

## TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

**Board of Selectmen/Assessors Agenda  
Village Fire Station - 32 North Street  
March 24, 2016 - 6:00 PM**

1. Call to Order.
2. Review and vote on final FY 2017 budget.
3. Approve the March 10, and 17, 2016, selectmen meeting minutes.
4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)
5. Consider a renewal liquor license application submitted by the Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue.
6. Consider a renewal special amusement permit application submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., d.b.a. Nonantum Resort, 95 Ocean Avenue.
7. Consider a renewal liquor license application submitted by W. Scott Lee, SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue.
8. Consider a renewal special amusement permit application submitted by, W. Scott Lee and Bridget B. Lee, d.b.a. Bandaloop (SBJC, LLC), 2 Ocean Avenue.
9. Appoint Town Officers.
10. Meet as assessors to consider the following abatement request:

Property Owner	Location	Ma p	Blk	Lot(s)	Tax Abatements 2016
William F. Casey, Jr. Trustee	272 Mills RD #1D	37	2	2/1D	Denied

William F. Casey, Jr. Trustee	272 Mills RD #2D	37	2	2/2B	Denied
William F. Casey, Jr. Trustee	272 Mills RD #C9	37	2	2/C9	Denied

11. Authorize waiver of foreclosure form for sewer lien mortgage on real estate for sewer fee assessed against Ann Seavey to the Town of Kennebunkport.
12. Other business.
13. Approve the March 24, 2016, Treasurer's Warrant.
14. Adjournment.

**Town of Kennebunkport  
2017 Expense Budget**

	2017 Proposed	Additions (Deletions)	Revised Budget	Notes	Board of Selectmen	Budget Board
Dept: 25 General government						
01 - Administration	900,482.00	0.00	900,482.00			
05 - Zoning Board	300.00	0.00	300.00			
07 - Conservation Committee	1,350.00	0.00	1,350.00			
08 - Growth Planning	3,150.00	0.00	3,150.00			
09 - Legal fees	67,000.00	0.00	67,000.00			
10 - Insurance	137,600.00	0.00	137,600.00			
11 - Community Development	25,799.00	0.00	25,799.00			
12 - Planning/Development	384,240.00	0.00	384,240.00			
Dept: 27 Public safety						
01 - Police dept	1,433,668.00	0.00	1,433,668.00			
02 Communications	445,657.00	0.00	445,657.00			
03 - Fire dept	379,626.00	0.00	379,626.00			
04 - KEMS	125,000.00	0.00	125,000.00			
05 - Emergency Management	750.00	0.00	750.00			
06 - Animal Control	14,651.00	0.00	14,651.00			
07 - Harbormaster	19,783.00	0.00	19,783.00			
Dept: 29 Health & welfare						
01 - Solid Waste	461,535.00	0.00	461,535.00			
02 - Health	188,007.00	0.00	188,007.00			
03 - Welfare	3,235.00	0.00	3,235.00			
04 - Social Services	23,800.00	0.00	23,800.00			
07 - Shellfish	3,874.00	0.00	3,874.00			
10 - Public Restrooms	32,500.00	0.00	32,500.00			
Dept: 31 Public works						
01 - Highway dept	804,707.00	0.00	804,707.00			
02 - Mechanic	93,588.00	0.00	93,588.00			
03 - Utilities	172,150.00	4,000.00	176,150.00	addition of 4 new hydrants		
04 - Shade Tree	33,554.00	0.00	33,554.00			
06 - Cemetery	14,294.00	0.00	14,294.00			

	2017 Proposed	Additions (Deletions)	Revised Budget	Notes	Board of Selectmen	Budget Board
Dept: 33 Recreation & culture						
01 - Recreation	357,583.00	0.00	357,583.00			
02 - Graves Library	120,000.00	0.00	120,000.00			
03 - Cape Porpoise Library	12,675.00	0.00	12,675.00			
04 - Parsons Way	3,500.00	0.00	3,500.00			
05 - GRB Advisory	30,000.00	0.00	30,000.00			
Dept: 35 Local Circuit Breaker						
01 - Local Circuit Breaker	0.00	0.00	0.00			
Dept: 36 Overlay						
01 - Overlay	63,799.00	0.00	63,799.00			
Dept: 37 Unclassified						
07 - Contingency	65,000.00	0.00	65,000.00			
Dept: 38 Miscellaneous Agencies						
01 - Miscellaneous Agencies	7,650.00	0.00	7,650.00			
Dept: 39 Capital Outlay						
01 - Administration	5,000.00	0.00	5,000.00			
02 - Police	54,500.00	0.00	54,500.00			
03 - Communications	50,000.00	0.00	50,000.00			
04 - Fire	210,500.00	0.00	210,500.00			
06 - Highway	134,000.00	0.00	134,000.00			
09 - Road Improvement	557,600.00	0.00	557,600.00			
11 - Sidewalk Construction	160,000.00	0.00	160,000.00			
13 - Recreation	30,000.00	0.00	30,000.00			
15 - CEO/Planning	15,000.00	7,500.00	22,500.00	to purchase a new vehicle vs lease or used		
16 - Community Development	65,000.00	20,000.00	85,000.00	increase for audio/visual upgrades @ No St		
20 - Special Projects	17,500.00	0.00	17,500.00			
39 - "Piers	100,000.00	0.00	100,000.00			
Dept: 41 Debt service						
01 - Debt Service	269,388.00	(13,570.00)	255,818.00	remove sewer loan/add police building bond		
Dept: 50 Assessment						
01 - Education	9,102,107.00	0.00	9,102,107.00			
02 - County	1,148,790.00	0.00	1,148,790.00			
<b>Expense Totals:</b>	<b>18,351,909.00</b>	<b>17,930.00</b>	<b>18,367,822.00</b>			



**Town of Kennebunkport  
Board of Selectmen Meeting  
Village Fire Station-32 North Street  
March 10, 2016 – 6:00 PM**

Minutes of the Selectmen Meeting of March 10, 2016

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

**Others present:** Grace Adams, Ted Baker, Judy Barrett, Barbara Barwise, Dan Beard, David Betses, Adam Burnett, Carol Cook, Michael Claus, Michael Davis, Doug Dicey, April Dufoe, Werner Gilliam, David James, Kathryn Leffler, Jennifer Lord, Leo Martin, Arlene McMurray, Allan Moir, Michelle Powell, Craig Sanford, Laurie Smith, and Kevin Harrington

**1. Call to Order.**

Chair Matthews-Bull called the meeting to order at 6:02 PM.

**2. Joint meeting with Budget Board for fiscal year 2017 municipal budget presentation and discussion of department capital requests.**

Town Manager Laurie Smith reviewed the capital items for the fiscal year 2017 budget and the department heads presented their capital items.

**Motion** by Selectman Hutchins to appropriate \$35,000 for weekly recycling year round. No Second. Motion failed.

Chair Leo Martin adjourned the Budget Board meeting at 7:35 PM.

**3. Approve the January 7, and February 25, and March 3, 2016, selectmen meeting minutes.**

**Motion** by Selectman Hutchins, seconded by Selectman Briggs, to approve the January 7, 2016, Selectmen Meeting minutes. **Vote:** 3-0-2/Selectmen Daggett and Barwise abstained because they were not present at that meeting.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the February 25, 2016, Selectmen Meeting minutes. **Vote:** 4-0-1/Selectman Briggs abstained because he was not present at that meeting.

**Motion** by Selectman Briggs, seconded by Selectman Hutchins, to approve the March 3, 2016, Selectmen Meeting minutes. **Vote:** 4-0-1/Selectman Matthews-Bull abstained because she was not present at that meeting.

**4. Authorize Notice of Rescission of Land Purchase Installment Contract with Christopher McGuire for property described as map 13, block 4, lot 7.**

Town Manager Laurie Smith explained the circumstances that brought about this Notice of Rescission. The property located at 4 Mt. Kineo Road was owned by Grace Brennan. After her death, it was listed under the name Grace Brennan heirs. Christopher McGuire, grandson of Grace Brennan, lives in a mobile home on her property and pays taxes separately on the mobile home. He also made several tax payments on the land. When it went into foreclosure, none of the family members came forward to pay the taxes except Mr. McGuire. It was later determined through discussion with the Town attorney, that there are 13 Grace Brennan heirs and Mr. McGuire is not considered a direct, legal "heir at law."

Charles Brennan, an "heir at law," lives on the abutting parcel and would like to secure ownership of this property. Unfortunately, neither his attorney nor any of the other 13 heirs ever contacted the Town to let it be known there was any interest in securing this property. As a result, since Mr. McGuire is not considered an heir, the Town needs to rescind this land purchase installment contract.

**Motion** by Selectman Hutchins, seconded by Selectman Briggs, to authorize the Notice of Rescission of Land Purchase Installment Contract with Christopher McGuire for property described as map 13, block 4, lot 7. **Vote:** 5-0.

**5. Authorize Notice of Termination of Land Purchase Installment Contract with Christopher McGuire for property described as map 13, block 4, lot 7.**

**Motion** by Selectman Hutchins, seconded by Selectman Daggett, to authorize the Notice of Termination of Land Purchase Installment Contract with Christopher McGuire for property described as map 13, block 4, lot 7. **Vote:** 5-0

**6. 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.).**

Town Clerk April Dufoe announced a special election held on March 29 to fill the position of Maine Senator David Dutremble. The election will be located at the Village Fire Station from 8 AM to 8 PM. She said there are two people running for this seat and that absentee ballots will be available.

**7. Consider a renewal liquor license application submitted by Richard and Keith Nunan, DBA Nunan's Lobster Hut, Inc., 9 Mills Road.**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the renewal liquor license application submitted by Richard and Keith Nunan, DBA Nunan's Lobster Hut, Inc., 9 Mills Road. **Vote:** 5-0

**8. Consider a renewal liquor license application submitted by Pamela Padget, Michael Condon, and Marie Condon, DBA Alisson's Restau-**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by Pamela Padget, Michael Condon, and Marie Condon, DBA Alisson's Restaurant, 11 Dock Square. **Vote:** 5-0

**9. Consider a special amusement permit application submitted by Pamela Padget, DBA Alisson's Restaurant, 11 Dock Square.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the special amusement permit application submitted by Pamela Padget, DBA Alisson's Restaurant, 11 Dock Square. **Vote:** 5-0

**10. Consider a renewal application for a liquor license submitted by the Boughton Hotel Corp., DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal application for a liquor license submitted by the Boughton Hotel Corp., DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0

**11. Consider a renewal application for a special amusement permit submitted by Boughton Hotel Corp, DBA The Colony Hotel, 140 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal application for a special amusement permit submitted by Boughton Hotel Corp, DBA The Colony Hotel, 140 Ocean Avenue. **Vote:** 5-0

**12. Consider a renewal liquor license application for Coastal Breezes, L.L.C. DBA Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application for Coastal Breezes, L.L.C. DBA Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0

**13. Consider a special amusement permit renewal application for Coastal Breezes, L.L.C., DBA Kennebunkport Inn, 1 Dock Square.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application for Coastal Breezes, L.L.C. DBA Kennebunkport Inn, 1 Dock Square. **Vote:** 5-0

**14. Approve a Quit Claim deed for property located on 7 Kayzee Lane (map 13, block 6, lot 33A).**

Ms. Smith reported that this property was in foreclosure and the property owners Angela West and David Perfect paid the back taxes.



**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Quit Claim deed for property located on 7 Kayzee Lane (map 13, block 6, lot 33A). **Vote:** 5-0

**15. Meet as assessors to consider the following abatement request:**

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatement 2016
Dee Anne Marie	106 Main St.	22	9	17	\$280.28

**Motion** by Selectman Daggett, seconded by Selectman Barwise, to approve the tax abatement as recommended by Assessors Agent Donna Moore Hayes.

**Vote:** 5-0

**16. Authorize the Town Manager to sign the Animal Shelter Agreement.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to authorize the Town Manager to sign the Animal Shelter Agreement. **Vote:** 5-0

**17. Accept donation of \$1,000 to the Kennebunkport nurses fees and donation account from the family of Doris Bott.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to accept the donation of \$1,000 with gratitude to the Kennebunkport nurses fees and donation account from the family of Doris Bott. **Vote:** 5-0

**18. Other business.**

Highway Superintendent Michael Claus explained that he received a request to allow trucks to deliver concrete and lumber to Hidden Pond next Thursday, March 17. This would require him to unpost the road (remove vehicle weight restrictions). He said this would involve between Route 9 and the ocean, a section of Goose Rocks Road between Oak Ridge Road and Route 9, and Beachwood Avenue. He does not object to unposting the road for this delivery.

The Board supports Mr. Claus's decision.

Ms. Smith announced the public works will be sweeping the town roads the week of March 14 to March 18. Residents who wish may sweep winter sand from the edge of their property to the edge of the road in piles.

Ms. Smith congratulated Treasurer Jen Lord. The Town received for the third year in a row the Certificate of Achievement for Excellence in Financial Reporting. It is the highest form of recognition in governmental accounting and financial reporting.

**19. Approve the March 10, 2016, Treasurer's Warrant.**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the March 10, 2016, Treasurer's Warrant. **Vote:** 5-0.

**20. Adjournment.**

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

The meeting adjourned at 8 PM.

Submitted by

Arlene McMurray  
Administrative Assistant



**Town of Kennebunkport  
Selectmen/Budget Board Meeting  
March 17, 2016  
6 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of March 16, 2016

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

Selectmen absent: Allen A. Daggett

**Budget Board:** Ted Baker, Dan Beard, David Betses, Adam Burnett, Doug Dicey, David James, Kathryn Leffler, Leo Martin, Dawn Morse, Michelle Powell

**Others:** Judy Barrett, MaryLou Boucouvalas, Brad Bohon, Jim Burrows, Brad Chicoine, Michael Claus, Jean Conaty, Michael Davis, Ruth Fernandez, Werner Gilliam, Megan Gendron, Alison Kenneway, Jen Lord, Mia Millefogle, Bob Pappas, Deb Paradis, Susan Petit, Dick Smith, Suzanne Stohlman, Laurie Smith, Ted Trainer, and others

**1. Call to Order.**

Chair Matthews-Bull called the meeting to order at 6:00 PM.

**2. Joint meeting with Budget Board for fiscal year 2016 municipal budget presentation and discussion with town committees, outside agencies and social services.**

Chair Leo Martin called the Budget Board Meeting to order at 6:00 PM.

Town Manager Laurie Smith mentioned the items on the joint Boards' agenda that were open for discussion.

David James of the Budget Board Subcommittee presented their funding recommendations.

Representatives of some of the health and welfare social service agencies, miscellaneous agencies, and libraries gave their presentations.

Ms. Smith announced the upcoming meetings.

The Budget Board adjourned at 7:46 PM.

**3. Adjournment.**

**Motion** by Selectmen Hutchins, seconded by Selectman Barwise to adjourn.

**Vote:** 4-0.

The meeting adjourned at 7:46 PM.

Submitted by Arlene McMurray  
Administrative Assistant  
Minutes taken via online broadcast.

## Bandaloop

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

✓

Police Chief

✓

Fire Inspector

✓

Code Enforcement Officer

Capri Dwyer, Town Clerk

## Nonantum 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

Capri Dwyer, Town Clerk

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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 4-12-16

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ SPIRITUOUS ☒ VINOUS

INDICATE TYPE OF LICENSE:

- ☒ RESTAURANT (Class I,II,III,IV)  
☒ HOTEL-OPTIONAL 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:

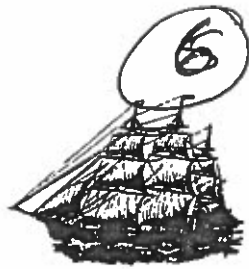
REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) - (Sole Proprietor, Corporation, Limited Liability Co., etc.)			2. Business Name (D/B A)		
DOB: <u>SEASIDE HOTEL ASSOC. LTD.</u>			<u>NONANTUM RESORT</u>		
DOB: <u>PARTNERSHIP</u>					
DOB:			Location (Street Address)		
Address <u>220 NAIMEHAN ROAD</u>			<u>95 OCEAN AVENUE</u>		
City/Town <u>SO. PORTLAND</u> State <u>ME</u> Zip Code <u>04106</u>			City/Town <u>KENNEBUNKPORT</u> State <u>ME</u> Zip Code <u>04046</u>		
			Mailing Address		
			<u>PO BOX 2626</u>		
City/Town <u>SO. PORTLAND</u> State <u>ME</u> Zip Code <u>04106</u>			City/Town <u>KENNEBUNKPORT</u> State <u>ME</u> Zip Code <u>04046</u>		
Telephone Number <u>207-967-0231</u> Fax Number <u>207-967-1208</u>			Business Telephone Number <u>207-967-4050</u> Fax Number <u>207-967-8451</u>		
Federal I.D. #			Seller Certificate # <u>0237544</u>		

EMAIL ADDRESS: STAY@NONANTUMRESORT.COM

3. If premises is a hotel indicate number of rooms available for transient guests: 109
4. State amount of gross income from period of last license: ROOMS \$ 356,513 FOOD \$ 1,605,382 LIQUOR \$ 615,534
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
- complete Supplemental Questionnaire, If YES



# TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -  
MAINE'S FINEST RESORT

## APPLICATION

### SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant SEASIDE HOTEL ASSOCIATES  
Residence Address 11 TIDEWATER CT, KENNEBUNK, ME 04043  
Home Telephone Number 207 590 0922  
Name of Business TINA HEWITT-GARON  
Business Address 95 OCEAN AVENUE,  
Type of Business RESORT HOTEL  
Business Telephone Number 207 967 4050  
Nature of Special Amusement MUSIC, DANCING

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

Yes \_\_\_\_\_ No X

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

1. Permit Fee: \$ 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.

Tina Hewitt-Garon  
applicant



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**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:** 5117 **CLASS:** A

**DEPOSIT DATE**

**AMT. DEPOSITED:** **BY:**

**CK/MO/CASH:**

**PRESENT LICENSE EXPIRES** 3/25/16

**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>			<b>2. Business Name (D/B/A)</b>		
Warren Scott Lee DOB: 3/7/70			SBJC, LLC (Bandaloop)		
Bridget B. Lee DOB: 10/7/69			2 Ocean Avenue		
DOB:			Location (Street Address)		
Address 200 Oak Grove Lane			Kennebunkport ME 04046		
City/Town State Zip Code			City/Town State Zip Code		
Kennebunkport ME 04046			Kennebunkport ME 04046		
Telephone Number 207-967-9994			Business Telephone Number 207-967-4994		
Fax Number N/A			Fax Number		
Federal I.D. #			Seller Certificate # 1074962		

**EMAIL ADDRESS:** info@bandaloop.biz

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 \$ X FOOD \$ 120,000 LIQUOR \$ 300,000
5. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

complete Supplementary Questionnaire, If YES



# TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

## APPLICATION

### SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant W. Scott Lee  
Residence Address 5 Oak Grove Lane Kport ME 04046  
Home Telephone Number (207) 205 4994 c  
Name of Business SBIC, LLC dba Bandaloop  
Business Address 2 Ocean Avenue  
Type of Business Restaurant  
Business Telephone Number 207 967 4994  
Nature of Special Amusement music, dancing

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

Yes \_\_\_\_\_ No X

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Permit Fee: \$ 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.

W. Scott Lee  
applicant

**MEMORANDUM**

**DATE:** March 9, 2016  
**TO:** Laurie Smith, Town Manager  
**FROM:** April Dufoe, Town Clerk  
**SUBJECT:** Appointed Town Officers

The following appointed Town Officers need to be reappointed for the upcoming year. Please put this on the March 24th Selectmen's agenda. Thank you.

Animal Control Officer	David R. Conway
Assessor's Agent	Donna Moore Hays, CMA
Code Enforcement Officer	Werner D. Gilliam
Asst. Code Enforcement Officer	Wayne B. Mathews
Plumbing Inspector	Werner Gilliam
Plumbing Inspector	Wayne B. Mathews
Constable	April Dufoe
Emergency Management Director	Craig Sanford
Fire Inspector	Allan K. Moir
Harbor Master-Cape Porpoise	Lee F. McCurdy
Harbor Master-Kennebunk River	Ray Billings
Health Officer	Judith A. Barrett
Public Access Officer	April Dufoe
Registrar of Voters	April Dufoe
Road Commissioner	Michael W. Claus
Shellfish Warden	
Street Naming & Numbering Delegate	James E. Burrows
Tax Collector	Laurie A. Smith
Town Clerk	April Dufoe
Town Forester	Patrick A. Briggs
Treasurer	Jennifer L. Lord
Tree Warden	Karen A. Schlegel

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**Town of Kennebunkport  
Certificate of Abatement**

**36 M.R.S.A. § 841**

**2015**

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been denied as follows:

Date: March 24, 2016  
Type of Tax: Real Estate  
Tax Year: April 1, 2015  
Amount Abated: Denied  
Taxpayer: William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Conventry Road  
Atkinson, NH 03811  
Location: 272 Mills Rd. #2B  
MBL: 37/2/2/2B  
Date: March 24, 2016

\_\_\_\_\_  
Stuart Barwise

\_\_\_\_\_  
Patrick A. Briggs

\_\_\_\_\_  
Allen A. Daggett

\_\_\_\_\_  
Edward W. Hutchins

\_\_\_\_\_  
Sheila Matthews-Bull

Board of Assessors/Selectmen



## TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

March 9, 2016

William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Coventry Road  
Atkinson NH 03811

Dear Mr. Casey,

This is in response to your request for abatement on your property identified as Map 37, Block 2, Lot 2-2B. I realize that you have concerns about the inaction of the developer, and the possible adverse reaction on the valuations. As you know a full revaluation was completed for the April 1, 2009 tax year. The sales study used to arrive at our current assessments covered a period of April 1, 2007 through April 1, 2009 and all sales after that date will be used in the future adjustments of values to maintain equity. In 2012 we found that a reduction in value was warranted. All units were given a reduction in value of \$34,800 with the exception of the cottages. I continue to look at the sales each year and because there are a limited amount of sales for the units, there is no indication of an inequity. I will continue to follow the sales activity for the units, and should market conditions change, I will make the necessary adjustments to maintain equity.

I have reviewed the information you provided regarding the developer as well as the assessed values that you are willing to accept. The Town of Kennebunkport's values are based on actual sales prices and any adverse actions or inactions by the developer would be reflected in the sales prices.

When reviewing your concern about the bathroom count for the other units in Building 2, in comparison to yours, I have adjusted the bathroom counts of the other units.

Unfortunately the only way to measure the damage the developer/declarant has on your value is with the actual sales and until there is some true indication in the market our current assessments are equitable and a reduction in value on this unit is not warranted. It will be my recommendation to the Board of Selectmen/Assessors this abatement be denied at their March 24, 2016 meeting.

Sincerely,

Donna Moore Hays, CMA  
Assessors Agent

RECEIVED  
JAN 25 2016

KENNEBUNKPORT ASSESSOR'S OFFICE  
APPLICATION FOR ABATEMENT OF PROPERTY TAXES  
(Pursuant to Title 36 M.R.S.A. § 841)

BY:

WILLIAM F. CASEY, JR. TRUSTEE

1. NAME OF APPLICANT: CKM REALTY TRUST
2. ADDRESS OF APPLICANT: 52 CONVENTY ROAD  
ATKINSON, NH 03811
3. TELEPHONE NUMBER: 617 960 6045
4. STREET ADDRESS OF PROPERTY: 272 MILLS ROAD #2B
5. MAP/BLOCK/LOT: 37/2/2/2B
6. ASSESSED VALUATION:

(a)	LAND:	\$ <u>50,200</u>
(b)	BUILDING:	\$ <u>86,600</u>
(c)	TOTAL:	\$ <u>136,800</u>
7. OWNER'S OPINION OF CURRENT VALUE:

(a)	LAND:	\$ <u>30,200</u>
(b)	BUILDING:	\$ <u>79,900</u>
(c)	TOTAL:	\$ <u>110,100</u>
8. ABATEMENT REQUESTED (VALUATION AMOUNT): \$26,700
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2015
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: NONE

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

SEE STATEMENT ATTACHED - 2 PAGES

The above statements are correct to the best of my knowledge and belief.

JANUARY 23, 2016  
Date

William F. Casey, Jr. TRUSTEE  
Signature of Applicant CKM REALTY TR

**THIS APPLICATION MUST BE SIGNED**

A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."

Attached Statement to Application for Abatement of Property Taxes for Fiscal Year 2015  
For CKM Realty Trust  
RE: 272 Mills Road (37/2/2/2B)

2015 is now the fourth year in which all units, including 2B, owned by CKM Realty Trust at the Resort at Goose Rocks have been classified impaired. The financial and operational reports and conditions, regarding all common and limited common areas and elements at the Resort at Goose Rocks remain unsatisfactory, unacceptable, incomplete or more greatly depreciated than reflected by the town of Kennebunkport's valuation assessment. Problems with water supply, septic system, basement storage use, roadway and parking use, ease and safety of unit entry, and several other health and safety issues have again been experienced in 2015. Unit 2B was occupied for only 32.8% (based on # of days) and 29.0% (based upon # of people-full occupancy equivalent) for the period of April 16, 2015 through October 15, 2015. This occupancy rate falls within the range for the average and mean average for all units owned by the Trust which ranged from 19.3% to 38.6%. The average and means for Trust owned units are deemed to be representative of the overall Resort occupancy level. Infrastructure problems at overall occupancy levels of less than 40% are a serious concern to the Trust and the following valuation assessment adjustments for unit 2B are requested:

1. \$8,000 reduction in land value assessment is requested for the off resort private water supply line that was reported (to the State of Maine Public Utility Commission) to have been installed nearly 50 years ago. The trust is unaware of any adequate replacement reserve for such water line by either the Resort Association or the Mills Road Water Association. Age, location, condition, and concern for water supply and water pressure capacity at full Resort occupancy have been factors in this adjustment request. (Land or Land Improvement related item).
2. \$8,000 reduction in land value assessment is also requested for the septic tank which services unit 2B. During 2015, I twice observed the septic tank pumping for tank 2-2 which appears to be ancient (estimated to have also been installed nearly 50 years ago, only 1,000 gallons in capacity, and appears to be servicing 4 units (1 with, 3 bedrooms with 2 full baths and 3 with 2 bedrooms each and 1.5 bathrooms each) of the 6 units in building 2 plus the reception office with a bathroom. Tank 2-1 which appears to be of the same vintage and same 1,000 gallon capacity is servicing the other 2 units (also 2 bedroom and 1.5 bathrooms each). While I am unaware of any problems with tank 2-1, a problem with the septic tank 2-2 (or it's leaching) required service during August rental tenant occupancy in 2015. At 250 gallons per bedroom or 750 gallons per two bedroom unit and 1000 gallons per 2 bedroom, it can be strongly argued that the single tank servicing the 4 units, plus office in building 2 should be 2,250 to 3,250 gallons in capacity, or that an additional 1,250 to 2,250 gallon septic tank should be added. The age, size, and current year experience with this (2-2, and concern for tank capacity at full unit or building occupancy have been factors in this adjustment request. (Land and land improvement related item).
3. \$4,000 reduction in land value assessment is also requested for all other land and land improvement related issues, including inadequate and unsafe parking and roadway conditions and issues that exist at these lower overall occupancy levels which may worsen as overall Resort occupancy levels increase
4. \$2,400 reduction in building value assessment is requested to reduce unit 2B building assessment from \$86,600 to \$84,200 (so that it is assessed at the same rate as the other comparable first floor unit (2C) in building 2. While unit 2A has 2 full baths, the remaining 5 units in Building 2 have 1.5 baths, but town assessment records reflect only 1.0 baths for the other 4 units in building 2 and 1.5 baths for unit 2B only. Total rooms for unit 2B should be reflected as 4, not 5. This excess assessment, which has existed for some time now, is deemed unfair and unjustified.
5. \$4,300 (approximate 5%) reduction in building value assessment is also requested to adjust the depreciation factor from 98% to 93%. Basement or shed storage for unit 2B remains missing or undelivered since 2009.

Attached Statement to Application for Abatement of Property Taxes for Fiscal Year 2015  
For CKM Realty Trust  
Re: 272 Mills Road (37/2/2/2B)

6. Sixteen flat units were sold by the developer in 2010, at a high price of \$120,000, a low price of \$95,000, averaging \$106,960, and with a mean average price of \$109,000. I strongly believe those prices reflect the proper assessed valuation base for all flat units when Resort density (and dilution) was allowed to increase from 64 to 84 units, without the installation of a direct water main hook up to Kennebunk, Kennebunkport and Wells Water District and without adequate septic system upgrade to provide minimum 250 gallon capacity per bedroom or 750 gallon capacity per 2 bedroom unit was completed or required.
7. Four flat units were resold since 2010, at a high price of \$122,000, a low price of \$95,000, averaging \$111,000 and with a mean average of \$113,500.
8. I believe that based upon current financial (inadequate completion or replacement reserves) conditions and current physical operating conditions (as described in items 1-5 above) that the \$26,700 abatement request to lower the total assessed value for unit 2B from \$136,800 to \$110,100 is both fair and reasonable.
9. I believe that the sales price history of 20 (23.8%) units since 2009 (as summarized in items 6-7 above) further supports this abatement request.

Thank you for your attention and consideration in this abatement request.

Respectfully submitted

 TRUSTEE

William F. Casey, Jr., Trustee

CKM Realty Trust

January 23, 2016





**Town of Kennebunkport  
Certificate of Abatement**

**36 M.R.S.A. § 841**

**2015**

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been denied as follows:

Date: March 24, 2016  
Type of Tax: Real Estate  
Tax Year: April 1, 2015  
Amount Abated: Denied  
Taxpayer: William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Conventry Road  
Atkinson, NH 03811  
Location: 272 Mills Rd. #C9  
MBL: 37/2/2/C9  
Date: March 24, 2016

\_\_\_\_\_  
Stuart Barwise

\_\_\_\_\_  
Patrick A. Briggs

\_\_\_\_\_  
Allen A. Daggett

\_\_\_\_\_  
Edward W. Hutchins

\_\_\_\_\_  
Sheila Matthews-Bull

Board of Assessors/Selectmen



# TOWN OF KENNEBUNKPORT, MAINE

~ INCORPORATED 1653 ~

MAINE'S FINEST RESORT

March 10, 2015

William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Coventry Road  
Atkinson NH 03811

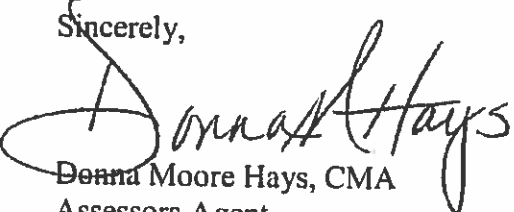
Dear Mr. Casey,

This is in response to your request for abatement on your property identified as Map 37, Block 2, Lot C-9. I realize the basis of this request is the inaction of the developer and the possible adverse reaction on valuations. All our valuations are based on sales and according to the actual purchase price of property as stated on the Declaration of Value filed with Maine Revenue Services. As you know a full revaluation was completed for the April 1, 2009 tax year. As part of my job as the Assessor, it is my responsibility to look at sales prices, in comparison with the assessments of the properties in Kennebunkport, to maintain fair & equitable values on all properties. I've looked at the most recent sales for the Cottage units at the Resort at Goose Rocks, and find that the values for the cottages fall within the 10% deviation allowed. In reviewing the sales, the average ratio is 1.03%, well within the standard. I have enclosed the listing of the most recent sales of the Cottage Units.

I have reviewed the information you provided regarding the developer as well as the assessed values that you are willing to accept. The Town of Kennebunkport's values are based on actual sales prices and any adverse actions or inactions by the developer would be reflected in the sales prices.

Unfortunately the only way to measure the damage the developer/declarant has on your value is with the actual sales and until there is some true indication in the market our current assessments are equitable and a reduction in value on this unit is not warranted. It will be my recommendation to the Board of Selectmen/Assessors this abatement be denied at their March 24, 2016 meeting.

Sincerely,

  
Donna Moore Hays, CMA  
Assessors Agent

KENNEBUNKPORT ASSESSOR'S OFFICE  
APPLICATION FOR ABATEMENT OF PROPERTY TAXES  
(Pursuant to Title 36 M.R.S.A. § 841)

RECEIVED  
JAN 25 2016

WILLIAM F CASEY, JR. BY TRUSTEE

1. NAME OF APPLICANT: CKM REALTY TRUST
2. ADDRESS OF APPLICANT: 52 CUNEFAY ROAD  
ATKINSON, NH 03811
3. TELEPHONE NUMBER: 617 960 6045
4. STREET ADDRESS OF PROPERTY: 272 MILLS ROAD # C9
5. MAP/BLOCK/LOT: 37/2/2/C9
6. ASSESSED VALUATION:

(a)	LAND:	\$ <u>85,000</u>
(b)	BUILDING:	\$ <u>121,700</u>
(c)	TOTAL:	\$ <u>206,700</u>
7. OWNER'S OPINION OF CURRENT VALUE:

(a)	LAND:	\$ <u>65,000</u>
(b)	BUILDING:	\$ <u>121,700</u>
(c)	TOTAL:	\$ <u>186,700</u>
8. ABATEMENT REQUESTED (VALUATION AMOUNT): 20,000
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2015
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: NONE

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

SEE STATEMENT ATTACHED (1 PAGE)

The above statements are correct to the best of my knowledge and belief.

JANUARY 23 2016  
Date

William F Casey Jr TRUSTEE  
Signature of Applicant

**THIS APPLICATION MUST BE SIGNED**

A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."

Attached Statement to Application for Abatement of Property Taxes for Fiscal Year 2015  
For CKM Realty Trust  
RE: 272 Mills Road (37/2/2/C9)

2015 is now the fourth year in which all units, including C9, owned by CKM Realty Trust at the Resort at Goose Rocks have been classified impaired. The financial and operational reports and conditions, regarding all common and limited common areas and elements at the Resort at Goose Rocks remain unsatisfactory, unacceptable, incomplete or more greatly depreciated than reflected by the town of Kennebunkport's valuation assessment. Problems with water supply, septic system, basement storage use, roadway and parking use, ease and safety of unit entry, and several other health and safety issues have again been experienced in 2015. Unit C9 was occupied for 74.9% (based on # of days) and 25.5% (based upon # of people-full occupancy equivalent) for the period of April 16, 2015 through October 15, 2015. This occupancy rate is above the average and mean average (for days), and is the mean average (# of people FOE) for all trust owned units (average and mean average ranged from 19.3% to 38.6%). The average and means for Trust owned units are deemed to be representative of the overall Resort occupancy level. Infrastructure problems at overall occupancy levels of less than 40% are a serious concern to the Trust and the following valuation assessment adjustments for unit C9 are requested:

1. \$8,000 reduction in land value assessment is requested for the off resort private water supply line that was reported (to the State of Maine Public Utility Commission) to have been installed nearly 50 years ago. The trust is unaware of any adequate replacement reserve for such water line by either the Resort Association or the Mills Road Water Association. Age, location, condition, and concern for water supply and water pressure capacity at full Resort occupancy have been factors in this adjustment request. (Land or Land Improvement related item).
2. \$8,000 reduction in land value assessment is also requested for the septic tank which services unit C9. During 2015, I observed the septic tank pumping for the septic tank that seems to service cottage C9 and 2 other 2 bedroom cottages. I was unable to clearly determine which cottages are served by this tank. If only 3 cottages are served, a total of 6 bedrooms and 5-6 full bathrooms may be on that tank. The tank appears to be new and is either 1,000 gallon (estimate at pumping) or 1,250 (per town records). Problems with this septic tank (methane-sewer gas smell) experienced in both 2012 and 2013 when occupancy for unit and area were both low (below above averages for 2015). At 250 gallons per bedroom or 750 gallons per two bedroom unit, it can be strongly argued that the single tank servicing the assumed (still to be determined) 3 units should be 1,500 to 2,250 gallons in capacity, or that an additional 1,000 gallon septic tank or more should be added. The adequacy of this unique (minimalistic) system at full cottage and full cottage area occupancy is a major concern and primary factor in this adjustment request. (Land and land improvement related item).
3. \$4,000 reduction in land value assessment is also requested for all other land and land improvement related issues, including inadequate and unsafe parking and roadway conditions and issues that exist at these lower overall occupancy levels which may worsen as overall Resort occupancy levels increase
4. I believe that based upon current financial (inadequate completion or replacement reserves) conditions and current physical operating conditions (as described in items 13 above) that the \$20,000 abatement request to lower the total assessed value for unit C9 from \$206,700 to \$186,700 is both fair and reasonable.

Thank you for your attention and consideration in this abatement request.

Respectfully submitted

 TRUSTEE

William F. Casey, Jr., Trustee, CKM Realty Trust

January 23, 2016

Map	Block	Lot	Lot Cut	Location	Grantee	Sale Date	Price	Assessed Value	Ratio
37	2	2	C31	272 MILLS ROAD #C31	SCHMIDT BRYAN A & KAREN A	11/3/2015	204,500.00	200,900.00	0.98
37	2	2	C30	272 MILLS ROAD #C30	RYANS ENTERPRISES LLC	9/15/2015	-	193,900.00	NA
37	2	2	C17	272 MILLS ROAD #C17	WALKER STEPHEN A & MARGARET T	7/8/2015	164,400.00	184,000.00	1.12
37	2	2	C24	272 MILLS ROAD #C24	DATZENKO DARISE	7/7/2015	159,000.00	184,800.00	1.16
37	2	2	C13	272 MILLS ROAD #C13	NARATH HELMAR & ERICA TRUSTEES	6/12/2015	238,720.00	200,400.00	0.84
37	2	2	C12	272 MILLS ROAD #C12	PHILBIN THIA M	5/26/2015	207,500.00	193,400.00	0.93
37	2	2	C16	272 MILLS ROAD #C16	RANNEY HEATHER	5/22/2015	164,000.00	184,800.00	1.13
37	2	2	C19	272 MILLS ROAD #C19	SUCH DANIEL J & WILLIAMS ADRIENNE G	5/12/2015	167,500.00	193,400.00	1.15
37	2	2	C18	272 MILLS ROAD #C18	ANDERSON JOHN & MARY LOU	5/11/2015	199,500.00	200,400.00	1
37	2	2	C28	272 MILLS ROAD #C28	ZECCO ROBERT P & PAULA M	5/11/2015	-	193,400.00	NA
37	2	2	C29	272 MILLS ROAD #C29	HARVEY CAROL P & FRANCIS S JR	5/4/2015	182,000.00	200,400.00	1.1
37	2	2	C11	272 MILLS ROAD #C11	DREW DIANE E	2/10/2015	229,000.00	200,000.00	0.87
37	2	2	C1	272 MILLS ROAD #C1	MISELIS RANDALL W TRUSTEE	11/7/2014	-	190,100.00	NA
37	2	2	C25	272 MILLS ROAD #C25	MISTRETTA DAVID A & RITA H	10/22/2014	209,000.00	191,300.00	0.92
37	2	2	C14	272 MILLS ROAD #C14	DUNKLEY KAREN E	10/14/2014	175,000.00	193,400.00	1.11
37	2	2	C20	272 MILLS ROAD #C20	GALEAZZI THOMAS J & LYNDA J	10/7/2014	177,000.00	193,400.00	1.09
37	2	2	C8	272 MILLS ROAD #C8	KUDRIKOW JASON & SARAH	9/23/2014	235,000.00	201,200.00	0.86
37	2	2	C27	272 MILLS ROAD #C27	HALL THOMAS A & KRISTINE C	8/18/2014	169,782.00	193,400.00	1.14
37	2	2	C15	272 MILLS ROAD #C15	ZORY STANLEY & HELLER MARGARET A	7/18/2014	224,900.00	193,900.00	0.86
37	2	2	C21	272 MILLS ROAD #C21	MONTELLO MICHAEL R & ELIZABETH J	6/30/2014	174,000.00	193,400.00	1.11
37	2	2	C22	272 MILLS ROAD #C22	CARLSON ELAINE M & O'KEEFE NANCY L	4/3/2014	177,500.00	184,800.00	1.04
37	2	2	C5	272 MILLS ROAD #C5	PODOLSKY ERIC W & ARENA ANGELA L TRSTEE	1/6/2014	-	201,100.00	NA
37	2	2	C10	272 MILLS ROAD #C10	THORNTON LYNDA J	8/9/2013	231,250.00	202,300.00	0.87
37	2	2	C26	272 MILLS ROAD #C26	DEBENEDICTS LAURA	7/16/2013	168,500.00	193,400.00	1.15
37	2	2	C6	272 MILLS ROAD #C6	WULF MARCUS C & WULF JOAN TRUSTEES	6/20/2013	147,900.00	184,900.00	1.25
37	2	2	C7	272 MILLS ROAD #C7	GOFFSTEIN SCOTT A TRUSTEE	6/20/2013	158,900.00	185,300.00	1.17
37	2	2	C23	272 MILLS ROAD #C23	GREGORIO JOHN J & TARA M	6/4/2012	172,500.00	189,500.00	1.1
37	2	2	C9	272 MILLS ROAD #C9	CASEY WILLIAM F JR TRUSTEE	10/11/2011	241,000.00	206,700.00	0.86
37	2	2	C4	272 MILLS ROAD #C4	HOLLAND SCOTT W	11/19/2010	230,000.00	209,500.00	0.91
37	2	2	C3	272 MILLS ROAD #C3	DANE STEPHEN T & PATRICIA W	10/2/2009	210,000.00	209,500.00	1
37	2	2	C2	272 MILLS ROAD #C2	FERRIANI JOHN P & DENISE M	7/17/2009	190,000.00	189,900.00	1



**Town of Kennebunkport  
Certificate of Abatement**

**36 M.R.S.A. § 841**

**2015**

We, the undersigned Assessors/Municipal Officers of the municipality of Kennebunkport, Maine hereby certify to Laurie A. Smith, Tax Collector that an abatement of property taxes has been denied as follows:

Date: March 24, 2016

Type of Tax: Real Estate

Tax Year: April 1, 2015

Amount Abated: Denied

Taxpayer: William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Conventry Road  
Atkinson, NH 03811

Location: 272 Mills Rd. #1D

MBL: 37/2/2/1D

Date: March 24, 2016

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Stuart Barwise

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Patrick A. Briggs

---

Allen A. Daggett

---

Edward W. Hutchins

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Sheila Matthews-Bull

Board of Assessors/Selectmen





## TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653 -

MAINE'S FINEST RESORT

March 9, 2016

William F. Casey, Jr. Trustee  
CKM Realty Trust  
52 Coventry Road  
Atkinson NH 03811

Dear Mr. Casey,

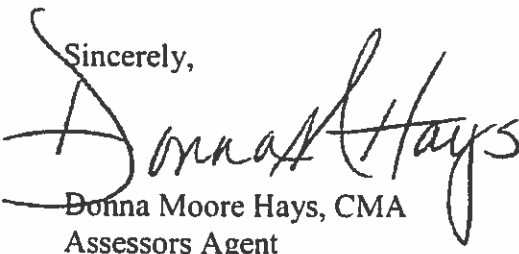
This is in response to your request for abatement on your property identified as Map 37, Block 2, Lot 2-1D. I realize that you have concerns about the inaction of the developer, and the possible adverse reaction on the valuations. As you know a full revaluation was completed for the April 1, 2009 tax year. The sales study used to arrive at our current assessments covered a period of April 1, 2007 through April 1, 2009 and all sales after that date will be used in the future adjustments of values to maintain equity. In 2012 we found that a reduction in value was warranted. All units were given a reduction in value of \$34,800 with the exception of the cottages. I continue to look at the sales each year and because there are a limited amount of sales for the units, there is no indication of an inequity. I will continue to follow the sales activity for the units, and should market conditions change, I will make the necessary adjustments to maintain equity.

I have reviewed the information you provided regarding the developer as well as the assessed values that you are willing to accept. The Town of Kennebunkport's values are based on actual sales prices and any adverse actions or inactions by the developer would be reflected in the sales prices.

When reviewing your concern about the bathroom count for the other units in Building 1, in comparison to yours, I have adjusted the bathroom counts of the other units.

Unfortunately the only way to measure the damage the developer/declarant has on your value is with the actual sales and until there is some true indication in the market our current assessments are equitable and a reduction in value on this unit is not warranted. It will be my recommendation to the Board of Selectmen/Assessors this abatement be denied at their March 24, 2016 meeting.

Sincerely,

  
Donna Moore Hays, CMA  
Assessors Agent

KENNEBUNKPORT ASSESSOR'S OFFICE  
APPLICATION FOR ABATEMENT OF PROPERTY TAXES  
(Pursuant to Title 36 M.R.S.A. § 841)

RECEIVED  
JAN 25 2016

WILLIAM F CASEY, BY: TRUSTEE

1. NAME OF APPLICANT: CKM REALTY TRUST
2. ADDRESS OF APPLICANT: 52 CLEMENTY ROAD  
ATKINSON, NH 03811
3. TELEPHONE NUMBER: 617 960 6045
4. STREET ADDRESS OF PROPERTY: 272 MILL ROAD #10
5. MAP/BLOCK/LOT: 37/2/2/10
6. ASSESSED VALUATION:

(a)	LAND:	\$ <u>50,200</u>
(b)	BUILDING:	\$ <u>90,500</u>
(c)	TOTAL:	\$ <u>140,700</u>
7. OWNER'S OPINION OF CURRENT VALUE:

(a)	LAND:	\$ <u>30,200</u>
(b)	BUILDING:	\$ <u>83,600</u>
(c)	TOTAL:	\$ <u>113,800</u>
8. ABATEMENT REQUESTED (VALUATION AMOUNT): \$ 26,900
9. TAX YEAR FOR WHICH ABATEMENT REQUESTED: 2015
10. AMOUNT OF ANY ABATEMENT(S) PREVIOUSLY GRANTED BY THE ASSESSOR FOR THE ASSESSMENT IN QUESTION: NONE

11. REASONS FOR REQUESTING ABATEMENT. PLEASE BE SPECIFIC, STATING GROUNDS FOR BELIEF THAT PROPERTY IS "OVER-VALUED" FOR ASSESSMENT PURPOSES. ATTACH EXTRA SHEETS IF NECESSARY. Please submit any documentation available to support your claim.

SEE STATEMENT ATTACHED (2 PAGES)

The above statements are correct to the best of my knowledge and belief.

JANUARY 23, 2016  
Date

William F Casey TRUSTEE  
Signature of Applicant CKM REALTY TRUST

**THIS APPLICATION MUST BE SIGNED**

A separate application form should be filed for each separately assessed parcel of real estate believed to be "over-valued."

Attached Statement to Application for Abatement of Property Taxes for Fiscal Year 2015  
For CKM Realty Trust  
RE: 272 Mills Road (37/2/2/1D)

2015 is now the fourth year in which all units, including 1D, owned by CKM Realty Trust at the Resort at Goose Rocks have been classified impaired. The financial and operational reports and conditions, regarding all common and limited common areas and elements at the Resort at Goose Rocks remain unsatisfactory, unacceptable, incomplete or more greatly depreciated than reflected by the town of Kennebunkport's valuation assessment. Problems with water supply, septic system, basement storage use, roadway and parking use, ease and safety of unit entry, and several other health and safety issues have again been experienced in 2015. Unit 1D was occupied for only 8.2% (based on # of days) and 3.4% (based upon # of people-full occupancy equivalent) of the period of April 16, 2015 through October 15, 2015. This occupancy rate is below the average and mean for all units owned by the Trust which ranged from 19.3% to 38.6%. The average and means for Trust owned units are deemed to be representative of the overall Resort occupancy level. Infrastructure problems at overall occupancy levels of less than 40% are a serious concern to the Trust and the following valuation assessment adjustments for unit 1D are requested:

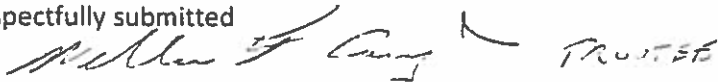
1. \$8,000 reduction in land value assessment is requested for the off resort private water supply line that was reported (to the State of Maine Public Utility Commission) to have been installed nearly 50 years ago. The trust is unaware of any adequate replacement reserve for such water line by either the Resort Association or the Mills Road Water Association. Age, location, condition, and concern for water supply and water pressure capacity at full Resort occupancy have been factors in this adjustment request. (Land or Land Improvement related item).
2. \$8,000 reduction in land value assessment is also requested for the septic tank which services unit 1D. In the fall of 2015 I observed the septic tank pumping for tank 1-2 which appears to be ancient (estimated to have also been installed nearly 50 years ago, only 1,000 gallons in capacity, and appears to be servicing 4 units (with 2 bedrooms each and 1.5 bathrooms each) of the 6 units in building 1. Tank 1-1 which appears to be of the same vintage and same 1,000 gallon capacity is servicing the other 2 units (also 2 bedroom and 1.5 bathrooms each). While I am unaware of any problems with tank 1-1, problems with the septic tank 1-2 (or it's leaching) had been noted in the years 2010-2012 when our family was occupying unit 1D at 75% or less (# of days) or 30% or less (# of people-full occupancy equivalent). At 250 gallons per bedroom or 750 gallons per two bedroom unit, it can be strongly argued that the single tank servicing the 4 (2 bedroom) units in building 1 should be 2,000 to 3,000 gallons in capacity, or that an additional 1,000 to 2,000 gallon septic tank should be added. The age, size, history of known tank (1-2) problems, and concern for tank capacity at full unit or building occupancy have been factors in this adjustment request. (Land and land improvement related item).
3. \$4,000 reduction in land value assessment is also requested for all other land and land improvement related issues, including inadequate and unsafe parking and roadway conditions and issues that exist at these lower overall occupancy levels which may worsen as overall Resort occupancy levels increase
4. \$2,400 reduction in building value assessment is requested to reduce unit 1D building assessment from \$90,500 to \$88,100 (so that it is assessed at the same rate as the other two (comparable) top floor units (1E and 1F) in building 1. All 6 units in building 1 are 1.5 baths, but town assessment records reflect only 1.0 baths for the other 5 units in building 1 and 1.5 baths for unit 1D only. This excess assessment, which has existed for some time now, is deemed unfair and unjustified.
5. \$4,500 (approximate 5%) reduction in building value assessment is also requested to adjust the depreciation factor from 98% to 93%. Basement storage for unit 1D has been deemed unfit and unusable since 2012, due to the dark and damp conditions. Inadequate ventilation and inadequate/ineffective (at least for unit 1D assigned space) dehumidifier continues to exist.

Attached Statement to Application for Abatement of Property Taxes for Fiscal Year 2015  
For CKM Realty Trust  
Re: 272 Mills Road (37/2/2/1D)

6. Sixteen flat units were sold by the developer in 2010, at a high price of \$120,000, a low price of \$95,000, averaging \$106,960, and with a mean average price of \$109,000. I strongly believe those prices reflect the proper assessed valuation base for all flat units when Resort density (and dilution) was allowed to increase from 64 to 84 units, without the installation of a direct water main hook up to Kennebunk, Kennebunkport and Wells Water District and without adequate septic system upgrade to provide minimum 250 gallon capacity per bedroom or 750 gallon capacity per 2 bedroom unit was completed or required.
7. Four flat units were resold since 2010, at a high price of \$122,000, a low price of \$95,000, averaging \$111,000 and with a mean average of \$113,500.
8. I believe that based upon current financial (inadequate completion or replacement reserves) conditions and current physical operating conditions (as described in items 1-5 above) that the \$26,900 abatement request to lower the total assessed value for unit 1D from \$140,700 to \$113,800 is both fair and reasonable.
9. I believe that the sales price history of 20 (23.8%) units since 2009 (as summarized in items 6-7 above) further supports this abatement request.

Thank you for your attention and consideration in this abatement request.

Respectfully submitted

A handwritten signature in cursive script, followed by the word "TRUSTEE" written in all caps.

William F. Casey, Jr., Trustee

CKM Realty Trust

January 23, 2016



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### WAIVER OF FORECLOSURE FORM

The foreclosure of the sewer lien mortgage on real estate for a sewer fee assessed against Seavey Ann to Town of Kennebunkport dated October 24, 2014 and recorded in the York County Registry of Deeds in Book 16913, Page 129 is hereby waived.

Dated this 25<sup>th</sup> day of March, 2016.

By: \_\_\_\_\_  
Jennifer L. Lord  
Treasurer, Town of Kennebunkport

### ACKNOWLEDGEMENT

State of Maine  
York, s.s.

March 25, 2016

Then personally appeared the above named Jennifer L. Lord, Treasurer and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

Before me,

\_\_\_\_\_