



# TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

## **Board of Selectmen Agenda Village Fire Station – 32 North Street February 12, 2015 – 7:00 PM**

1. Call to Order.
2. Approve the January 22, 2015, 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 a liquor license renewal application for Sheila W. Matthews-Bull, d.b.a. Rhumb Line Resort, 41 Turbats Creek Road.
5. Consider a special amusement permit renewal application for Sheila W. Mathews-Bull, d.b.a. Rhumb Line Resort, 41 Turbats Creek Road.
6. Consider a renewal liquor license application for Cape Pier Chowder House, 79 Pier Road.
7. Consider appointment of D. Michael Weston to the Administrative Code Committee.
8. Discussion of Ocean Avenue road reconstruction project.
9. Presentation of proposed Land Use Ordinance revisions by Director of Planning and Development Werner Gilliam.
10. Update on foreclosures of properties located at 225 Beachwood Avenue and 6 High Street for unpaid taxes.
11. Accept donations to the Town.
  - a. Donation of \$50 from the Madonna Chapter 144 OES directed to the Town's emergency food account.
  - b. Donation of \$340 from John Breen in memory of his grandmother Alice Soule directed to the Town's emergency food/fuel account.
  - c. Donation of \$100 from Karen L. MacGregor in memory of Peter Sargent's 65<sup>th</sup> birthday directed to the Town's emergency food/fuel account.

12. Consider annual request from the DEP to locate the ozone monitoring station on town-owned property located off of Ocean Avenue beside St. Ann's Church.
13. Other business.
  - a. State budget information.
14. Approve the February 12, 2015, Treasurer's Warrant.
15. Adjournment.

**Town of Kennebunkport  
Board of Selectmen's Meeting  
Town Hall-6 Elm Street  
January 22, 2015 - 6:00 PM**

Minutes of the Selectmen Meeting of January 22, 2015

**Selectmen present:** Stuart E. Barwise, Patrick A. Briggs, Edward W. Hutchins, and Sheila Matthews-Bull

**Others present:** Barb Barwise, Stan Barwise, Michael Claus, Michael Davis, David James, Robert Madden, Crystal McCurdy, Lee McCurdy, Arlene McMurray, Chris Perry, Roger Seavey, Bob Sherman, Laurie Smith, Amy Tchao, Linda Woodard, Laura Zitske and others.

**1. Call to Order.**

Chair Daggett called the meeting to order at 6:09 PM.

**2. Executive session per 1 M.R.S.A. § 405 (6) (E) consultation with Town Attorney to discuss Goose Rocks Beach litigation.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Barwise, to go into executive session per 1 M.R.S.A. § 405 (6) (E) consultation with Town Attorney to discuss Goose Rocks Beach litigation. 7:00 PM-Approve the January 8, 2015, selectmen meeting minutes. **Vote:** 5-0.

The Board went into executive session at 6:09 PM and came out at 6:56 PM.

No action was taken.

Selectman Barwise said the Selectmen's position has not changed from the last meeting. The Board encourages interested beachfront property owners who would like to talk to the Town about a potential settlement or arriving at some way to conclude the lawsuit, to come forward with their proposals. He said so far, no one has come forward.

**3. Approve the January 8, 2015, selectmen meeting minutes.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the January 8, 2015, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Daggett abstained because he did not attend that meeting.

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

David James said that since he is on the KRA, members consider him a liaison between the Board of Selectmen and the KRA. He said he received emails and phone calls from members who were wondering about what they had read in "Portland Magazine" about having hearts with flashing lights at Dock Square



during "Paint the Town Red." They were asking if there will be flashing lights at Dock Square.

Town Manager Laurie Smith responded that she had not heard of them having flashing lights, but red and white lights in storefronts for decoration.

**5. Recommendations by the Beach Advisory Committee on the proposed Goose Rocks Beach Dog Ordinance.**

Bob Sherman, chair of the Beach Advisory Committee, said working on this Dog Ordinance was clearly the hardest task that the Beach Advisory Committee has undertaken. He said it needed to be done because the present Dog Ordinance is over 40 years old. He explained that the Committee worked very hard to try and address as many people's concerns as possible and sought help from other towns, particularly Scarborough, to help shape their decision. He said their proposal simplifies the rules so that everyone can understand them, and it applies only to Goose Rock Beach. He thanked the Beach Advisory Committee for its efforts along with Barbara Barwise, Robin Phillips, Bob Kember who helped provide balance.

**6. Presentation by Barbara Barwise on the proposed Dog Ordinance.**

Barbara Barwise said she wanted to clarify that the State of Maine does have a voice control ordinance, so their proposed ordinance cannot go below that. As a result, currently, in three zones: farm and forest, village residential east, and free enterprise, dogs can roam freely under voice control. Her proposed ordinance requires dogs to be on a leash while they are on public streets and sidewalks. The other eight zones, she said you will be able to legally play ball with your dog off the leash in your yard. In the current ordinance it is prohibited. Since there are no piping plover nests on other beaches, the only beach on her proposed ordinance is Goose Rocks. The proposed ordinance also listed violation penalty fees, and she said administering that would have to be worked out.

Laura Zitske, wildlife biologist from Maine Audubon, encouraged the Board to seek information from the US Fish and Wildlife Service and the Maine Fish and Wildlife Service because dogs off the leash are a threat to piping plovers. She said Goose Rocks Beach is one of the most important nesting sites in the State of Maine and that the piping plovers do not stay in fenced in areas. She recommended following the Wells and Ogunquit ordinance models.

Linda Woodard, a resident living at Cape Porpoise, was concerned about the welfare of the piping plovers. She said she walks her dog at Goose Rocks Beach and pointed out that a woman came up to her with a piping plover chick in her hand that dogs had chased on the beach. She wants to make sure these endangered species are protected.

The Board agreed that both Dog Ordinance proposals be sent to the Town At-



torney for review and be combined into one with the intention that they be placed on the June Town Meeting Warrant.

**7. Continued discussion on mooring fees for 2015.**

Ms. Smith explained that the Board discussed mooring fees at a previous meeting and listened to feedback from the public. The Pier Committee recommends a fee of \$30 per year for tidal moorings and \$60 per year for deep-water moorings.

Selectmen Barwise and Hutchins did not agree with charging mooring fees at Paddy Creek.

Ms. Smith explained that the Pier budget will be at zero balance, and it cannot continue.

**Motion** by Selectman Briggs, seconded by Selectman Matthews-Bull, to charge mooring fees of \$30 a year for tidal moorings and \$60 a year for deep-water moorings at all locations in town. **Vote:** 3-2/Selectmen Barwise and Hutchins were opposed.

**8. Consider acceptance of Foxberry Lane and Grove Street as Town roads.**

Foxberry Lane residents have requested that Foxberry Lane and Grove Street be accepted as Town roads. Road Commissioner Michael Claus reviewed these roads and said they are in the same condition as Squire Lane which was accepted two years ago.

Robert Madden, representative for the Condo Association, said their contractors had a hard time clearing snow last winter. He said the road has been used as a detour in case of emergencies. The road is 12 years old with no curbing, but it has a shoulder.

Discussion followed:

- Chair Daggett said he is in favor of the Town accepting the road if they overlay the road. Road Commissioner Michael Claus said a good overlay would last 15 years.
- Selectman Hutchins said it is a slippery slope if they keep accepting roads and adding to the municipal budget for plowing, etc.
- Selectman Briggs was concerned whether the road is in sufficient condition so that the Town won't have to perform any maintenance for 10 years.





- Selectman Matthews-Bull said if the Board is going to set a moratorium on accepting private roads, the Board should tell the developers ahead of time.
- Mr. Claus said the road is in good condition.
- Roger Seavey, who lives down the street from Foxberry Lane, said the Board should ask what benefit the Town would get if it accepted the road.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Barwise, to put the acceptance of Foxberry Lane and Grove Street on the June Town Meeting Warrant. **Vote:** 2-3/Selectmen Daggett, Hutchins, and Briggs opposed. **Motion** failed.

**9. Consider appointment of Gordon Ayer to the Zoning Board of Appeals.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to appoint Gordon Ayer to the ZBA for a term expiring in July 2016. **Vote:** 5-0.

**10. Authorization of corrected tax commitment for fiscal year 2015.**

Ms. Smith said when they were working on the budget, she noticed the numbers for the Goose Rocks Beach account were not calculating correctly. It was discovered that the amount committed for the Goose Rocks account was \$60,000, but the Town only appropriated \$30,000. She said the error occurred when the numbers were transferred from the Excel spreadsheet to the Trio financial software. She consulted with the auditors and was told the best way to correct this error is to move the extra \$30,000 to the overlay account.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to correct the tax commitment error for fiscal year 2015 by putting \$30,000 into the overlay account.

**11. Accept donations to the Kennebunkport emergency fuel/food account.**

**a. The Church on the Cape United Methodist-\$537.50**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to accept the donation of \$537.50 from the Church on the Cape United Methodist to the Town's emergency fuel/food account. **Vote:** 5-0.

**b. Atlantic Firemen's Educational Association-\$1,000.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept the donation of \$1,000 from the Atlantic Firemen's Educational Associa-



tion to the Town's emergency fuel/food account. **Vote:** 5-0.

**12. Other business.****a. Communication from Dr. Susan Bassett.**

Dr. Susan Bassett sent a letter to the Board of Selectmen in support of the horse-drawn carriage in town.

**b. Dog Licenses are due by January 31.**

Ms. Smith pointed out that the late fee fine for dog licenses issued after January 31, 2015, is \$25.

Ms. Smith said the Goose Rocks Beach Advisory Committee is requesting funding in the amount of \$575 to purchase signs asking people to protect the dune grass on the beach.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve \$575 for the Goose Rocks Beach Advisory Committee to purchase signs. **Vote:** 5-0.

Chair Daggett mentioned the passing of Wilda Thurlow, R.N. at age 92. She was a longtime employee in the Public Health Office for 19 years.

Ms. Smith announced that the Army Corp of Engineers will be doing a sediment sampling for the dredging project in Cape Porpoise, and she probably will not receive the results for a few months.

**13. Approve the January 22, 2015, Treasurer's Warrant.**

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve the January 22, 2015, Treasurer's Warrant. **Vote:** 5-0.

**14. Adjournment.**

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

The meeting adjourned at 8:26 PM

Submitted by

Arlene McMurray  
Administrative Assistant



## Cape Pier Chowder House

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

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Lapriel Dwyer, Town Clerk

## Rhumb Line Resort

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

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Lapriel Dwyer, Town Clerk



(4)

**BUREAU OF ALCOHOLIC BEVERAGES  
DIVISION OF LIQUOR LICENSING & ENFORCEMENT  
8 STATE HOUSE STATION  
AUGUSTA, ME 04333-0008**



Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

**DEPARTMENT USE ONLY**

**LICENSE NUMBER:**

**CLASS:**

**DEPOSIT DATE**

**AMT. DEPOSITED:**

**BY:**

**CK/MO/CASH:**

**PRESENT LICENSE EXPIRES** 2/1/15

**INDICATE TYPE OF PRIVILEGE:** ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

**INDICATE TYPE OF LICENSE:**

☐ RESTAURANT (Class I,II,III,IV)

☒ HOTEL-OPTINONAL FOOD (Class I-A)

☐ CLASS A LOUNGE (Class X)

☐ CLUB (Class V)

☐ TAVERN (Class IV)

☐ RESTAURANT/LOUNGE (Class XI)

☐ HOTEL (Class I,II,III,IV)

☐ CLUB-ON PREMISE CATERING (Class I)

☐ GOLF CLUB (Class I,II,III,IV)

☐ OTHER: \_\_\_\_\_

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S) - (Sole Proprietor, Corporation, Limited Liability Co., etc.)</b> <u>Sheila W Matthews Bull</u> <b>DOB:</b> <u>9-8-49</u> <b>DOB:</b> _____ <b>Address</b> _____ <b>City/Town</b> <u>Kennebunkport</u> <b>State</b> <u>ME</u> <b>Zip Code</b> <u>04046</u> <b>Telephone Number</b> <u>207-967-5457</u> <b>Fax Number</b> <u>967-5418</u> <b>Federal I.D. #</b> _____	<b>2. Business Name (D/B/A)</b> <u>Rhumb Line Resort</u> <b>Location (Street Address)</b> <u>41 Turbats Creek Rd</u> <b>City/Town</b> <u>Kennebunkport</u> <b>State</b> <u>ME</u> <b>Zip Code</b> <u>04046</u> <b>Mailing Address</b> <u>P.O. Box 3067</u> <b>City/Town</b> <u>Kennebunkport</u> <b>State</b> <u>ME</u> <b>Zip Code</b> <u>04046</u> <b>Business Telephone Number</b> <u>207-967-5457</u> <b>Fax Number</b> <u>967-5418</u> <b>Seller Certificate #</b> _____
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3. If premises is a hotel, indicate number of rooms available for transient guests: 59

4. State amount of gross income from period of last license: ROOMS \$ 85,000 FOOD \$ 60,000 LIQUOR \$ 25,000

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

complete Supplementary Questionnaire, If YES

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

7. If manager is to be employed, give name: \_\_\_\_\_

8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_

Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_

9. Business records are located at: 41 Turbats Creek Rd Kennebunkport ME





10. Is/are applicants(s) citizens of the United States?

YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine?

YES ☒ NO ☐

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

Name in Full (Print Clearly)	DOB	Place of Birth
Sheila W Matthews-Bull	9/8/49	Lowell, MA

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

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

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

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

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

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

Yes ☐ No ☒ If Yes, give name: \_\_\_\_\_

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

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

Savings Bank

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Pool/Lounge Area

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

YES ☒ NO ☐ Applied for: \_\_\_\_\_

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 300ft Which of the above is nearest? Chapel

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

If YES, give details: Kennebunk Savings Bank

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

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

Dated at: Kennebunkport on January 15, 20 15  
Town/City, State Date

Sheila Matthews-Bull  
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

\_\_\_\_\_  
Signature of Applicant or Corporate Officer(s)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name





**State of Maine**  
**Bureau of Alcoholic Beverages**  
**Division of Liquor Licensing and Enforcement**

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

**For Office Use Only:**

License #: \_\_\_\_\_

Date Filed: \_\_\_\_\_

For information required for Questions 1 to 4, this information is on file with the Maine Secretary of State's office and must match their record information. Please clearly complete this form in its entirety.

1. Exact legal name:

Rhumb Line Resort

2. Other business name for your entity (DBA), if any:

\_\_\_\_\_

3. Date of filing with the Secretary of State:

December 10, 1985

4. State in which you are formed:

Maine

5. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: \_\_\_\_\_

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

Name	Address for Previous 5 years	Date of Birth	Ownership %
Sheila W Matthews-Bull	41 Turbats Creek Rd Kpt ME	9/8/49	86
Marcia Harmon	Langford Rd Cape Porpoise	4/11/35	14

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

Yes

☐

No

☒

8. If Yes to Question 7, please provide the name and law enforcement agency:

Name: \_\_\_\_\_ Agency: \_\_\_\_\_



9. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes

☐

No

☒

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

Name: \_\_\_\_\_

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

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

Location of Conviction: \_\_\_\_\_

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

Signature:

*Shula Matthews-Bull*

Signature of Duly Authorized Person

01-15-15

Date

\_\_\_\_\_  
Print Name of Duly Authorized Person

If you have questions regarding the legal name or assumed (DBA) name on file with the Secretary of State's office, please call (207) 624-7752. The SOS can only speak to the information on file with their office, not the filing of this supplemental information – please direct any questions about this form to our office at the number below.

Submit Completed Forms To:

Bureau of Alcoholic Beverages and Lottery Operations  
Division of Liquor Licensing and Enforcement  
164 State House Station  
Augusta, Me 04333-0101  
Telephone Inquiries: (207) 624-7220  
Fax: (207) 287-3424  
Email Inquiries: [MaineLiquor@Maine.gov](mailto:MaineLiquor@Maine.gov)

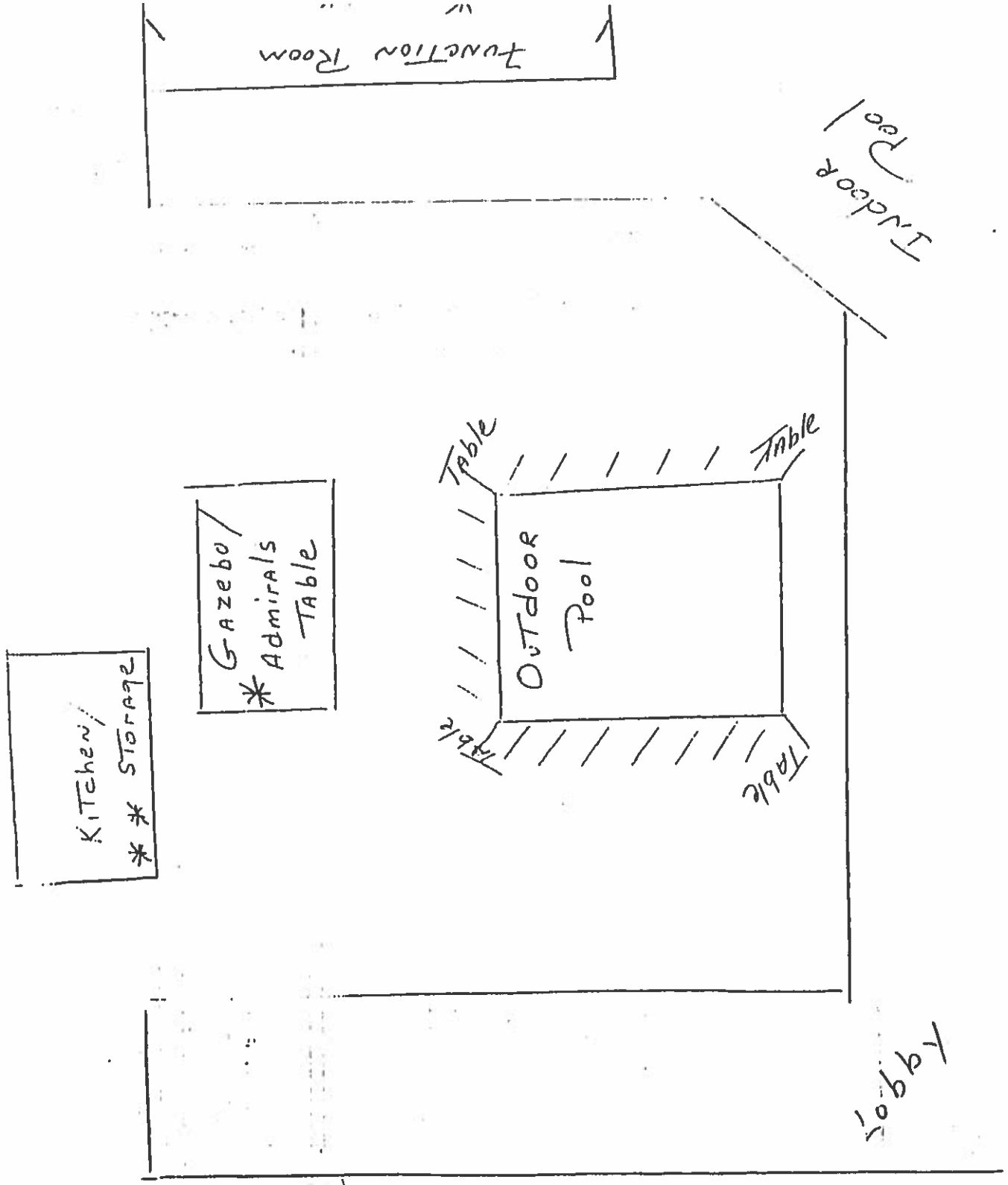


Liquor served  
in function  
Room and  
under  
Gazebo

\*\* Storage  
in Kitchen  
in Function  
Room

humb Line Resort  
O.Box 3067  
Vernonburg TN 37046

07-967-5457







**STATE OF MAINE**

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

On: Feb. 12, 2015  
Date

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

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

**THIS APPROVAL EXPIRES IN 60 DAYS**

**NOTICE – SPECIAL ATTENTION**

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

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

- A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
- B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
- C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]

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

- A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
- B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
- C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
- D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
- E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
- F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]

[1993, c.730, §27 (amd).]

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

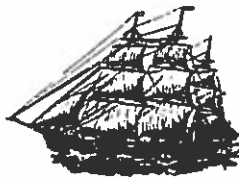
- A. [1993, c.730, §27 (rp).]

4. **No license to person who moved to obtain a license. (REPEALED)**

5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt 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.





# TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

## APPLICATION

### SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant Sheila Matthews-Bull  
Residence Address 59 Langford Rd Cape Porpoise  
Home Telephone Number 967-3622  
Name of Business Rhumb Line Resort  
Business Address 41 Turbats Creek Rd Kennebunkport  
Type of Business Hotel/Motel  
Business Telephone Number 967-5457  
Nature of Special Amusement Group 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: \$ 50.00 (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  
applicant



(6)

**BUREAU OF ALCOHOLIC BEVERAGES  
DIVISION OF LIQUOR LICENSING & ENFORCEMENT  
164 STATE HOUSE STATION  
AUGUSTA, ME 04333-0164**



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

DEPARTMENT USE ONLY	
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	

PRESENT LICENSE EXPIRES 3-20-15

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☐ SPIRITUOUS ☒ VINOUS

**INDICATE TYPE OF LICENSE:**

- ☒ RESTAURANT (Class I,II,III,IV)  
☐ HOTEL-OPTINONAL FOOD (Class I-A)  
☐ CLASS A LOUNGE (Class X)  
☐ CLUB (Class V)  
☐ TAVERN (Class IV)

- ☐ RESTAURANT/LOUNGE (Class XI)  
☐ HOTEL (Class I,II,III,IV)  
☐ CLUB-ON PREMISE CATERING (Class I)  
☐ GOLF CLUB (Class I,II,III,IV)  
☐ OTHER: \_\_\_\_\_

REFER TO PAGE 3 FOR FEE SCHEDULE

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S) —(Sole Proprietor, (Corporation) Limited Liability Co., etc.)</b> <div style="text-align: right; padding-right: 20px;">DOB:</div>	<b>2. Business Name (D/B/A)</b> <div style="font-size: 1.2em;">Cape Pier Chowder House</div>
<div style="font-size: 1.2em;">Allen A. Daggett</div> <div style="text-align: right; padding-right: 20px;">DOB: 3/30/51</div>	<div style="text-align: right; padding-right: 20px;">Location (Street Address)</div> <div style="font-size: 1.2em;">79 Pier Rd</div>
<div style="font-size: 1.2em;">Wanda L. Daggett</div> <div style="text-align: right; padding-right: 20px;">DOB: 12/5/61</div>	<div style="text-align: right; padding-right: 20px;">City/Town</div> <div style="font-size: 1.2em;">Cape Porpoise</div>
<div style="text-align: right; padding-right: 20px;">Address</div> <div style="font-size: 1.2em;">P.O. Box 7217</div>	<div style="text-align: right; padding-right: 20px;">State</div> <div style="font-size: 1.2em;">ME</div>
<div style="text-align: right; padding-right: 20px;">City/Town</div> <div style="font-size: 1.2em;">Cape Porpoise</div>	<div style="text-align: right; padding-right: 20px;">Zip Code</div> <div style="font-size: 1.2em;">04014</div>
<div style="text-align: right; padding-right: 20px;">State</div> <div style="font-size: 1.2em;">ME</div>	<div style="text-align: right; padding-right: 20px;">Mailing Address</div> <div style="font-size: 1.2em;">P.O. Box 7217</div>
<div style="text-align: right; padding-right: 20px;">Zip Code</div> <div style="font-size: 1.2em;">04014</div>	<div style="text-align: right; padding-right: 20px;">City/Town</div> <div style="font-size: 1.2em;">Cape Porpoise</div>
<div style="text-align: right; padding-right: 20px;">Telephone Number</div> <div style="font-size: 1.2em;">207-5-1111</div>	<div style="text-align: right; padding-right: 20px;">State</div> <div style="font-size: 1.2em;">ME</div>
<div style="text-align: right; padding-right: 20px;">Fax Number</div> <div style="font-size: 1.2em;">207-5-1111</div>	<div style="text-align: right; padding-right: 20px;">Zip Code</div> <div style="font-size: 1.2em;">04014</div>
<div style="text-align: right; padding-right: 20px;">Business Telephone Number</div> <div style="font-size: 1.2em;">207-967-0123</div>	<div style="text-align: right; padding-right: 20px;">Fax Number</div> <div style="font-size: 1.2em;">207-967-3511</div>
<div style="text-align: right; padding-right: 20px;">Federal I.D. #</div> <div style="font-size: 1.2em;">01-5-1111</div>	<div style="text-align: right; padding-right: 20px;">Seller Certificate #</div> <div style="font-size: 1.2em;">1030229</div>

3. If premises is a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 498,827.77 LIQUOR \$ 29,342.68
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- If YES, complete Supplementary Questionnaire
6. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒
7. If manager is to be employed, give name: Wanda Daggett
8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_
- Requested inspection date: \_\_\_\_\_ Business hours: \_\_\_\_\_
9. Business records are located at: 21 Kenneth Ln. Kennebunkport, ME



10. Is/are applicant(s) citizens of the United States?

YES ☒ NO ☐

11. Is/are applicant(s) residents of the State of Maine?

YES ☒ NO ☐

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

Name in Full (Print Clearly)	DOB	Place of Birth
Allen A. Daggett	3-30-51	Charlottesville, VA
Wanda L. Daggett	12-5-61	Bittery, ME

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

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

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

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

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

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

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

16. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Town of Kennebunkport, Elm St, Kennebunkport ME

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) \_\_\_\_\_

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

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 2 miles Which of the above is nearest? Church

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

If YES, give details: \_\_\_\_\_

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

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

Dated at: Kennebunkport ME on Jan. 21, 2015  
Town/City, State Date

Signature of Applicant or Corporate Officer(s)  
Allen A. Daggett

Print Name  
Allen A. Daggett

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)  
Wanda L. Daggett

Print Name  
Wanda L. Daggett





# MAINE DEPT OF PUBLIC SAFETY

## STATE OF MAINE Liquor Licensing & Inspection Division

164 State House Station

Augusta ME 04333-0164

Tel: (207) 624-7220 Fax: (207) 287-3424



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

- Exact Corporate Name: Cape Porpoise Lobster Co.  
Business D/B/A Name: Cape Pier Charader House
- Date of Incorporation: 1991
- State in which you are incorporated: Maine
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: \_\_\_\_\_
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percent of stock owned:

Name	<i>Print Clearly</i> Address Previous 5 years	Birth Date	% of Stock	Title
Allen A Daggett	21 Kenneth Ln	3-30-51	100	Pres
Wanda L Daggett	21 Kenneth Ln	12-5-61	0	VP

- What is the amount of authorized stock? 2000 Outstanding Stock? ☒
- Is any principal officer of the corporation a law enforcement official? Yes ☐ No ☒
- Has applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of the United States? Yes ☐ No ☒
- If YES, please complete the following: Name: \_\_\_\_\_  
Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_  
Location: \_\_\_\_\_ Disposition: \_\_\_\_\_  
Dated at: \_\_\_\_\_ City/Town \_\_\_\_\_ On: \_\_\_\_\_ Date \_\_\_\_\_

Allen A. Daggett

Signature of Duly Authorized Officer

1/21/15

Date

Allen A Daggett

Print Name of Duly Authorized Officer



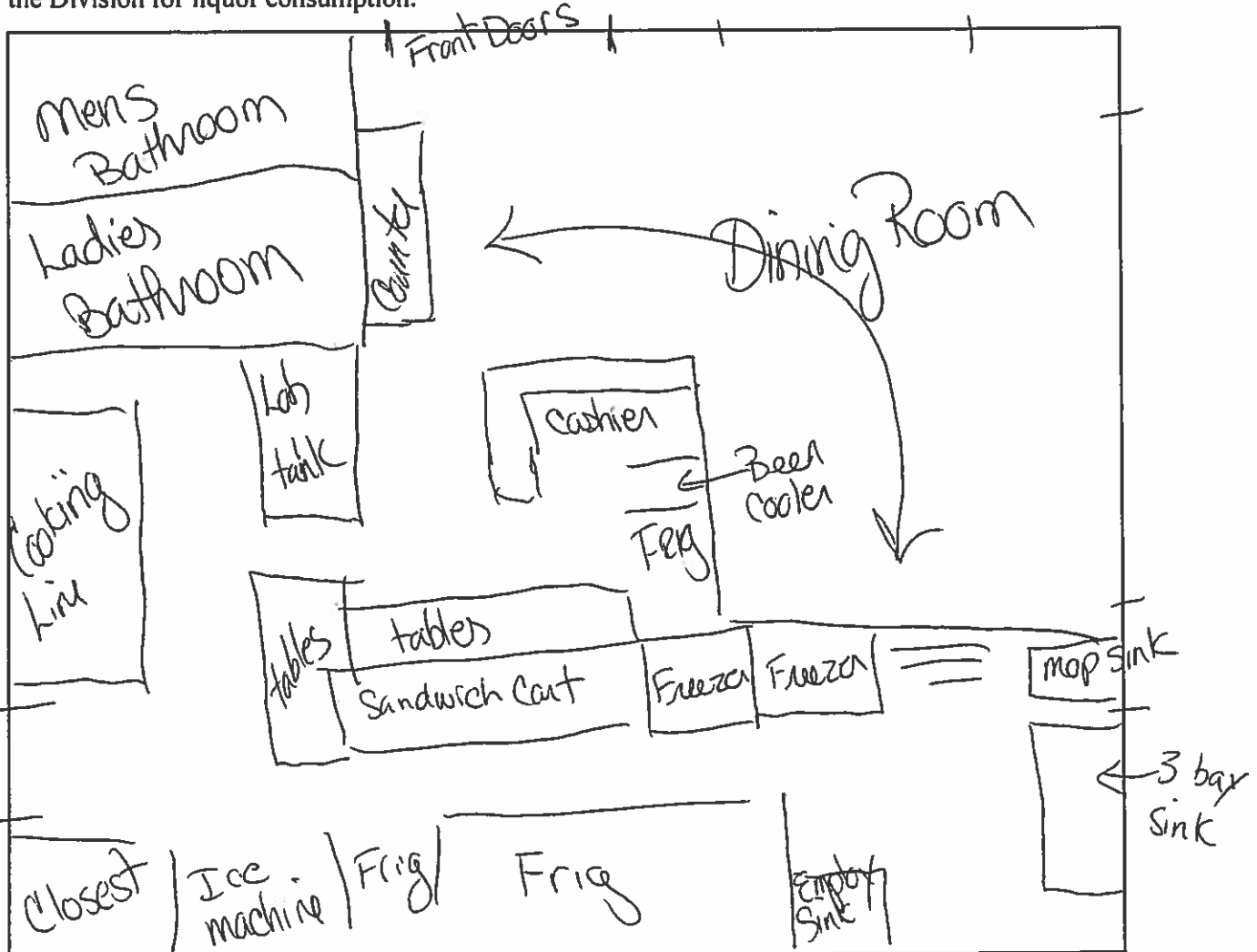


Bureau of Alcoholic Beverages  
Division of Liquor Licensing & Enforcement  
164 State House Station  
Augusta, ME 04330-0164  
Tel: (207) 624-7220 Fax: (207) 387-3424

## SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





## NOTICE – SPECIAL ATTENTION

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

**THIS APPROVAL EXPIRES IN 60 DAYS.**

### FEE SCHEDULE

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

**FILING FEE**..... \$ 10.00

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

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

### STATE OF MAINE

Dated at: Kennebunkport, Maine York ss  
City/Town (County)  
On: Feb. 12, 2015



Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

### NOTICE – SPECIAL ATTENTION

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

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
    - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
    - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
    - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
  2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
    - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
    - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
    - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
    - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
    - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
    - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all license requirements and findings referred to in subsection 2.
    - A. [1993, c.730, §27 (rp).]
  4. **No license to person who moved to obtain a license. (REPEALED)**
  5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt 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.





7

Printed by: Arlene McMurray

Friday, January 23, 2015 2:11:53 PM

Title: Application for Boards, Committees & Commissions : VirtualTownHall

Page 1 of 1

Request From: D. Michael weston  
Email: Westcon3@roadrunner.com  
Source IP:

Residential Address: 20 Pier Road Kennebunkport  
Residential Phone:

Business Address:  
Business Phone:  
Mailing Address (if different): PO Box 7293 Cape Porpoise 04014

Checkbox Choices

Administrative Code Committee,

Are you registered to vote in Kennebunkport?

Yes

Please list Membership in community organizations, dates involved,  
and activities performed:

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

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

List the top 3 choices that you would like to serve on( 1. 2. 3.  
in desired order)?



July 10, 2014

**Administrative Code Committee**

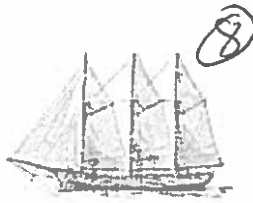
**Terms:** one year

**Members:** five or more. For two positions, preference given to former members of Board of Selectmen. For one position, preference shall be given to persons who are former members of ZBA, Planning Board, or persons trained in the law.

	<u>Expiration</u>
Wayne Adams 111 North Street Kennebunkport ME 04046 (h) 985-7000 (o)	July 2015
Christian Barner P.O. Box 7687 Cape Porpoise, ME 04014 (h) 985-7000 (o)	July 2015
H. Stedman Seavey 154 Wildes District RD Kennebunkport, ME 04046	July 2015
Richard Smith 3 Stonehaven DR PO Box 7276 Cape Porpoise, ME 04014	July 2015

1 Vacancy





# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

February 13, 2015

Dear Homeowner:

The Public Works Department would like to thank you for your patience during our shoulder work over the past two summers. Public Works has prepared the road shoulders on Ocean Avenue between the Wandby Parking Area and Turbats Creek Road for widened bicycle and pedestrian lanes. Our proposed budget request for FY 2016 includes the necessary funding to complete the road expansion and reconstruction project. As the road will be reconstructed, rather than just an overlay of pavement, the Selectmen will be placing a five year moratorium on construction on the new road. The moratorium will safeguard the Town's financial investment in our infrastructure.

As part of the budget planning process we reviewed our work with the Kennebunk, Kennebunkport, and Wells Water District (KKWWD). KKWWD has made us aware that there will be an approximate 700 foot extension of the water main from The Wandby Parking Area towards Turbats Creek Road. This water main work is planned for the fall of 2015, prior to our planned reconstruction process. Knowing the five year moratorium will not allow other residents to extend the water service further, we wanted to reach out to all residents within the neighborhood to ensure you have the opportunity to weigh your options at this time. It is still possible that neighbors could contact KKWWD and request that the water main be extended to their property; however, the extension costs would be borne by the homeowners, as per the policy of KKWWD.

In order to bring together the Town's Capital Roads Program and the possible expansion of water service to residents, the Town of Kennebunkport and KKWWD are asking that any homeowner in the Ocean Avenue Reconstruction Area considering a water service extension contact Don Gobeil, Technical Services Manager at KKWWD by phoning him at (207)-985-3385 or by email at [dgobeil@kkw.org](mailto:dgobeil@kkw.org). KKWWD will develop preliminary 'ballpark' cost estimates to share with homeowners. As a general rule, the price per homeowner to extend the water main will trend downward as more homeowners participate. To facilitate planning for the Town and KKWWD, we ask that those who wish to participate in expanded water utility service contact KKWWD by April 28<sup>th</sup>. That contact can be as an individual homeowner or as part of a neighborhood group.

Depending on the level of interest resulting from this process, KKWWD may plan to hold a public informational meeting with homeowners in early summer to answer questions and to describe what next steps would be needed in order to move forward with a water system expansion project. If commitments are made by homeowners to expand water service, the Town plans to delay reconstruction of Ocean Avenue until spring of 2016 to allow for all projects to proceed in a coordinated fashion.

Sincerely,

Michael Claus  
Town of Kennebunkport Public Works Director





# TOWN OF KENNEBUNKPORT, MAINE

~INCORPORATED 1653~

MAINE'S FINEST RESORT

February 9, 2015

**Memo:** List of Potential Warrant Articles June 2015

**From:** Werner Gilliam, CFM Director of Planning and Development

**To:** Laurie Smith, Town Manager/ Board of Selectmen

For June 2015 I've identified a number of potential warrant articles related to the Land Use Ordinance that I would like to have the Board of Selectmen consider.

- ***Residential Mixed Use Standard:*** The Growth Planning Committee has been working on developing a standard that would allow 2 residential units to be constructed above a commercial structure without triggering a larger lot size requirement (See attached DRAFT RMU Standards) This article is consistent with their objectives found in the Comprehensive Plan that support the creation of more affordable housing options.
- ***Revised Lot Area Definition:*** Based on discussions with Town Counsel we have been contemplating revising the definition of "Lot Area" primarily to prevent the use of large intertidal areas for lot development calculations. To date we have developed two options.(See attached)
- ***Commercial ADA/Accessibility Issue:*** Recently the Nonantum Hotel attempted to obtain a setback variance to construct an ADA/Life-safety compliant elevator. The logical location from a cost and building code perspective would have required a variance which is difficult if not impossible to obtain. Other locations, while technically feasible, would have cost 3 to 4 times as much due to the need for significant building modifications. The result is that needed safety upgrades are not occurring at our commercial properties due to our local zoning restraints. With our stock of older Hotels, Inns and B&B's this issue affects many properties. I would like to propose a specific revision to the performance standards that would allow for stairwells and elevator shafts for existing Hotels, Inns, and B&B's that would allow for these type of Life Safety modifications to occur without the need for a variance.
- ***SLZ Map revision Cape Porpoise Square:*** Based on a site review by a Licensed Wetland Specialist, staff from Maine DEP, and town staff this proposal is to correct the Shoreland Zoning Map by removing a section of Stream Buffer over an area that has been misidentified as a stream. This area directly affects property owned by Church on the Cape, Bradbury Brothers, Atlantic Hall, and Cape Corp Condo Association. (See attached)







# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

## MAINE'S FINEST RESORT

- ***Permitted use structures:*** Currently the Land Use Ordinance requires Planning Board Site Plan approval for essentially all uses except for residential permitted uses. Over the years this has not been enforced as it relates to those uses which we identify as "permitted" in various zones. For example uses such as: Agriculture, Storage and Repair of Fishing Equipment, and Farm Stand while listed as "permitted uses" do not have their associated buildings exempt from Planning Board Site Plan Review under the current Ordinance. The proposed change to the LUO would be to exempt the review of structures associated with "permitted uses" from Planning Board review and allow them to be permitted and reviewed by just the Code Enforcement Officer which has been past practice.
- ***Land Use Ordinance Errors:*** Base on a significant and lengthy audit of the Land Use Ordinance a number of errors were discovered that need to be voted upon. These revisions are minor housekeeping items. We would like to have them addressed before the ordinance undergoes a reformatting that will make it more user friendly for the website.



## DRAFT WARRANT ARTICLE Residential Mixed Use (RMU)

### Article 2: RMU DEFINITIONS:

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

MIXED USE: A principal building (including any accessory structures) that blends a residential use with a commercial use. For purposes of minimum lot size calculations, outside of the Shoreland Zone, Mixed Use as defined shall be considered a single use.

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

### Article 4: 4.6 Add RMU under Conditional Uses Subject to Site Plan Review

4.9 " " " " " " " " "

4.10 " " " " " " " " "

4.11 " " " " " " " " "

### Article 6: 6.9 A7 Add RMU – Parking must include spaces identified for both commercial and residential units.

6.10 Add Parking for residential components of RMU shall be as follows:

1 Bedroom Unit	1 Parking Space
2or more Bedroom Unit	2 Parking Spaces



**Article 7:** # depends upon title (listed in alpha order)

**RESIDENTIAL MIXED USE**

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

A request for Residential Mixed Use requires submittal of a site plan that shall include the property owner with deed reference lot boundaries and dimensions to scale, the location and set backs of all buildings and parking areas and open spaces.

A request for Residential Mixed Use shall include a plan of the entire building showing a separate layout of all finished levels identifying the use of all room and the location of all entrances/exits.

The dwelling unit shall consist of a minimum of 600 square feet of habitable space and may not have any living space on a third story unless it meets the minimum Life Safety requirements as defined in the Building Code.

The dwelling unit shall be occupied as a primary residence (primary residence shall be defined as more than six (6) months per year)

Except in the Free Enterprise Zone, home occupations shall not be permitted. Where permitted only one(1) home occupation shall be permitted per dwelling unit.

The minimum commercial unit size shall be 500 square feet of gross floor area. The commercial area may not exceed 2 times the total residential area.

Minimum lot size and building setbacks shall meet the underlying zone requirements. Minimum open space (area not occupied by structures or parking) shall be 60% of total lot area.

The number of dwelling units permitted with a commercial use as identified in the definition of Residential Mixed Use shall be limited to two.

Residential Mixed Use structures located on properties connected to the Town's wastewater collection system must be approved by the Sewer Department. Properties utilizing subsurface waste system and private wells must meet the standards required in the Maine Subsurface Waste Rules.

In addition:

Existing septic systems must be evaluated for condition and capacity by a licensed Site Evaluator. A reserve area is required for existing and new systems in the event that replacement is necessary. Bi-annual pump-outs of septic systems servicing the property are required and documentation must be provided to the Town upon request.

Properties serviced by private wells must provide to the Code Enforcement Office a water quality test to ensure adequate water quality prior to issuance of a certificate of occupancy.

All new or redeveloped structures shall meet or exceed NFPA requirements for the applicable fire suppression system.



Parking shall meet the requirements set forth in Article 6. Parking shall be predominantly located to the side and/or rear of the building.

Streetscapes created by new development must be pedestrian-oriented. There shall be a direct pedestrian connection between the principal building entrance and the sidewalk(s) or path(s) along the adjoining street(s) if the commercial use is open to the public and/or fronts an existing public sidewalk or path.

Any specific performance standards otherwise identified in this Ordinance related to the commercial use must also be met.





Proposed Change to definition of “Lot Area” in Kennebunkport Land Use Ordinance (LUO), Article 2.2 (per conversation between Amy Tchao and Werner Gilliam on May 28, 2014):

**OPTION #1** (excludes only wet sand areas, i.e., land areas below the normal high water mark of a water body):

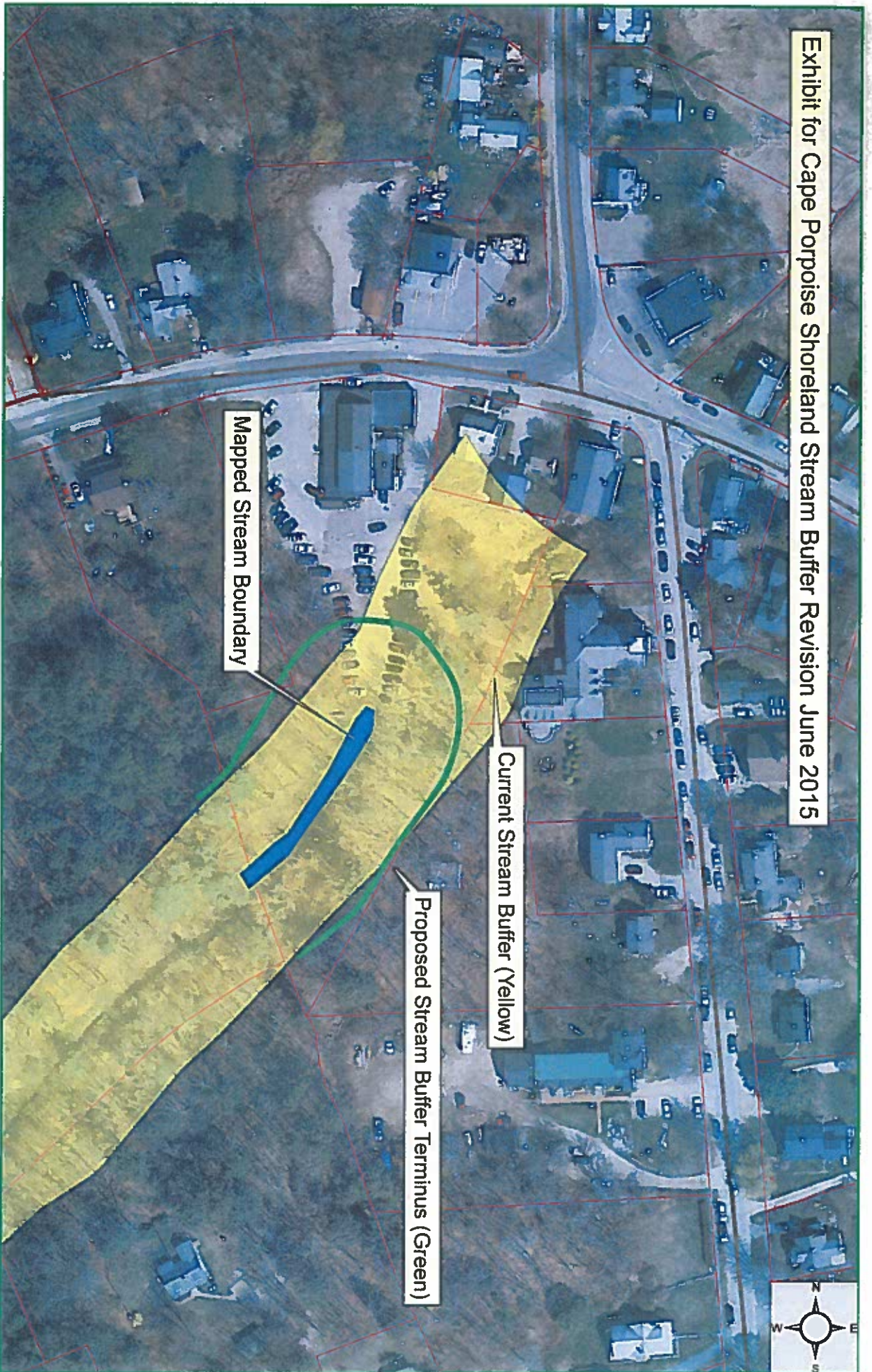
Lot Area: The total area located within the lines of a lot as measured on a horizontal plane. Within the Shoreland Zone, lot area shall exclude land areas below the normal high-water line of a water body.

**OPTION #2** (excludes both wet and dry sand areas):

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



Exhibit for Cape Porpoise Shoreland Stream Buffer Revision June 2015



Current Stream Buffer (Yellow)

Proposed Stream Buffer Terminus (Green)

Mapped Stream Boundary



Account	Year	Name	Principal	Principal Due	Pre Lien Int	Costs	Interest	Total
2985	2013-1	NASSUA TOWER REALTY LLC	1,839.85	1,839.85	42.38	63.59	204.65	2,150.47
368	2013-1	NEATHERY ELIZABETH	934.95	934.95	37.84	63.59	104.00	1,140.38
1194	2013-1	SEAVEY ANN	1,642.20	1,642.20	66.46	63.59	182.67	1,954.92
1457	2013-1	TITO LISA	2,813.82	2,813.82	113.87	76.18	312.98	3,316.85
538	2013-1	WILTSHIRE DANIEL MORGAN	1,985.82	1,985.82	80.36	63.59	220.89	2,350.66
<b>Total:</b>			9,216.64	9,216.64	340.91	330.54	1,025.19	10,913.28
<b>Lien Summary</b>								
2013-1			9,216.64	9,216.64	340.91	330.54	1,025.19	10,913.28
Total:			9,216.64	9,216.64	340.91	330.54	1,025.19	10,913.28





# TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -  
MAINE'S FINEST RESORT

January 21, 2015

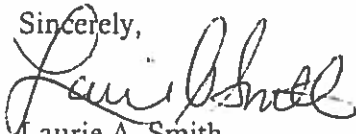
Lisa Tito  
225 Beachwood Avenue  
Kennebunkport, ME 04046

Dear Ms. Tito:

On January 9, 2015, the Town of Kennebunkport foreclosed on property located at 225 Beachwood Avenue for unpaid taxes. It is never the Town's intent to separate homeowners from their properties and hence I am writing to inquire regarding your desire to pay the past due balance. The Board of Selectmen may enter into land purchase installment contracts that allow the previous owner to pay the back taxes over time. These installment contracts do require that all of the past due taxes be paid in full and the current year taxes be maintained at a zero balance.

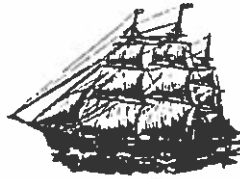
We would welcome a conversation regarding the property and outstanding balance. Please contact us by **Friday, February 6** at 207-967-1608 or by email to [jlord@kennebunkportme.gov](mailto:jlord@kennebunkportme.gov). We will be reporting the property status to the Board of Selectmen at their February 12 meeting.

Sincerely,

  
Laurie A. Smith  
Town Manager







## TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -  
MAINE'S FINEST RESORT

January 21, 2015

Daniel Wiltshire  
45 West Main Street, Apt. 2  
Mystic, CT 06355

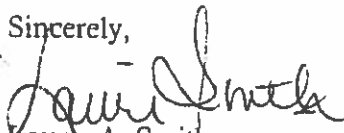
155 Arundel Road  
Kennebunkport, ME 04046

Dear Mr. Wiltshire:

On January 9, 2015, the Town of Kennebunkport foreclosed on property located at 6 High Street for unpaid taxes. It is never the Town's intent to separate homeowners from their properties, and hence I am writing to inquire regarding your desire to pay the past due balance. The Board of Selectmen may enter into land purchase installment contracts that allows the previous owner to pay the back taxes over time. These installment contracts do require that all of the past due taxes be paid in full and the current year taxes be maintained at a zero balance.

We would welcome a conversation regarding the property and outstanding balance. Please contact us by **Friday, February 6** at 207-967-1608 or by email to [jlord@kennebunkportme.gov](mailto:jlord@kennebunkportme.gov). We will be reporting the property status to the Board of Selectmen at their February 12 meeting.

Sincerely,

  
Laurie A. Smith  
Town Manager

cc: Patricia Wiltshire



CURRENT ASSESSMENT										LOCATION									
Description					Code					Assessed Value					Assessed Value				
RESIDENTIAL					1010					331,400					331,400				
RESIDENTIAL					1010					77,800					77,800				
RESIDENTIAL					1010					8,600					8,600				
<b>4512</b> <b>KENNEBUNKPORT, ME</b>										<b>4512</b> <b>KENNEBUNKPORT, ME</b>									
<b>VISION</b>										<b>VISION</b>									
<b>PREVIOUS ASSESSMENTS (HISTORY)</b>										<b>PREVIOUS ASSESSMENTS (HISTORY)</b>									
Yr					Code					Assessed Value					Assessed Value				
2014					1010					331,400					331,400				
2014					1010					77,800					77,800				
2014					1010					8,600					8,600				
Total:					Total:					Total:					Total:				
417,800					417,800					417,800					417,800				
<b>OTHER ASSESSMENTS</b>										<b>OTHER ASSESSMENTS</b>									
Yr					Code					Assessed Value					Assessed Value				
2014					1010					331,400					331,400				
2014					1010					77,800					77,800				
2014					1010					8,600					8,600				
Total:					Total:					Total:					Total:				
417,800					417,800					417,800					417,800				
<b>ASSESSING NEIGHBORHOOD</b>										<b>ASSESSING NEIGHBORHOOD</b>									
NBHD/ SUB					Street Index Name					Tracing					Batch				
0001/A																			
<b>NOTES</b>										<b>NOTES</b>									
<b>CHANGE NAME, BOOK, PAGE &amp; LAND SPLIT</b>										<b>CHANGE NAME, BOOK, PAGE &amp; LAND SPLIT</b>									
<b>BUILDING PERMIT RECORD</b>										<b>BUILDING PERMIT RECORD</b>									
Permit ID					Issue Date					Type					Description				
1					1010					Single Family					FE				
1					1010					Single Family					FE				
<b>LAND LINE VALUATION SECTION</b>										<b>LAND LINE VALUATION SECTION</b>									
B Use Code					Use Description					Zone					Depth				
1					1010					Single Family					FE				
1					1010					Single Family					FE				
Unit Price					Factor					Factor					Factor				
2,331.0000					4					4					4				
5,000.00					1.0000					1.0000					1.0000				
Units					Units					Units					Units				
40,000					SF					SF					SF				
0.94					AC					AC					AC				
Total Card Land Units:					Total Card Land Units:					Total Card Land Units:					Total Card Land Units:				
1.86					AC					AC					AC				
Parcel Total Land Area:					Parcel Total Land Area:					Parcel Total Land Area:					Parcel Total Land Area:				
1.86					AC					AC					AC				
Total Land Value:					Total Land Value:					Total Land Value:					Total Land Value:				
77,800					77,800					77,800					77,800				

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	04		Cape Cod				
Model	01		Residential				
Grade	05		Average +20				
Stories	1.5		1 1/2 Stories				
Occupancy	1						
Exterior Wall 1	11		Clapboard				
Exterior Wall 2							
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Flr 1	12		Hardwood				
Interior Flr 2	14		Carpet				
Heat Fuel	02		Oil				
Heat Type	05		Hot Water				
A/C Type	01		None				
Total Bedrooms	03		3 Bedrooms				
Total Bthrms	3						
Total Half Baths	1						
Total Xtra Fixtrs							
Total Rooms	9						
Bath Style	02		Average				
Kitchen Style	02		Average				

COST/MARKET VALUATION			
Adj. Base Rate:			96.35
Replace Cost			378,661
AYB			1989
EYB			1996
Dep Code			A
Remodel Rating			
Year Remodeled			
Dep %			13
Functional Obslnc			0
External Obslnc			0
Cost Trend Factor			1
Condition			
% Complete			87
Overall % Cond			
Apprais Val			329,400
Dep % Ovr			0
Dep Ovr Comment			
Misc Imp Ovr			0
Misc Imp Ovr Comment			
Cost to Cure Ovr			0
Cost to Cure Ovr Comment			

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)										
Code	Description	Sub	Sub Description	L/B Units	Unit Price	Yr.	Gide	Dp Rt	Cnd %Cnd	Apr Value
SPL2	VINYL/PLAST			648	26.47	1997	0		50	8,600
FPL	FIREPLACE	B		1	1,400.00	1989	1		100	1,100
FPO	EXTRA FPL O	B		1	1,081.91	1989	1		100	900

BUILDING SUB-AREA SUMMARY SECTION					
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost
BAS	First Floor	1,361	1,361	1,361	96.35
FGR	Garage	0	796	318	38.49
FHS	Half Story, Finished	1,356	1,808	1,356	72.26
FOP	Porch, Open, Finished	0	56	8	13.76
FUS	Upper Story, Finished	405	405	405	96.35
UBM	Basement, Unfinished	0	1,361	272	19.26
WDK	Deck, Wood	0	1,402	210	14.43

Ttl. Gross Liv/Lense Area:	3,122	7,189	3,930		378,661
----------------------------	-------	-------	-------	--	---------





Vision ID: 699

Account #11 005 05

Bldg #: 1 of 1

ec #: 1 of

1 Card 1 of 1

Print Date

Print Date: 01/16/

[illegible]

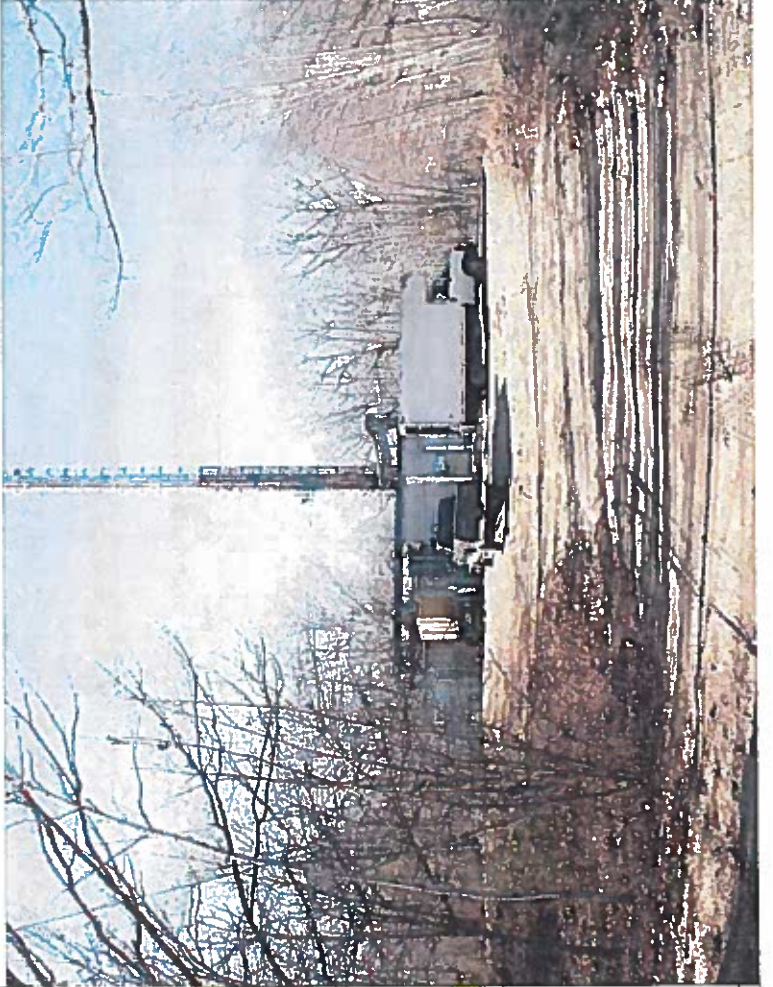
A photograph of a white, single-story house with a gabled roof, partially obscured by a large, dark tree trunk in the foreground. The house has a small porch and a white picket fence is visible in the background.

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub Description	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
FGR1	GARAGE-AVE			L	384	20.62	1997		0		50	-1,000
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description		Living Area	Gross Area	E/H Area	Unit Cost	Undeprec. Value					
BAS	First Floor		883	883	883	113.18	99,936					
FHS	Half Story, Finished		487	649	487	84.93	55,118					
FOP	Porch, Open, Finished		0	160	24	16.98	2,716					
UBM	Basement, Unfinished		0	609	122	22.67	13,808					
Ttl. Gross Liv/Lease Area:			1,370	2,301	1,516		171,578					



CURRENT OWNER		TOPO.		UTILITIES		STRT./ROAD		LOCATION		CURRENT ASSESSMENT		ASSESSMENT VALUE	
NASSAU TOWER REALTY LLC		4 Rolling		Free Enterprise		4 Utility - Industrial		INDUSTRIAL LAND		Code		Assessed Value	
704 HOWE STREET										4022		5,900	
POINT PLEASANT, NJ 08542-4523										4022		145,400	
Additional Owners:										4022		381,700	
<p>Other ID: 0025 0005 0008B House Color</p> <p>TRIO ACCT. #</p> <p>ASSOC PID#</p> <p>GIS ID: 3797</p>													
<p><b>RECORD OF OWNERSHIP</b></p> <p>BK-VOL/PAGE 14887/0451 SALE DATE 07/05/2006 U V 500,000 00 0 1B 0 0</p> <p>NASSAU TOWER REALTY LLC</p> <p>NASSAU BROADCASTING HOLDINGS INC</p> <p>MARINER BROADCASTING LP</p>													
<p><b>EXEMPTIONS</b></p> <p>Year Type Description Amount Code Description Number Amount Comm. Int.</p>													
<p><b>OTHER ASSESSMENTS</b></p> <p>Yr. Code Assessed Value Yr. Code Assessed Value Yr. Code Assessed Value</p> <p>2014 4022 5,900 2009 4022 5,900 2008 4022 6,300</p> <p>2014 4022 145,400 2009 4022 145,400 2008 4022 41,800</p> <p>2014 4022 381,700 2009 4022 381,700 2008 4022 70,400</p> <p>Total: 533,000 Total: 533,000 Total: 118,500</p>													
<p><b>ASSESSING NEIGHBORHOOD</b></p> <p>Triangular, GUVED-WIRE TOWER</p> <p>ROAD NOT PASSABLE 3/19/09</p> <p>LEASED LAND-ACCESS THRU</p> <p>17-2-9</p> <p>BLDG IS MODULAR CONSTRUCTN ON SLAB</p> <p>REAR LOT, TOWER</p>													
<p><b>NOTES</b></p> <p>VALUE FOR R.E. ONLY</p> <p>(BLDG.+TOWER)</p> <p>02/ABATE/SUPP NEW TOWER</p> <p>OWNED BY SPRINT PCS</p> <p>05 PERSONAL PROPERTY</p>													
<p><b>BUILDING PERMIT RECORD</b></p> <p>Permit ID Issue Date Description Type Insp. Date % Comp. Date Comp. Amount</p> <p>14-249 10/07/2014 Commercial CM 8,500</p> <p>12-252 10/05/2012 Commercial CM 20,000</p> <p>12-154 07/18/2012 Commercial CM 10,000</p> <p>11-242 08/18/2011 Commercial CM 7,000</p> <p>09-296 01/01/2009 New Construct NC 25,000</p> <p>08-272 10/07/2008 Commercial CM 42,000</p> <p>04-182 06/08/2004 Commercial CM 10,000</p>													
<p><b>LAND LINE VALUATION SECTION</b></p> <p>Zone D Front Depth Units Unit Price</p> <p>1 4022 IND BLDG MDL-96 FE 40,000 SF 2.50</p> <p>1 4022 IND BLDG MDL-96 FE 9.08 AC 5,000.00</p>													
<p><b>PREVIOUS ASSESSMENTS (HISTORY)</b></p> <p>Code Appraised Value Assessed Value</p> <p>4022 5,900 5,900</p> <p>4022 145,400 145,400</p> <p>4022 381,700 381,700</p> <p>Total: 533,000</p>													
<p><b>APPROPRIATED VALUE SUMMARY</b></p> <p>Appraised Bldg. Value (Card) 5,900</p> <p>Appraised XF (B) Value (Bldg) 381,700</p> <p>Appraised OB (L) Value (Bldg) 145,400</p> <p>Appraised Land Value (Bldg) 0</p> <p>Special Land Value 0</p> <p>Total Appraised Parcel Value 533,000</p> <p>Valuation Method: C</p> <p>Adjustment: 0</p> <p>Net Total Appraised Parcel Value 533,000</p>													
<p><b>VISIT/CHANGE HISTORY</b></p> <p>ID Cd. Date Purpose/Result</p> <p>PH 26 03/19/2009 Building Permit N1+L</p> <p>PP 00 07/15/2008 Measure+Listed</p> <p>DH 40 05/23/2001 No change</p> <p>DT 00 12/10/1996 Measure+Listed</p>													

CONSTRUCTION DETAIL				CONSTRUCTION DETAIL (CONTINUED)			
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	48		Warehouse				
Model	96		Industrial				
Grade	03		Average				
Stories	1						
Occupancy	1						
Exterior Wall 1	27		Pre-finish Meit				
Exterior Wall 2							
Roof Structure	01						
Roof Cover	01						
Interior Wall 1	01						
Interior Wall 2							
Interior Floor 1	03		Concr-Finished				
Interior Floor 2							
Heating Fuel	02		Oil				
Heating Type	03		Hot Air-no Duc				
AC Type	03		Central				
Bldg Use	4022		IND BLDG MDL-96				
Total Rooms	00						
Total Bedrms	00						
Total Baths	00						
Heat/AC	00		NONE				
Frame Type	05		STEEL				
Baths/Plumbing	00		NONE				
Ceiling/Wall	00		NONE				
Rooms/Prtns	01		LIGHT				
Wall Height	%						
% Conn Wall	00						
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)				OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)			
Code	Description	Sub	Units	Unit Price	Yr	Gde	Dp Rr
FN3	FENCE-6' CH		108	14.20	1998		
TWR1	CELL TOWER		325	1,300.00	1994		
BUILDING SUB-AREA SUMMARY SECTION				BUILDING SUB-AREA SUMMARY SECTION			
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprc. Value	
BAS	First Floor	200	200	200	38.80	7,760	
Ttl. Gross Liv/Lease Area:				200	200	200	7,760





January 16, 2015 1:54 PM ET

## Company Overview of Nassau Tower Realty, LLC

## Snapshot

## People

## Company Overview

Nassau Tower Realty, LLC is based in Princeton, New Jersey. On July 9, 2013, Nassau Tower Realty, LLC filed a voluntary petition for reorganization under Chapter 11 in the U.S. Bankruptcy Court for the District of New Jersey.

619 Alexander Road  
Princeton, NJ 08540  
United States

## Key Executives For Nassau Tower Realty, LLC

Nassau Tower Realty, LLC does not have any Key Executives recorded.

## Similar Private Companies By Industry

Company Name	Region
Bluefin LLC	United States
Sandy Beaches I LP	United States
Prime Time Cold Storage	United States
Rainmaker Associates, Inc.	United States
Martin Kamens Esq	United States



## Recent Private Companies Transactions

Type Date	Target
Merger/Acquisition August 28, 2014	704 Howe Street, 1215 Johnson Avenue, 1215A Johnson Avenue, 74 Fairview Avenue and 1108 Ocean Road
Merger/Acquisition January 22, 2014	472 Princeton Avenue


## Report Data Issue





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From:  Martin Womer <mwomer@mainecenterforelderlaw.com> 1/16/2015 3:07:14 PM  

Subject: RE: Neathery

To:  Jennifer Lord

Attachments:  Attach0.html / Uploaded File 13K  
 Neathery-0002.pdf / Uploaded File 116K

---

Jennifer,

Thank you for writing. We have made some progress, although not exactly how we anticipated.

We learned a few hours before the scheduled hearing last week that four of the heirs in South America and Canada had not responded to notices mailed to them by the court, but neither the return receipt nor the actual mailings been returned by the Post Office, so we could not have a hearing. Instead, we met with the judge to discuss how to proceed, but not as an official hearing. The outcome is that we have filed a petition to give notice by publication, which Judge Nadeau has now granted and which will be done by the Register of Probate, and we filed a Petition for appointment of me as Special Administrator in the interim, which Judge Nadeau granted in an ex parte telephonic hearing this Wednesday.

I am attaching a scan of the Petition, which has the judge's Order on the second page. So, I am the person responsible for securing and administering the Neathery estate until the Personal Representative is appointed sometime in the future once due process requirements are satisfied.

I have an appointment with a locksmith to get into the house to close two windows(!!!) and to begin to learn what assets she may be liquidated to pay bills.

We (Beatriz and I) intend for me to get Comparative Market Analyses of the properties done by local Realtors promptly and to list both for sale.

Wells Fargo will serve me with foreclosure documents regarding the reverse mortgage on the house any day now that there is a Special Administrator of the estate with authority to accept service.

I presume that the Town will allow the Estate to sell the Wakefield Pasture Road property and to pay the Town at the closing of a sale in exchange for a municipal quitclaim deed. Is that correct? I hope to start marketing the land as soon as I can.

Marty

---

Martin C. Womer, Esq.  
MAINE CENTER FOR ELDER LAW, LLC  
3 Webhannet Place, Suite 1, Kennebunk, ME 04043  
Phone: 207-467-3301 Fax: 207-467-3305  
[mwomer@mainecenterforelderlaw.com](mailto:mwomer@mainecenterforelderlaw.com) [www.mainecenterforelderlaw.com](http://www.mainecenterforelderlaw.com)

*We help seniors and their families to prevent the devastating financial effects of long term care.*

**From:** Jennifer Lord [<mailto:jlord@kennebunkportme.gov>]  
**Sent:** Friday, January 16, 2015 2:14 PM  
**To:** Martin Womer  
**Subject:** Neathery

Hi Martin,

We spoke awhile ago regarding Elizabeth Neathery's property. At that time January 9th ? was set for the court to appoint a personal representative. Has that happened? If so, how can I get in touch with them? The Town did foreclose on the Wakefield Pasture Rd property. We wanted to touch base with her representative to discuss this and their future plans regarding this property.

Thank you,  
Jennifer Lord  
Treasurer  
Town of Kennebunkport  
PO Box 566  
Kennebunkport, ME 04046  
967-4243 ext 108

The information transmitted is intended solely for the individual or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination, or other use of or taking action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you have received this email in error, please contact the sender and delete the material from the computer.

# STATE OF MAINE

PROBATE COURT

ALFRED

Location of Court

YORK

COUNTY PROBATE COURT

DOCKET NO.

2014-0730 (2)

Estate of Elizabeth M. Neathery  
Deceased

PETITION FOR FORMAL  
APPOINTMENT OF SPECIAL  
ADMINISTRATOR<sup>1</sup>

1. Name, address and telephone number of petitioner.

Martin C. Womer, Esq., Maine Center for Elder Law, LLC  
3 Webhannet Place, Suite 1  
Kennebunk, ME 04043 (207)467-3301

2. Applicant has the following interest in this estate.<sup>2</sup>

Attorney for the person, Beatriz Ferrier, that is trying to be appointed Personal Representative

3. Date of decedent's death.

02/11/2014

4. Domicile at decedent's death.

Kennebunkport, Maine

5. Was decedent domiciled in this county at date of death? YES ☒ NO ☐. If no, venue is based on the following.<sup>3</sup>

6. Name and address of person whose appointment is sought. (Designate mailing and legal addresses if they are different.)

Martin C. Womer, Esq., Maine Center for Elder Law, LLC  
3 Webhannet Place, Suite 1  
Kennebunk, ME 04043

7. Did decedent leave a will which has been or will be presented for probate? YES ☐ NO ☒. If yes, is the person whose appointment is sought named as personal representative in the will? YES ☐ NO ☐. If not, explain why not.

8. State here the reason why a special administrator is necessary for this estate.

Until the Personal Representative is appointed, there is no access to the house and currently, there are windows open in the house. Beatriz Ferrier, the person trying to be appointed as Personal Representative, lives in Massachusetts and having a special administrator locally will expedite the process of gathering and administering the decedent's estate.

9. Is appointment sought without notice? YES ☒ NO \_\_\_\_\_. If yes, state here nature of emergency.  
To gain access to the house and secure the property.

Petitioner requests that the person named in item 6 be formally appointed special administrator of this estate.

Dated January 12, 2015

Martin C. Womer  
Petitioner or Attorney Maine Bar # 8663  
"Every pleading of a party represented by an attorney shall be signed by at least one attorney of record in his individual name." See Rule 11.

Name, address, and telephone of petitioner's attorney.

Maine Center for Elder Law, LLC  
3 Webhannet Place, Suite 1, Kennebunk, ME 04043 207-467-3301

#### ACCEPTANCE OF APPOINTMENT

I, the undersigned, accept this position of official trust and personal liability for any violation of that trust and submit to the personal jurisdiction of this court.

Dated January 12, 2015

Martin C. Womer  
Special Administrator

- 1 See 18-A MRSA. §§ 3-614 and 3-615.
- 2 See 18-A MRSA. § 1-201 (20).
- 3 See 18-A MRSA. § 3-201,

#### ORDER

Upon notice and hearing, the court finds that the appointment requested in the foregoing petition is necessary to preserve the estate or to secure its proper administration and appoints Martin C. Womer special administrator, subject to his acceptance and filing of any required bond, to take all action deemed necessary ~~as the following special administrator~~ to preserve the decedent's estate

Date Jan. 14, 2015

Robert M. Macdonald  
Judge of Probate

Certified a true  
Copy on \_\_\_\_\_

Register of Probate

MARP 10-15-2000

I certify that no alteration has been made to the official form as most recently approved and promulgated by the Supreme Judicial Court. I also certify that I have met the standards under M.R.Prob.P. 84(b).

Melinda Crocker  
Preparer Signature

Melinda Crocker  
Typed or Printed Name of Preparer



# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

## KENNEBUNKPORT PUBLIC HEALTH

January 22, 2015

Attn: Kennebunkport Board of Selectmen  
Laurie Smith, Town Manager  
Jennifer Lord, Bookkeeper

The Town of Kennebunkport has received a donation of \$50.00 from Madonna Chapter 144 OES, to be put towards the Town's Food Assistance Account.

I have attached a copy of the check.

If you have any questions, please let me know.

Thank you,

  
Becky Nolette





*Selection*




116.

# Kennebunkport Public Health

January 26, 2015

Att: Kennebunkport Board of Selectmen  
Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$340 from John Breen, in memory of his grandmother, Alice Soule. This generous gift is to be dedicated towards the Kennebunkport Emergency Fuel/Food Account.

<b>JOHN A BREEN</b>		186
KENNEBUNKPORT, ME 04046		
Date <u>JAN 26, 2015</u>		
Pay to the Order of <u>Kennebunkport Public Health</u>	<u>\$ 340.00</u>	
<u>Three Hundred Forty</u>	Dollars	
 OCEAN COMMUNITIES federal credit union KENNEBUNK, MAINE 04043		
For <u>FUEL EMERGENCY FUND</u>		

*John Breen*



Laurie - Town Manager  
& Board of Selectmen

11c

# Kennebunkport Public Health

February 2, 2015,

Att: Kennebunkport Board of Selectmen  
Laurie Smith Kennebunkport Town Manager

Please accept this generous donation of \$100 from Karen MacGregor in memory of Peter Sargent's 65th birthday. This generous gift is to be dedicated towards the Kennebunkport Emergency Fuel/Food Account.

*Jan Banett*

KAREN L. MACGREGOR

1674

KENNEBUNKPORT, ME 04046

DATE

1/13/15

PAY TO

THE ORDER OF

Kennebunkport Public Health \$ 100<sup>00</sup>

One hundred

00  
100

DOLLARS



Security Features  
Include  
Ovals on Back

Kennebunk Savings

MEMO

*Karen MacGregor*

SPECIAL INK





(12)  
STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

January 22, 2015

Ms. Laurie A Smith  
Town Manager  
Town of Kennebunkport  
P.O. Box 566  
Kennebunkport, Maine 04046

Dear Ms. Smith,

Again, it is the time to ask the town of Kennebunkport for permission to set our air pollution monitoring shelter at the rocky beach, beside St Anne's church, on Ocean Avenue. This will be the 32<sup>nd</sup> year that we will be monitoring for Ozone air pollution at the Kennebunkport site. We would like to set the monitoring shelter in place as early as possible so we can start collecting data near the beginning of March – weather permitting. Could our request be put on the agenda for the next Board of Selectmen's meeting?

The data provided by the Kennebunkport site, and other sites across the state, continues to support Maine Air Quality Forecasting (<http://www.maine.gov/dep/air/ozone/>) and the EPA AIRNow mapping program (<http://airnow.gov/>).

Anyone can access our forecasts via telephone or the web:

Hotline: (800) 223-1196

Website: <http://www.maine.gov/dep/air/ozone/>

You can find our forecasts on Twitter:

<http://www.maine.gov/dep/air/ozone/twitter.html>

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD, SUITE 6  
BANGOR, MAINE 04401  
(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769-2094  
(207) 764-0477 FAX: (207) 760-3143

And you can download apps for your mobile device:

<http://m.epa.gov/apps/airnow.html>

I would also like to direct you to our Monitoring Network Plan for 2015:

<http://www.maine.gov/dep/air/monitoring/docs/Air%20Monitoring%20Plan.pdf>

It provides descriptions of the pollutants and identifies the other monitoring sites in Maine for 2015. The plan is required to be submitted to EPA six months prior to implementation. You can find more information about our monitoring programs here: <http://www.maine.gov/dep/air/monitoring/index.html>

I am attaching copies of the data, from the KPW site, for 2015. The coding for any hours replaced by "letters" is explained on the last page of the document. With current 8-hour standard for ozone at 75ppb, KPW remains in attainment through 2014.

Should anyone have any questions about our ozone monitoring program or our Kennebunkport site, please encourage them to contact me.

Thanks for your help!

Sincerely,



Catherine Demers  
MEDEP  
Field Services, Bureau of Air Quality  
catherine.c.demers@maine.gov  
207-822-6312



Current Date: 10/6/2014 10:33 AM

Site Name: KPW 031 : 2002  
Parameter: O3 44201

# Monthly Report September 2014

Avg Interval: 1 hour  
Units: PPB 008 Method: 047

## Hours

Day	Hours																							Summary				
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Max	Avg	RDS	
01	31	28	25	19	17	8	13	11	15	17	19	28	33	40	41	46	47	47	43	45	45	45	43	27		47	30	24
02	16	19	13	24	9	7	5	13	24	28	35	38	40	40	40	38	40	44	41	37	36	35	29	27	44	28	24	
03	22	25	24	30	29	31	31	35	34	32	30	30	29	30	29	32	35	33	28	22	21	17	15	14	35	27	24	
04	14	14	14	13	12	9	8	AZ	AZ	AZ	AZ	BC	BC	BC	36	37	36	34	32	34	35	34	37	30	37	25	18	
05	29	27	26	25	24	21	24	24	28	37	48	61	66	70	81	77	62	55	55	54	47	42	39	37	81	44	24	
06	34	33	31	30	29	29	30	28	33	40	49	54	59	55	48	58	53	41	32	24	21	17	12	13	59	35	24	
07	14	17	18	13	9	6	11	13	16	21	25	26	26	25	23	25	25	26	25	16	12	11	11	12	26	17	24	
08	12	9	9	8	6	10	13	16	19	23	24	26	26	27	26	26	27	24	14	16	16	15	12	13	27	17	24	
09	15	9	7	8	7	6	8	10	17	21	23	27	28	28	28	27	26	24	25	23	22	19	17	17	28	18	24	
10	16	14	11	13	14	12	11	16	19	27	31	32	33	33	31	29	30	25	25	25	15	7	7	12	33	20	24	
11	8	7	8	20	29	29	28	28	30	31	34	33	35	37	36	34	34	33	29	25	18	18	20	18	37	25	24	
12	17	20	19	19	18	18	15	15	17	19	23	27	29	31	32	33	32	28	23	25	22	22	21	19	33	22	24	
13	18	19	20	19	18	16	14	14	19	20	23	24	24	22	22	21	19	20	20	20	15	13	11	11	24	18	24	
14	15	14	13	9	8	9	9	13	19	20	20	21	23	24	25	26	27	27	21	14	15	16	16	15	27	17	24	
15	15	13	12	10	11	10	9	13	19	BF	BF	24	29	31	32	33	33	34	34	34	33	32	28	20	34	23	22	
16	18	17	15	12	14	13	11	14	13	16	16	24	26	30	30	31	32	36	32	29	20	16	11	11	38	20	24	
17	10	8	7	7	8	6	7	10	14	19	23	28	30	33	32	33	34	35	33	34	30	34	26	18	35	21	24	
18	15	12	12	13	11	9	11	11	15	19	27	32	36	38	36	39	40	32	26	24	22	22	21	22	40	22	24	
19	20	19	15	11	11	11	13	16	19	22	24	25	27	29	30	31	31	31	31	32	32	32	31	30	32	23	24	
20	20	15	15	15	12	15	15	25	33	34	35	37	37	37	37	38	38	38	38	39	40	41	39	38	41	30	24	
21	33	29	22	28	32	31	29	32	31	35	34	37	39	38	38	34	32	31	28	29	28	20	16	15	39	30	24	
22	15	18	19	15	15	25	21	26	30	32	33	31	23	24	26	25	24	24	22	21	22	25	23	18	33	23	24	
23	17	15	13	13	11	9	12	15	17	19	21	23	23	24	24	25	24	18	15	16	14	13	10	9	25	16	24	
24	7	6	8	7	7	5	8	10	BC	BC	20	24	24	26	30	28	26	25	25	25	26	28	27	7	30	18	22	
25	8	8	12	14	13	10	12	12	11	18	23	26	28	29	29	29	28	27	25	18	18	11	9	8	29	17	24	
26	9	6	8	9	7	5	5	7	10	13	15	18	25	31	35	36	37	33	35	29	23	18	18	19	37	18	24	
27	16	6	9	10	9	10	10	13	15	15	26	27	34	42	45	41	42	37	38	39	39	36	34	29	45	25	24	
28	18	7	4	3	2	1	3	6	9	17	22	32	41	49	50	57	54	55	54	47	36	30	20	15	57	26	24	
29	6	6	10	10	8	5	5	7	10	23	28	28	28	22	20	20	21	23	22	22	24	23	21	20	28	17	24	
30	19	18	17	15	15	14	12	10	11	11	11	12	11	9	10	12	11	9	10	9	9	8	7	7	19	11	24	
Max	34	33	31	30	32	31	31	35	34	40	49	61	66	70	81	77	62	55	55	54	47	45	43	38	81			
Avg	16	15	14	14	13	13	13	15	19	23	28	29	31	33	33	34	33	31	29	27	25	23	21	18		23		
Count	30	30	30	30	30	30	30	28	27	28	28	29	29	30	30	30	30	30	30	30	30	30	30	30	30			710





Current Date: 9/5/2014 11:52 AM

# Monthly Report

Site Name: KPW 031 : 2002  
Parameter: O3 44201

Avg Interval: 1 hour  
Units: PPB 008 Method: 047

August 2014

Hours

Day	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Summary		
																									Max	Avg	RDS
01	36	30	32	23	16	24	18	21	31		35	43	50	45	48	53	54	55	56	55	50	43	38	32	56	38	24
02	33	31	40	33	29	28	24	20	20	28	27	39	43	45	52	52	56	55	52	43	35	30	27	23	56	36	24
03	18	12	13	9	11	12	16	24	26	31	41	40	45	42	46	44	48	48	47	46	44	42	38	28	48	32	24
04	27	19	17	20	20	14	18	18	18	24	29	38	43	46	47	53	56	54	49	44	34	38	31	26	56	32	24
05	20	16	11	9	7	5	5	8	12	22	30	33	38	42	45	49	50	48	46	47	41	27	20	16	50	26	24
06	11	9	9	16	16	12	11	11	20	28	27	32	37	47	40	31	35	31	32	26	19	16	14	11	47	22	24
07	7	10	10	11	12	9	10	12	AZ	AZ	BC	AZ	31	33	32	29	35	31	24	20	19	14	13	14	35	18	20
08	13	11	10	10	8	10	11	14	18	21	23	25	26	27	32	27	25	23	21	14	16	18	17	12	32	18	24
09	11	10	10	12	11	10	11	16	21	22	23	26	29	26	26	26	28	26	24	20	14	10	7	8	29	17	24
10	8	10	13	14	14	13	14	15	19	22	23	27	33	30	29	29	30	29	28	27	23	14	15	10	33	20	24
11	7	7	14	14	11	8	11	13	17	23	32	46	58	58	61	49	47	45	40	35	30	31	24	20	61	29	24
12	11	8	8	8	9	10	13	15	17	20	23	26	29	30	35	34	28	27	28	25	24	25	27	26	35	21	24
13	28	29	29	29	27	26	27	BF	BF	BJ	BJ	BJ	27	28	29	29	31	32	34	AV	32	25	35	35	35	29	18
14	21	19	19	18	19	19	22	23	22	21	21	22	25	26	27	26	27	26	17	14	18	15	12	11	27	20	24
15	6	7	5	AV	8	5	7	9	9	16	19	23	27	31	35	28	26	25	23	21	18	18	18	17	35	17	23
16	16	15	15	15	15	15	17	21	23	25	26	26	29	30	39	41	35	28	32	31	28	26	19	20	41	24	24
17	19	20	22	25	27	30	25	31	35	34	38	38	36	35	34	33	32	29	27	23	20	19	20	18	38	27	24
18	16	14	11	9	10	7	7	11	18	22	24	27	29	28	27	27	26	26	25	21	19	16	14	13	29	18	24
19	11	9	7	7	6	7	7	11	18	20	24	26	27	31	31	28	32	31	31	30	23	21	15	15	32	19	24
20	16	14	15	16	10	5	7	13	18	24	29	35	39	40	40	44	46	45	42	36	25	16	13	11	46	24	24
21	8	2	0	1	3	2	3	6	11	12	16	25	29	30	35	35	32	31	33	22	19	15	19	21	35	17	24
22	22	26	24	20	19	20	18	BF	BF	19	19	19	19	18	20	21	21	19	17	16	13	12	9	8	26	18	22
23	6	6	5	5	6	7	7	8	10	13	14	16	18	20	22	23	24	25	22	14	16	15	11	10	25	13	24
24	11	8	7	6	5	4	5	7	10	15	18	22	25	28	25	26	25	22	18	17	11	9	6	10	28	14	24
25	9	12	12	12	11	11	12	16	18	20	21	24	31	35	35	40	41	39	39	38	35	33	30	28	41	25	24
26	27	25	14	8	7	7	12	14	27	32	33	38	40	45	48	50	44	41	41	33	33	28	28	27	50	29	24
27	29	31	30	31	29	29	27	29	30	31	36	53	65	74	72	82	67	40	30	26	21	20	26	30	82	39	24
28	24	18	16	AV	12	12	14	15	16	19	22	23	23	26	31	30	29	27	27	25	26	25	24	22	31	22	23
29	21	19	17	15	13	10	12	14	18	22	28	29	26	27	26	27	30	31	30	29	28	25	16	14	31	21	24
30	12	17	19	17	17	13	15	18	20	24	29	31	34	36	39	40	41	39	37	34	32	29	26	23	41	26	24
31	23	23	24	26	25	23	24	26	28	29	34	39	48	49	46	46	40	37	29	35	34	35	29	32	49	32	24
Max	36	31	40	33	29	30	27	31	35	34	41	53	65	74	72	82	67	55	56	55	50	43	38	35	82		
Avg	17	15	15	15	13	13	13	15	19	23	26	30	34	35	37	37	36	34	32	28	25	22	20	19		24	
Count	31	31	31	29	31	31	31	29	28	29	29	29	31	31	31	31	31	31	31	31	30	31	31	31	31		730



Current Date: 8/6/2014 11:59 AM

Current Date: 8/6/2014 11:59 AM

Current Date: 8/6/2014 11:59 AM

## Monthly Report

July 2014

Avg Interval: 1 hour

Units: PPB 008 Method: 047

Day		Hours																							Units:		PPB		008		Method: 047	
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Summary						
																										Max	Avg	RDS				
01	58	55	48	44	40	36	33	34	38	39	45	57	65	68	53	51	51	55	58	54	47	40	39	38	68	47	24					
02	37	38	37	36	35	32	30	28	30	32	39	47	48	49	50	52	54	43	35	37	39	34	30	28	54	38	24					
03	26	28	31	26	22	22	21	20	21	24	25	26	26	26	30	28	25	25	29	19	22	34	38	38	38	28	24					
04	38	39	39	38	35	39	33	32	28	27	33	31	35	37	39	36	31	38	41	43	42	37	42	42	43	38	24					
05	28	19	18	18	19	19	20	21	22	24	28	28	27	27	27	27	27	28	23	18	16	23	22	22	29	22	24					
06	24	25	25	26	28	29	26	25	27	31	33	36	38	40	43	45	45	46	45	38	33	31	31	33	48	33	24					
07	37	41	42	40	38	32	31	31	34	39	44	49	54	55	52	54	60	59	58	59	55	51	44	40	60	45	24					
08	40	38	31	37	37	32	29	29	34	42	51	59	74	74	73	72	69	60	53	51	52	51	49	45	74	49	24					
09	43	42	41	37	38	34	37	39	40	43	40	48	51	56	63	64	62	63	65	61	49	46	39	44	65	47	24					
10	40	36	35	AV	26	20	BF	20	22	25	27	28	29	33	27	28	30	28	25	17	17	15	15	13	40	25	22					
11	9	8	9	10	7	8	12	25	31	37	40	41	42	44	43	43	42	40	37	34	33	30	28	21	44	28	24					
12	20	16	15	13	11	10	12	16	19	23	35	44	52	58	65	67	63	54	48	49	49	49	45	43	67	38	24					
13	41	35	32	32	32	32	32	33	35	36	41	43	48	56	58	54	50	48	47	44	41	39	38	37	58	41	24					
14	36	35	34	31	31	27	29	26	27	31	37	43	48	53	64	63	54	50	49	47	43	41	38	31	64	40	24					
15	29	27	24	20	19	17	16	16	17	18	20	25	33	38	38	39	38	38	48	49	45	32	26	27	49	29	24					
16	27	26	23	23	23	27	28	29	34	35	39	BF	43	39	37	38	37	34	32	26	22	25	15	7	43	29	23					
17	13	4	6	7	5	7	7	9	19	23	28	37	35	36	37	38	36	36	37	33	29	29	23	10	38	22	24					
18	11	10	9	11	9	7	7	11	13	21	20	26	33	35	34	38	38	34	30	29	28	24	19	14	38	21	24					
19	11	8	5	6	5	5	7	6	18	28	33	34	34	34	34	27	28	33	31	30	31	33	37	35	37	23	24					
20	33	37	29	26	20	23	20	23	23	23	32	41	42	51	55	53	55	47	37	27	21	16	11	9	55	31	24					
21	11	12	10	12	10	7	11	18	20	22	23	26	26	28	28	27	28	28	28	25	23	19	17	20	28	19	24					
22	16	9	12	9	7	7	7	13	18	19	27	44	57	66	73	74	77	76	75	67	62	59	51	44	77	40	24					
23	41	50	55	54	51	49	45	42	42	43	57	65	74	85	79	74	88	88	80	50	36	35	39	29	85	53	24					
24	25	24	16	9	15	15	15	16	17	17	21	22	22	24	20	19	22	19	19	19	16	18	10	6	25	17	24					
25	7	8	12	13	15	17	15	BC	20	24	29	35	41	40	39	45	44	28	26	27	28	19	13	13	45	24	23					
26	15	13	14	16	14	13	13	17	18	23	31	46	60	62	60	61	60	61	63	60	55	42	33	38	63	37	24					
27	41	45	47	44	40	37	36	38	38	39	46	46	52	50	51	52	50	49	45	44	42	40	40	39	52	43	24					
28	38	36	30	35	30	16	20	30	35	AV	AV	47	47	46	50	53	52	49	47	48	48	39	32	28	53	38	22					
29	26	22	19	18	15	13	14	17	19	20	20	19	20	18	26	25	32	38	43	46	45	42	36	26	46	25	24					
30	13	3	0	0	1	2	2	4	9	20	27	33	32	33	34	36	38	37	36	37	34	38	37	30	38	22	24					
31	18	16	16	13	9	5	8	24	29	32	38	46	48	45	52	55	54	54	53	43	54	38	34	37	55	34	24					
Max	58	55	55	54	51	49	45	42	42	43	57	65	74	85	79	74	77	76	75	67	62	59	51	45	85							
Avg	27	25	24	23	22	20	20	23	25	28	33	39	43	45	46	48	45	44	42	39	37	34	31	28	33							
Count	31	31	31	30	31	31	30	30	31	30	30	30	31	31	31	31	31	31	31	31	31	31	31	31	31		738					



Current Date: 7/3/2014 7:01 AM

## Monthly Report

Site Name: KPW  
Parameter: O3031 : 2002  
44201

June 2014

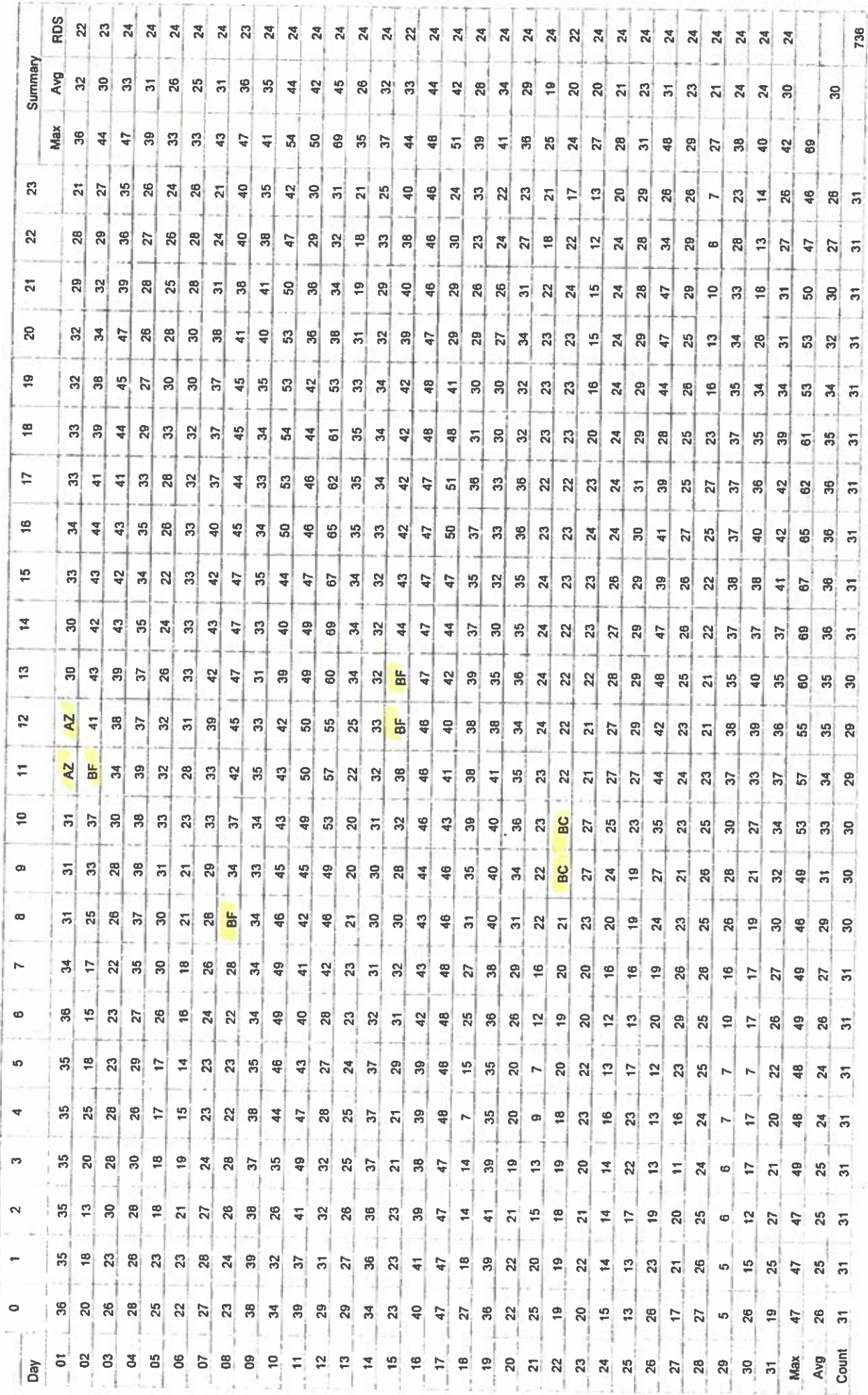
Avg Interval: 1 hour

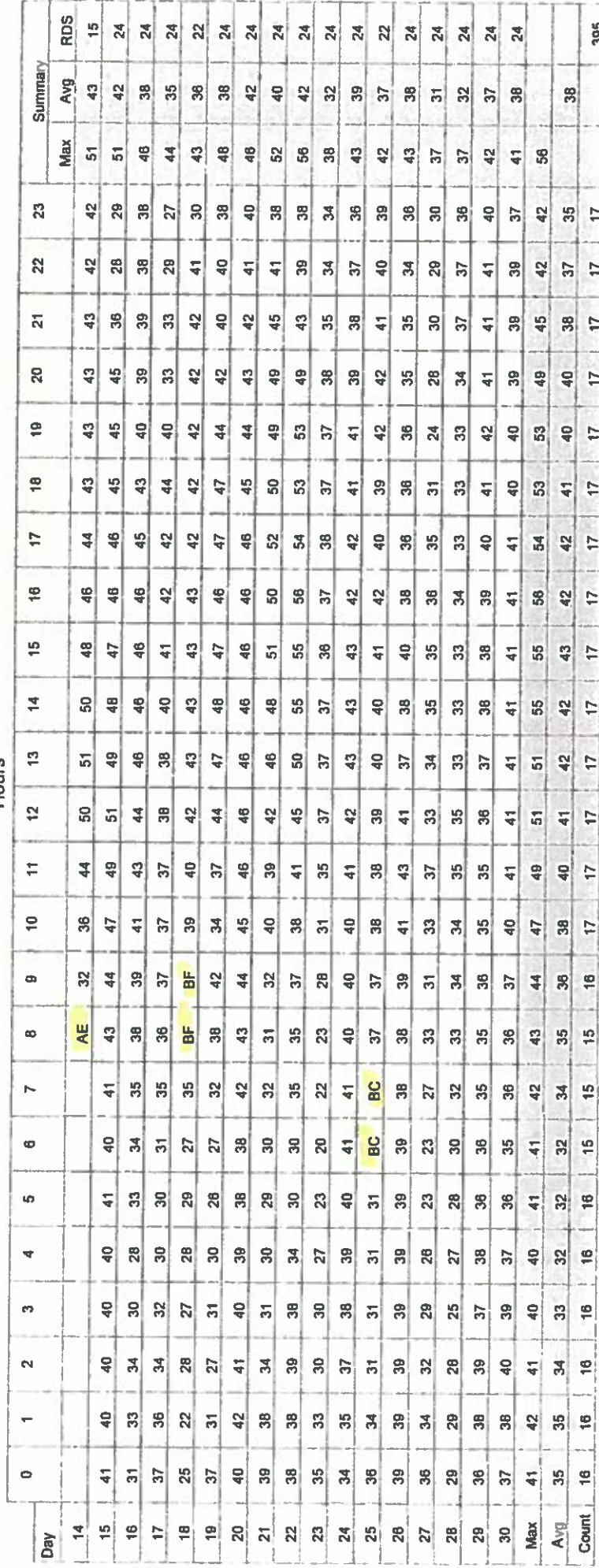
Units: PPB 008 Method: 047

## Hours

Day	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Summary			
																									Max	Avg	RDS	
01	25	23	22	21	20	23	24	31	35	36	36	37	38	37	37	36	38	39	38	35	36	35	35	37	39	32	24	
02	35	33	29	27	26	26	26	27	30	33	38	45	46	59	68	66	62	63	62	63	60	56	55	56	68	45	24	
03	53	46	46	34	22	23	37	37	39	BF	35	34	35	38	40	44	41	40	36	33	31	26	29	33	53	36	23	
04	28	26	28	28	28	22	25	25	26	26	27	27	28	28	26	26	26	23	22	20	21	22	22	23	28	25	24	
05	24	21	19	14	14	12	13	11	15	14	13	12	17	18	20	20	16	14	16	14	12	5	5	8	24	14	24	
06	9	11	9	7	8	8	8	8	12	20	24	27	27	29	31	29	26	28	23	18	15	12	14	14	31	17	24	
07	16	13	10	10	11	13	14	16	20	24	26	27	AE	AE	30	34	40	41	42	40	34	23	16	15	42	23	22	
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Max	53	51	51	47	43	41	41	38	40	41	46	61	70	74	80	76	69	63	62	63	60	56	55	56	80			
Avg	23	22	21	19	18	16	21	23	26	28	31	34	36	38	40	40	39	37	36	34	32	29	27	26		29		
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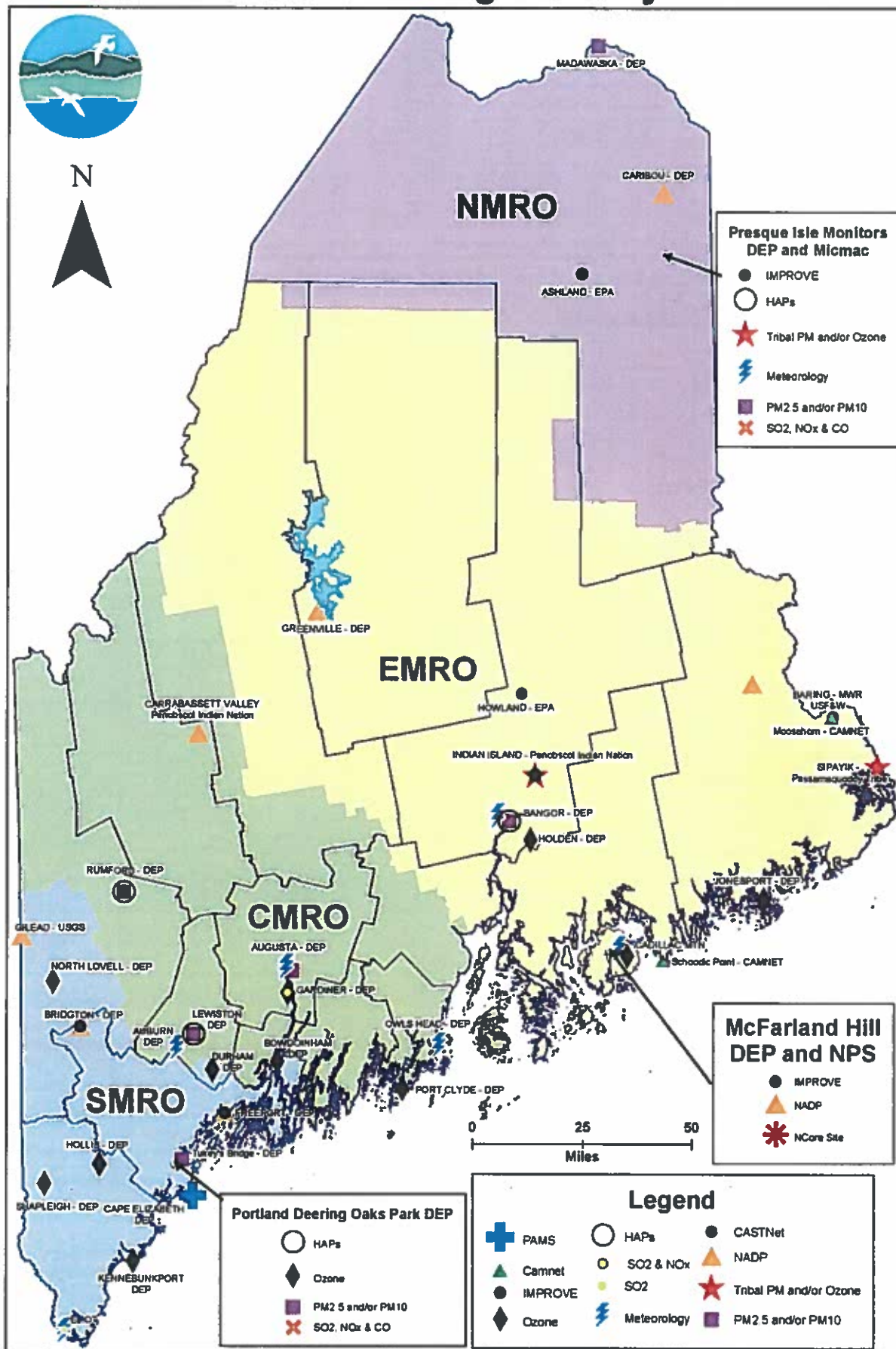


## Qualifier Codes NULL

Qualifier Code	Qualifier Desc
AA	Sample Pressure out of Limits
AB	Technician Unavailable
AC	Construction/Repairs in Area
AD	Shelter Storm Damage
AE	Shelter Temperature Outside Limits
AF	Scheduled but not Collected
AG	Sample Time out of Limits
AH	Sample Flow Rate out of Limits
AI	Insufficient Data (cannot calculate)
AJ	Filter Damage
AK	Filter Leak
AL	Voided by Operator
AM	Miscellaneous Void
AN	Machine Malfunction
AO	Bad Weather
AP	Vandalism
AQ	Collection Error
AR	Lab Error
AS	Poor Quality Assurance Results
AT	Calibration
AU	Monitoring Waived
AV	Power Failure
AW	Wildlife Damage
AX	Precision Check
AY	Q C Control Points (zero/span)
AZ	Q C Audit
BA	Maintenance/Routine Repairs
BB	Unable to Reach Site
BC	Multi-point Calibration
BD	Auto Calibration
BE	Building/Site Repair
BF	Precision/Zero/Span
BG	Missing ozone data not likely to exceed level of standard
BH	Interference/co-elution/misidentification
BI	Lost or damaged in transit
BJ	Operator Error
BK	Site computer/data logger down
BL	QA Audit
BM	Accuracy check
BN	Sample Value Exceeds Media Limit
BR	Sample Value Below Acceptable Range
CS	Laboratory Calibration Standard
DA	Aberrant Data (Corrupt Files, Aberrant Chromatography, Spikes, Shifts)
DL	Detection Limit Analyses
FI	Filter Inspection Flag
MB	Method Blank (Analytical)
MC	Module End Cap Missing
SA	Storm Approaching
SC	Sampler Contamination
ST	Calibration Verification Standard
TC	Component Check & Retention Time Standard
TS	Holding Time Or Transport Temperature Is Out Of Specs.
XX	Experimental Data



# Maine's Air Monitoring Sites by Parameter





# TOWN OF KENNEBUNKPORT, MAINE

— INCORPORATED 1653 —  
MAINE'S FINEST RESORT

**TO:** LAURIE SMITH, TOWN MANAGER  
**BOARD OF SELECTMEN**  
**FROM:** WERNER GILLIAM/BECKY NOLETTE  
**SUBJECT:** TAX IMPACT ON NON-PROFIT ORGANIZATIONS / GOVERNOR'S BUDGET PROPOSAL  
**DATE:** JANUARY 30, 2015

We did an analysis of what the tax amounts would be based on Governor LePage's budget proposal to tax currently exempt properties. Non-profit organizations that will be affected are; Kennebunkport Conservation Trust, New England Electric Railway aka Trolley Museum, Kennebunkport Historical Society, Kennebunk, Kennebunkport & Wells Water District, along with the Arundel Lodge A & FM. For our comparison, we used the Kennebunkport Conservation Trust and the New England Railway properties, as these are our largest non-profit organizations in Town.

Please note that the current assessments of these properties are not necessarily reflective of the current market. Because of their exempt status, there hasn't been a need to update the assessments. Should these become taxed properties, a more in depth review of assessed values will need to be done.

The first scenario is based on the Governor's proposal of taking the current assessed values, deducting out \$500,000 then divided the new amount by 2, then multiplying that figure by our current tax rate of \$7.63.

## KENNEBUNKPORT CONSERVATION TRUST

Total Land Value	Total Build Value	Total Parcel Value	Minus 500,000	Divided by 2	Tax Amount – tax rate of \$7.63 per thousand
13,610,600	672,000	14,282,600	13,782,600	6,891,300	52,580.62

## NEW ENGLAND ELECTRIC RAILWAY

Total Land Value	Total Build Value	Total Parcel Value	Minus 500,000	Divided by 2	Tax Amount – tax rate of \$7.63 per thousand
512,200	1,186,600	1,698,800	1,198,800	599,400	4,573.42

The next scenario, takes into account that the Kennebunkport Conservation Trust and the New England Railway properties, could qualify for the Open Space program in which the land values are reduced by 95% for KCT, and 50% for the New England Railway. The different reduction rates are contingent on how the property would be used; public access etc.

## KENNEBUNKPORT CONSERVATION TRUST

Total Land Value	Total Build Value	Total Parcel Value	Minus 500,000	Divided by 2	Tax Amount – tax rate of \$7.63 per thousand
1,716,720	672,000	2,388,720	1,888,720	944,360	7,205.47

## NEW ENGLAND ELECTRIC RAILWAY

Total Land Value	Total Build Value	Total Parcel Value	Minus 500,000	Divided by 2	Tax Amount – tax rate of \$7.63 per thousand
370,900	1,186,600	1,557,500	1,057,500	528,750	4,034.37

As you can see, there is a greater difference in the tax amounts for the Kennebunkport Conservation Trust than the New England Electric Railway, the reason for this is that the majority of the property value for the railway lies within the building value, versus the Conservation Trust where their value lies primarily in the land value.

