	LT Debt to Capital
Berkshire Hathaway Cl B	Financials	6.0%	0.0%	0.0%	NM	32.4%	20.8	5.7%	21.0%
Alphabet Inc Class C Capital Stock	Communication Services	5.7%	0.0%	0.0%	NM	32.2%	17.7	24.9%	9.5%
Microsoft Corp	Information Technology	5.4%	1.1%	26.3%	9.7%	24.3%	23.2	23.4%	28.9%
Broadcom Limited Shs	Information Technology	4.8%	3.3%	44.0%	32.1%	45.8%	13.4	16.2%	63.5%
Johnson & Johnson	Health Care	4.6%	2.6%	44.3%	5.9%	5.7%	17.3	14.8%	27.0%
CVS Health Corporation	Health Care	4.0%	2.6%	27.7%	2.9%	4.0%	10.7	6.0%	49.0%
Visa Inc Cl A Common Stock	Information Technology	3.8%	0.9%	20.1%	17.8%	20.5%	23.2	27.0%	36.7%
Apple Inc	Information Technology	3.6%	0.7%	14.2%	8.4%	21.6%	20.0	56.1%	68.4%
Pfizer Inc	Health Care	3.4%	3.2%	28.9%	5.2%	27.1%	9.0	18.4%	26.0%
Bristol Myers Squibb Co	Health Care	3.3%	3.2%	29.3%	5.6%	3.3%	9.3	16.7%	53.6%
Top 10 Stocks		44.6%	1.6%	24.4%	9.5%	20.8%	15.3	12.5%	35.4%
Total Stock Portfolio			2.1%	31.8%	11.2%	22.0%	15.0	12.6%	40.7%
S&P 500 Index			1.8%	30.0%	5.4%	16.0%	17.0	8.2%	47.3%

Disclosures

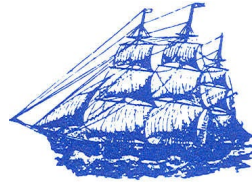
Account data is on a trade date basis and income is included in the account returns on an accrual basis.

Account returns can be gross or net of management fees. Past performance is not indicative of future results.

All returns include the effects of all principal change and income, and returns for longer than one year are annualized.

Any Gross returns do not reflect the deduction of investment advisory fees, which will reduce investment returns. Advisory fees are described in Part 2 of our SEC Form ADV.

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Memorandum

To: Board of Selectmen

Fr: Laurie Smith, Town Manager
Werner Gilliam, Director of Planning and Development

Re: Request Brian Ellis & Dinorah Mendez-Ellis

Dt: January 23, 2023

In the fall of 2021 Code Enforcement Officer Andrew Welch became aware of the installation of a new shed at 43 School Street without a permit. As per our normal office protocols staff made contact with the owner and informed them they would need to request a permit and have it inspected. A letter was sent to the homeowners on both November 3, 2021 and December 13, 2021 identifying the issue and noting the Town's concerns that the shed also may not meet dimensional setbacks or lot coverage requirements. Staff informed the owners that in order to rectify the situation they needed to pay a double permit fee of \$80 and have the installation inspected

The property owners made it clear that they had no intention of complying with the Town ordinances. The Board of Selectmen were notified of these details, and it was at that point that the issue was turned over to the Town attorney. Throughout the legal action the property owners defended themselves. Ultimately the court upholds the town's order and the Town requested that the court order the reimbursement of the Town's attorney fees.

On June 9, 2022 the court ordered the defendant to reimburse the Town, once the town submitted the invoice. On June 10, 2022, our attorney submitted an invoice for \$5,265.82. This amount was only for the attorney fees expended and did not include fines or staff time. The defendants had 7 days to object or respond to the request. The defendant did not reply to the court.

In January of 2023 the defendants reached out to town staff to request forgiveness of the reimbursement. This request is beyond the authority of staff and so it has been forwarded to the Board of Selectmen. It is typical for property owners to reimburse the Town for any legal fees associated with land use violations, whether those are consent agreements or court ordered.



TOWN OF KENNEBUNKPORT, MAINE
~ INCORPORATED 1653 ~

MEMORANDUM

Date: January 10, 2023
To: Laurie Smith, Town Manager
From: April Fortier, Administrative Assistant, Codes and Planning Dept.
CC: Kennebunkport Select Board
Re: 43 School Street – Request for Forgiveness

Dear Laurie,

Attached please find a request received from Brian and Dinorah Ellis on January 3, 2023, requesting forgiveness in reference to the attached Judgment entered by the Biddeford District Court on June 9, 2022, in the amount of \$5,265.82 for attorney's fees associated with an unpermitted shed on their property located at 43 School Street.

On June 9, 2022, the Court entered a Judgment in favor of the Town. The Judge further requested that the town submit an affidavit regarding the attorneys fees associated with the matter to the court and defendants within 14 days of the Judgment. The Defendants had 7 days thereafter to object/respond to the request.

On June 10, 2022, Benjamin J. Plante, Esq. of Drummond Woodsum, submitted an affidavit to the Clerk of the Biddeford District Court as well as mailed a copy to the Ellis'.

I have included copies of the correspondence in reference to the enclosed for your review.

Please feel free to reach out to me should you have additional questions.

April Fortier

From: Brian Ellis <bmej474@me.com>
Sent: Tuesday, January 3, 2023 10:31 AM
To: Dinorah
Cc: April Fortier
Subject: Re: 43 School Street

Hi April,

Thank you for forwarding this request to the appropriate people for review.

To Whom it May Concern,

Myself, Brian Ellis and my wife Dinorah Mendez-Ellis would like to ask for your consideration on the matter of a judgement that was issued against us and our property, known to the Town of Kennebunkport as 43 School Street.

We are requesting that the fine issued via Biddeford District Court be reviewed and forgiven in consideration of the fact that the said Shed in question was removed prior to the date of appearance before the court as requested by the Code Enforcement Officer. We had not realized until this occurrence that the Town of Kennebunkport had administrative rights on our property. We now understand this to be the case.

With all this considered, we ask the Selectman of the Town of Kennebunkport to consider these facts and forgive this debt to the town.

Sincerely,
Brian and Dinorah Ellis

On Dec 29, 2022, at 1:57 PM, Dinorah <dinorahmellis@gmail.com> wrote:

Perfect, got it!
Either my husband Brian or I will respond soon.

Dinorah Ellis
Don't let one cloud obliterate the whole sky. Anaïs Nin
781-953-2037

On Dec 29, 2022, at 12:14 PM, April Fortier <afortier@kennebunkportme.gov> wrote:

Hi Dinorah,

It was very nice to speak with you today.

If you could sent me a request to be presented to the Board of Selectmen, I would greatly appreciate it.

Once I receive the request, I will submit it to the Board of Selectmen for their review.

Happy New Year!

April C. Fortier

Administrative Assistant to
Code Enforcement/Planning and Development,
Planning Board, Board of Assessment Review,
Growth Planning Committee,
Zoning Board of Appeals.

Town of Kennebunkport
6 Elm Street
Kennebunkport, Maine 04046
Telephone: 207-967-1605
<image001.png>



TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Brian Ellis & Dinorah Mendez-Ellis
PO Box 3118
Kennebunkport, Maine 04046

Map 9, Block 4, Lot 53 – **Unpermitted Structure**

Property address - **43 School St**

To whom it may concern,

It has been brought to our attention that you may have built or installed a shed without a permit, I would appreciate if you could contact me at your earliest convenience. If I do not hear from you by November 18, 2021, a formal notice of violation will be issued.

Under 240-11.2 Permit required of the Kennebunkport Land Use Ordinance

After the effective date of this chapter, no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use. A person who is issued a permit pursuant to this chapter shall have a copy of the permit on site while the work authorized by the permit is performed. Therefore, a written permit from the Code Enforcement Officer shall be required for the following activities:

B. New construction. New construction of buildings and structures.

Please call the office at 207-967-1602 with any questions or to set up an appointment to discuss the matter.

Sincerely,

Andrew Welch,
Deputy Code Enforcement Officer
Town of Kennebunkport
awelch@kennebunkportme.gov

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

Brian Ellis & Dinorah Mendez-Ellis
P.O. Box 3118
Kennebunkport, Maine [04046-9998]

Re: Map 9, Block 4, Lot 53 - Unpermitted Structure
Property Address - 43 School St.
Certified Mail # 7020 0640 0001 7744 5579

November, 12th, 2021

Greetings Assistant Code Enforcement Officer Andrew Welch,,

We are in receipt of your offer and claim to contract with the Town of Kennebunkport, a municipal corporation as evidenced by its D.U.N.S. (Dun and Bradstreet) Number 038495839 for a land use permit according to said Land Use Ordinance "240-11.2 Permit Required". In your offer and claim there are several ambiguous parties, statements, and **unsubstantiated and unverified claims**. We would like clarification before we proceed with any further negotiations. We appreciate your municipal corporation's concern for public sanitation, cleanliness and safety of all *public property* defined by your municipal corporation. We thank you for fulfilling your oath of office and your ministerial duty to protect the municipal citizens.

However, we must bring to your attention that your letter is void of any authority citing your municipal corporation's policing authority over private tangible and intangible property of private people. Your letter does not cite any public authority specifically applicable to "private property". We are without proof, knowledge or understanding that we have a duty to obtain a permit, as quoted in your letter; *"no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change or replace an existing use or structure; or renew a discontinued non conforming use"* for the right to have a new structure installed on our personal property. Please cite the origin of the authority that the Town of Kennebunkport, you, Deputy Code Enforcement Officer Andrew Welch, or other person or persons employed by the Town of Kennebunkport, relies upon to administrate over myself, my wife, or our property.

This is not a request for code citations that specifically apply to State defined terms such as "persons", "individual", "public" or any other terms of art defining public interest.

Sincerely,
Brian Ellis and Dinorah Mendez-Ellis

Office of General Executor
ELLIS, BRIAN MITCHELL, Estate
c/o 43 School Street
Kennebunkport, Maine Republic
United States of America

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

To: Benjamin Plante
84 Marginal Way, Suite 600
Portland, Maine 04101

February 14, 2022

I certify under penalty of perjury under the laws of the United States of America, 28 U.S.C. 1746(f), that I served this letter on the Recipient above as follows:

HAND-DELIVERY on February 22, 2021. [Signature] (Init.)
USPO Certified Mail No. 7020 (66-40) (001) 7744 6546 on February 21st, 2021. [Signature] (Init.)
E-mail on _____, 2021 (Init.)
FACSIMILE on _____, 2021 (Init.)

Special - Private - Proprietary - Restricted - Confidential

Greetings Benjamin,

We are in receipt of your letter regarding the alleged Violation at 43 School Street, in Kennebunkport, Maine. I am writing to you regarding claims made against Brian Ellis and Dinorah Mendez-Ellis, in your letter.

This notice is also requiring confirmation from you, Benjamin J Plante, Bar #006389, according to Maine Legislative Statue, Title 4, Chapter 17, Subchapter 1, that you have made an oath or affirmation to support the Constitution of the United States of America, and the Constitution of the State of Maine. This fact is imperative to any further discussions I may have with you, and most certainly any intended act that you, Benjamin J Plante or anyone else from the law firm Drummond Woodsum continue to threaten against me hereto forward. I have a firm good faith reliance that you are sworn to uphold the law and you will fulfill your oath.

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

Please note this correspondence consists of 8 parts:

- I. Notice of Intent
- II. Notice of Demand to Cease and Desist
- III. Notice to Correct Ambiguities and Deficiencies
- IV. Notice of Liability
- V. Exhibit A (Notice of Violation)
- VI. Exhibit B (POA & DOS)
- VII. Exhibit C (Affidavit of Fact)
- VIII. Exhibit D (Dun & Bradstreet number)

I. NOTICE OF INTENT

We send this communication and accompanying notices with the intention of a peaceful resolution. Further, as we come to you fulfilling the law with clean hands, we expect the same in return. We do not intend any controversy as we concede and agree, all municipal State of Maine parent company legislated acts pertain to the public municipal jurisdiction of its subsidiary known as the Town of Kennebunkport. We further recognize the municipal corporation, the Town of Kennebunkport, and its policing authority over public organizations such as public schools and publicly registered organizations.

Due to the corporate municipal nature of your principals organization, as evidenced by their Dun and Bradstreet¹ profile annexed in Exhibit D, your principal accepts full personal, official, and commercial liability for injuries caused by negligent due diligence, trespass, improper due process, want of jurisdiction, and other tortious and/or criminal offenses. To date, we have no official agreement to do business with your principals organization.

We intend to accept all claims upon the affirmation, verification, certification and/or asseveration of fact, under penalty of perjury under the laws of the United States of America according to United States² law, by the real party in interest who alleged the complaint in Exhibit A; Notice of Violation. Further, this communication is intended to remove all ambiguity as to the identity of the complainant, their statement of interest in our private property and your authority as alleged legal representative of the complainant in this matter, so we may face our accuser and settle the matter equitably.

II. NOTICE OF DEMAND TO CEASE AND DESIST

¹ The Dun & Bradstreet Number ("DUNS") number is "a unique nine-digit identification sequence that provides identifiers to single business entities while linking corporate family structures together." [15 CFR 30.1; Title 15 -- Commerce And Foreign Trade; Subtitle B -- Regulations Relating To Commerce And Foreign Trade; Chapter I -- Bureau Of The Census, Department Of Commerce; Part 30 -- Foreign Trade Regulations; Subpart A -- General Requirements] -- US Legal <https://definitions.uslegal.com/dun-and-bradstreet-number/>

² 28 U.S.C. §1746(1) Unsworn Declarations - under the laws of the United States of America *without* the United States.

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

I demand you, Benjamin J Plante, to cease and desist in all matters concerning us and our property known as 43 School Street, Kennebunkport, Maine. To date, we have no official agreement to do business with your organization or its agents and principals. You and your principal have no Rights or Authority to be involved in any matter concerning us or our property.

III. NOTICE TO CORRECT AMBIGUITY AND DEFICIENCIES

Please correct the following ambiguities and certify the corrections under penalty of perjury under the laws of the United States of America to bond your claims so we may make an informed decision as to how to address and fully satisfy your *bona fide* claims:

1. We have no evidence of your authority (Agency) as legal representative for the TOWN OF KENNEBUNKPORT (Principal), leaving the nature of your relationship, and the substantive basis of your claim ambiguous. To correct the ambiguities and deficiencies so we may accept your offer and process your claim, *certify the name of the living Man or Woman acting as the Principal of your contract or agreement who authorized your Agency, under penalty of perjury under the laws of the United States of America according to United States' law, by the real party in interest who alleged the complaint in Exhibit A; Notice of Violation.* This communication is intended to remove all ambiguity as to the identity of the complainant, their statement of interest in our private property and your authority as legal representative of the complainant in this matter, so we may face our accuser and settle the matter equitably.
2. We have no evidence of a municipal corporation's authority to do business with the people without an agreement and/or contract leaving the identity of your principals organization, and the nature and substantive basis of your claim ambiguous. To correct the ambiguities and deficiencies so we may accept your offer and process your claim, *certify the TOWN OF KENNEBUNKPORT as a subsidiary municipal corporation and identify their parent corporation.*
3. We do not have a contract with your alleged Agent (TOWN OF KENNEBUNKPORT) or it's parent corporation to do public business and/or commerce with it. We have no evidence to the contrary. This leaves the nature and substantive basis of your claim ambiguous and deficient. To correct the ambiguities and deficiencies so we may accept your offer and process your claim, *please furnish a certified copy of an agreement or contract with Brian M Ellis and Dinorah Mendez-Ellis, to ensure mutual consideration, a meeting of the minds, and other contractual elements have been properly met.*
4. We have no evidence that a federal Zone Improvement Plan (ZIP) code used within the jurisdiction of a republic state is a legal identifier of a location within the United States of America. The use of such code leaves the location of your alleged Agent's organization, its political status and jurisdiction as well as the inference, as stated in Exhibit A, "within the Town", of our property, and location, political status and jurisdiction ambiguous and deficient to establish a substantive claim. To correct this deficiency so we may accept your offer and process

³ 28 U.S.C. §1746(1) Unsworn Declarations - under the laws of the United States of America *without* the United States.

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

your claim, *certify clearly whether your alleged Agent's organization is located within or without the United States of America.*

5. We have no evidence of any man or woman with the title "Person", as stated in the second paragraph in Exhibit A of your letter, "no person shall". The use of the title "Person" leaves the proper party's principal, office and agent for service of process in your claim ambiguous and deficient. To correct this deficiency so we may accept your offer and process your claim, ***certify the identity of the offending party and their office.***
6. We have no evidence of any man or woman with the title "Mr. Ellis" Or "Ms. Mendez-Ellis". The use of the title "Mr. & Ms." in Exhibit A leaves the proper party's principal, office and agent for service of process in your claim ambiguous and deficient. To correct this deficiency so we may accept your offer and process your claim, ***certify the identity of the offending party and their office.***
7. In the third paragraph of your letter in Exhibit A, you allege that I am in violation of the Kennebunkport Land Use Ordinance 240-11.2 - Section B "Permit required". As an unidentified municipal organization without proof of interest in this property, your letter is without the identity of a real complainant to substantiate your claim. This hearsay leaves the substantive nature of your claim ambiguous and without fact. To correct this deficiency so we may accept your offer and process your claim, ***certify the identity of the complainant and damages they have sustained by our actions.***
8. In the third paragraph of your letter in Exhibit A you allege the structure in question to be located in a "Residential Zone" We have no evidence that a Village Residential Zone within the jurisdiction of a republic state is a legal identifier of a location within the United States of America. The use of such code 240-4.3 "Village Residential Zone" leaves the location of your organization, its political status and jurisdiction as well as your inference of our property, and location, political status and jurisdiction ambiguous and deficient to establish a substantive claim. To correct this deficiency so we may accept your offer and process your claim, ***certify clearly whether your organization is located within or without the United States of America.***
9. In the first paragraph of your letter in Exhibit A, you allege that the shed's location on the property "may" violate the LUO's dimensional standards, such as mandated setbacks from adjoining lot lines for structures within the Village Residential (VR) Zone, which is where your property is located. The use of the word "may" indicates a possibility creating ambiguity that an actual event has occurred. To correct this deficiency so we may accept your offer and process your claim, ***cite and certify the statutory authority that defines "LUO's dimensional setbacks" and further certify with first-hand knowledge an action has occurred to cause damages to a complainant.***

If you do not correct all nine (9) of the above listed deficiencies and certify under penalty of perjury all requested information to remove ambiguities and cure deficiencies in your claim within seven (7) days,

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we will accept your inaction and/or incomplete corrections and certification as your agreement that no contract, agreement, controversy or claim exists and the matter is fully resolved.

IV. NOTICE OF LIABILITY

Should you proceed to enforce your claim without correcting the deficiencies marked in the Notice To Correct Ambiguity and Deficiencies on pages 3 through 4 herein above and absent an express agreement and/or contract between the parties outlining the terms and conditions, your principal, officers and agents accept full personal, commercial, and criminal liability for any injuries occurring to the private substantive inalienable property, status and obligation rights of I and my wife. We reserve the right to file a claim with your principal's organization's bonding and/or public hazard liability insurance company and further reserves the right to file a civil and/or criminal complaint in local, state, federal and international jurisdictions.

You further accept full liability as stated above upon any forced inspection and supervision, search and seizure or any other injurious action against the property of my wife and I without an official certified *quo warranto*. Govern yourself accordingly.

Furthermore, I have annexed Exhibit B; "Power of Attorney" and "Declaration of Status" as evidence of our interest in the property, "43 School Street, Kennebunkport, Maine".

We appreciate your timely response to provide all certified evidence necessary to substantiate your claim.

Without Prejudice

By: Brian Mitchell (seal)
Ellis, Brian Mitchell/Executor

Exhibit A

January 14, 2022

SENT VIA CERTIFIED AND REGULAR MAIL

Brian Ellis and Dinorah Mendez-Ellis
PO Box 3118
Kennebunkport, Maine 04046

RE: Notice of Violation for Unpermitted Shed Structure on
Property Located at 43 School Street, Kennebunkport,
Maine 04046 (Tax Map 9, Block 4, Lot 53)

Dear Mr. Ellis and Ms. Mendez-Ellis:

This firm represents the Town of Kennebunkport ("Town"). This letter shall serve as the Town's official notice that you have violated § 240-11.2 of the Town's Land Use Ordinance ("LUO") by constructing and maintaining an unpermitted shed structure (the "Shed") on property that you own at 43 School Street (Tax Map 9, Block 4, Lot 53) within the Town (hereinafter the "Property"). To remedy this violation you must (1) submit an after-the-fact building permit application to the Town's Code Enforcement Officer ("CEO") to permit the Shed, and (2) allow the CEO to examine the Shed's location on your Property to ensure that it meets all applicable lot line setbacks.

As you know, § 240-11.2 of the Town's LUO provides that "no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use." More specifically, § 240-11.2(B) provides that "a written permit from the Code Enforcement Officer shall be required for . . . New construction of buildings and structures."

You are in violation of § 240-11.2, because you failed to obtain a building permit from the CEO prior to constructing, and/or locating, the Shed on the Property. The Shed's location on the Property may also violate the LUO's dimensional standards, such as mandated setbacks from adjoining lot lines, for structures within the Village-Residential (VR) Zone, which is where your Property is located. However, neither myself, nor the Code Enforcement Officer, may definitively determine whether the Shed complies with the LUO's dimensional standards until you have permitted the CEO to examine the Shed.

To remedy the aforementioned violation, as noted above, you must (1) submit an after-the-fact building permit application requesting that the CEO approve the Shed, and (2) permit the CEO to examine the Shed to confirm that its location on the Property complies with all Town dimensional standards within the VR Zone. You have thirty (30) days from the receipt of this

January 14, 2022

Page 2

letter to submit an after-the-fact building permit application, and to contact the CEO to schedule a mutually convenient time to conduct a site visit.

Should you fail to comply with the actions requested above, the Town will pursue a land use enforcement action against you in Maine District Court pursuant to M.R. Civ. P. 80K and 30-A M.R.S. § 4452. Notably, 30-A M.R.S. § 4452 authorizes the Town to recover fines, ranging from \$100 to \$2,500, per day for every day that this violation remains in existence on your Property, as well as the Town's attorney's fees and costs.

I would like to note that the Town hopes to resolve this matter without having to resort to litigation. On two separate occasions, in November and December of 2021, Town CEO Andrew Welch issued you letters requesting that you contact the Town to voluntarily resolve this matter. CEO Welch's letters were met with an outright refusal to acknowledge the Town's well-established authority to regulate land uses and structures within its borders, and your thinly veiled threat of litigation should the Town insist that you comply with its LUO. Despite that response, the Town still hopes to resolve this matter through voluntary compliance.

Please contact CEO Andrew Welch at (207) 967-1602, or via A.Welch@kennebunkportme.gov, or feel free to contact me directly using the information listed above, to discuss this matter as soon as possible.

Sincerely,



Benjamin J. Plante
Counsel
Town of Kennebunkport

Notice of Violation Joined by:



Andrew Welch
Code Enforcement Officer/LPI
Town of Kennebunkport

APPOINTMENT OF POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, I, BRIAN MITCHELL ELLIS, ENS LEGIS holding the Office of Person, residing at 150 Mt. Vernon St., Dorchester, MA 02125, COMMONWEALTH OF MASSACHUSETTS Department of Public Health, Registry of Vital Records and Statistics File No.: 5-2062788, do hereby appoint Brian Mitchell, House of Ellis, hereinafter, "Ellis, Brian Mitchell", a true man of God found to be breathing with life who is of the age of majority and the age of discretion, as my duly appointed lawful Attorney-in-Fact on this sixth day of the twelfth month of the year two thousand and twenty one. This appointment of power of attorney-in-fact is made in conjunction with ATTACHMENT A annexed hereto and made a part hereof by reference. I further constitute and restore full power of Attorney-in-fact immediately to Ellis, Brian Mitchell, a civilian domiciled on the land of Maine to act on my behalf, in my place and stead over all my business affairs. The powers listed below in this section are not exclusive of any other power and authority to act but are expressed for clarity of purpose relating to specific matters. All other powers and authority not expressed herein are granted to secure unalienable rights to life, liberty and pursuit of happiness in every situation. This durable power of attorney is durable and is not terminated by subsequent incapacity of the Principal.

NANCY E HAMMOND, REGISTER OF DEEDS
BK 18879 PG 471
Inst # 202200742
01/05/2022 01:14:44 PM
Page 20 YORK CO

BE A. Real property transactions. To lease, sell, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any interest in real property whatsoever, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, tear down, alter, rebuild, improve manage, insure, move, rent, lease, sell, convey, subject to liens, mortgages, and security deeds, and in any way or manner deal with all or any part of any interest in real property whatsoever, including specifically, but without limitation, real property lying and being situated on the soil of Maine and all other states of the united States of America, under such terms and conditions, and under such covenants, as my Agent shall deem proper and may for all deferred payments accept purchase money notes payable to me and secured by mortgages or deeds to secure debt, and may from time to time collect and cancel any of said notes, mortgages, security interests, or deeds to secure debt.

BE B. Tangible personal private property transactions. To lease, sell, mortgage, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, sale, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any personal private property whatsoever, tangible or intangible, or interest thereto, on such terms and conditions, and under such covenants, as my Agent shall deem proper; and to maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens or mortgages, or to take any other security interests in said property which are recognized in equity under the Supreme Law of the Land and laws of the Maine republic or any applicable state, or otherwise hypothecate (pledge), and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I own at the time of execution or may thereafter acquire, under such terms and conditions, and under such covenants, as my Agent shall deem proper.

BE C. Stocks, bonds and Securities. To purchase, sell, exchange, surrender, assign, redeem, vote at any meeting, or otherwise transfer any and all shares of stock, bonds, registration certificates, and other securities including but not limited to government held securities that are in my name with my birthdate and social security account number, in or out of my possession, wherever located in any business, association, corporation, partnership, or other legal entity,

copy -> Brian Ellis
P.O. Box 308
Dorchester, MA 01908

whether private or public, now or hereafter belonging to me and to issue any entitlement order necessary to facilitate any securities transaction necessary through any securities intermediary and securities account necessary.

3C **D. Commodity and option transactions.** To organize or continue and conduct any business which term includes, without limitation, any farming, manufacturing, service, mining, retailing or other type of business operation in any form, whether as a proprietorship, joint venture, partnership, corporation, trust, corporate sole or other legal entity; operate, buy, sell, expand, contract, terminate or liquidate any business; direct, control, supervise, manage or participate in the operation of any business and engage, compensate and discharge business managers, employees, agents, attorneys, accountants and consultants; and, in general, exercise all powers with respect to business interests and operations which the principal could if present and under no disability.

3E **E. Banking and other financial institution transactions.** To open accounts, make, receive, sign, endorse, execute, acknowledge, deliver and possess private checks, drafts, bills of exchange, letters of credit, notes, certificates, withdrawal receipts and deposit instruments relating to accounts or deposits in, or certificates of deposit of banks, savings and loans, credit unions, or other institutions or associations. To issue private instruments to pay, discharge and set-off all sums of money, at any time or times, that may hereafter be owing by me upon any account. To issue any bill of exchange, check, draft, purchase, contract, note, or trade acceptance made, executed, endorsed, accepted, and delivered by me or for me in my name, by my Agent. To borrow from time to time such sums of money as my Agent may deem proper and execute private promissory notes, security deeds or agreements, financing statements, or other security instruments in such form as the lender may request and renew said notes and security instruments from time to time in whole or in part. To have free access at any time or times to any safe deposit box or vault to which I might have access. To issue private instruments, tender or lawful money to set-off or discharge any account, account stated, debt, public or private obligation.

3F **F. Business operating transactions.** To conduct, engage in, and otherwise transact the affairs of all lawful business ventures or private Massachusetts business trusts of whatever nature or kind that I may now or hereafter be involved in.

3G **G. Insurance and annuity transactions.** To exercise or perform any act, power, duty, right, or obligation, in regard to any contract of life, accident, health, disability, liability, or other type of insurance or any combination of insurance; and to procure new or additional contracts of insurance for me and to designate the beneficiary of same; provided, however, that my Agent cannot designate himself or herself as beneficiary of any such insurance contracts.

3H **H. Estate, trust, and other beneficiary transactions.** To accept, receipt for, exercise, release, reject, renounce, assign, disclaim, demand, sue for, claim and recover any legacy, bequest, devise, gift or other property interest or payment due or payable to or for the principal; assert any interest in and exercise any power over any trust, estate or property subject to fiduciary control; establish revocable and irrevocable trusts solely for the benefit of the principal that terminates at death of the principal if revocable and twenty-one years after the death of the last known beneficiary if irrevocable and is then distributable to the heirs of the estate of the principal; and, in general, exercise all powers with respect to estates and trusts which the principal could exercise if present and under no disability.

32 I. Gifts - To make gifts, grants, or other transfers (including the forgiveness of indebtedness and the completion of any charitable pledges I may have made) without consideration, either outright or in trust to such person(s) (including my attorney-in-fact hereunder) or organizations as my attorney-in-fact shall select, including, without limitation, the following actions: (a) transfer by gift in advancement of a bequest or devise to beneficiaries under my will or in the absence of a will to my spouse and descendants in whatever degree; and (b) release of any life interest, or waiver, renunciation, disclaimer, or declination of any gift to me by will, deed, or trust.

32 J. Claims and litigation. To commence, prosecute, discontinue, or defend all actions or other legal proceedings touching my property, real or personal, or any part thereof, or touching any matter in which I or my property, real or personal, may be in any way concerned. To defend, settle, adjust, make allowances, compound, submit to arbitration, and compromise all accounts, reckonings, claims, and demands whatsoever that now are, or hereafter shall be, pending between me and any person and any domestic or foreign, natural person, firm, corporation, government agency, or other legal entity, in such manner and in all respects as my Agent shall deem proper.

32 K. Personal and family maintenance. To hire accountants, counselors at law, consultants, clerks, physicians, nurses, agents, servants, workmen, and others and to remove them, and to appoint others in their place, and to pay and allow the person so employed such salaries, wages, or other remunerations, as my Agent shall deem proper.

32 L. Benefits from Social Security, Medicare, Medicaid, or other governmental programs. To prepare, sign and file any claim or application for Social Security or unemployment; sue for, settle or abandon any claims to any benefit or assistance under any federal, state, local or foreign statute or regulation; control, deposit to any account, collect, receipt for, and take title to and hold all benefits under any Social Security, unemployment, military service or other state, federal, local or foreign statute or regulation; and, in general, exercise all powers with respect to Social Security, unemployment, military service, and governmental benefits, including but not limited to Medicare and Medicaid, which the principal could exercise if present and under no disability.

32 M. Tax matters. To prepare, to make elections, revoke elections, to execute and to file all tax, social security, unemployment insurance, and informational returns *mandated* by the laws of the United States of America, or of any state or subdivision thereof, or of any foreign government; to prepare, to execute, and to file all other papers and instruments which the Agent shall think to be desirable or necessary for safeguarding of me against excess or illegal taxation or against penalties imposed for claimed violation of any law or other governmental regulation; and to pay, to compromise, or to contest or to apply for refunds in connection with any taxes or assessments for which I am or may be assumed liable.

Authority to Delegate: My Agent shall have the right by written instrument to delegate any or all of the foregoing powers involving discretionary decision-making to any person or persons whom my Agent may select, but such delegation may be amended or revoked by any agent (including any successor) named by me who is acting under this power of attorney at the time of reference.

Authority of Attorney-in-Fact: Any party dealing with my attorney-in-fact hereunder may rely absolutely on the authority granted herein and need not look to the application of any proceeds nor the authority of my attorney-in-fact as to any action taken hereunder. In this regard, no person who may in

good faith act in reliance upon the representations of my attorney-in-fact or the authority granted hereunder shall incur any liability to me or my estate as a result of such act, I hereby ratify and confirm whatever my attorney-in-fact shall lawfully do under this instrument. My attorney-in-fact is authorized as he deems necessary to bring an action in court so that this instrument shall be given the full power and effect that I intend on by executing it.

Liability of Attorney-in-Fact: My attorney-in-fact shall not incur any liability to me under this power except for a breach of fiduciary duty.

Reimbursement of Attorney-in-Fact: My attorney-in-fact is entitled to reimbursement for reasonable expenses incurred in exercising powers hereunder, and to reasonable compensation for services provided as attorney-in-fact.

Amendment and Revocation: I can amend or revoke this power of attorney through a writing delivered to my attorney-in-fact. Any amendment or revocation is ineffective as to a third party until such third party has notice of such revocation or amendment.

I, BRIAN MITCHELL ELLIS, 150 Mt. Vernon St., Dorchester, MA 02125, COMMONWEALTH OF MASSACHUSETTS Department of Public Health, Registry of Vital Records and Statistics Trust File Number 5-2062788 ENS LEGIS person in probate by the seal of the Commonwealth of Massachusetts Registrar, Issuer of the BRIAN MITCHELL ELLIS registration certificate, do hereby revoke and nullify all authority with or without express or implied powers of attorney previously appointed or presumed by operation of law, by me, my agents, parents, authorized representatives, et al. This revocation extends to all parties including but not limited to any assumed powers of attorney by family members, neighbors, the public at large, corporations, corporate and non-corporate legal entities, persons, public officials, state and federal agents and agencies, attorneys, offices and office holders, the COMMONWEALTH OF MASSACHUSETTS, all 50 STATES of the Union, the UNITED STATES.

I hereby revoke all previous signatures on all state and federal documentation, forms, contracts, trusts, licenses, registrations, social security forms, tax forms, voting forms, et al, as well as on all public and private commercial forms, financial institution forms, financial transactions, secured transactions, security contracts, securities, credit transactions, credit contracts, bank account transactions, accounts held by internet website and app companies and all public and privately held accounts and transactions.

This revocation of Power of Attorney revokes, makes null and void and rebuts all assumptions and presumptions of authority by any STATE and FEDERAL agents and agencies *nunc pro tunc ab initio* and no man, woman, legal person, elected official, government, ecclesiastic priest, pastor, minister or other entity whatsoever shall have any power to administrate the Estate.

Photocopies: Photocopies of this document can be relied upon as though they were originals.

GIVING AND GRANTING unto my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or appropriate to be done in and about the premises as fully to all intents and purposes as I might or could do if personally present, hereby ratifying all that my said Attorney shall lawfully do or cause to be done by virtue of these presents. The power herein conferred upon him/her shall be exercised, in whatever situation.

My said Attorney-in-Fact is empowered hereby to determine in his/her sole discretion the time when, purpose for and manner in which any power herein conferred upon him/her shall be exercised, and the conditions, provisions and covenants of any instrument or document which may be executed by him/her pursuant hereto; and in the acquisition or disposition of real or personal property, my said Attorney shall have exclusive power to fix the terms thereof for cash, credit and/or whatever the context so requires. The masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

Principal: 
BRIAN MITCHELL ELLIS


Signed by Authorized Party: 
Ellis, Brian Mitchell, General Executor

DECLARATION OF WITNESSES

We the undersigned witnesses, hereby affirm under penalty of perjury under the laws of the United States of America, on the date written above, that the agent for the Principal, appeared before us and declared that this instrument is the power of attorney-in-fact and that he willingly affixed his signature to the Power of Attorney by his own free will act and deed for the purposes stated therein.

 (seal)
Witness's signature

3. CADRETTA AVENUE, BIRDFORD, NC 27005
Witness's address

 (seal)
Witness's signature


Witness's signature

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Maine)
) ss.
York County)

Affirmed and subscribed before me this 24 day of December in the common year two thousand twenty one.

Notary Public Marjorie A Ruediger (seal)

My Commission Expires 10-11-26

MARJORIE A. RUEDIGER
NOTARY PUBLIC
State of Maine
My Commission Expires
October 11, 2026

ACKNOWLEDGEMENT OF AGENT

I, Ellis, Brian Mitchell, under penalty of perjury under the laws of God accept the fiduciary and lawful duties expressed in this general power of attorney-in-fact by acknowledging and subscribing below.

By: BM
Ellis, Brian Mitchell, General Executor

(seal)

ATTACHMENT "A"

Declaration of Status, Property and Obligation of Ellis, Brian Mitchell Heir to the Kingdom of Heaven

Whereas there are three departments to "civil law"¹; law of status, law of property and law of obligation which come under the civil law court procedures in equity and at law as "one form of action"² and,

Whereas law merchant/commercial law governs status, property, and obligations in the municipal corporate states under the current banking emergency declared March 9, 1933³ to administer the debt obligations of the United States and,

Whereas military/admiralty law governs all emergencies and wars, including the economic banking emergency declared March 9, 1933⁴, under which rules A-G⁵ of the Federal Rules of Civil Procedure apply to all municipal corporation courts dealing in assets and securities of the American people's estates and persons,

I make this declaration out of necessity by my own freewill, act and deed to settle the presumptions of war and emergency powers over the property, status and obligations of my estate and person in all matters of law.

I, Brian Mitchell House of Ellis, aka Ellis, Brian Mitchell hereinafter "I, me, my", a creation of the Supreme Creator (God), in *esse* and *sui juris*, alive on the soil, have reached the age of majority and discretion, am of sound mind, if called to witness, I am competent to testify to the veracity of the facts stated herein and by self-determination declare the following *nunc pro tunc ab initio*:

I. STATUS

Heir

1. I am a Divine (holy) Spirit incarnate with life as a man, living creation and child God⁶, a spark of the Supreme Creator inheriting the divine estate as heir to the Kingdom of Heaven on Earth according to my religious beliefs; therefore, I refute any contrary adverse presumptive claim as false.
2. As an heir, I am an inhabitant and citizen of the Kingdom of Heaven⁷ and an ambassador for Christ⁸; therefore, I refute any contrary adverse presumptive claim as false.

¹ law of status. The category of law dealing with personal and non proprietary rights, whether in rem or in personam. It is one of three departments into which civil law is divided. • Cf. LAW OF OBLIGATIONS; LAW OF PROPERTY.

² "There is one form of action—the civil action." F.R.C.P. Rule 2

³ Public Law 73-10, 48 Stat. 1; also see E.O. 2039 and 2040

⁴ Public Law 93-148 (1973); also see Senate Report 93-549 (1973)

⁵ Federal Rules of Civil Procedure Supplemental Rules For Admiralty And Maritime Claims And Asset Forfeiture Actions

⁶ "For all who are led by the Spirit of God are sons of God."- Romans 8:14

⁷ "But our citizenship is in heaven, and from it we await a Savior, the Lord Jesus Christ."- Philippians 3:20;

⁸ "Therefore, we are ambassadors for Christ, God making his appeal through us. We implore you on behalf of Christ, be reconciled to God." - 2 Corinthians 5:20

3. My Christian given name is Brian Mitchell and I go by no other title; therefore, I refute any contrary adverse presumptive claim as false.
4. My family, or house, name is Ellis which I inherited as an heir from the marriage of my mother and father; therefore, I refute any contrary adverse presumptive claim as false.
5. I am at peace with all men and all nations; therefore, I refute any contrary adverse presumptive claim as false.

Nationality and Citizenship

6. I am a native Massachusettsan⁹, which on the soil and geographic location of the United States of America is considered a "national"¹⁰, not a citizen of the United States^{11 12}, nor am I subject to its jurisdiction as the United States¹³ is *without* the United States of America (50 united republic nation states) evidenced in the United States Code on judicial procedure¹⁴ and as such I am a beneficiary of the trust created by the Constitution circa 1789; therefore, I refute any contrary adverse presumptive claim as false.
7. I fully recognize and respect the laws of nature in Emmerich de Vattel's Law of Nations circa 1758 as the honorable course of interactions between nations and nationals of other nations; therefore, I refute any contrary adverse presumptive claim as false.

Beneficial Status, Trust and Estate

8. As the creator, I am the Grantor, Settlor and General Executor holding *equitable* title¹⁵ to the name and trust BRIAN MITCHELL ELLIS; Estate residing at 150 Mt. Vernon Street, Dorchester, MA 02125, in custody and possession of COMMONWEALTH OF MASSACHUSETTS Department of Public Health, Registry of Vital Records and Statistics file number 5-2062788, Exhibit A-A4 annexed hereto and incorporated herein by reference, Social Security and Federal Reserve Trust Account¹⁶ number ending in xxx-xx-8795, IRS Treasury Account Number ending in xxxxx8795; therefore, I refute any contrary adverse presumptive claim as false.

⁹ Government Printing Office Style Manual Chapter 5 section 5.23 p. 95 (2016) "In designating the natives of the States, the following forms will be used. ***Massachusettsan."

<https://www.govinfo.gov/content/pkg/GPO-STYLEMANUAL-2016/pdf/GPO-STYLEMANUAL-2016.pdf>

¹⁰ 8 USC § 1101(a)(21), [t]he term "national" means a person owing permanent allegiance to a state."

¹¹ "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." Const. Amend. 14 [emphasis added]

¹² 8 USC § 1101(a)(22), [t]he term "national of the United States" means

(A) a citizen of the United States, or

(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

¹³ 29 Corpus Juris Secundum § 883, [t]he United States government is a FOREIGN CORPORATION with respect to a state.

¹⁴ 28 U.S.C. 1746(1)

¹⁵ A title that gives a beneficial interest in property and that gives the holder the right to acquire formal legal title. Black's Law Dictionary 7th ed. p. 1493

¹⁶ United States Statutes at Large Social Security Act (74th Cong., Sess. 1, Chp. 531, p. 620-647)

9. I do not hold *legal title*¹⁷ to the BRIAN MITCHELL ELLIS, Estate residing at 150 Mt. Vernon Street, Dorchester, MA 02125, in custody and possession of COMMONWEALTH OF MASSACHUSETTS Department of Public Health, Registry of Vital Records and Statistics file number 5-2062788, Social Security and Federal Reserve Trust Account¹⁸ number ending in xxx-xx-8795, IRS Treasury Account Number ending in xxxxx8795; there is no proof to the contrary therefore I refute any contrary adverse presumptive claim as false.

Solvency

10. I am fully solvent holding in my possession an amount in silver worth over twenty-one dollars which is the only payment in the tender of debts¹⁹, therefore, I refute any contrary adverse presumptive claim as false.
11. As a solvent American, by nature, I am a creditor²⁰ to whom the United States, a legal fiction physically incapable of creating value, owes a debt for using my credit to fund its operations and discharge its debts, I refute any contrary adverse presumptive claim as false.

II. PROPERTY

12. The following is property belonging to me: Ellis, Brian Mitchell; therefore, I refute any contrary adverse presumptive claim as false.
13. The following is property with equitable title belonging to me: BRIAN MITCHELL ELLIS, Estate residing at 150 Mt. Vernon Street, Dorchester, MA 02125, in custody and possession of Commonwealth of Massachusetts Department of Public Health, Registry of Vital Records and Statistics file number 5-2062788, Exhibits A-A4 annexed hereto and made a part hereof as fully incorporated herein by reference; therefore, I refute any contrary adverse presumptive claim as false.
14. The following is my *private* property: all inalienable substantive rights, my biological offspring, my biological body, my deoxyribonucleic acid (DNA), my life energy and any tangible or intangible, corporeal or incorporeal thing I acquire by law therefore, I refute any contrary adverse presumptive claim as false.

III. OBLIGATIONS

¹⁷ A title that evidences apparent ownership but does not necessarily signify full and complete title or a beneficial interest. Black's Law Dictionary 7th ed. P. 1493

¹⁸ United States Statutes at Large Social Security Act (74th Cong., Sess. I, Chp. 531, p. 620-647)

¹⁹ "No State shall...make any Thing but gold and silver Coin a Tender in Payment of Debts" Const. Art. I Sec. 10.

²⁰ "1. One to whom a debt is owed; one who gives credit for money or goods." Black's Law Dictionary 7th ed.

15. As an heir to the Kingdom of Heaven, American national and beneficiary of the constitutional and United States trusts, I have a firm allegiance to the Supreme Creator; therefore, I refute any contrary adverse and presumptive claim as false;
16. There being no possible way to decline allegiance and citizenship in the federal United States at the time of my nativity, my mother and father unwittingly made a pledge of allegiance and security, a commercial transaction, to pay the United States public debt in exchange for interest in the United States organization; therefore, I refute any contrary adverse and presumptive claim as false.
17. There being no lawful money as a tender in the payment of debts^{21 22}, congress legislated provisions to discharge all obligations of and to the United States dollar for dollar in any coin or currency that is legal tender for public and private debts, public charges, taxes, duties, and dues in the United States²³, therefore, I refute any contrary adverse presumptive claim as false.
18. Federal Reserve Notes, "securities" and other "representatives of value"²⁴ are obligations of the United States; therefore, I refute any contrary adverse presumptive claim as false.
19. Upon the age of majority and discretion, I made a mistake and did not return the certificate of birth registration for value and deposit it with the issuer of the instrument, the COMMONWEALTH OF MASSACHUSETTS, and do make this declaration *nunc pro tunc* to correct the error; therefore, I refute any contrary adverse presumption as false.
25. Upon my acceptance for value of the original issue instrument, evidenced in Exhibit A – A4 as annexed hereto and fully incorporated herein by reference, I shall convey, transfer, assign and/or deliver the instrument (property), or interest therein, for a full acquittance and discharge for all purposes of the obligation to the United States thereby releasing my liability in any court²⁵; therefore, I refute any future contrary adverse evidence in relation thereto as false.

Taxes

26. Any person within the United States or any political subdivision thereof, is obligated to pay capital gains and other taxes on any monies, proceeds, or any other financial gain from charges in any form made to the BRIAN MITCHELL ELLIS, TRUST residing at 150 Mt. Vernon Street, Dorchester, MA 02125, and in custody of Estate Commonwealth of Massachusetts Department of Public Health,

²¹ "No State shall...make any Thing but gold and silver Coin a Tender in Payment of Debts." Const. Art. I Sec. 10

²² 31 U.S.C. 5118 (b) "The United States Government may not pay out any gold coin."

²³ Pub. L. 73-10 Approved June 5, 1933

²⁴ "The term "obligation or other security of the United States" includes all bonds, certificates of indebtedness, national bank currency, Federal Reserve notes, Federal Reserve bank notes, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, issued under any Act of Congress, and canceled United States stamps." 18 U.S.C. § 8 [emphasis added]

²⁵ 12 U.S.C. 95(a)(2) Any payment, conveyance, transfer, assignment, or delivery of property or interest therein, made to or for the account of the United States, or as otherwise directed, pursuant to this section or any rule, regulation, instruction, or direction issued hereunder shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect to anything done or omitted in good faith in connection with the administration of, or in pursuance of and in reliance on, this section, or any rule, regulation, instruction, or direction issued hereunder.

Registry of Vital Records and Statistics file number 5-2062788, Federal Reserve Trust Account number ending in xxx-xx-8795, IRS Treasury Account Number ending in xxxxx8795; there is no proof to the contrary therefore I refute any adverse presumptive claim as false.

27. I firmly believe that the Internal Revenue Code does not specifically define me, a man, as liable to pay income tax or any tax that is not apportioned²⁶ ²⁷ or any tax on my *private* property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.

As of the date of this declaration there has been no rebuttal in truth, fact, law, or evidence by any natural or artificial person. This declaration supersedes and makes void all previously recorded declarations of status, property and obligation and may be relied upon as such by all parties with a claim of interest, contract, or agreement with me or any of the above declared persons, estates, and trusts.

Further I sayeth naught.

I, Ellis, Brian Mitchell, asseverate under the laws of Natures God, under penalty of perjury, without the United States, that the foregoing is true and correct to the best of my knowledge and belief so help me God. [28 USC 1746(1)]

Executed this sixth day of December in the common year two thousand twenty one.



(seal)

.....
Ellis, Brian Mitchell
I am a private man

²⁶ "Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers..." Const. Art. I, Sec. 2, cl 3

²⁷ "No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken." Const. Art. I, Sec. 9, cl. 4

EXHIBIT "A"

AFFIDAVIT

TRUE AND CORRECT COPY

I, Ellis, Brian Mitchell, a living man am above the age of 18, competent to testify and do hereby state the following facts:

The attached copy of the vital record security certificate of indebtedness issued, signed, sealed, and delivered by the United States, the Commonwealth of Massachusetts and the Commonwealth of Massachusetts Registrar is a true and correct copy of the original.

ACCEPTANCE OF CERTIFICATE FOR VALUE AND HOLDER IN DUE COURSE


KNOW ALL MEN BY THESE PRESENTS that I, Ellis, Brian Mitchell, a living man coming as Grantor, Settlor, Beneficiary and General Executor, accept for value received and acknowledge without recourse, all equitable right, title and interest at law and in equity as the holder in due course to the original instrument identified as the Certificate of Live Birth for the BRIAN MITCHELL ELLIS, TRUST Estate residing at 150 Mt. Vernon Street, Dorchester, MA 02125, in custody and possession of Commonwealth of Massachusetts Department of Public Health, Registry of Vital Records and Statistics file number 5-2062788, Federal Reserve Trust Account number ending in xxx-xx-8795, IRS Treasury Account Number ending in xxxxx8795, and all derivatives and proceeds therefrom. A specimen of which is annexed hereto and made a part hereof as Exhibit(s) A-1, A-2, A-3 and A-4.

I hereby accept the true signed, sealed and delivered Certificate of Live Birth Commonwealth of Massachusetts Department of Public Health, Registry of Vital Records and Statistics file number 5-2062788 as the original for value received and return it for value to discharge the public debt as an ally and friend of the United States.

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief so help me God. [28 U.S.C. §1746(1)]

Executed this 24 day of December, 2021.

MARJORIE A. RUEDIGER
NOTARY PUBLIC
State of Maine
My Commission Expires
October 11, 2028

 (seal)
Ellis, Brian Mitchell, General Executor
Heir, beneficiary and grantor

Maine)
York County) ss.
SEAL)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Affirmed and subscribed before me this 24 day of December in the common year two thousand twenty one.

Notary Public Marjorie A. Ruediger (seal)

My Commission Expires 10-11-28

WITNESS ATTESTATION

We, the undersigned witnesses, hereby agree and affirm under the laws of Nature's God, upon review of a preponderance of evidence and first-hand knowledge, that the facts stated in the attached declarations have been affirmed true and correct by Ellis, Brian Mitchell to the best of our knowledge and belief, and to our knowledge no man or person has presented any proof or claim to the contrary to us and that Ellis, Brian Mitchell did affirm said facts in our presence by his autograph and seal.

We asseverate the above, this twenty fourth day of December in the common year two thousand twenty one.

.....

(seal)

Witness

.....

(seal)

Witness

Deuteronomy 19:15

"at of the mouth of two or at the mouth of three witnesses shall the matter be established."

United States of America



DEPARTMENT OF STATE


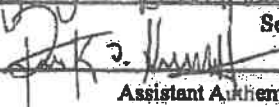
To all to whom these presents shall come, Greetings:

I Certify That the document hereunto annexed is under the Seal of the State(s) of Massachusetts, and that such Seal(s) is/are entitled to full faith and credit.*

**For the contents of the annexed document, the Department assumes no responsibility
This certificate is not valid if it is removed or altered in any way whatsoever*

In testimony whereof, I, Antony J. Blinken, Secretary of State, have herewith caused the seal of the Department of State to be affixed and my name subscribed by the Assistant Authentication Officer, of the said Department, at the city of Washington, in the District of Columbia, this twenty-first day of August, 2021.

*Issued pursuant to CHXII, State of
Sept. 13, 1780, 1 Stat. 48-69; 22
USC 2657; 22 USC 2651a; 5 USC
301; 28 USC 1733 et. seq.; 8 USC
1443(f); RULE 44 Federal Rules of
Civil Procedure.*


Secretary of State
By 
Assistant Authentication Officer,
Department of State

CERTIFICATE OF VITAL RECORD

VERIFY PRESENCE OF WATERMARK HOLD TO LIGHT TO VIEW

The Commonwealth of Massachusetts R 796002
DEPARTMENT OF PUBLIC HEALTH
REGISTRY OF VITAL RECORDS AND STATISTICS

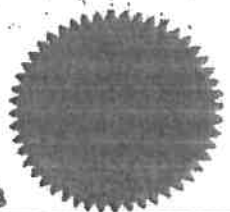


ILLEGAL TO ALTER OR REPRODUCE

VOID IF ALTERED OR ERASED

Form containing birth details: Middlesex County, Winchester, No. Winchester Hospital, Brian Mitchell Ellis, 9-54, Robert Mitchell Ellis, Bonnie Lee Cushman, 11:34 A.M., 2/8/66, Henry J. Hunter, 38 Church St., Winchester, Mass.

JANUARY 28, 2021



Kevin A. Barrett
Registrar of Vital Records and Statistics

I, the above signed, hereby certify that I am the Registrar of Vital Records and Statistics; that as such I have custody of the records of birth, marriage, and death required by law to be kept in my office; and I do hereby certify that the above is a true copy from said records. IT IS ILLEGAL TO ALTER OR REPRODUCE THIS DOCUMENT IN ANY MANNER.

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED

CERTIFICATE OF VITAL RECORD

VERIFY PRESENCE OF WATERMARK

HOLD TO LIGHT TO VIEW

The Commonwealth of Massachusetts R 793364

DEPARTMENT OF PUBLIC HEALTH

REGISTRY OF VITAL RECORDS AND STATISTICS



07912019

Commonwealth of Massachusetts
Registry of Vital Records and Statistics

RECORD OF BIRTH

REGISTERED NUMBER: 5
STATE FILE NUMBER: 2062788

CHILD

NAME: BRIAN MITCHELL ELLIS
SEX: MALE PLURALITY: SINGLE
DATE OF BIRTH: JANUARY 03, 1966 TIME: 11:34 AM
PLACE OF BIRTH: WINCHESTER, MASSACHUSETTS

PARENT

NAME: BONNIE LEE ELLIS
SURNAME AT BIRTH OR ADOPTION: CUSHMAN
BIRTHPLACE: MALDEN, MASSACHUSETTS
AGE OR DATE OF BIRTH: 22

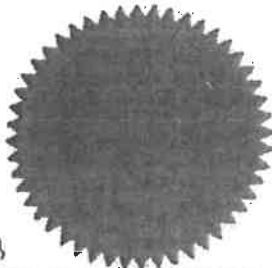
PARENT

NAME: ROBERT MITCHELL ELLIS
SURNAME AT BIRTH OR ADOPTION: —
BIRTHPLACE: WOBURN, MASSACHUSETTS
AGE OR DATE OF BIRTH: 24

AT-BIRTH RESIDENCE: WOBURN, MASSACHUSETTS

DATE OF RECORD: JANUARY 12, 1966

DATE ISSUED: JANUARY 15, 2021



Karin A. Barrett
Registrar of Vital Records and Statistics

I, the above signed, hereby certify that I am the Registrar of Vital Records and Statistics; that as such I have custody of the records of birth, marriage, and death required by law to be kept in my office; and I do hereby certify that the above is a true copy from said records.

IT IS ILLEGAL TO ALTER OR REPRODUCE THIS DOCUMENT IN ANY MANNER

VOID WITHOUT WATERMARK OR IF ALTERED OR ERASED

ILLEGAL TO ALTER OR REPRODUCE

VOID IF ALTERED OR ERASED

EXHIBIT "B"

TRADEMARK ASSIGNMENT

Assignor: BRIAN MITCHELL ELLIS, of 150 Mt Vernon Street, Dorchester, MA 02125

Assignee: Ellis, Brian Mitchell of o/o 43 School Street, Kennebunkport, Maine (ZIP Excepted)

Trademark

1. The Assignor is the owner of the following trademark (the "Mark"):

BRIAN MITCHELL ELLIS; BRIAN ELLIS; BRIAN M ELLIS; ELLIS, BRIAN MITCHELL; ELLIS, BRIAN M.; ELLIS, BRIAN; BME; Brian Mitchell Ellis, Brian Ellis; Brian M. Ellis; Ellis, Brian Mitchell; Ellis, Brian M.; Ellis, Brian.

2. The Mark is not registered, but the Assignor uses the Mark to distinguish the goods associated with the Mark from the goods of others in the marketplace. The Assignor uses the Mark in the following areas: United States, United States of America, All Countries, Global.



Assignment

3. The Assignor, in consideration of the Price, the receipt and sufficiency of which is hereby acknowledged, does sell, assign and transfer to the Assignee the Mark, together with that portion of the good will of the business with which the Mark is associated, and all right, title and interest in the Mark, including, but not limited to, the right to register the Mark, to renew registration of the Mark and to license the use of the Mark.
4. The Assignee, in consideration of the Assignor assigning the Mark to the Assignee on the terms in this Agreement, will pay to the Assignor the following amount: \$1.00 in .999 fine silver specie (the "Price").
5. The Price is payable in .999 fine silver U.S. dollars and is payable as follows: on the signing of this Agreement.

Representations and Warranties

6. The Assignor represents and warrants to the Assignee:
 - a. The Assignor is the exclusive and lawful owner of the Mark, and the Mark does not infringe on the rights of any other person or organization.
 - b. The Mark is free of all security interests.
 - c. The Assignor has not granted any license to use the Mark in any manner whatsoever to any individual, person, organization, association, group or entity.
 - d. The Assignor is not aware of any competing claims to the Mark, and, as far as is known to the Assignor, there is no litigation pending with respect to any claim to the Mark, whether the claim is based on prior use of the Mark, a license to use the Mark or an ownership interest in the Mark.
 - e. The Assignor has the authority to enter into this Agreement.

7. The Assignee represents and warrants to the Assignor that the Assignee has the authority to enter into this Agreement.

 BRIAN MITCHELL ELLIS	By:  Executor Ellis, Brian Mitchell, Executor/Beneficiary

In Witness whereof the parties have affixed their signatures in Maine this 24 day of December 2021.

SEAL

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Maine)
) ss.
York County)

MARJORIE A. RUEDIGER
NOTARY PUBLIC
State of Maine
My Commission Expires
October 11, 2026

Affirmed and subscribed before me this 24 day of December in the common year two thousand twenty one.

Notary Public Marjorie A Ruediger (seal)
My Commission Expires 10-11-26

"EXHIBIT C"

TRADEMARK & COPYRIGHT NOTICE

This notice is to inform the public that the following trademarks:

BRIAN MITCHELL ELLIS; BRIAN ELLIS; BRIAN M ELLIS; ELLIS, BRIAN MITCHELL; ELLIS, BRIAN M.; ELLIS, BRIAN; BME; Brian Mitchell Ellis, Brian Ellis; Brian M. Ellis; Ellis, Brian Mitchell; Ellis, Brian M.; Ellis, Brian.

and any derivations of those names in conjunction with any identification on record in any system of records of the United States, the 50 States and the United States of America, and any works derived therefrom, are owned by Ellis, Brian Mitchell, General Executor, a man, and protected by non-statutory trademark and copyright since 1995 and 2006. All right, title and interest to the said works have been assigned to Ellis, Brian Mitchell, General Executor, a man. Ellis, Brian Mitchell, General Executor, a man reserves all rights for any works and trademark use by any person using those names in any business, trade or commercial transaction.

By: *[Signature]* **Executor**

**Ellis, Brian Mitchell,
Executor/Beneficiary**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

SEAL

Maine)
) ss.
York County)

**MARJORIE A. RUEDIGER
NOTARY PUBLIC
State of Maine
My Commission Expires
October 11, 2026**

Affirmed and subscribed before me this 24 day of December in the common year two thousand twenty one.

Notary Public *Marjorie A. Ruediger* (seal)

My Commission Expires 10-11-26

I HEREBY CERTIFY THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL FILED IN YORK COUNTY MAINE REGISTRY OF DEEDS
ATTEST: *Pancy Stannard*
REGISTRAR
DATED: 01/05/2022

Exhibit C

Office of General Executor
ELLIS, BRIAN MITCHELL, Estate
c/o 43 School Street
Kennebunkport, Maine Republic
United States of America

Affidavit of Fact

Affiant:

Brian Mitchell: House of Ellis
P.O. Box 3118
Kennebunkport, Maine [04046-9998]

Respondent:

Benjamin Plante
84 Marginal Way, Suite 600
Portland, Maine 04101

Certified Mail # 7020 0640 0001 7744 5548

Dear Respondent,

I, Brian Mitchell: House of Ellis, aka Ellis, Brian Mitchell hereinafter "I, me, my", a creation of the Supreme Creator (God), in *esse* and *sui juris*, alive on the soil, have reached the age of majority and discretion, am of sound mind, if called to witness, I am competent to testify to the veracity of the facts stated herein and by self-determination declare the following *nunc pro tunc ab initio*:

1. Affiant is a natural flesh and blood man - not a legal Person, corporation et al. God created man, man created government and government created persons. The Affiant is not a government created person. ¹ There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
2. As an heir to the Kingdom of Heaven, American national and beneficiary of the constitutional and United States trusts, I have a firm allegiance to the Supreme Creator; therefore, I refute any contrary adverse and presumptive claim as false.

¹ Bouvier Law Dictionary 1856 "PERSON. In law, man and person are not exactly-synonymous terms. Any human being is a man, whether he be a member of society or not, whatever may be the rank he holds or whatever may be his age, sex, &c. A Person is a man considered to the rank he holds in society, with all the rights to which the place he holds entitles him, and the duties which it imposes.

Office of General Executor
ELLIS, BRIAN MITCHELL, Estate
c/o 43 School Street
Kennebunkport, Maine Republic
United States of America

Affidavit of Fact

3. I am a native Massachusetts², which on the soil and geographic location of the United States of America is considered a “national”³, not a citizen of the United States⁴ ⁵, nor am I subject to its jurisdiction as the United States⁶ is *without* the United States of America (50 united republic nation states) evidenced in the United States Code on judicial procedure⁷ and as such I am a beneficiary of the trust created by the Constitution circa 1789; therefore, I refute any contrary adverse presumptive claim as false.
4. Affiant is the sole responsible party with interest in the property known as 43 School Street, Kennebunkport, Maine. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
5. The Persons operating as the TOWN OF KENNEBUNKPORT have conspired with Benjamin Plante of Drummond Woodsum, to concoct a “color of law” scheme that used force, threat, and duress, to extort money from the Affiant; to deprive the Affiant of his self-evident, inherent, indefeasible, inalienable, and Constitutionally protected and secured rights; and to willfully compromise the Affiant’s Private property for their financial gain. There is no proof to the contrary.
6. The Persons operating as the TOWN OF KENNEBUNKPORT, Code Enforcement, Andrew Welch, acted in non-compliance of the Constitution of Maine⁸
7. The Affiant does not physically “reside within”, nor does his private property physically “reside within” a Fiction of Law known as the TOWN OF KENNEBUNKPORT. Nor does the Affiant physically “reside on”, nor does his private property physically “reside on” the TOWN OF KENNEBUNKPORT’s land. The TOWN OF KENNEBUNKPORT is

² Government Printing Office Style Manual Chapter 5 section 5.23 p. 95 (2016) “In designating the natives of the States, the following forms will be used. ***Massachusettsan.”

http://www.gpo.info.gov/documents/146/GPO_STYLEMANUAL_2016.pdf/GPO-STYLEMANUAL-2016.pdf

³ 8 USC § 1101(a)(21), [t]he term “national” means a person owing permanent allegiance to a state.”

⁴ “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” Const. Amend. 14 [emphasis added]

⁵ 8 USC § 1101(a)(22), [t]he term “national of the United States” means

(A) a citizen of the United States, or

(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

⁶ 19 Corpus Juris Secundum § 883, [t]he United States government is a FOREIGN CORPORATION with respect to a state.

⁷ 28 U.S.C. 1746(1)

⁸ Constitution of Maine, Article 1, Section 1: Natural Rights “All people are born equally free and independent, and have certain natural, inherent and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

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c/o 43 School Street
Kennebunkport, Maine Republic
United States of America

Affidavit of Fact

not a physical piece of land nor is it a "factual" place, it's a municipal corporation created on paper and existing only on paper. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.

8. The Persons operating as the TOWN OF KENNEBUNKPORT possess no interest, authority, right, or power to determine what laws, statutes, ordinances, codes, et al. apply to the Affiant and his private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
9. The Persons operating as the TOWN OF KENNEBUNKPORT possess no interest, authority, right, or power to apply laws, statutes, ordinances, codes, et al. to the Affiant and his private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
10. No Persons operating as the TOWN OF KENNEBUNKPORT possess personal knowledge to testify as a witness, that they know for certain that laws, statutes, ordinances, codes, et al. apply to the Affiant and his private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
11. Factually, the TOWN OF KENNEBUNKPORT is a municipal corporation, a body politic, a Fiction of Law, a fiction of the mind, existing only on paper, with no natural and inherent rights. All rights that have been delegated to the Persons operating as the TOWN OF KENNEBUNKPORT were delegated by legal Persons, whose rights did not, and cannot, supersede or alter the Affiant's, inherent, God given, indefeasible, and inalienable rights; as "*all people are born equally free and independent*". The Persons operating as the municipal corporation known as the TOWN OF KENNEBUNKPORT were never granted an interest, authority, right, or power in any matter involving the Affiant and his private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
12. The Persons who compose the body politic known as the TOWN OF KENNEBUNKPORT are individually citizens, granted political rights by government, which are distinguished from the civil rights a man enjoys. The Persons operating as the TOWN OF KENNEBUNKPORT, not the Affiant, are the Persons subject to the laws of the state and the Constitutions. There is no proof to the contrary and therefore I refute any

⁹ Constitution of Maine, Article 1, Section 1

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Affidavit of Fact

contrary presumptive claim as false.

13. No man, group of men, body politic, or municipal corporation, possesses an interest, authority, right, or power in any matter involving the Affiant and his private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
14. The Affiant has no signed contracts with the Persons operating as the TOWN OF KENNEBUNKPORT and the Affiant has never consented to be governed by their corporate regulations. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
15. It is self-evident that the people (men) ordained and established the Constitutions, and created governments for their peace, safety, and happiness, and that all power is inherent in the people. The actions taken against the Affiant and his private property by the Persons operating as the TOWN OF KENNEBUNKPORT, were non compliant with Article 1 Section 2, of the Constitution of Maine, and violated the Affiant's rights to safety, and happiness. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.
16. Andrew Welch, an employee of the TOWN OF KENNEBUNKPORT made legal judgements prejudicial towards the Affiant and his private property, by insisting that the Affiant was required to get a permit from the TOWN OF KENNEBUNKPORT, to install a shed on his own private property. Andrew Welch had no authority, right, or power to make any legal judgements regarding the Affiant and his private property, especially deciding that the Affiant and his private property was within the jurisdiction of the Persons operating as the TOWN OF KENNEBUNKPORT, or that he was required to get a permit to put a shed on his own private property. There is no proof to the contrary and therefore I refute any contrary presumptive claim as false.

Your DUNS Lookup Request for Town of Kennebunkport

From: Dun & Bradstreet (dandb@click.dandb.com)

To: [REDACTED]

Date: Wednesday, November 17, 2021, 07:41 PM EST

Exhibit D

Having trouble seeing this email? [View it online](#)

[Access My Account](#)

dun & bradstreet

11/17/2021

Brian Mitchell,

The following is the Dun & Bradstreet D-U-N-S® number for Town of Kennebunkport:

D-U-N-S number: **876941308**

If this is **YOUR COMPANY**, take advantage of [CreditBuilder™](#), our next generation credit building solution.

Get unlimited access to your business credit file

Ensure you are always aware of the most current D&B information your banks, suppliers, competitors and customers are using to evaluate your business

Get alerts when there are changes to your business credit file

Benchmark your company's credit scores against your industry and key competitors

Enhance your D&B credit scores and ratings by adding good payment history to your credit profile

If you are looking for information on **ANOTHER COMPANY**, consider purchasing a [Business Information Report™](#). Reduce the risk of unpaid bills by evaluating the credit risk of another company before doing business with them.

Office of General Executor
ELLIS, BRIAN MITCHELL, Estate
c/o 43 School Street
Kennebunkport, Maine Republic
United States of America

Affidavit of Fact

I affirm under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief so help me God. [28 U.S.C. §1746(1)]

Executed this 21 day of February, 2022.

Without Prejudice

Brian Mitchell (seal)
Ellis, Brian Mitchell, General Executor
Heir, beneficiary and grantor

Maine)
) ss.
York County)

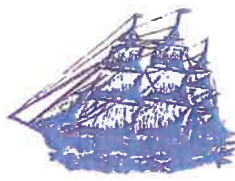
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Affirmed and subscribed before me this 21 day of February in the common year two thousand twenty two.

Notary Public Marjorie Ruediger (seal)

My Commission Expires 10-11-26

MARJORIE A. RUEDIGER
NOTARY PUBLIC
State of Maine
My Commission Expires
October 11, 2026



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

Notice of Violation

December 13, 2021

Brian Ellis & Dinorah Mendez-Ellis
PO Box 3118
Kennebunkport, Maine 04046

Map 9, Block 4, Lot 53 – **Unpermitted Structure**

Property address - 43 School St

To whom it may concern,

Thank you for acknowledging receipt of my letter that was sent on November 3, 2021. In your response you asked for clarification of unsubstantiated claims. I have attached for your review a photo of the shed in question (**Exhibit A**), which should serve as sufficient evidence. I have also enclosed your tax card (**Exhibit B**), which does not show a shed or a pending building permit to place one.

Under section **240-11.2 - Section B “Permit required”** of the Kennebunkport Land Use Ordinance, a permit is required for new construction or placement of buildings and structures. I have enclosed section 240-11.2 titled (**Exhibit C**) for your review. The structure in question would also be subject to setback, and lot coverage requirements for the applicable zone (Village Residential) as established in **240-4.3 “Village Residential Zone” 240 Attachment 1 (Exhibit D)**.

Based on my observations, I am not sure if the current placement of the shed meets dimensional setbacks or lot coverage requirements as identified in the ordinance. If that does end up being the case the shed will need to be relocated or possibly removed. Lastly, I have enclosed section **240-11.9 “Violations and legal action”** titled (**Exhibit E**) for your review. If an application has not been filed by January 3, 2022, a formal notice of violation will be issued.

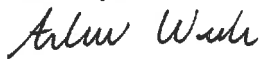
6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Please call the office at 207-967-1602 with any questions or to set up an appointment to discuss the matter.

Sincerely,



Andrew Welch,
Deputy Code Enforcement Officer
Town of Kennebunkport
awelch@kennebunkportme.gov

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

December 13, 2021

Exhibit A

43 School Street – Unpermitted Shed Evidence



Photo taken by Andrew Welch – Town of Kennebunkport Deputy Code Enforcement Officer

Exhibit B

Property Location 43 SCHOOL STREET
 Vision ID 444 Account # 444

Map ID 9/ 4/ 53/

Bldg # 1

Property Status: A
 Sec # 1 of 1

December 13, 2021

State Use 1010
 Card # 1 of 1
 Print Date 12-14-2021 11:25:24

CURRENT OWNER

ELLIS, BRIAN M & MENDEZ-ELLIS, DINOR

PO BOX 3118

KENNEBUNKPORT ME 04046

CURRENT
 1ST YEA
 FMP EX

GIS ID 444

Assoc Pld#

TOPO

1 Level To Town/Public

K KKW

1

STR/RD

House Col

ZONES

VR Village Resid

202 Urban-Resid

CURRENT ASSESSMENT

1010 Code Appraised

1010 Code Appraised

212,400

137,700

Assessed

212,400

137,700

4512

KENNEBUNKPORT,
 ME

VISION

RECORD OF OWNERSHIP

ELLIS, BRIAN M & MENDEZ-ELLIS, DINORA
 RICCARDI RENE G & HUSTON EDNA M
 CUSHMAN GEORGE W & IRIS L

17146 0152 12-04-2015 Q U I
 16975 0079 02-26-2015 U I
 02044 0107 01-01-1900 U U

295,000 00 2021
 0 1A 2021

1010 Code Assessed
 1010 Code Assessed

212,400 2020 1010 Code Assessed
 137,700 1010 1010 Code Assessed

2019 1010 Code Assessed
 1010 1010 Code Assessed

Total 350,100 Total 350,100 Total 350,100

This signature acknowledges a visit by a Data Collector or Assessor

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card) 210,300
 Appraised Xf (B) Value (Bldg) 2,100
 Appraised Ob (B) Value (Bldg) 0
 Total Appraised Improvements 212,400
 Appraised Land Value (Bldg) 137,700
 Special Land Value 0
 Total Appraised Parcel Value 350,100
 Exemption 0.00
 Valuation Method C

NET PARCEL VALUE 350,100

BUILDING PERMIT RECORD

Permit Id	Issue Date	Type	Description	Project Cost	% Comp	Date Comp	Comments
	08-26-2008						
	05-01-1999						
	04-10-1997						

VISIT / CHANGE HISTORY

Date	Id	Permit #	Purpose/Result
08-26-2008	NC		Measur+Listed
05-01-1999	MA		Building Permit M+L
04-10-1997	RH		Measur+Listed

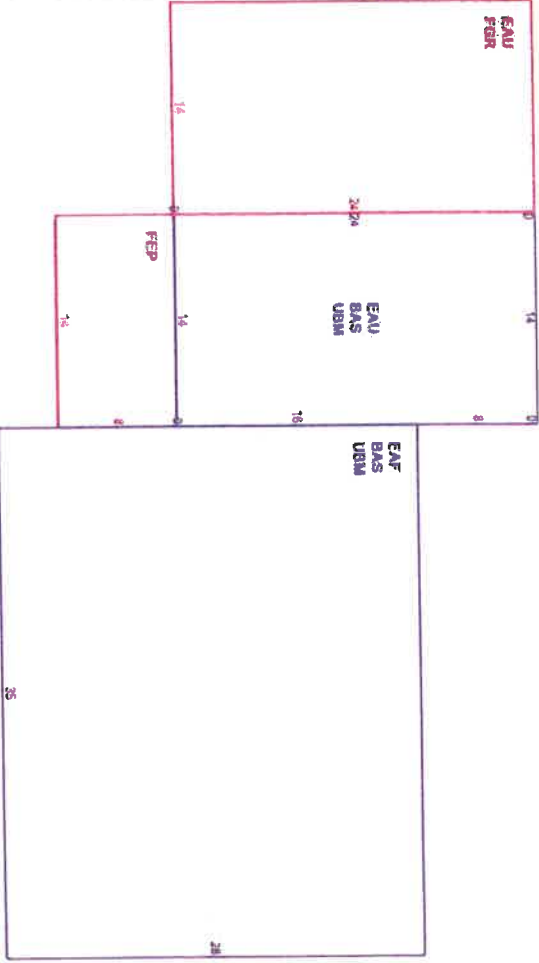
LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value				
1	1010	Single Family	VR		11,500 SF	6.94	1.15000	5	1.00	800	1,500		1.0000	11.97	137,700				
Parcel Total Land Area														0	AC*			Total Land Value	137,700

**Due to rounding, the average displayed does not reflect the actual average for the parcel.*

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
Style: 04	Cape Cod		
Model: 01	Residential		
Grade: 04	Average +10		
Stories: 1	1 Story		
Occupancy: 1	Wood Shingle		
Exterior Wall 1: 14			
Exterior Wall 2: 03	Gable/Hip		
Roof Structure: 03	Asph/Flt Gls/Cmp		
Roof Cover: 05	Drywall/Sheet		
Interior Wall 1: 14	Carpet		
Interior Wall 2: 12	Hardwood		
Interior Fir 1: 04	Electric		
Interior Fir 2: 07	Electr Basebrd		
Heat Fuel: 01	None		
Heat Type: 04	4 Bedrooms		
AC Type: 03			
Total Bedroom: 0			
Total Bathrm: 3			
Total Half Bath: 0			
Total Xtra Bthtr: 6	6 Rooms		
Total Rooms: 02	Average		
Bath Style: 02	Average		
Kitchen Style: 02	Average		
Solar Panels			
RRA License			

CONDO DATA		COST / MARKET VALUATION	
Parcel Id	Code	Description	Factor-%
Adjust Type			
Condo Flr			
Condo Unit			
Building Value New		233,617	
Year Built		1988	
Effective Year Built		1989	
Depreciation Code		G	
Remodel Rating		10	
Year Remodeled		0	
Depreciation %		0	
Functional Obsol		1	
External Obsol			
Trend Factor			
Condition			
Condition %		90	
Percent Good		210,300	
Cns Sect Rchld			
Dep % Ovr			
Dep Ovr Comment			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			



OB - OUTBUILDING & YARD ITEMS/LI - BUILDING EXTRA FEATURES(B)									
Code	Description	COMMENT	LB	Units	UNK Price	Yr Bld	% Gd	Appr. Value	
FPL1	BRICK		B	1	2704.78	1988	79.00	2,100	

BUILDING SUB-AREA SUMMARY SECTION									
Code	Description	Living Area	Floor Area	EF Area	Unit Cost	Undeprec Value			
BAS	First Floor	1,316	1,316	1,316	96.94	127,568			
EAF	Attic, Expansion, Finished	490	980	490	48.47	47,499			
EAU	Attic, Expansion, Unfinished	0	672	134	19.33	12,989			
FEP	Porch, Enclosed, Finished	0	112	73	63.18	7,076			
FGR	Garage	0	336	134	38.66	12,989			
UBM	Basement, Unfinished	0	1,316	263	19.37	25,494			
TV Gross Liv / Lease Area		1,806	4,732	2,410		233,615			



§ 240-11.2. Permit required.

After the effective date of this chapter, no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use. A person who is issued a permit pursuant to this chapter shall have a copy of the permit on site while the work authorized by the permit is performed. Therefore, a written permit from the Code Enforcement Officer shall be required for the following activities:

- A. Flood hazard areas. All construction or earth moving activities or other improvements within the one-hundred-year floodplain designated on the Flood Insurance Rate Maps published by the Federal Emergency Management Agency.
- B. New construction. New construction of buildings and structures.
- C. Any activity and use listed in Article 5 as requiring a permit from the Code Enforcement Officer.
- D. Alteration. Alteration of a building or structure, or parts thereof, except as provided in § 240-11.3.
- E. Moving demolition. All buildings or structures which are removed from or moved onto, or moved around within a lot, or demolished.
 - (1) Demolition of historic buildings. The following provisions apply to all applications for the demolition or removal of any locally historic building built prior to 1930 in a National Register District. Immediately upon receiving a demolition request from a property owner or applicant and prior to issuing a demolition permit, the Code Enforcement Officer shall post a sixty-day waiting period, and at the applicant's expense, provide written notice to abutters, and advertise at least two times in a newspaper of widespread circulation within the Town of Kennebunkport, the applicant's demolition request.
- F. Change of use. The change of any premises from one category of land use to any other land use.
- G. Placement of signs. Placement of signs except temporary signs described in § 240-6.12F.
- H. Conditional uses. Any use requiring approval as a conditional use by the Planning Board or Zoning Board of Appeals.
- I. Roads, filling or grading. Road construction and filling or grading of land, as described in § 240-6.14.
- J. Entrance to public ways. Entrance to public ways, as described in § 240-6.15.
- K. Growth management permit. Construction or placement of a new dwelling unit, as described in § 240-11.12.

- L. Temporary placement of an awning or tent(s) exceeding 80 square feet in size from Memorial Day weekend until Labor Day shall be permitted. Temporary placement outside of the Memorial Day weekend through Labor Day season shall not exceed 30 days per any calendar year per parcel. Tents that exceed 80 square feet and are in place beyond the limits mentioned above are subject to conditions and approvals as a permanent structure. **[Amended 11-3-2020]**
- M. Disability variance. The Code Enforcement Officer may grant a variance from setback or lot coverage requirements only to an owner of a residential dwelling, for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Code Enforcement Officer shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The Code Enforcement Officer may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. The term "structures necessary for access to or egress from the dwelling" shall include railing, wall or roof systems necessary for the safety or effectiveness of the structure. For any application within the Shoreland Zone, a copy of each variance request, including the application and all supporting information supplied by the applicant, shall be forwarded to the Commissioner of the Department of Environmental Protection at least 20 days prior to action by the Code Enforcement Officer. Any comments received from the Commissioner shall be made part of the record and shall be taken into consideration by the Code Enforcement Officer.

LAND USE

240 Attachment 1

Town of Kennebunkport

Table of Dimensional Requirements

	Minimum Lot Area ¹ (square feet)	Minimum Lot Width (feet)	Maximum Lot Coverage	Minimum Net Residential Area per Dwelling Unit (square feet)	Minimum Setbacks			Coastal Wetland Setback (feet)	Minimum Open Space	Maximum Building Height (feet)
					Front (feet)	Side (feet)	Rear (feet)			
§ 240-4.3 Village Residential Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	40,000	100	20%	40,000	20	15	15		20%	35
Two-family dwelling	40,000	100	20%	20,000	40	20	20		20%	35
Multiplex	60,000	150	20%	20,000	25	50	50		20%	35
Public Libraries	40,000	100	75%		20	15	15		5%	35
§ 240-4.4 Village Residential East Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	40,000	100	20%	40,000	20	15	15		20%	35
Two-family dwelling	40,000	100	20%	20,000	40	20	20		20%	35
Multiplex	90,000	150	20%	30,000	40	50	50		20%	35
§ 240-4.5 Docks Square Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	20,000	100	70%	20,000	20	15	15	25	20%	30
Two-family dwelling	20,000	100	70%	10,000	40	20	20	25	20%	30
Multiplex	30,000	150	70%	10,000	40	20	20	25	20%	30
§ 240-4.6 Riverfront Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	20,000	100	20%	20,000	20	15	15	75	20%	30
Two-family dwelling	20,000	100	20%	10,000	40	20	20	75	20%	30
Multiplex	60,000	150	20%	20,000	25	50	50	75	20%	30

KENNEBUNKPORT CODE

	Minimum Lot Area (square)	Minimum Lot Width (feet)	Maximum Lot Coverage	Minimum Net Residential Area per Dwelling Unit	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Coastal Wetland Setback	Minimum Open Space	Maximum Building Height
§ 240-4.7 Cape Arundel Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	40,000	100	20%	40,000	20	15	15		20%	35
Two-family dwelling	40,000	100	20%	20,000	40	20	20		20%	35
§ 240-4.8 Goose Rocks Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	40,000	100	20%	40,000	20	15	15		20%	30
Two-family dwelling	40,000	100	20%	20,000	40	20	20		20%	30
§ 240-4.9 Cape Porpoise East and Cape Porpoise West Zones										
Single-family dwelling (1 per lot) or other use § 240-4.16	20,000	100	20%	20,000	20	15	15		20%	30
Two-family dwelling	30,000	100	20%	15,000	40	20	20		20%	30
§ 240-4.10 Cape Porpoise Square Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	20,000	100	20%	20,000	20	15	15		20%	30
Two-family dwelling	20,000	100	20%	10,000	40	20	20		20%	30
Multiplex	60,000	150	20%	20,000	25	50	50		20%	30
§ 240-4.11 Free Enterprise Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	40,000	100	20%	40,000	20	15	15		20%	35
Two-family dwelling	40,000	100	20%	20,000	40	20	20		20%	35
§ 240-4.12 Farm and Forest Zone										
Single-family dwelling (1 per lot) or other use § 240-4.16	3 acres/ 130,680 square feet	200	10%	130,680	20	15	15		20%	35
Two-family dwelling	3 acres/ 130,680 square feet	100	20%	65,340	40	20	20		20%	35

NOTE:

1 Land use activities within the Shoreland Zone shall conform to the minimum lot size and shore frontage requirements set forth in § 240-4.16.

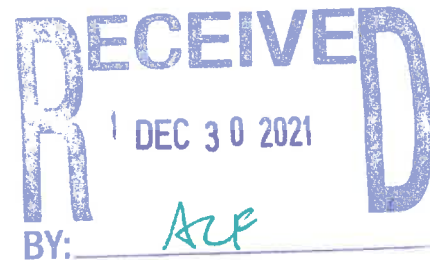
§ 240-11.9. Violations and legal action.

- A. Nuisances. Any violation of this chapter shall be deemed to be a nuisance.
- B. It shall be the duty of the Code Enforcement Officer to enforce the provisions of this chapter. If, after investigation, the Code Enforcement Officer finds that any provision of this chapter is being violated, he or she shall give written notice delivered by hand, if the owner/occupant agrees to sign a receipt for the notice, or by certified mail, return receipt requested, to the person responsible for such violation, and/or to the owner and/or to the occupant of such premises. The notice shall indicate the nature of the violation and order the action necessary to correct it, including discontinuance of illegal use of land, buildings or structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. The notice shall demand that the violation be abated within some designated reasonable time. If after such notice, the violation is not abated within the time specified, the Code Enforcement Officer shall institute appropriate action in the name of the Town of Kennebunkport to prevent, enjoin, restrain or abate any violation of this chapter. A copy of each such notice of violation shall be submitted to the Board of Selectmen and be maintained as a permanent record.
- C. The Code Enforcement Officer shall conduct on-site inspections to insure compliance with all applicable laws and conditions attached to permit approvals. The Code Enforcement Officer shall also investigate all complaints of alleged violations of this chapter.
- D. The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. On a biennial basis, a summary of this record shall be submitted to the Director of the Bureau of Water Quality within the Department of Environmental Protection. **[Amended 11-3-2020]**
- E. Legal actions.
- (1) When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this chapter in the name of the Town of Kennebunkport. The Municipal Officers, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this chapter and recovering fines without court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat

or hazard to public health and safety or will result in substantial environmental damage.

- (2) If the Code Enforcement Officer has been certified by the Department of Economic and Community Development, Office of Community Development, as being familiar with court procedures under 30-A M.R.S.A. § 4453, he/she may serve civil process and, when specifically authorized to do so by the Municipal Officers, represent the Town in District Court. If authorized, the Code Enforcement Officer may obtain assistance from the Town Attorney with any court proceedings. The Code Enforcement Officer shall inform the Town Manager and municipal officers of all legal actions instituted under this article. **[Amended 11-3-2020]**

Office of General Executor
ELLIS, BRIAN MITCHELL, Estate
c/o 43 School Street
Kennebunkport, Maine Republic
United States of America



Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

To: THE OFFICE OF CODE ENFORCEMENT FOR THE TOWN OF KENNEBUNKPORT
Andrew Welch, Deputy Code Enforcement Officer
6 Elm Street, P.O. Box 566
Kennebunkport, Maine 04046

December 29, 2021

*I certify under penalty of perjury under the laws of the United States of America,
28 U.S.C. 1746(f), that I served this letter on the Recipient above as follows:*

- HAND-DELIVERY on December 30th, 2021. BM (Init.)
- USPO-Certified Mail No. 7020 0640 0001 7744 5562 on December 31st, 2021. BM (Init.)
- E-mail on _____, 2021. _____ (Init.)
- FACSIMILE on _____, 2021. _____ (Init.)

Special – Private – Proprietary – Restricted - Confidential

Re: Notice of Violation, Map 9 Block 4 Map 53 - Unpermitted Structure

Greetings Andrew Welch,

We are in receipt of your letter with attachments titled "Notice of Violation". I am writing to confirm The statements made by you, in your letter to me; "the structure in question to setback and lot coverage requirements" and "If that does end up being the case, the shed will need to be relocated or possibly removed." This notice is also requiring confirmation from you, Andrew Welch, that you have made an oath to support the Constitution of the United States of America, and the Constitution of the State of Maine. This fact is imperative to any further discussions I may have with you, and most certainly any intended act that you, Andrew Welch or anyone else from the Department of Code Enforcement and Planning continue to threaten against me hereto forward. I have a firm good faith reliance that you are educated, paid, trained and sworn to uphold the law and you will fulfill your oath.

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

Please note this correspondence consists of 6 parts:

- I. Notice of Intent
- II. Notice of Demand for Tender to your Insurance and Attorneys
- III. Notice to Correct Ambiguities and Deficiencies
- IV. Notice of Liability
- V. Attachment A
- VI. Attachment B

I. NOTICE OF INTENT

I, a man, Ellis, Brian Mitchell, hereinafter known in this correspondence as I, me, my, us, our, we send this communication and accompanying notices with the intention of a peaceful resolution. Further, as we come to you fulfilling the law with clean hands, we expect the same in return. We do not intend any controversy as we concede and agree, all municipal State of Maine parent company legislated acts pertain to the public municipal jurisdiction of its subsidiaries known as the Town of Kennebunkport, Department of Code Enforcement and Planning. We further recognize your municipal corporation, the Town of Kennebunkport's policing authority over public organizations such as public schools and publicly registered organizations. We intend to accept all claims upon the **affirmation, verification, certification and/or asseveration** of fact, under penalty of perjury under the laws of the United States of America according to United States¹ law, by the real party in interest who alleged the complaint in Attachment A, Notice of Violation. Further, this communication is intended to remove all ambiguity as to the identity of the complainant, their statement of interest in our private property and your authority as legal representative of the complainant in this matter, so we may face our accuser and settle the matter equitably.

II. NOTICE OF DEMAND FOR TENDER TO YOUR INSURERS AND ATTORNEYS

Due to the corporate municipal nature of your organization, as evidenced by your Dun and Bradstreet² profile annexed in Attachment B, I demand you tender this instrument to your organization's legal representative and any insurance carrier your principal and parent company are required to contract with for liability of potential injuries caused *ultra vires*. If you do not understand the content of this communication and choose by your own free will *not* to tender this communication to your legal representative and insurance carrier, you, your person, and your principal accept full personal, official,

¹ 28 U.S.C. §1746(1) Unsworn Declarations - under the laws of the United States of America *without* the United States.

² The Dun & Bradstreet Number ("DUNS") number is "a unique nine-digit identification sequence that provides identifiers to single business entities while linking corporate family structures together." [15 CFR 30.1; Title 15 -- Commerce And Foreign Trade; Subtitle B -- Regulations Relating To Commerce And Foreign Trade; Chapter I -- Bureau Of The Census, Department Of Commerce; Part 30 -- Foreign Trade Regulations; Subpart A -- General Requirements] -- US Legal <https://definitions.uslegal.com/d/dun-and-bradstreet-number/>

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

and commercial liability for injuries caused by negligent due diligence, trespass, improper due process, want of jurisdiction, and other tortious and/or criminal offenses. To date, we have no official agreement to do business with your organization or its agents and principals.

III. NOTICE TO CORRECT AMBIGUITY AND DEFICIENCIES

Please correct the following ambiguities and certify the corrections under penalty of perjury under the laws of the United States of America to bond your claims so we may make an informed decision as to how to address and fully satisfy your *bona fide* claims:

1. We have no evidence of a municipal corporation's authority to do business with the people without an agreement and/or contract leaving the identity of your organization, and the nature and substantive basis of your claim ambiguous. To correct the ambiguities and deficiencies so we may accept your offer and process your claim, certify the TOWN OF KENNEBUNKPORT, DEPARTMENT OF CODE ENFORCEMENT AND PLANNING as a subsidiary municipal corporation and identify your parent corporation.
2. We do not have a contract or agreement with your municipal corporation or your parent corporation to do public business and/or commerce with it. This leaves the nature and substantive basis of your claim ambiguous and deficient. To correct the ambiguities and deficiencies so we may accept your offer and process your claim, please furnish a certified copy of an agreement or contract with Brian Ellis to ensure mutual consideration, a meeting of the minds, and other contractual elements have been properly met.
3. We have no evidence of your office as a constitutionally compliant office. This leaves your identity and the nature and substantive basis of your claim ambiguous. Provide the legislative act that officiates your office and the correctly executed and filed oath of office for your occupation of said office, and/or the oath of office of your principal director's office, as your identity is left ambiguous and vague for you to equitably substantiate your claim. Please correct the ambiguities and deficiencies so we may accept your offer and process your claim, certify the legislative act that officiates your office. Further, furnish a certified copy of a correctly executed and filed oath of office for your occupation of said office, and/or a certified copy of the oath of office of your principal director's occupation of office.
4. We have no evidence that a federal Zone Improvement Plan (ZIP) code used within the jurisdiction of a republic state is a legal identifier of a location within the United States of America. The use of such code leaves the location of your organization, its political status and jurisdiction as well as your inference of our property, and location, political status and jurisdiction ambiguous and deficient to establish a substantive claim. To correct this deficiency so we may accept your offer and process your claim, certify clearly whether your organization is located within or without the United States of America.
5. We have no evidence of any man or woman with the title "Person", as stated in Exhibit C of your letter, 240-11.2 - Permit required. The use of the title "Person" leaves the proper party's principal, office and agent for service of process in your claim ambiguous and deficient. To correct this

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

deficiency so we may accept your offer and process your claim, certify the identity of the offending party and their office.

6. In the first paragraph of your letter in Attachment A, you allege that I am in violation of the Kennebunkport Land Use Ordinance 240-11.2 - Section B "Permit required". As an unidentified municipal organization without proof of interest in this property, your letter is without the identity of a real complainant to substantiate your claim. This hearsay leaves the substantive nature of your claim ambiguous and without fact. To correct this deficiency so we may accept your offer and process your claim, certify the identity of the complainant and damages they have sustained by our actions.
7. In the second paragraph of your letter you allege the structure in question to be located in a "Residential Zone" We have no evidence that a Village Residential Zone within the jurisdiction of a republic state is a legal identifier of a location within the United States of America. The use of such code 240-4.3 "Village Residential Zone" leaves the location of your organization, its political status and jurisdiction as well as your inference of our property, and location, political status and jurisdiction ambiguous and deficient to establish a substantive claim. To correct this deficiency so we may accept your offer and process your claim, certify clearly whether your organization is located within or without the United States of America.
8. In the third paragraph of your letter you allege "I am not sure if the current placement of the shed meets dimensional setbacks or lot coverage requirements" The use of the word "I am not sure" indicates a possibility creating ambiguity that an actual event has occurred. To correct this deficiency so we may accept your offer and process your claim, cite and certify the statutory authority that defines "dimensional setbacks or lot coverage requirements" and further certify with first-hand knowledge an action has occurred to operate as defined.
9. In the third paragraph of your letter, you allege the Town of Kennebunkport Department of Code Enforcement and Planning has the authority to "relocate or remove" said unauthorized structure. The property at 43 School Street is the private property of a Brian Ellis and Dinorah Mendez-Ellis, therefore your allegations leave the substantive nature of your claim ambiguous. To correct this deficiency so we may accept your offer and process your claim, cite and certify the Statute that expressly includes private property in The Town of Kennebunkport's scope and jurisdiction.
10. In the second paragraph of your letter, you infer the Town of Kennebunkport Department of Code Enforcement and Planning applies to us and our property. This inference leaves the substantive nature of your claim ambiguous and deficient. To correct this ambiguity and deficiency so we may accept your offer and process your claim, certify whether Town of Kennebunkport Code 240-11.2 applies to the State of Maine parent company, its subsidiaries and/or publicly registered organizations, or private men and women such as us and our property, and cite and certify the proper authority.

Notice to Agent is Notice to Principal, Notice to Principal is Notice to Agent

11. In paragraph three of your letter, you request an application to be filed with the Town of Kennebunkport. Your request is ambiguous and deficient as it does not specify by what authority you claim the right to require such application. To correct this ambiguity and deficiency so we may accept your offer and process your claim, certify whether this information is voluntary or mandatory and cite and certify the authority for your claim.

If you do not correct all eleven (11) of the above listed deficiencies and certify under penalty of perjury all requested information to remove ambiguities and cure deficiencies in your claim within seven (7) days, we will accept your inaction and/or incomplete corrections and certification as your agreement that no contract, agreement, controversy or claim exists and the matter is fully resolved.

IV. NOTICE OF LIABILITY

Should you proceed to enforce your claim without correcting the deficiencies marked in the Notice To Correct Ambiguity and Deficiencies on pages 2 through 4 herein above and absent an express agreement and/or contract between the parties outlining the terms and conditions, your principal, officers and agents accept full personal, commercial, and criminal liability for any injuries occurring to the private substantive inalienable property, status and obligation rights of I and my wife. We reserve the right to file a claim with your organization's bonding and/or public hazard liability insurance company and further reserves the right to file a civil and/or criminal complaint in local, state, federal and international jurisdictions.

You further accept full liability as stated above upon any forced inspection and supervision, search and seizure or any other injurious action against the property of my wife and I without an official certified *quo warranto*. Govern yourself accordingly.

We appreciate your timely response to provide all certified evidence necessary to substantiate your claim. We further appreciate your service as your ministerial duty to the constitutional trust to protect the health and welfare of the *public*.

Without Prejudice

By:  Executor (seal)
Ellis, Brian Mitchell/Executor



ATTACHMENT A

TOWN OF KENNEBUNKPORT, MAINE

– INCORPORATED 1653 –

Notice of Violation

December 13, 2021

Brian Ellis & Dinorah Mendez-Ellis
PO Box 3118
Kennebunkport, Maine 04046

Map 9, Block 4, Lot 53 – Unpermitted Structure

Property address - 43 School St

To whom it may concern,

Thank you for acknowledging receipt of my letter that was sent on November 3, 2021. In your response you asked for clarification of unsubstantiated claims. I have attached for your review a photo of the shed in question (**Exhibit A**), which should serve as sufficient evidence. I have also enclosed your tax card (**Exhibit B**), which does not show a shed or a pending building permit to place one.

Under section **240-11.2 - Section B “Permit required”** of the Kennebunkport Land Use Ordinance, a permit is required for new construction or placement of buildings and structures. I have enclosed section 240-11.2 titled (**Exhibit C**) for your review. The structure in question would also be subject to setback, and lot coverage requirements for the applicable zone (Village Residential) as established in **240-4.3 “Village Residential Zone” 240 Attachment 1 (Exhibit D)**.

Based on my observations, I am not sure if the current placement of the shed meets dimensional setbacks or lot coverage requirements as identified in the ordinance. If that does end up being the case the shed will need to be relocated or possibly removed. Lastly, I have enclosed section **240-11.9 “Violations and legal action”** titled (**Exhibit E**) for your review. If an application has not been filed by January 3, 2022, a formal notice of violation will be issued.

6 Elm Street, P.O. Box 566, Kennebunkport, Maine 04046
Tel: (207) 967-4243 Fax: (207) 967-8470

ATTACHMENT B**Your DUNS Lookup Request for Town of Kennebunkport**

From: Dun & Bradstreet (dandb@click.dandb.com)

To: [REDACTED]

Date: Wednesday, November 17, 2021, 07:41 PM EST

Having trouble seeing this email? [View it online](#)

[Access My Account](#)

dun & bradstreet

11/17/2021

Brian Mitchell,

The following is the Dun & Bradstreet D-U-N-S® number for **Town of Kennebunkport:**

D-U-N-S number: **876941308**

If this is **YOUR COMPANY**, take advantage of [CreditBuilder™](#), our next generation credit building solution.

[View CreditBuilder](#)

Get unlimited access to your business credit file

Ensure you are always aware of the most current D&B information your banks, suppliers, competitors and customers are using to evaluate your business

Get alerts when there are changes to your business credit file

Benchmark your company's credit scores against your industry and key competitors

Enhance your D&B credit scores and ratings by adding good payment history to your credit profile

If you are looking for information on **ANOTHER COMPANY**, consider purchasing a [Business Information Report™](#). Reduce the risk of unpaid bills by evaluating the credit risk of another company before doing business with them.

RECEIVED
DEC 30 2021
BY: ACE

AFFIDAVIT OF STATUS

I, Brian Mitchell Ellis, a man, am over the age of consent, am a creation of God-Almighty and a follower of God's laws first and foremost, and the laws of man when they are not in conflict (Leviticus 18:3,4). Pursuant to Matthew 5:33-37 and James 5:12, let my yea be yea, and my nay be nay, as supported by Federal Public Law 97-280, 96 Stat. 1211 - "The Bible is the word of God". I have personal knowledge of the matters stated herein and hereby asseverate, understanding both the spiritual and legal liabilities of, "Thou shalt not bear false witness against thy neighbour".

1. I am a man, and one of the People of these united States of America, being a creation of God and born domiciled in one of the several States.
2. I am, a living, breathing, sentient being on the land, a Natural creation of God and therefore am not and cannot be any ARTIFICIAL PERSON and, therefore, am exempt from any and all identifications, treatments, and requirements, as such pursuant to any process, law, code, or statute, or any color thereof.
3. In these united States of America, the authority of any and all governments resides in the People of the land, for government is a fiction of the mind and can only be created by the People, effected by the People, overseen by the People, for the benefit of the People, and to secure the individual God-given rights of the People.
4. I claim all and waive none of my God-given, secured and guaranteed, Rights pursuant to the Declaration of Independence and the Constitution of the united States of America as ratified in 1791 with the Articles of the Amendments.
5. Pursuant to the Constitution of the united States of America as ratified in 1791 with the Articles of the Amendments, Article VI paragraph 2, "This Constitution and the Laws of the united States which shall be made in Pursuance thereof; and all Treaties made, under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding".
6. As a matter of their lawful compliance to the referenced Constitution, any of the People, while functioning in any Public capacity, in return for the trust of the People, are granted limited delegated authority of and by the People, with specific duties delineated in accordance thereof, shall only do so pursuant to a lawfully designated, sworn and subscribed Oath of Office and any and all bonds required thereof.
7. The only court authorized by the referenced Constitution to hear matters of the People is a court that conforms to and functions in accordance with Article III Section 2 of the referenced Constitution in which all Officers of the court abide by their sworn and subscribed oaths of

office and support and defend the Rights of the People, and are heard only in "Trial by jury", in accordance with all aspects of due process of law.

8. Pursuant to the supreme Law of the Land and the God-given Rights secured and guaranteed therein, this Constitution is established to ensure the dominion granted by God to all People, on this land, shall endure, and ensure forever that the People on this land be free from any and all slavery, indenturement, tyranny, and oppression under the color of any law, statute, code, policy, procedure, or of any other type.
9. Pursuant to this Constitution, I cannot be compelled, manipulated, extorted, tricked, threatened, placed under duress, or coerced or so affected under the color of law by any Natural Person, who individually, or in any capacity as, or under, any Artificial Person, agency, entity, officer, or party, into waiving of any of my Rights or to act in contradiction thereof, or to act in opposite of the moral conscience and dominion granted to me by God, nor can I be deprived of any of these Rights, privileges, and immunities except by lawful process in accordance with the Law, without that Natural and/or Artificial Person, in whatever capacity, in so doing, causing injury to me and thereby committing numerous crimes, requiring lawful punishment therefrom.
10. I am not a citizen, resident, subject, et al., of the municipal corporations/corporations doing business as the State of Maine, County of York or Town of Kennebunkport, nor does my physical location or the physical location of my Private Properties, create duties and obligations upon me to the foregoing Fictions of Law.
11. The municipal corporations/corporations doing business as the State of Maine, County of York and Town of Kennebunkport have no interest in my private property and have no authority or rights over myself or my Private Property.
12. I am not an expert in law, however I do know right from wrong. If there is any man damaged by any statements herein, if he will inform me by facts I will sincerely make every effort to amend my ways. I hereby and herein reserve the right to amend and make amendments to this document as necessary, in order that the truth be ascertained and proceedings justly determined. If the parties given notice by means of this document have information that would controvert and overcome this Affidavit, please advise me IN WRITTEN AFFIDAVIT FORM within ten (10) days from receipt hereof, providing me with your counter-affidavit, proving with particularity by stating all requisite actual evidentiary fact and all requisite actual law, and not merely the ultimate facts or conclusions of law, that this Affidavit Statement is substantially and materially false sufficiently to change materially my status and factual declarations. Your silence stands as consent to, and tacit approval of, the factual declarations herein being established as fact as a matter of law. May the will of our Heavenly Father, through the power and authority of the blood of his son, be done on Earth as it is in Heaven.

Reserving ALL my Natural God-Given Unalienable Rights, Waving None, Ever.

Pursuant to 28 USC § 1746(1)

"...any matter is required or permitted to be supported, evidenced, established, or proved by the sworn declaration, verification, certificate, statement, oath, or affidavit, in writing of the person making the same, such matter may, with like force and effect, be supported, evidenced, established, or proved by the unsworn declaration, certificate, verification, or statement, in writing of such person which is subscribed by him, as true under penalty of perjury, and dated, in substantially the following form:"

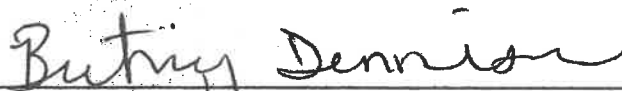
I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this the 23rd day, of the 2nd month, in the year of our Lord and Savior, two thousand twenty one.



Brian Mitchell Ellis, Affiant

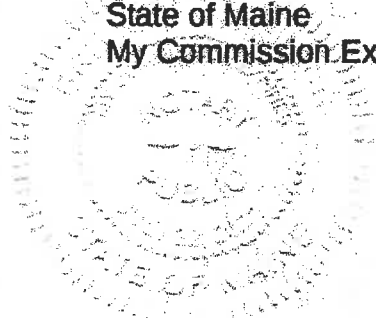
Notary used without prejudice to my rights:

BE IT REMEMBERED, That on this 23 day of February in the year of our LORD, two thousand and twenty one, personally appeared before me, the Subscriber, a Notary Public for the State of Maine, Brian Mitchell Ellis, party to this Document, known to me personally to be such, and he acknowledged this Document to be his act and deed. Given under my hand and seal of office, the day and year aforesaid.



Notary Public Signing in, and for,
The State of Maine, County of York

Notary Public Name
State of Maine
My Commission Expires July 22, 2022



BRITNEY DENNISON
Notary Public, State of Maine
My Commission Expires July 22, 2022

January 12, 2022

SENT VIA CERTIFIED AND REGULAR MAIL

Brian Ellis and Dinorah Mendez-Ellis
PO Box 3118
Kennebunkport, Maine 04046

RE: Notice of Violation for Unpermitted Shed Structure on
Property Located at 43 School Street, Kennebunkport,
Maine 04046 (Tax Map 9, Block 4, Lot 53)

Dear Mr. Ellis and Ms. Mendez-Ellis:

This firm represents the Town of Kennebunkport (“Town”). This letter shall serve as the Town’s official notice that you have violated § 240-11.2 of the Town’s Land Use Ordinance (“LUO”) by constructing and maintaining an unpermitted shed structure (the “Shed”) on property that you own at 43 School Street (Tax Map 9, Block 4, Lot 53) within the Town (hereinafter the “Property”). To remedy this violation you must (1) submit an after-the-fact building permit application to the Town’s Code Enforcement Officer (“CEO”) to permit the Shed, and (2) allow the CEO to examine the Shed’s location on your Property to ensure that it meets all applicable lot line setbacks.

As you know, § 240-11.2 of the Town’s LUO provides that “no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued nonconforming use.” More specifically, § 240-11.2(B) provides that “a written permit from the Code Enforcement Officer shall be required for . . . New construction of buildings and structures.”

You are in violation of § 240-11.2, because you failed to obtain a building permit from the CEO prior to constructing, and/or locating, the Shed on the Property. The Shed’s location on the Property may also violate the LUO’s dimensional standards, such as mandated setbacks from adjoining lot lines, for structures within the Village Residential (VR) Zone, which is where your Property is located. However, neither myself, nor the Code Enforcement Officer, may definitively determine whether the Shed complies with the LUO’s dimensional standards until you have permitted the CEO to examine the Shed.

To remedy the aforementioned violation, as noted above, you must (1) submit an after-the-fact building permit application requesting that the CEO approve the Shed, and (2) permit the CEO to examine the Shed to confirm that its location on the Property complies with all Town dimensional standards within the VR Zone. You have **thirty (30) days** from the receipt of this

January 12, 2022

Page 2

letter to submit an after-the-fact building permit application, and to contact the CEO to schedule a mutually convenient time to conduct a site visit.

Should you fail to comply with the actions requested above, the Town will pursue a land use enforcement action against you in Maine District Court pursuant to M.R. Civ. P. 80K and 30-A M.R.S. § 4452. Notably, 30-A M.R.S. § 4452 authorizes the Town to recover fines, ranging from \$100 to \$2,500, per day for every day that this violation remains in existence on your Property, as well as the Town's attorney's fees and costs.

I would like to note that the Town hopes to resolve this matter without having to resort to litigation. On two separate occasions, in November and December of 2021, Town CEO Andrew Welch issued you letters requesting that you contact the Town to voluntarily resolve this matter. CEO Welch's letters were met with an outright refusal to acknowledge the Town's well-established authority to regulate land uses and structures within its borders, and your thinly veiled threat of litigation should the Town insist that you comply with its LUO. Despite that response, the Town still hopes to resolve this matter through voluntary compliance.

Please contact CEO Andrew Welch at (207) 967-1602, or via AWelch@kennebunkportme.gov, or feel free to contact me directly using the information listed above, to discuss this matter as soon as possible.

Sincerely,

Notice of Violation Joined by:

Benjamin J. Plante
Counsel
Town of Kennebunkport

Andrew Welch
Code Enforcement Officer/LPI
Town of Kennebunkport

MAINE JUDICIAL BRANCH

Town of Kennebunkport

Superior Court District Court

County: York

Location (Town): Biddeford

Docket No.: BIDDC-CV-22-45

v.

Brian Ellis and Dinorah Mendez-Ellis

ENTERED ON THE DOCKET 6.10.22
Copies provided to the parties in hand mailed
Clerk's Initials mm

ORDER

Present for hearing: Plaintiff Plaintiff's attorney Defendant Defendant's attorney
 Guardian Ad Litem Other

A testimonial non-testimonial hearing on the Plaintiff's Defendant's motion for Rule 80-K Land Use Violation was held on (mm/dd/yyyy) 06/09/2022

The Court finds and ORDERS as follows: The plaintiff met their burden of proof to establish that defendants failed to obtain a town permit required by town ordinance to place a structure, a shed, on their property.

The Court orders that defendants obtain a permit, after the fact, and pay the \$80 fee. They will also allow the Town Enforcement officer a 1x inspection of the shed to make sure it complies w/ Town Rules/regulations.

Failure to comply with above order shall result in a \$100/per day fine/fee. Parties have 30 days to comply w/ order.

Ct. reserves decision on request by Town to - Attorney fees. Plaintiff/Town shall submit a Horny fee a Plaintiff to court and defendant's in 14 days. Defendants have 7 days thereafter to object/respond to request for attorney's fees. Ct. will decide this issue w/out further hearing.

This order may be entered on the docket by reference pursuant to M.R.Civ.P. 79. The entry shall be: as above - JUDGMENT FOR Plaintiff

Date (mm/dd/yyyy): 06/09/2022

[Signature]
 Judge Justice Magistrate

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.
Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

June 10, 2022

Julie Howard
Manager of York County Court Operations
25 Adams Street
Biddeford, ME 04005

RE: Attorney's Fees Judgment in *Town of Kennebunkport v. Brian M. Ellis and Dinorah Mendez-Ellis*, Docket No. CV-22-45

Dear Ms. Howard:

Enclosed please find an invoice detailing the Plaintiff Town of Kennebunkport's ("Town") attorney's fees for prosecuting the above captioned M.R. Civ. P. 80K land use enforcement action against Defendants Brian M. Ellis and Dinorah Mendez-Ellis (the "Defendants"). Please forward this letter to Judge Matthew Tice for his review, and final decision on whether to award the Town its attorney's fees in *Town of Kennebunkport v. Brian M. Ellis and Dinorah Mendez-Ellis*, Docket No. CV-22-45.

Judge Tice found for the Plaintiff Town in this matter after a hearing that was held on June 9, 2022. Judge Tice instructed the Town to mail an invoice to both the Court, and to the Defendants, detailing the attorney's fees the Town has incurred to date in this matter. See 30-A M.R.S. § 4452(3)(D) ("If the municipality is the prevailing party [in a land use enforcement action], the municipality must be awarded reasonable attorney fees, expert witness fees and costs, unless the court finds that special circumstances make the award of these fees and costs unjust").

Pursuant to the Court's instructions, I have enclosed my office's invoice to the Town for the attorney's fees the Town has incurred to date in connection with prosecuting this matter. In accordance with the Court's direction, I have also mailed this letter to the Defendants for their review, and so that they may raise any objections to the attorney's fees detailed in the enclosed invoice.

The Town appreciates the Court's time and attention to this matter.

Sincerely,



Benjamin J. Plante

INVOICE REPORT					
Town Of Kennebunkport, ME / 43 School Street Violations (4586-669)					
For the time period: 01/01/2022 through 6/10/2022					
Invoice	Type	Date	Fine	Cost	Total
777547	Invoice	02/09/2022	630.00	9.46	639.46
780730	Invoice	03/29/2022	172.00	0.00	172.00
783146	Invoice	04/22/2022	838.50	0.00	838.50
786084	Invoice	05/20/2022	827.00	276.48	1,103.48
789479	Invoice	06/10/2022	2,301.00	211.38	2,512.38
Total:			4,768.50	487.32	5,255.82

AGENDA ITEM DIVIDER



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

Application for Boards, Committees & Commissions

To the Town Clerk:

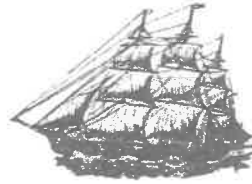
I hereby request to be considered for membership to the following board(s) and/or committee(s): (If more than one, please indicate your preference: 1,2,3...)

- Administrative Code Committee
Beach Advisory Committee
Board of Assessment Review
Budget Board
Cape Porpoise Pier Advisory Committee
Cemetery Committee
Climate Action Plan Task Force
Conservation Commission
Government Wharf Committee
Growth Planning Committee
Kennebunk River Committee
Lighting Committee
Planning Board
Shade Tree Committee
Shellfish Conservation Committee
Solid Waste Committee
Zoning Board of Appeals
Wastewater Advisory Committee

Signature of Applicant: [Handwritten Signature] Date: 1/17/2023

Preliminary Information

Name (Print): Nate Shore
Residence Address: 567 Kings Highway Phone: 207-401-8424
Business Address: Phone:
Mailing Address:
(if different)
E-mail Address: nate319@icloud.com



TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

Application for Boards, Committees & Commissions

To the Town Clerk:

I hereby request to be considered for membership to the following board(s) and/or committee(s): (If more than one, please indicate your preference: 1,2,3...)

- Administrative Code Committee
Beach Advisory Committee
Board of Assessment Review
Budget Board
Cape Porpoise Pier Advisory Committee
Cemetery Committee
Climate Action Plan Task Force
Conservation Commission
Government Wharf Committee
Growth Planning Committee
Kennebunk River Committee
Lighting Committee
Planning Board
Shade Tree Committee
Shellfish Conservation Committee
Solid Waste Committee
Zoning Board of Appeals
Wastewater Advisory Committee

Signature of Applicant: Stephen Shaaga

Date: 1/15/23

Preliminary Information

Name (Print):

Stephen S. KAAGAN

Residence Address:

122 Old Cape Rd, 04046 Phone: 517 980-6426

Business Address:

Phone:

Mailing Address:

PO Box 1797, KBP 04046

(if different)

E-mail Address:

STEVEKAAGAN@gmail.com

Membership in community organizations:

Organization	Dates	Activities
<u>Our Climate Common</u>	<u>Current</u>	<u>Co-lead, Youth on Boards, Action on Climate</u>
<u>Wells Reserve</u>	<u>Current</u>	<u>Beach Erosion Study</u>
_____	_____	_____
_____	_____	_____

Do you have any skills, experience, or training you would like to mention?

- Familiar with array of policy measures aimed at climate change mitigation and community resilience factors
- Current work on youth leadership development, placing youth on boards in non-profits, for profits and government

What is your reason for wanting to serve on this board or committee?

- e Motivated to assist with planning and implementation of local efforts to mitigate the negative effects of climate change and/or adapt to them
- and to bring young people into decision-making on how to deal with climate change

Are you registered to vote in Kennebunkport? Yes No

Please return the completed application to:
Town Clerk,
6 Elm St., P.O. Box 566,
Kennebunkport, ME 04046

You will be contacted upon receipt.

AGENDA ITEM DIVIDER



KENNEBUNKPORT TOWN CLERK

To: Laurie Smith, Town Manager
Board of Selectmen

Fr: Tracey O’Roak, Town Clerk

Re: Goose Rocks Beach Sticker Fees

Dt: January 17, 2023

Attached is a breakdown of past fees charged for parking at Goose Rocks Beach. I am not recommending any changes for 2023.

Goose Rocks Beach Sticker Fee History

Year	Tax-Payer	Non- Tax-payer		
	Seasonal	Daily	Weekly	Seasonal
2002	\$3.00	\$5.00	\$20.00	\$50.00
2003	\$3.00	\$5.00	\$20.00	\$50.00
2004	\$3.00	\$5.00	\$20.00	\$50.00
2005	\$3.00	\$5.00	\$20.00	\$50.00
2006	\$4.00	\$6.00	\$25.00	\$50.00
2007	\$4.00	\$6.00	\$25.00	\$50.00
2008	\$4.00	\$6.00	\$25.00	\$50.00
2009	\$4.00	\$12.00	\$50.00	\$100.00
2010	\$4.00	\$12.00	\$50.00	\$100.00
2011	\$4.00	\$12.00	\$50.00	\$100.00
2012	\$4.00	\$12.00	\$50.00	\$100.00
2013	\$5.00	\$12.00	\$50.00	\$100.00
2014	\$5.00	\$12.00	\$50.00	\$100.00
2015	\$5.00	\$15.00	\$50.00	\$100.00
2016	\$5.00	\$15.00	\$50.00	\$100.00
2017	\$5.00	\$15.00	\$50.00	\$100.00
2018	\$5.00	\$15.00	\$50.00	\$100.00
2019	\$5.00	\$25.00	\$100.00	\$200.00
2020	\$5.00	\$25.00	\$100.00	\$200.00
2021	\$5.00	\$25.00	\$100.00	\$200.00
2022	\$5.00	\$25.00	\$100.00	\$200.00