Town of York
186 York Street
York, Maine 03909-1314

Town Manager/ Selectmen (207)363-1000
Town Clerk/ Tax Collector (207)363-1003
Finance/ Treasurer (207)363-1004
Code Enforcement (207)363-1002
Planning (207)363-1007
Assessor (207)363-1005
Police Department (207)363-1031
Dispatch (207)363-2557
York Beach Fire Department (207)363-1014
York Village Fire Department (207)363-1015
Public Works (207)363-1011
Harbor Master (207)363-1000
Senior Center/ General Assistance (207)363-1036
Parks and Recreation (207)363-1040
Fax (207)363-1009 (207)363-1019
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BOARD OF SELECTMEN'S MEETING AGENDA
6:15/7:00PM MONDAY, JULY 22nd, 2013
YORK LIBRARY

6:15 PM: Board and Committee Interviews

Call to Order

Pledge of Allegiance

Presentation of New Flag

A. Minutes
1. July 8th, 2013 Selectmen's Meeting Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

E. Reports
1. Presentation from York Water District on Capital Projects

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager's Office.

G. Approval of Warrant #2

H. Public Hearings
1. Ord-1 Zoning Cluster Subdivision Standards Amendment
2. Ord-2 Zoning Seasonal Conversions Amendment
3. Ord-3 Zoning On-Site Commercial Sign Requirement Amendment
4. Ord-4 Zoning Farm Enterprise Overlay District Amendment

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I. Endorsements

Business Licenses:

1. China Bistro Inc. DBA China Bistro (*Victualers/Liquor*); Located at 8 Market Place Drive
2. Bruce Larson DBA Southern Maine Lobster (*Victualers*); Located at 1021 US Route One.
3. King Weinstein DBA York Pizza (*Victualers*); Located at 647 US Route One
4. Kathryn Kelley DBA Coppa Magica Gelato (*Victualers*); Located at 852 US Route One
5. Nancy and John Stern DBA Pie in the Sky (*Victualers*); Located at One River Road

J. Old Business

K. New Business

1. Discussion and Possible Action of Moving Ordinance Amendments to Second Public Hearing
2. Authorization for York Water District and York Sewer District to Negotiate Utility Easements with the Norton Estate
3. Authorization for SMRT to Finalize Plans for Police Station Project and Ridge Road Access
4. Board and Committee Reappointments
5. Appointment to York Harbor Board
6. Appointments to York Planning Board
7. Re-appointment of Kathy Newell as Assistant CEO/ Alternate LPI
8. Discussion and Possible Action on an RFP for Legal Services
9. Discussion and Possible Action of a Crosswalk at Cape Neddick Beach
10. Selectmen's Liaisons to Energy Efficiency Steering Committee, Capital Planning Committee and Library Board
11. Discussion and Possible Action on Establishing a Selectmen's Liaison to the Mount A Steering Committee
12. Ballot for MMA Elections
13. Special Event Permit-The Big Andrew Surf Contest
14. Special Event Permit- Eastern Surfing Association contest series
15. Special Permit for Catering Privileges Off Premises- Bill Foster's Down east Clambake
16. Business Directional Sign for GiGi's Italian Restaurant- 2 Beach Street

L. Other Business

M. Citizens' Forum

Adjourn

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SELECTMEN'S MEETING
7:00 P.M. MONDAY JULY 8, 2013
YORK LIBRARY

Present: Chair; Ronald Nowell, Vice Chair; Kinley Gregg, Scott Fiorentino, Mary Andrews, Torbert Macdonald, Town Manager; Robert G. Yandow, Recorder; Katie McWilliams and members of the press and public.

Call to Order

Discussion of Pledge:

Mr. Nowell read from Robert's Rules a section entitled Optional Headings. Reciting the Pledge of Allegiance to the flag is listed under this optional heading section. Mr. Nowell said the pledge is optional to be placed on the agenda, and optional to participate in.

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to reinstate the pledge on a strictly volunteer basis, the television cameras will be exclusively on the flag before the meeting, during the call to order and while saying the pledge. The camera will then focus back on the Chairmen as he continues on with the business. Vote 3-2, Ms. Gregg and Mr. Nowell opposed.

A. Minutes

None

B. Chairman's Report

- Meeting with SMRT On Wednesday July 10th at 2pm . This is open for the public.

C. Manager's Report

- The Circuit Breaker program is being replaced with the Tax Fairness Credit. This program will provide an income tax credit for those that are eligible for the program.

- PC construction has accepted responsibility of the clear cutting done at the site of the Police Station Project. PC Construction will accept all reasonable costs associated with restoration efforts. Invoices totaling 46,751.28 have been forwarded to PC as they have agreed to issue a check for restoration costs to date.

D. Awards:

1. RFP for Engineering on Bog Road Field Project

At the May 2013 public referendum voters approved the development of a multipurpose athletic field and associated parking on Town owned land at 40 Bog Road. The site is located on 47 undeveloped acres that abuts the existing the existing Bog Road Athletic Project. The project scope includes the development of one natural turf multipurpose athletic field, parking, landscaping, irrigation, fencing, drainage, site utilities and related amenities.

Parks and Recreation Director, Mike Sullivan presented the board with the recommended course of action for public review and Selectmen approval. Having two public hearing; the first at the conceptual design phase with the Board of Selectmen and the second is during the approval process with the Planning Board. Mr. Sullivan is requesting the board review and approve the RFP for civil engineering services prior to advertising, award the contract to the successful firm, approve the conceptual design, approve the final plans and award the construction contract. Mr. Sullivan wants to insure the project follows a process that is acceptable to the board.

Process Overview as presented by Mr. Sullivan:

Presentation to Selectmen
RFP Review and Award Process
Determine permitting/ Approval needs
Conceptual Design Phase
Permit Submission
Acceptance of Approved Design
Project Bidding
Construction Progress Reports

Moved by Ms. Andrews, seconded by Mr. Fiorentino to approve the RFP for civil engineering services for the Bog Road Athletic Field Project. Vote 5-0, motion passes.

E. Reports:

None

F. **Citizens Forum** - The citizen's forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the town manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the town manager's office.

Mike Micciche
Bob McKenna
Helen Rollins

G. **Approval of Warrant #1**

Moved by Ms. Gregg, seconded by Mr. Fiorentino to approve Warrant # 1. Vote 5-0, motion passes.

H. **Public Hearings:**

1. New Business Licenses
   - King Weinstein DBA York Pizza (Victualers); Located at 647 US Route One

Moved by Ms. Gregg, seconded by Mr. Macdonald to open the public hearing at 7:50pm.

Public Comment: None

Moved by Ms. Gregg, seconded by Mr. Macdonald to close the public hearing at 7:57pm.

I. **Endorsements- Business Licenses**

None

J. **Old Business**

None

K. New Business

1. Response from Gene Lemay regarding the Veterans Grave Issue

American Legion Post 56 1st Vice-Member Gene (Geno) Lemay requested an opportunity to respond to comments made at the Monday, June 24, 2013 Selectmen meeting.

He presented the board a book listing all the graves that the American legion takes care of. Just this year alone the American Legion placed 948 flags.

Mr. Nowell feels it would be important for the town, VFW, and the American Legion to get all their lists together to make sure no one gets missed and all the graves are taken care of. Ms. Andrews suggested there are others that might want to help with this project.

2. Mount Agamenticus Tower Lease with Crown Castle

Crown Castle of Sarasota, Florida has a ground lease with the Town for a telecommunications tower at Mount Agamenticus. Their current lease was renewed in 2008. At that time they were granted an initial term of five years with the one additional five year term. The renewal term was automatic. The Town is currently in the first year of the second five year term. The terms of the current lease commenced with monthly payment of $2,400 to be adjusted annually, on the anniversary date, by an amount equal to 3%. The current monthly payment is $2,701.20.

Crown Castle has an interest in extending the lease with the Town. They are proposing that in addition to the existing lease we provide them with an additional three, five year renewal terms.

Moved by Ms. Gregg, seconded by Mr. Fiorentino to approve the letter of agreement from Crown Castle dated May 28, 2013 regarding an amendment to the lease and further authorize the Town Manager to execute the agreement on behalf of the Town. Vote 0-5, motion fails.

3. Recent Natural Defense Resource Council Report on Pollution at Maine Beaches, Specifically Short Sands Beach

Selectmen Macdonald requested a discussion regarding the recent Natural Resource Defense Council report regarding pollution at Maine Beaches, specifically Short Sands Beach. A June 28, 2013 article was published in Fosters Daily Democrat; Report cites 3 local Maine beaches for high bacteria levels. This article stated that Short Sands Beach had water samples that exceeded the state's daily maximum bacterial standards of 104 colonies/100ml. The 23rd annual Testing the Waters: A Guide to Water Quality at Vacation Beaches report from the Natural Resources Defense Council (NRDC) ranks Maine 27th out of 30 coastal states for beach water quality. Beach water pollution is known to cause a range of illnesses, including stomach flu, skin rashes, ear and eye infections, hepatitis, and neurological disorders.

Mr. Nowell requested York Parks and Recreation Director, Mike Sullivan to get a copy of the report that the newspaper used in the article.

Mr. Macdonald feels the water should be monitored more often with more people being involved in correcting a problem if one comes up.

4. **Discussion and Possible Action Regarding a Crosswalk on Shore Road at the Entrance to Cape Neddick Beach**

Mr. Macdonald requested a crosswalk from the loading zone to the short cross walk by the house on the beach at Cape Neddick Beach. We have created an attractive nuisance by putting a loading zone but no way to cross the street.

Ms. Gregg suggested moving the loading zone sign.

Moved by Mr. Macdonald, seconded by Mr. Nowell to request Mr. Yandow to instruct Mr. Lessard to place a crosswalk from the loading zone to the sidewalk on the opposite side. Vote 2-3, Mr. Macdonald and Mr. Nowell in favor. Motion fails.

Dean Lessard, Director of Public Works informed the board that there are 11 requirements to put a sidewalk on a state paved road, which Shore Road is. The location does not meet a number of requirements.

5. **Request from the Great York Recreation Complex for Approval to Market Their Project Using Town Owned Property as the Site Location.**

Representatives from the Greater York Recreational Complex presented the Board of Selectmen with a site proposal. The proposal consists of marketing their project with

a possible location on town owned property on Bog Road behind the Mackey Skate Park.

The purpose of the presentation is to ask the Selectmen for permission to market this project and to launch a capital campaign and raise money to build the project and for public awareness-what the project is meant to do and is doing.

In December of 2013 they will ask for a warrant for 2014 to lease the land on Bog Road to them. If granted permission to market proposal for Dec/Jan will have clearer picture on funding.

Attorney representing the Recreation Complex, Greg Orso presented to the board. , They are not asking for money or allocation of property but simply the ability to put forward a plan to the public.

Ronald Nowell suggested that they have a workshop as there are just too many questions.

6. **Discussion with the Code Enforcement Office Regarding the Accessory Use Permitting of a Distillery in York Beach**

Tabled to a future meeting

7. **Discussion and Possible Action Regarding the Reduction to Municipal Revenue Sharing Funds for FY14**

As a result of the reduction in revenue sharing in the approved state budget for FY14, The Town of York is facing a deficit of $208,690 in projected revenues. At the same time, it is anticipated that the Town will realize approximately $45,000 in savings as a result of two retirements (police Captain and HR Director) and one resignation (Finance Director). This leaves a deficit of approximately $163,690.

There are three options available to the Board of Selectmen to address this deficit:

- Increase the amount to be raised by taxes by $163,690. This will result in a .04 increase in the tax rate.
- Reduce the voter approved operating budget by $163,690.
- Consider a combination of increasing the amount to be raised by taxes and a reduction in operating budgets.

Moved by Mr. Macdonald, seconded by Mr. Fiorentino to approve the first of the three options in Mr. Yandow memo to in increase the amount to be raised for the revenue by taxes of $163,690. Vote 4-1, Ms. Gregg opposed, motion passes. Ms. Gregg questioned the legality of the motion.

8. Appointment of Wendy Anderson as Finance Director

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Town Manager's recommendation to appoint Wendy Anderson as Finance Director for the Town of York. Vote 5-0, motion passes.

9. Harbor Board Appointments

Moved by Ms. Gregg, seconded by Mr. Macdonald to approve the reappointment of David Gittens and Mike St.Claire to the York Harbor Board. Vote 5-0, motion passes.

The Board will set up an appointment to interview Matthew Donnell.

10. Property Redemption Requests; 445 Ridge Road, 448 Ridge Road, 26 Walnut Street, 2 Railroad Avenue Extension (Item numbers 10-13)

Moved by, seconded by to approve the redemption of Tax Map 0027, Lot 0006-002; 445 Ridge Road, Tax Map 0094, Lot 0084; 448 Ridge Road, Tax Map 0030, Lot 0033-D;26 Walnut Street, and Tax Map 0027, Lot 0006-A; 2 Railroad Ave Extension as requested, subject to the attached conditions being met and that all taxes, interest and administrative costs are paid in full by no later than August 23, 2013. Vote 4-1, Ms. Gregg opposed, motion passes. Ms. Gregg was opposed being that these four lots are being represented by the same party that is representing negotiations for easements required for the police station project.

11. Discussion and Possible action Regarding a Request for Proposals for Legal Services

Mr. Yandow will contact MMA.

12. Special Event Permit- Great Maine Getaway

Moved by Mr. Macdonald, seconded by Ms. Gregg to approve the Special Event Permit for New England Classic Tour de Cure for Sunday July 14, 2013 at 9:00am. Vote 5-0, motion passes.

L. **Other Business**

M. **Citizens Forum**

Adjourn

Moved by Mr. Macdonald, seconded by Ms. Gregg to adjourn at 9:51 PM.

Respectfully Submitted By:

_____

Katie McWilliams; Recorder

Draft Ordinance Amendments

Materials to be Posted for Consideration at the November 2013 General Referendum

Date of Draft Document:	**July 3, 2013**
Posted for a Public Hearing:	Board of Selectmen July 22, 2013 7:00 PM York Public Library

Article	Ordinance	Subject
Ord-1	Zoning	Cluster Subdivision Standards Amendment
Ord-2	Zoning	Seasonal Conversions Amendment
Ord-3	Zoning	On-Site Commercial Sign Requirement Amendment
Ord-4	Zoning	Farm Enterprise Overlay District Amendment

Amendment #1
Cluster Subdivision Amendment

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains amendments to the **Zoning Ordinance,** specifically amending Article Seven, Special Provisions.

Statement of Fact: The purpose of this amendment is to amend the cluster subdivision standards currently in place in Article Seven, Special Provisions. The amendments include changes to the review process, a requirement for a yield plan to graphically depict conventional subdivision design for comparison to the cluster subdivision proposal, inclusion of feedback from the conservation commission early in the process, and a mandatory sketch phase that includes a site visit to the property and allows for early Planning Board input into the overall design. This amendment is specifically consistent with the Comprehensive Plan and is not expected to have a significant impact on the cost of Town administration.

Amendment: Amend Article Seven, Cluster Housing Subdivision Application, as follows:

7.6 Cluster Housing Subdivision Application
Cluster subdivision shall be permitted in all base zoning districts. Permissibility within overlay districts is addressed as needed by district. The standards of this Section (§7.6) shall apply to all cluster subdivision.

7.6.1 Procedures
Cluster subdivisions require subdivision approval by the Planning Board.

A. The applicant shall have the sole authority to decide whether or not to utilize cluster design.

B. The applicant shall be responsible for justifying the proposed open space design*, and identify a primary conservation theme, including but not limited to forest preservation, water quality preservation, farmland preservation, or viewshed protection. The conservation theme shall guide the location and use of the designated open space.* For instance, if setting aside open space for agricultural use, there should be a demonstration that the open space has good agricultural soils, or if setting aside open space for protection of

wildlife habitat, the design should be based on science and the expert opinion of a qualified wildlife biologist. (See also §7.6.3.B)

C. The proposed holder of the *open space* ~~conservation easement~~ shall be involved in the process of defining the open space and drafting appropriate restrictions and controls.

D. The first meeting with the Planning Board, shall be Conceptual Design Review, and shall precede submission of a Preliminary Review application. It shall include the submission of an Existing Site Resources Map, identifying both significant natural and cultural resources. It is not required that this be an engineered plan, and widely available Town or State public data are acceptable sources. It shall include wetland and shoreland areas, significant habitat corridors, rare or endangered habitat, roads and buildings within 100 feet of the property, indication of overall stormwater flow direction, species and sizes of significant trees, copses of trees, historic and cultural resources such as existing barns, trails, cellar holes, stone walls, and other noteworthy features unique to the property. It should be conveyed in a clear graphic style that is easy to read. The Existing Site Resources Map shall not include road layouts, house locations, or lot lines. The Planning Board may schedule a site walk to the property, using the Existing Site Resources Map. The intent of this phase of review is that there is Planning Board, applicant, and open space holder consensus on critical resources and overall site design early in the review process, before the applicant proceeds into formal design of the project.

~~D.~~*E.* It is intended that the open space shall be designed first, and the built environment shall be constructed in the remaining area. During the ~~Preliminary Review~~ *Conceptual Design Review* process, the Board shall determine whether or not the open space layout, design and configuration is appropriate based on purposes stated in §1.3.12. For sites with on-site septic, the Board shall balance the purposes to be achieved (as stated in §1.3.12) with the need to locate the septic system(s) on the best available soils. Other development considerations shall be of secondary importance. The Board may require alteration of the open space configuration to maximize achievement of the purposes of cluster design. The Board shall include in its Findings of Fact the basis for its conclusions about the suitability of the cluster design with respect to the specific site.

F. An application for a cluster subdivision shall submit a Yield Plan, a visual showing the maximum number of lots that could

reasonably be expected to be achieved through a conventional layout given conventional subdivision dimensional requirements and site conditions, and utilizing the net buildable area calculation used to determine maximum permitted density under Zoning 7.6.4.B, and defined in Site Plan and Subdivision Regulations Article 3. The Yield Plan is prepared to determine the base number of dwelling units to be permitted for the cluster subdivision proposal, to be submitted in conjunction with the net developable acreage calculations.

G. *The York Conservation Commission shall be solicited for feedback on the site design during Conceptual Design Review.*

7.6.2 Minimum Size

Any subdivision of 10 or more lots is eligible for cluster design. Where the Board finds compelling reasons relating to the purpose (see §1.3.12), it may permit cluster design for as few as 3 lots.

7.6.3 Cluster Subdivision Open Space Standards

A. Cluster open space shall be required to meet 2 standards. First, the cluster open space must contain at least 50% of the total area of the property in order to comply with Comprehensive Plan policy #1.2.1. Second, the cluster open space must contain at least 50% of the net buildable area (as defined in the Subdivision Regulations) of the property in order to comply with Comprehensive Plan policy #6.2.1. These standards shall be applied concurrently, not sequentially (e.g. a site with land that is entirely buildable can place 50% of its land in cluster open space and meet both standards simultaneously).

B. Design. The design of the cluster open space shall be designed to maximize achievement of the purposes described in Zoning §1.3.12. The applicant shall present a plat and narrative description to illustrate how this is to be accomplished. To the greatest extent possible, the open space should be in one large piece rather than separate pieces or narrow buffer strips that have little conservation value. The Board may require alteration of the layout and design of the cluster subdivision open space to better achieve these purposes. *The Board may solicit input on the efficacy of the open space design as needed, including but not limited to review by a third-party wildlife biologist, a landscape architect, or another professional qualified to respond to the aspect of the application in question. Any technical assistance deemed necessary by the Planning Board to conduct the review shall be paid for by the applicant in accordance with Zoning 18-A.2.D.*

C. Requirements. Any cluster subdivision open space area shall comply with all of the following requirements:

1. Open Space. Regarding the open space:
   a. *The open space may be held in fee-simple ownership or as open space with a conservation easement placed upon it. In the event the open space is held by a qualified conservation organization, such as a land trust, the York Conservation Commission, or another body the Planning Board deems capable of conservation land stewardship, a separate conservation easement may not be required if it can be demonstrated that the use, maintenance and other requirements of the open space will be continued in perpetuity. Reference to open space throughout §7.6 refers to either the fee-simple or conservation easement arrangement.*
   ~~a.~~*b.* The open space land shall be owned by the homeowners, the Town, or other entity acceptable to the Planning Board. *In no case shall the homeowners association or private property owner be the holder of the conservation easement, or the holder of the open space if there is no approved, partnering conservation organization.* In determining whether or not a party is acceptable, the Board shall base its decision on the ability of the owner to control, maintain, manage and protect the open space in a manner consistent with the subdivision approval ~~and the conservation easement~~. ~~The owner of the open space shall not be permitted to hold the conservation easement for the open space.~~
   ~~b.~~*c.* If the homeowners take ownership of the open space land, the following shall be provided for:
      1. the ownership shall pass with conveyance of the lots or residential units; and
      2. compulsory assessment of all related costs to each of the homeowners;
   ~~c.~~*d.* Control of Open Space. There shall be some form of legal arrangement made to ensure:
      1. there is a plan for the use, management, maintenance and protection of the open space, and that specifies the responsibilities of the owner;
      2. the owner is responsible for maintenance, taxes and insurance of the open space; and
      3. the terms of the legal arrangement cannot be changed without prior approval of the Planning Board.

2. *Open Space Holder*. The Planning Board shall approve the *open space, including terms, conditions, purpose, and open space holder.* ~~conservation easement and the holder of the conservation~~

~~easement.~~ *The open space holder must have a demonstrated capacity to fulfill the purposes of the open space. Capacity shall be determined by the ability of the organization to:*

a. *produce baseline documentation of the property;*
b. *perform monitoring and maintenance of the property on an annual basis, or more frequently, as needed;*
c. *have the capacity to seek remedies to violations of easement conditions, legally or through other enforcement measures;*
d. *have staff with suitable professional capacity, which may include land stewardship, wildlife biology, or other areas suitable to the primary purpose of the open space.*

3. *Open Space Conditions*

a. The *open space approval* shall:
   1. regulate the use, maintenance, management and protection of the open space land;
   2. be established and shall remain with this land in perpetuity;
   3. specify the method of management and maintenance;
   4. establish that the open space owner, not the easement holder, is responsib*le*~~ility~~ for maintenance, taxes and insurance;
   5. establish a mandatory inspection program *for the open space* ~~by the easement holder~~, which may retain a qualified neutral third party to perform this duty, and which may ~~that will~~ involve the subdivision homeowners and the Conservation Commission, and which shall require annual inspections at a minimum; and
   6. address other requirements deemed necessary by the Planning Board ~~or easement holder~~ to achieve the purposes for which the ~~easement~~ *open space* is established.

~~b. The holder of the conservation easement shall not be the owner of the open space. The easement holder must have a demonstrated capacity to fulfill the purposes of the conservation easement holder.~~

3. The open space land shall be used and managed consistent with the purposes for which it was established.

4. While the decision to choose cluster design is an option for the applicant, that choice shall be made with the understanding that the Planning Board may impose a requirement on any cluster

subdivision to allow public access to and/or through the open space. The Board shall consider the following guidance:

a. The type of access shall be appropriate based on the plan for the open space, the cluster homeowners, and the traditional uses of the land;
b. Reasonable limitations may be placed on public access, including but not limited to type of access (pedestrian only, etc.), specific locations (along a trail or path, to the entire open space, etc.), and timing controls (access during daylight only, no access near vernal pools in the spring, etc.); and
c. The open space steward shall be permitted to temporarily restrict public access to prevent abuse. No such restriction shall be in effect for more than 90 days without application to and approval of the Planning Board. The Planning Board shall treat the matter as an application to amend the Subdivision Approval.
d. The Board shall expressly review public access issues during the sketch review of any cluster subdivision application.

5. Where ownership of the open space is to be held by the homeowners, all the open space lands shall be owned in common by a homeowners association.

6. Ownership of open space and the conservation easement shall be transferred from the developer in a timely manner. Where a third-party will hold an easement or ownership, the transfer shall be made prior to the sale of any lot in the subdivision. Where a homeowners association is to be the holder of the land ~~or an easement~~, the transfer shall take place within 30 days of establishment of the association.

7.6.4 Development Standards

A. Uses. Cluster subdivision shall be limited to single-family and duplex residential development. Each residential building shall be located on its own lot.

B. Density.
   1. The standard calculation of density shall be total net buildable area divided by the minimum lots size for the base and overlay zoning district(s) in which the lot is located. Cluster Subdivision applications also must submit a yield plan in accordance with 7.6.1.F to determine the total number of lots dwelling units permitted.

2. Within the Shoreland Overlay District, the following shall apply regardless of any other provisions of this Ordinance:
   a. On portions of the lot in Resource Protection and Stream Protection subdistricts, all buildings and building lots shall be prohibited, consistent with Article 4.
   b. On portions of the lot in Limited Residential and Mixed Use subdistricts that have frontage on a Shoreland waterbody, and one or more dwelling units are proposed to be located in the land area within the Limited Residential or Mixed Use Subdistrict, the parcel must have a minimum of 200 linear feet of shore frontage to allow its development as a cluster housing subdivision. The following standards shall also govern the lay-out of such a cluster housing subdivision:

      1. A minimum of 50% of the shore frontage shall be undeveloped and shall be dedicated as open space.

      2. The configuration of the dwelling units within the Limited Residential or Mixed Use Subdistrict shall be staggered, and shall not be located in a row immediately adjacent to the minimum setback from the Normal High Water Mark of the protected waterbody. No more than 50% of the dwelling units located within the Limited Residential or Mixed Use Subdistrict can be located within 50 feet of the standard Shoreland setback.

      3. The maximum number of dwelling units permitted in the Shoreland Overlay District shall not exceed the density standards of Zoning §5.2.3.

   c. Buildable area within any area of the Shoreland Overlay District may be counted in the calculation of net buildable area. The density standards of Zoning §5.2.3 shall apply, or others if more restrictive.

~~3. Wetland Protection Bonus. Consistent with Comprehensive Plan policy in Future Land Use Area #4, Policy #5, a cluster subdivision may be credited with buildable area if it provides permanent preservation of wetlands in the RES-7 zone. This is a simple form of Transfer of Development Rights (TDR). This will benefit the Town by helping to prevent worsening of the flooding problems currently experienced in this area of York. The following shall apply:~~
   ~~a. Any undeveloped lot in the RES-7 zone is eligible for permanent protection under this provision provided that either of the following conditions is met:~~
      ~~1. 50% or more of the lot is wetland; and/or~~

~~2. the lot is rendered un-buildable due to wetlands and/or wetland setbacks.~~

~~b. Permanent protection of the wetland lots shall be ensured by imposition of suitable controls, such as but not limited to easements, deed restrictions, or municipal ownership, prior to or concurrent with approval of the TDR. While preventing development, the controls shall make the lots available at no charge for physical alteration for municipal drainage control purposes. No other uses, buildings or structures shall be permitted.~~

~~c. The net buildable area of the cluster subdivision shall be increased by 50% of the total area of the protected wetland lot, but no subdivision shall use such TDR credits to increase its density by more than 20% above that otherwise permitted.~~

~~d. This option requires prior approval of the Board of Selectmen.~~

C. Dimensional Standards.

1. Lot Size. Building lots shall not be larger than the minimum lot size requirements specified in Zoning §5.2.1, §5.2.2 and §5.2.4. However, lots not served by municipal sewer service shall not be less than 20,000 square feet in total size.
2. Street Frontage. Building lots shall have frontage on streets sufficient to provide access to the lot, but shall not be required to meet the frontage standards of Zoning §5.2.1, §5.2.2 and §5.2.4.
3. Setbacks from Lot Lines. Minimum structure setbacks specified in Zoning §5.2.1, §5.2.2, and §5.2.4 shall be reduced to 1/3 of the measure specified in those sections.
4. Lot Coverage. Lot coverage shall be evaluated in aggregate for the entire cluster subdivision, and overall the cluster subdivision shall be required to comply with the standard for the zone(s) in which it is located.

D. Access. Access to lots in a cluster subdivision shall be from an internal road, not from existing road frontage.

E. Abutter Buffers. To protect neighborhood qualities outside the cluster subdivision, the flowing shall apply:

1. Setback. No building within the cluster subdivision shall be located closer than 60' to any property outside the cluster subdivision.

2. Buffers. On building lots, there shall be a 50' buffer along the property line of any abutting lots outside the cluster subdivision. This buffer shall be left undisturbed with natural vegetation, or at the direction of the Planning Board may be landscaped to enhance the buffer function. ~~This standard is intended to permit road and utility access to the subdivision, as well as through the subdivision to~~

~~adjacent properties~~. *Roads and utilities shall be allowed to cross through buffers to access the subdivision, as well as to adjacent properties.*

Amendment #2

Seasonal Conversions Amendment

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains amendments to the **Zoning Ordinance,** specifically amending Article Fourteen, Conversion of Seasonal Dwellings.

Statement of Fact: The purpose of this amendment is to amend the seasonal dwelling conversion standards. Current standards make encourage property owners to tear down their seasonal dwelling and build a new year-round residential structure than maintaining existing structures. The proposed seeks to remove any unnecessary incentive to tear down existing structures, and is not anticipated that it will create any more year-round dwellings than are currently allowed to be built. It also adds a density standard requiring a lot to meet residential standards for lots with more than one seasonal dwelling. This amendment is generally consistent with the Comprehensive Plan and is not expected to have a significant impact on the cost of Town administration.

Amendment: Amend Article Fourteen, Conversion of Seasonal Dwellings, as follows:

14.1 Restrictions
No seasonal dwelling may be converted to a year-round dwelling unless the owner or the person so converting the seasonal dwelling shall have first obtained from the Code Enforcement Officer a seasonal dwelling conversion permit. Before issuing such a permit, the Code Enforcement Officer shall issue a written determination that the application meets the standards pertaining to the dwelling unit and the lot, as follows:

A. Regarding the dwelling, ~~either of~~ the following is met:

~~1. It is a contributing structure in a Local Historic District or is a designated historic landmark; or~~

1. After conversion, the structure shall conform to minimum egress requirements, specifically Section R310, Emergency Escape and Rescue Openings, and R311, Means of Egress, under the version of the International Residental Code (IRC) that is current at the time of application.

2. ~~It was lawfully constructed and, a~~ *A*fter *seasonal* conversion, *all new construction, whether renovations or additions, will conform to those required for residential construction under all applicable local and state codes, and be subject to all local building permit requirements.* ~~will conform to all building-related codes in effect at the time of conversion. This shall include, but not be limited to, any applicable Town or State building, plumbing, electrical, life safety, energy and well codes. Compliance with the Zoning Ordinance shall be~~

~~required, except that setback and building height requirements in the base zoning district shall not be applicable.~~

~~B. The lot either:~~

~~1. Conforms to the current dimensional requirements of the Zoning Ordinance; or~~

~~2. Is a lawful non-conforming lot of record, which is either:~~

~~a. connected to year-round public water and public sewer and is at least 5,445 square feet (1/8 acre) in size in the RES-5, RES-6 or RES-7 base zoning district, or at least 10,890 square feet (1/4 acre) in all other base zoning districts; or~~

~~b. at least 20,000 square feet in size otherwise.~~

B. Lots containing more than one seasonal dwelling may convert one dwelling unit in accordance with the standards in 14.1.A; for conversion of multiple seasonal dwellings, the lot must meet current density standards for the base and any applicable overlay zones. Lots that contain a year round dwelling at the time of an application for a seasonal conversion must be able to meet current density standards for the application to be permitted.

Amendment #3
Sign Standards Amendment

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains amendment of the **Zoning Ordinance** to clarify on-premise sign standards, specifically amending: Article 16, Sign Standards.

Statement of Fact: The purpose of this amendment is to clarify that on-site business signs shall be placed on the property of the business being advertised. This is stated clearly in the purpose statement of the article, but could use clarification elsewhere. This amendment is generally consistent with the Comprehensive Plan, and is not expected to have a significant impact on the cost of Town administration.

Amendment: Amend the language of Section 16.3, Performance Standards, as follows:

16.3 Performance Standards

....

16.3.11 All signs, except where otherwise specified in 16.6. and 16.7, shall be on the property of the business being advertised, or within that business's access easement. In the event a sign is placed on an access easement, it shall be calculated towards the maximum sign area allowed per business and/or per lot for the business being advertised.

Amendment #4
Farm Enterprise Overlay District Addition

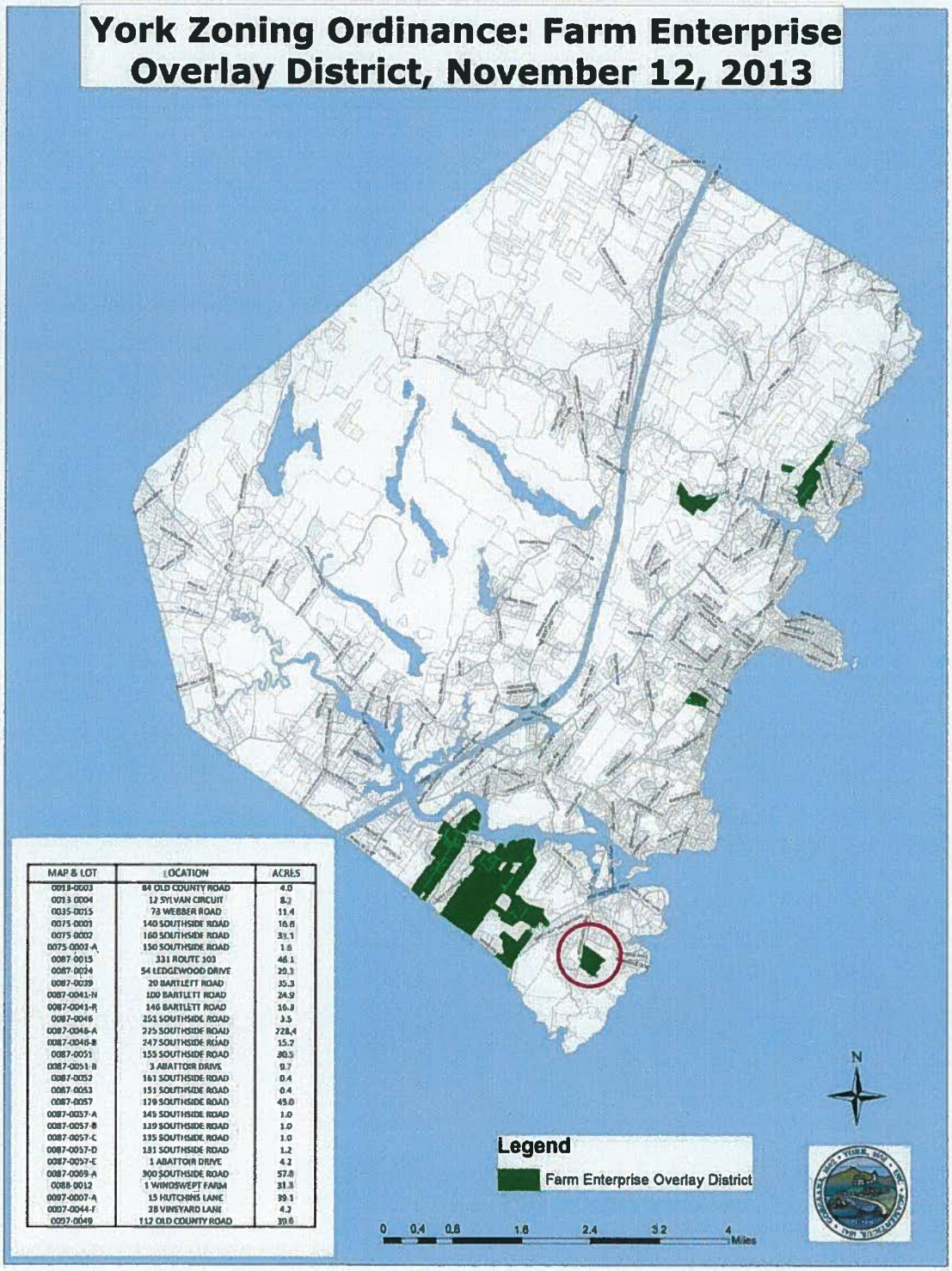
Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains amendments to the **Zoning Ordinance**, specifically amending Article Three, Establishment of Zoning Districts, and the accompanying zoning overlay map.

Statement of Fact
This amendment proposes to add a new property to the Farm Enterprise Overlay District. The only change to the text of the Zoning Ordinance is the reference date on the accompanying map depicting the properties in the overlay zone. A new zoning map with updated parcels is proposed, as well. No changes to the Farm Overlay standards are proposed. This amendment is specifically consistent with Comprehensive Plan Town Goal 3.1: To promote a sound economic base and economic development that is consistent with York's small town coastal character, Town Goal 8.1: Encourage continued use of suitable lands for agriculture and forestry, and Future Land Use Area #16, To safeguard the State's agricultural and forest resources from development which threatens those resources. It is expected to have no fiscal impact on Town administration.

Amendment: Amend Article Three, Establishment of Zoning Districts, as follows:

3.17 Farm Enterprise Overlay District
The Farm Enterprise Overlay District shall include the lots as shown on a map entitled, "York Zoning Ordinance: Farm Enterprise Overlay District, ~~May 21, 2011~~ *November 12, 2013*". This map constitutes a registry of approved properties comprising the Farm Enterprise Overlay District. For a farm to qualify for inclusion in the Farm Enterprise Overlay District, the property owner must demonstrate that the total agricultural land is a minimum of five acres in size, and contains at least two contiguous acres on which agriculture has contributed to a gross annual value of at least $2,000 per year. The acreage minimum may be met by any combination of ownership, rental, or lease of agricultural land. The Farm Enterprise Overlay District map may be amended by referenda upon application for inclusion by a property owner that has demonstrated they meet the acreage and use requirements of the overlay district.



MAP & LOT	LOCATION	ACRES
0013-0003	84 OLD COUNTY ROAD	4.0
0013-0004	12 SYLVAN CIRCUIT	8.2
0035-0015	78 WEBBER ROAD	11.4
0075-0001	140 SOUTHSIDE ROAD	16.6
0075-0002	160 SOUTHSIDE ROAD	33.1
0075-0002-A	150 SOUTHSIDE ROAD	1.6
0087-0015	331 ROUTE 103	46.1
0087-0024	54 EDGEWOOD DRIVE	20.3
0087-0039	20 BARTLETT ROAD	35.3
0087-0041-N	100 BARTLETT ROAD	24.9
0087-0041-P	146 BARTLETT ROAD	16.8
0087-0046	251 SOUTHSIDE ROAD	3.5
0087-0046-A	225 SOUTHSIDE ROAD	228.4
0087-0046-B	247 SOUTHSIDE ROAD	15.7
0087-0051	155 SOUTHSIDE ROAD	80.5
0087-0051-B	3 ABATTOIR DRIVE	9.7
0087-0052	161 SOUTHSIDE ROAD	0.4
0087-0053	151 SOUTHSIDE ROAD	0.4
0087-0057	179 SOUTHSIDE ROAD	45.0
0087-0057-A	145 SOUTHSIDE ROAD	1.0
0087-0057-B	139 SOUTHSIDE ROAD	1.0
0087-0057-C	135 SOUTHSIDE ROAD	1.0
0087-0057-D	131 SOUTHSIDE ROAD	1.2
0087-0057-E	1 ABATTOIR DRIVE	4.2
0087-0069-A	300 SOUTHSIDE ROAD	57.8
0088-0012	1 WINDSWEPT FARM	31.3
0097-0007-A	15 HUTCHINS LANE	39.1
0097-0044-F	38 VINEYARD LANE	4.2
0097-0049	112 OLD COUNTY ROAD	39.8

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 17, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____
Subject: Business License Applications (5)	

TO: BOARD OF SELECTMEN

FROM: Devon Bettinson

RECOMMENDATION: Approve Business License Applications (5)

PROPOSED MOTION: *I move to approve the following licenses:*

1. China Bistro Inc. DBA China Bistro (*Victualers/Liquor*); Located at 8 Market Place Drive
2. Bruce Larson DBA Southern Maine Lobster (Victualers); Located at 1021 US Route 1
3. King Weinstein DBA York Pizza (*Victualers*); Located at 647 US Route One
4. Kathryn Kelley DBA Coppa Magica Gelato (*Victualers*); Located at 852 US Route One
5. Nancy and John Stern DBA Pie in the Sky (*Victualers*); Located at One River Road

... subject to taxes, fees and inspections being current and compliant with the usual noise stipulations

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Dawn Bettinson Reviewed By: Robert B. Gordon

Town of York

186 York Street
York, Maine 03909-1314

Town Manager/ Selectmen (207)363-1000

Town Clerk/ Tax Collector (207)363-1003

Finance/ Treasurer (207)363-1004

Code Enforcement (207)363-1002

Planning (207)363-1007

Assessor (207)363-1005

Police Department (207)363-1031

Dispatch (207)363-2557

York Beach Fire Department (207)363-1014

York Village Fire Department (207)363-1015

Public Works (207)363-1011

Harbor Master (207)363-1000

Senior Center/ General Assistance (207)363-1036

Parks and Recreation (207)363-1040

Fax (207)363-1009 (207)363-1019

www.yorkmaine.org

TO: Board of Selectmen

FROM: Kathryn Newell
Code Enforcement Officer

DATE: July 17, 2013

RE: LICENSE INSPECTIONS AND RECOMMENDATIONS

Based on my review, I recommend the following position on the Licenses to be heard on July 22, 2013.

ENDORSEMENTS

China Bistro, Inc.
DBA: China Bistro **MAP 53/LOT 9-2B**
Victualers/Liquor

China Bistro, Inc.
8 Market Place Drive, Unit 2B
York, ME 03909

FACILITY	Restaurant/98 Seats
ZONE	GEN-1
USE	Conforming, Existing
RECOMMENDATION	Approval

Bruce Larson
DBA: Southern Maine Lobster **MAP 30A/LOT 30**
Victualers

Bruce Larson
1021 US Route 1
York, ME 03909

FACILITY	Take-Out
ZONE	Rt. 1-4
USE	Conforming, New
RECOMMENDATION	Approval

King Weinstein
DBA: York Pizza **MAP 91/LOT 8-W**
Victualers/Liquor

King Weinstein
198 Saco Avenue
Old Orchard Beach, ME 04064

FACILITY	Restaurant/16 Seats
ZONE	Rt. 1-3
USE	Conforming, Existing
RECOMMENDATION	Approval

Kathryn Kelley
DBA: Coppa Magica Gelato **MAP 94/LOT 66**
Victualers

Kathryn Kelley
P. O. Box 316
York, ME 03909

FACILITY	Take-out
ZONE	Rt. 1-2
USE	Conforming, Existing
RECOMMENDATION	Approval

Nancy & John Stern
DBA: Pie in the Sky Bakery, Inc. **MAP 15/LOT 12**
Victualers

Nancy & John Stern
1 River Road
Cape Neddick, ME 03902

FACILITY	Home Occupation
ZONE	Rt. 1-5
USE	Conforming, Existing
RECOMMENDATION	Approval

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name China Bistro
Business Location 8 Market Place Drive
York, Maine 03909
Telephone Number 207-361-4388

OWNER'S Name and Mailing Address Yau Chung Ming
8 Market Place Drive
York, Me 03909.

APPLICANT'S Name and Mailing Address China Bistro Inc.
8 Market Place Drive.
York Me 03909

Is applicant same operator as prior year? ☒ Yes ☐ No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	**DATE**	**INITIALS**
Zoning/Land Use	8 JULY 13	[illegible]
Building Structural		
Electrical		
Plumbing		
Fire	7/17/13	Spear
Tax Collector	6/20/13	Speniaurk

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 53-09
License Year: 2013-2014.
No. Of Seats: 88
No. Of Parking Spaces: _____

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms ✓

Hotel/Motel with Cooking Facilities: # of Rooms ✓

Is Your Establishment Closed for More Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
X $25.00 Victualers
X $25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): N/A

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

I certify the above statements are true and understand false statements may be cause to revoke a license.

6/18/13. [signature]
Date Applicant's Signature

Please Read and Initial the Following Statements:

X I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
X I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
X I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
X I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
X I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Business Manager Signature (If Applicable)_____

6/18/13.
Date Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $100.00 RECEIPT NO. 1727 RECEIPT DATE 6/18 MI PM MM MS

(DB)

Devon Bettinson

From: Gott, Carol [Carol.Gott@maine.gov]
Sent: Wednesday, June 19, 2013 1:28 PM
To: Devon Bettinson
Subject: RE: Business License- China Bistro

Yes, they have a valid license, Expires 9/7/2013

Carol A Gott
Office Associate II
Health Inspection Program
Key Bank Plaza 3rd Floor
11 SHS
Augusta, Maine 04333-0011
Tel: 207-287-5675
Fax: 207-287-3165
carol.gott@maine.gov
http://www.maine.gov/dhhs/eng/el/index.htm
Health Inspection Program Online License Renewal Service:
www.maine.gov/online/hiplicensing

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From: Devon Bettinson [mailto:dbettinson@yorkmaine.org]
Sent: Wednesday, June 19, 2013 11:23 AM
To: Gott, Carol
Subject: Business License- China Bistro

Good Morning,

Checking to see if the restaurant China Bistro, 8 Market Place Dr. Has a current license with the state?

Thank you,
Devon

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Devon Bettinson

From: Mary-Anne Szeniawski
Sent: Thursday, June 20, 2013 9:38 AM
To: Devon Bettinson
Subject: RE: Business License - China Bistro

Current

Mary-Anne Szeniawski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Devon Bettinson
Sent: Wednesday, June 19, 2013 11:31 AM
To: Mary-Anne Szeniawski; David K. Bridges; David Apgar
Cc: Devon Bettinson
Subject: Business License - China Bistro

Good Morning,

I have attached the business license for the restaurant China Bistro, 8 Market Place Drive (53-09). Let me know when you have a chance to review.

Thank you,
Devon

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Devon Bettinson

From: David Apgar
Sent: Wednesday, July 17, 2013 7:58 AM
To: Devon Bettinson
Subject: Inspection Completed - China Bristro

Hi Devon,

I have completed a fire inspection at the China Bristro. Please proceed with their license renewal .

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

Issues: One Emergency-Light not working. Will repair a.s.a.p.

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Department of Public Safety
Division

Liquor Licensing & Inspection

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

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

PRESENT LICENSE EXPIRES 8/4/2013.

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.) China Bistro Inc. **DOB:**	**2. Business Name (D/B/A)** China Bistro.
DOB:	
DOB:	**Location (Street Address)** 8 Market Place Drive, Unit 2B
Address 8 Market place Drive.	**City/Town** York **State** Me **Zip Code** 03909
Unit 2B.	**Mailing Address** 8 Market Place Drive.
City/Town York **State** Me **Zip Code** 03909	**City/Town** York **State** Me **Zip Code** 03909
Telephone Number 207-361-4388 **Fax Number**	**Business Telephone Number** 207-361-4388 **Fax Number**
Federal I.D. # 27-2645281	**Seller Certificate #** 1146045.

3. If premises are a hotel, indicate number of rooms available for transient guests: —
4. State amount of gross income from period of last license: ROOMS $ — FOOD $253680 LIQUOR $ 34593.00
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: EMILY LIU.
8. If business is NEW or under new ownership, indicate starting date: N/A.
   Requested inspection date: _____ Business hours: _____
9. Business records are located at: Premise.
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
YAU Chung Ming	12/27/1954	CHINA
LIU EMILY	5/29/1951	HONG KONG

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

Bar Harbor, Maine
York, Maine

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

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

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

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) 88 Seat restaurant with service bar (4 seats)

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? 1 mile 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: First Bank, Bar Harbor, Maine

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: York, Maine (Town/City, State) on June 17th (Date), 20 13.

Please sign in blue ink

Yau Chung Ming
Signature of Applicant or Corporate Officer(s)

Liu, Emily
Signature of Applicant or Corporate Officer(s)

Print Name Print Name

NOTICE – SPECIAL ATTENTION

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

THIS APPROVAL EXPIRES IN 60 DAYS.

FEE SCHEDULE

Class I Spirituous, Vinous and Malt ..... $ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants: Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) $1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only ..... $ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only ..... $ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only ..... $ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) ..... $ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge $2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge $1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

FILING FEE ..... $ 10.00

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

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

STATE OF MAINE

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

On: _____ (Date)

The undersigned being: ف Municipal Officers ف County Commissioners of the

ف City ف Town ف Plantation ف Unincorporated Place of: _____, Maine

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

_____ _____

_____ _____

_____ _____

THIS APPROVAL EXPIRERS 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, c589, §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, c45, 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, c730, §27 (amd).]

3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
   - **A.** [1993, c.730, §27 (rp).]
4. **No license to person who moved to obtain a license. (REPEALED)**
5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receUpon 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.

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

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

1. **Exact Corporate Name:** China Bistro, Inc.

   Business D/B/A Name: China Bistro.

2. **Date of Incorporation:** 5/24/2010.

3. **State in which you are incorporated:** Maine

4. **If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:** _____

5. **List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:**

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Yau, Chung Ming	195 Main Street Bar Harbor, Maine	4/27/54	40	Pres.
Liu, Steve.	1 Kimball Farm Lane York, Maine	10/9/48	60	Treasurer.

6. **What is the amount of authorized stock?** 9000 **Outstanding Stock?** 3000

7. **Is any principal officer of the corporation a law enforcement official?** ( ) YES (X) NO

8. **Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States?** ( ) YES (X) NO.

9. **If yes, please complete the following: Name:** _____

Date of Conviction: _____ Offense: _____

Location: _____ Disposition: _____

Dated at: _____ **On:** _____
City/Town **Date**

_____ **Date:** 6/17/2013
Signature of Duly Authorized Officer

YAU, Chung Ming
Print Name of Duly Authorized Officer

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name Southern Maine Lobster
Business Location 1021 US Rt one
York, ME 03909
Telephone Number 207-451-7945

OWNER'S Name and Mailing Address Gardem Tobey

APPLICANT'S Name and Mailing Address Bruce Larson
1021 US Rt one
York, ME 03909

Is applicant same operator as prior year? ☐ Yes ☐ No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	**DATE**	**INITIALS**
Zoning/Land Use	7/17/13	AH
Building Structural	7/17/13	AH
Electrical	12 July 13	K Amon
Plumbing	12 July 13	K Amon
Fire		
Tax Collector	6/5/13	Szeniawski

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 30 A 30
License Year: 2013
No. Of Seats:
No. Of Parking Spaces:

New License (One Time $30 Fee): YES NO

License Renewal: YES NO

Bed and Breakfast License: # of Rooms

Hotel/Motel with Cooking Facilities: # of Rooms

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

REQUESTING THE FOLLOWING LICENSES:
X $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):

___ Bed and Breakfast ($10 Per Room): Total

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total

Have you ever been convicted of a Felony? YES (Please Explain) ___ NO X

I certify the above statements are true and understand false statements may be cause to revoke a license.

6/4/13
Date — Applicant's Signature

Please Read and Initial the Following Statements:

BL I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
BL I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
BL I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
BL I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
BL I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature — Business Manager Signature (If Applicable)

Date — Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $ 105.00 RECEIPT NO. 1113 RECEIPT DATE 6/4/13 MI PM MM MS

DB

Devon Bettinson

From: Gott, Carol [Carol.Gott@maine.gov]
Sent: Wednesday, June 05, 2013 4:34 PM
To: Devon Bettinson
Subject: RE: Business License

Yes you do have a valid state license expires 8/31/2013

Carol A Gott
Office Associate II
Health Inspection Program
Key Bank Plaza 3rd Floor
11 SHS
Augusta, Maine 04333-0011
Tel: 207-287-5675
Fax: 207-287-3165
carol.gott@maine.gov
http://www.maine.gov/dhhs/eng/el/index.htm
Health Inspection Program Online License Renewal Service:
www.maine.gov/online/hiplicensing

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From: Roy, Lisa (HIP)
Sent: Wednesday, June 05, 2013 2:14 PM
To: 'Devon Bettinson'
Cc: Gott, Carol
Subject: RE: Business License

Hi Devon,

They have a valid license until 8/31/13.

I am going to request that you contact our licensing clerk with any future request for licensing information. Her name is Carol Gott and I have copied her on this email.

Thanks,
Lisa

Lisa Roy
Program Manager
Health Inspection Program

Devon Bettinson

From: Melissa M. Avery
Sent: Wednesday, June 05, 2013 9:32 AM
To: Devon Bettinson
Subject: Fwd: Southern Maine Lobster Co.

Sent from my iPhone

Begin forwarded message:

From: Mary-Anne Szeniawski <mszeniawski@yorkmaine.org>
Date: June 5, 2013, 8:14:02 AM EDT
To: "Melissa M. Avery" <mmavery@yorkmaine.org>
Cc: "Julie M. Romano" <jromano@yorkmaine.org>
Subject: RE: Southern Maine Lobster Co.

New so no personal property yet.

Mary-Anne Szeniawski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Melissa M. Avery
Sent: Tuesday, June 04, 2013 2:48 PM
To: David K. Bridges; David Apgar; Mary-Anne Szeniawski
Subject: Southern Maine Lobster Co.

Hello,
Just need your approvals for Southern Maine Lobster Co. and new business located at 1021 Us Route One (30A-30).

Thank you,
Missy

____Melissa M. Avery____
Assistant to the Town Manager
Town of York, Maine
186 York Street, York, ME 03909
Phone: (207) 363-1000 | Fax: (207) 363-1019
www.yorkmaine.org

Please consider the environment before printing this email.

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name YORK Pizza
Business Location 647 Route One
York ME 03909
Telephone Number 207 934-7622 x122

OWNER'S Name and Mailing Address York Pizza LLC
9 Travers Street
Haverhill, MASS 01830

APPLICANT'S Name and Mailing Address King Weinstein
195 Saco Avenue
Old Orchard Beach, ME 04064

Is applicant same operator as prior year? ☐ Yes ☒ No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use	6 July 13	[illegible]
Building Structural		
Electrical		
Plumbing		
Fire		
Tax Collector	7/8/13	Sperlauski

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 91-08-W
License Year: 2013
No. Of Seats: 16
No. Of Parking Spaces: Shopping Center 300+-

New License (One Time $30 Fee): (YES) NO

License Renewal: YES (NO)

Bed and Breakfast License: # of Rooms N/A

Hotel/Motel with Cooking Facilities: # of Rooms N/A

Is Your Establishment Closed for More Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
✓ $25.00 Victualers
___ $25.00 Liquor
___ $25.00 Special Amusement
___ $25.00 Bottle Club
___ $25.00 Theater
___ $25.00 Dance Hall
___ Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable): N/A

___ Bed and Breakfast ($10 Per Room): Total_____

___ Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) N (NO)

I certify the above statements are true and understand false statements may be cause to revoke a license.

Date 6/20/13 Applicant's Signature [signature] York Pizza Company LLC

Please Read and Initial the Following Statements:
✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] York Pizza Company LLC King Weinstein
Date 6/20/13

Business Manager Signature (If Applicable) TBD

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $105.00 RECEIPT NO. 2092 RECEIPT DATE 6/20/13 MI PM MM MS

DB

Devon Bettinson

From: Mary-Anne Szeniawski
Sent: Monday, July 08, 2013 11:12 AM
To: Devon Bettinson
Subject: RE: Business License- York pizza

Current on taxes

Mary-Anne Szeniawski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Devon Bettinson
Sent: Monday, July 08, 2013 10:39 AM
To: David K. Bridges; David Apgar; Mary-Anne Szeniawski
Cc: Devon Bettinson
Subject: Business License- York pizza

Good Morning,

Attached is the application for York Pizza 647 US Route One (91-08-W). Let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Gott, Carol [Carol.Gott@maine.gov]
Sent: Tuesday, July 16, 2013 10:38 AM
To: Devon Bettinson
Subject: RE: Business License

That establishment is going thru a change of ownership and has submitted an application with us on 7/12/13. The license has not been approved by the Health Inspector Scott Davis 592-7225 as of yet.

Carol A Gott
Office Associate II
Health Inspection Program
Key Bank Plaza 3rd Floor
11 SHS
Augusta, Maine 04333-0011
Tel: 207-287-5675
Fax: 207-287-3165
carol.gott@maine.gov
http://www.maine.gov/dhhs/eng/el/index.htm
Health Inspection Program Online License Renewal Service:
www.maine.gov/online/hiplicensing

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From: Devon Bettinson [mailto:dbettinson@yorkmaine.org]
Sent: Tuesday, July 16, 2013 9:56 AM
To: Gott, Carol
Subject: Business License

Good Morning,

Can I have a copy of the state license for the business York Pizza, 647 US Route 1?

Thank you,
Devon

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- currently doing work on property, will not be ready for final inspections until May.

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name KATHRYN KELLEY D.B.A. COPPA MAGICA GELATO
Business Location 852 US RT. 1
YORK, ME 03909
Telephone Number (207) 703-8227

OWNER'S Name and Mailing Address CATAPULT DEVELOPMENT LLC
(property owner) 14 ANDREA DRIVE
HOPKINTON, MA 01748

APPLICANT'S Name and Mailing Address KATHRYN KELLEY
(Business owner) PO BOX 316
YORK, ME 03909

Is applicant same operator as prior year? ☐ Yes ☒ No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	**DATE**	**INITIALS**
Zoning/Land Use		
Building Structural	2 JULY 13	K. [signature]
Electrical	9 JULY 13	[signature]
Plumbing	2 JULY 13	K. [signature]
Fire	7/2/13	[signature]
Tax Collector	3/29/13	Szeniawski

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: ~~128-004~~ 94-66 Rt.1-2
License Year: 2013
No. Of Seats: 0
No. Of Parking Spaces: 10

New License (One Time $30 Fee): YES NO

License Renewal: YES NO

Bed and Breakfast License: # of Rooms_____

Hotel/Motel with Cooking Facilities: # of Rooms_____

Is Your Establishment Closed for More Then 120 Consecutive Days? YES NO

REQUESTING THE FOLLOWING LICENSES:
X $25.00 Victualers
___$25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
_____

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

I certify the above statements are true and understand false statements may be cause to revoke a license.

3-27-2013 [signature]
Date Applicant's Signature

Please Read and Initial the Following Statements:

X I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
X I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
X I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
X I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
X I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature [signature] Property Owner ~~Business Manager~~ Signature (If Applicable) [signature]

_____ _____
Date Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. $105.00 RECEIPT NO. 101 RECEIPT DATE 3-29-13 MI PM MM MS EO

Erin O'Dea

From: Mary-Anne Szeniawski
Sent: Friday, March 29, 2013 10:13 AM
To: Erin O'Dea
Subject: RE: New Business License - Coppa Magica Gelato

Erin,
Since it's new, I have no personal property bill on it.

Mary-Anne Szeniawski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Erin O'Dea
Sent: Friday, March 29, 2013 9:29 AM
To: David Apgar; Mary-Anne Szeniawski
Subject: New Business License - Coppa Magica Gelato

Hi,
Attached you will find a new business license application for Coppa Magica Gelato, located at 852 US Route 1.
When you have a chance can you please review?
Thank you,
Erin

Erin M. O'Dea
Administrative Assistant to the Town Manager
Town of York, Maine
186 York Street
York, Maine 03909
Phone: (207) 363-1000 x222
Fax: (207) 363-1019
Email: eodea@yorkmaine.org

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Devon Bettinson

From: David Apgar
Sent: Tuesday, July 02, 2013 4:34 PM
To: David Apgar; Devon Bettinson
Subject: Inspection Completed - Coppamagica Gelato

Hi Devon,

I have completed a fire inspection at the Coppamagica Gelato located at 852 US Rt 1. I could not find a note from you on this business, but I did receive a call from the propriator. Please proceed with their new licensing request.

Thank you,

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

Issues: None

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PUBLIC HEARING NOTICE

May 13, 2013
7:00 PM
York Library

The Selectmen will hold a Public Hearing on May 13, 2013 regarding a New Business License Application for the following:

- James Woodhouse DBA GiGi's (Victualers/Liquor/Dance Hall); Located at 2 Beach Street, Unit 7
- Ellen Boloker DBA Beauport Inn (Bed & Breakfast); Located at 339 Clay Hill Road
- Brenda Strum DBA R7R Fine Chocolates (Victualers); Located at 4 Market Place Drive Suite 1, Unit 2
- Kathryn Kelley DBA Coppa Magica Gelato (Victualers); Located at 852 US Route One

TOWN OF YORK- (186 York Street, York Me 03909)
BUSINESS LICENSE APPLICATION

Business Name PIE IN THE SKY BAKERY, INC.
Business Location 1 RIVER RD
CAPE NEDDICK, ME 03902
Telephone Number 207-363-2656

OWNER'S Name and Mailing Address NANCY + JOHN STERN
1 RIVER RD
CAPE NEDDICK, ME 03902

APPLICANT'S Name and Mailing Address SAME

Is applicant same operator as prior year? ☒ Yes ☐ No

INSPECTION DATA (Office Use Only)		
DEPARTMENT	DATE	INITIALS
Zoning/Land Use	9 JULY 13	
Building Structural		
Electrical		
Plumbing		
Fire	7/16/13	Bridges
Tax Collector	6/12/13	Agenieuski

APPLICATION FEE IS $50.00 PLUS $25 PER SUBSEQUENT LICENSE. PLEASE CHECK APPLICABLE BOX(ES) BELOW AND ADD THE FEE INDICATED TO YOUR APPLICATION FEE. MAKE CHECK PAYABLE TO THE TOWN OF YORK.

MAP/LOT: 15-12
License Year: 2013-2014
No. Of Seats: 0
No. Of Parking Spaces: 5

New License (One Time $30 Fee): YES (NO)

License Renewal: (YES) NO

Bed and Breakfast License: # of Rooms_____

Hotel/Motel with Cooking Facilities: # of Rooms_____

Is Your Establishment Closed for More Then 120 Consecutive Days? YES (NO)

REQUESTING THE FOLLOWING LICENSES:
X $25.00 Victualers
___$25.00 Liquor
___$25.00 Special Amusement
___$25.00 Bottle Club
___$25.00 Theater
___$25.00 Dance Hall
___Coin-OP Amusement ($75 each or $250 for 3 or more)

Nature of Entertainment (If Applicable):
_____

___Bed and Breakfast ($10 Per Room): Total_____

___Hotel/Motel with Cooking Facilities ($25 Per Every 10 Rooms): Total_____

Have you ever been convicted of a Felony? YES (Please Explain) _____ NO X

I certify the above statements are true and understand false statements may be cause to revoke a license.

6-9-13
Date

Applicant's Signature

Please Read and Initial the Following Statements:

✓ I understand that a license is required before operating or conducting any business or activity governed by the Town of York Licensing Ordinance.
✓ I understand that a Town of York Business License must be filled out COMPLETELY and all fees are to be paid before my license is considered for re/approval
✓ I understand that before my business license is issued I must have and pass a full inspection by the Town of York Code Enforcement Office and Fire Department.
✓ I understand that as a business owner I am responsible for calling and setting up an appointment for an inspection and any necessary follow-up inspection with the Code Enforcement Office and Fire Department
✓ I understand that I will not be granted re/approval of a business license through the Town of York until all inspections and taxes on my business are made current and compliant.

Business Owner Signature_____ Business Manager Signature (If Applicable)_____

Date

Town Manager for the Board of Selectmen

Issued pursuant to the provisions of Title 30A MRSA Chapter 3811 through 3814

AMT. RECD. 75.00 RECEIPT NO. 5922 RECEIPT DATE 06/7/13 MI PM MM MS

DB

State of Maine

Department of Agriculture, Food and Rural Resources
Division of Quality Assurance & Regulations
28 State House Station, Augusta, ME 04333-0028
(207) 287-3841

SERIAL NUMBER

73489

1-7723	July 26, 2012	August 31, 2013
LICENSE NUMBER	DATE OF ISSUE	DATE OF EXPIRATION

This certificate is valid only between the date issued and expiration date appearing herein. Only the named holder at the location for which issued may use it.

The person named herein is authorized to sell or manufacture food products, fuel and/or sell or repair weighing and measuring devices as permitted by law for the listed authorizations.

This certificate and/or each type of authorization represented is subject to suspension, revocation or cancellation as authorized by Maine Revised Statutes.

This certifies that

Pie In The Sky Bakery Inc
John & Nancy Stern
1 River RD

Cape Neddick, ME 03902-7203

HOME PROCESSOR

Location: 1 River RD, Cape Neddick

LICENSE TYPE — DESCRIPTION OF LICENSE AUTHORIZATIONS — FEE

License Type	Authorizations	Fee
Home Food Processor	Breads, Rolls Cakes, Pies Soft Drinks Water Other Type Cookies, Muffins	20.00
	TOTAL:	20.00

Department of Agriculture

Commissioner

EVERY LICENSE SHALL BE DISPLAYED ON THE LICENSED PREMISES IN A LOCATION EASILY SEEN BY THE GENERAL PUBLIC.

Division of Quality Assurance

Acting Director

Devon Bettinson

From: Mary-Anne Szeniawski
Sent: Wednesday, June 12, 2013 8:16 AM
To: Devon Bettinson
Subject: RE: Business License - Pie in the sky

Current

Mary-Anne Szeniawski
Town Clerk/Tax Collector
Town of York, Maine
186 York Street, York, ME 03909-1314
i: www.yorkmaine.org
e: mszeniawski@yorkmaine.org
p: (207) 363-1003, Ext. 272
f: (207) 363-1009

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From: Devon Bettinson
Sent: Tuesday, June 11, 2013 3:47 PM
To: Mary-Anne Szeniawski; David K. Bridges; David Apgar
Cc: Devon Bettinson
Subject: Business License - Pie in the sky

Good Afternoon,

I have attached a business license application for Pie in the Sky, 1 River Road Cape Neddick (15-12). Just need your approval!

Thank you,
Devon B

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.

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Devon Bettinson

From: David K. Bridges
Sent: Tuesday, July 16, 2013 10:57 PM
To: Devon Bettinson
Subject: Re: Business License Pie in the Sky

Inspection all done you can grant their license. Dave

Sent from my iPhone. Dave

On Jul 16, 2013, at 11:40 AM, "Devon Bettinson" <dbettinson@yorkmaine.org> wrote:

> Good Morning,
>
> I have attached a business license application for Pie in the Sky, 1 River Road Cape Neddick (15-12). Just need your approval!
>
> Thank you,
> Devon B
>
>
> _____
> CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.
> <Pie in the Sky.pdf>

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 19, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Move Ordinance Amendments to Second Public Hearing	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: I move that Zoning Amendments Ord-1 through Ord-4 be moved to a second public Hearing on August 26, 2013

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Utility Easements From Norton Estate	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION: I move to authorize the York Water District and York Sewer District to negotiate utility easements with the Norton Estate for the police station project.

Discussion:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow

Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____

Subject: Finalization of Plans for York Police Station

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION: I move to authorize SMRT to complete design plans for the York police station and the Ridge Road access point.

Discussion: Based on the discussion with SMRT at the work session on July 10, 2013 the Chair is requesting that authorization be provided to SMRT to complete design plans for the police station project and the Ridge Road access point. Further discussion will be necessary regarding the connector road.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Board and Committee Reappointments	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: Attached is a partial listing of board and committee members whose terms expired on June 30, 2013. All members on this list have indicated that they would like to be reappointed for another term. Some board and committee members indicated that they did not want to be reappointed and those positions will be filled separately.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: _____ Reviewed By: Robert G. Yandow

Reappointments for the Boards, Committees and Commissions | 2013

Town Employee	Due for Reappointment	Sent Letter	Response
Appeals Board			
Joseph Carr	06/30/13	5/14/2013	YES
Leon Moulton	06/30/13	5/14/2013	YES
John Kraus	06/30/13	Verbal YES in April	YES
Conservation Commission			
Priscilla Cookson	06/30/13	5/14/2013	YES
Energy Efficiency Steering Committee			
Victoria Simon	06/30/13	5/14/2013	YES
Historic District Commission			
Robert Cutts	06/30/13	5/14/2013	YES
Thomas Green	06/30/13	5/14/2013	YES
Municipal Social Service			
Diane Kleist	06/30/13	5/14/2013	YES
Park and Recreation			
Michael Modern	06/30/13	5/14/2013	YES
Ron McAllister	06/30/13	5/14/2013	YES
Planning Board			
David Woods	06/30/13	5/14/2013	YES
Lew Stowe	06/30/13	5/14/2013	YES
Senior Citizens Advisory Board			
Emily Cambray	06/30/13	Verbal YES in April	YES

Reappointments for the Boards, Committees and Commissions | 2013

Town Employee	Due for Reappointment	Sent Letter	Response
Shellfish Commission			
Peter Jones	06/30/13	5/14/2013	YES

Sohier Park Committee			
Edward MacGorman	06/30/13	5/14/2013	YES
Sally MacGorman	06/30/13	5/14/2013	YES

York Harbor Site Design Review Board			
James Smith	06/30/13	5/14/2013	YES

York Housing Authority			
Jud Knox	06/30/13	5/14/2013	YES
Ellen Baldwin	06/30/13	5/14/2013	YES
Jane Sweeney Beecher	06/30/13	5/14/2013	YES
Sandy McCartney	06/30/13	5/14/2013	YES

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Appointment to York Harbor Board	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION: I move to appoint Matthew Donnell to one year term on the York Harbor Board.

Discussion: Currently there are four members of the York Harbor Board. Two of the terms expire in 2015 and two expire in 2016. By appointing Matthew Donnell to a one year term, which will expire in 2014, we will avoid a situation where three terms expire at one time.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Planning Board Appointments	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION: Approve Planning Board Appointments

PROPOSED MOTION: Motion #1: I move to appoint Planning Board Alternate member Al Cotton to a three year term as a regular member effective July 22, 2013 with the term to expire on June 30, 2016. Motion #2: I move to appoint Planning Board Alternate member Brud Weger to a two year term as a regular member effective July 22, 2013 with the term to expire on June 30, 2015. Motion #3: I move to appoint Peter Smith to a one year term as a Planning Board alternate effective July 22, 2013 with the term to expire June 30, 2014.

Discussion: Currently there are two vacancies on the York Planning Board. It is being recommended that the two current alternate members be moved up to full membership to fill the two vacancies. It is also being recommend that Peter Smith be appointed to fill one of the alternate positions.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 15, 2013	**Type of Action:**
Date Action Requested: August 12, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____
Subject: Re-appointment of Kathy Newell as Assistant CEO/Alternate LPI	

TO: BOARD OF SELECTMEN

FROM: Stephen H. Burns, Community Development Director

RECOMMENDATION: I recommend renewal of Kathy Newell appointment as Assistant CEO and Alternate LPI.

PROPOSED MOTION: I move to renew the appointment of Kathy Newell as Assistant Code Enforcement Officer and Alternate Local Plumbing Inspector. The term of this appointment shall be indefinite, at the pleasure of the Board of Selectmen.

Discussion: The Board of Selectmen is responsible for appointment of code enforcement officers and local plumbing inspectors. Kathy's appointment in the past has been on an annual basis, but I propose changing this to match the appointment of others, making it indefinite at the pleasure of the Board of Selectmen.

Prepared By: _____ Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: RFP for Legal Services	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: The Board of Selectmen has discussed issuing a Request for Proposals for Legal Services. Attached is a draft RFP for discussion and possible action by the board.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

TOWN OF YORK
Request for Proposal
Legal Services

The Town of York is seeking proposals from qualified applicants to serve as Town Attorney on a contractual basis under appointment by the Board of Selectmen. The Town Attorney will provide legal advice to municipal officials, town employees, board and commissions, and will represent them in court as may be required. The attorney will also prepare and review contracts, deeds, leases, ordinances, etc., and reserve and provide opinions for the Town on a variety of subjects. The attorney may be asked to attend Board of Selectmen or other meetings and hearings and will be expected to provide legal assistance in a prompt and efficient manner.

The successful candidate will be licensed to practice law in the State of Maine and will demonstrate substantial training and experience in all areas of municipal law including land use, labor and personnel relations, finance, civil and criminal litigation, real estate, risk management and environment.

Interested parties may request a Request for Proposals (RFP) from the Board of Selectmen office located at the York Town Hall located at 186 York Street, York, Maine.

Sincerely,

Ronald N. Nowell
Chairman
York, Board of Selectmen

REQUEST FOR PROPOSAL
Legal Services for the Town of York

The Town of York, Maine, hereby solicits proposals from individual attorneys and/or law firms to represent the Town as its Town Attorney. The Attorney and/or firm selected by the Town would serve as legal counsel to the Board of Selectmen, the Town Manager, all town departments and various town boards, committees, agencies and commissions when approved by the Board of Selectmen for a contract term beginning as soon as possible. Term of contract shall be negotiable.

The Town of York's selection will be based on its evaluation of the written proposal, the attorney and/or firm's qualifications and experience, client references, the areas of legal services with which the attorney and/or firm are willing to provide, an oral presentation (if requested) and the overall fee structure. The Town may consider engaging more than one firm for services should responses demonstrate particular strength in one or more areas outlined in this request.

Proposals in whole or in part, must be received by the Board of Selectmen, York Town Office by 4:30PM, on or before____/___/___. Proposals must be sealed and clearly marked, "Legal Services for the Town of York". Respondents must submit an original proposal and seven (7) copies.

The Town reserves the right to accept or reject any or all proposals for any reason, to negotiate with any attorney, law firms, or business and to select one or more of the attorneys and/or firms deemed to have submitted a proposal which in the judgment of the York Board of Selectmen is in the best interest of the inhabitants of the Town of York The Town of Mechanic Falls specifically reserves the right to accept more than one proposal and may select more than one attorney and/or law firm to serve as a legal counsel to the Town of York.

Introduction

The Town has a complex land use ordinance that is only rarely challenged. The Town operates under a town Charter. The Town has a moderately well-developed Personnel Policy.

General Requirement of the Proposal

1. The Attorney and/or law firm submitting a proposal must be in good standing and licensed to practice law before all courts and administrative agencies of the State of Maine and before the United States District Court for the District of Maine.

2. The Proposal must identify the principal attorneys within the firm who would be providing legal services to the Town and identify those areas of legal work described in appendix A, attached hereto, which each such attorney would be providing. Resumes shall be submitted for each such attorney who would be providing services to the Town. The attorney and/or law firm making a proposal must describe the attorney and /or law firm's expertise in providing the services described in Appendix A and must list clients

and references with addresses and phone numbers who may be contacted by the Town of York in connection with the proposal.

3. Attached to this request for Proposal is Appendix A, which describes various areas of legal work, which should be provided to the Town of York. Each applicant must place an "X" on the line next to each of those areas of legal work in which the applicant is willing and able to provide legal counsel to the Town of York. After Appendix A has been so completed, it must be returned with the Proposal of the applicant. Unless the applicant indicates that the Proposal may only be accepted if the applicant is selected to represent the Town in every area designated by the applicant, the Town reserves the right, at its discretion, to appoint the applicant to represent the Town in one or more or all of the areas designated by the applicant. In addition, even if an applicant is selected to represent the Town with regard to one or more or all of the areas of legal work designated by the applicant, the Town reserves the right, at their discretion, to appoint another attorney and/or law firm to represent the Town with regard to such designated area of legal work from time to time if the Town Council deems such action to be in the best interest of the Town.

4. Any attorney or firm who submits a proposal in response to this Request may be required to make an oral presentation of the proposal upon notification of such request by the Board of Selectmen of York.

5. The Attorney or firm that is selected by the Town of York may be required to sign a contract and additional terms and provisions may be included in the contract. The contents of the proposal submitted by the applicant and this Request for Proposal, will be part of any such contract awarded.

6. Any attorney or firm selected by the Town of York will be prohibited from assigning, transferring, conveying or otherwise disposing of its contract for legal service with the Town or their rights, title or interest therein of its power to execute such agreement to any other person, company, partnership or corporation without the previous consent and approval in writing of the Town Manager of York.

7. Each applicant must identify an address of the offices of the attorneys who would provide services to the Town of York and their proximity in miles and driving time to the York Town Office. The applicant must indicate their availability to provide services in the evening hours between approximately 6:00p.m. And 10:00p.m.

8. The attorney and/or legal firm selected as a result of this Proposal shall indemnify the Town of York from all suits, actions, or claims of any kind brought on account of any injuries or employees which constitutes negligence or malpractice. The applicant shall be required to carry professional liability insurance, and the application must specify the carrier and the coverage limits. Any coverage limits less than $1,000,000 must be fully explained. The successful applicant or applicants shall provide and maintain a certificate of current insurance coverage to the Town.

9. Each applicant submitting a proposal to the Town of York shall state that the proposal is made without any connection with any other applicant making any proposal for the same service.

10. Each applicant must state the compensation that will be required for the services of the applicant. The Town of York will entertain proposals for payment on an hourly basis, on a lump sum retainer basis, or any combination thereof. Itemized bills including the date, time and description of service and department requesting service will be required to be submitted before each payment will be made by the Town of York. Such bills shall be submitted on a basis no more frequently than monthly.

    Billing for services shall be explained in detail including all support services such as; paralegal, clerical, supplies, mileage, research through West Law or other equivalent services, and other expenses. Applicants shall identify whether they have a toll free telephone number.

    Applicants shall also list any services that will be provided free of charge such as attendance at annual or special town meetings and/or educational forums on various topics.

11. The agreement between the Town of York and any applicant who is selected shall provide that either party may terminate the contract, with or without cause, upon fourteen (14) days advance written notice to the other party, provided that the Town of York may terminate the contract and provided that any work or services which are in progress but are not completed as of the date of termination shall be continued by such attorney until such work completed, if the Town so wishes.

12. The Town of York will not be responsible for any expenses incurred by an applicant in preparing and submitting a proposal.

13. Each applicant must agree to keep a complete record of all actions, suits, proceedings and other matters handled by the attorney for the Town, including written opinions on legal matters, and to deliver such records, documents and property of every description in her/her possession, belonging to his/her office or to the Town to his/her successor, who shall give him/her duplicate receipts therefore, one of which he/she shall file with the office of the York Board of Selectmen office.

14. The Town prefers to conduct business using e-mail and other electronic media, when reasonable within the confines of confidentiality and other business constraints. To that end, it is frequently important for the Town to be able to receive digital copies of ordinances, policies, contracts and other documentation that are readable by the Town's official software (Microsoft Office products). Should the applicant not generate original documentation using this software, the applicant shall explain how the transmittance of

document will not lose their formatting (e.g. – **bold**, *italic*, ~~strikethough,~~ underline, fonts).

15. The Town expects each applicant to demonstrate how it will manage casework for the Town of York. Each applicant shall identify their response time to questions and assistance (e.g. – verbal response within 1 hour, written response within 24 hours).

16. The Town is interested in developing and implementing practices that promote litigation prevention through proactive and educational methods. Each applicant shall identify their thoughts and proposed approach toward providing proactive legal services, which will minimize claims and expensive litigation.

APPENDIX A

The areas of legal work to be provided by the York Town Attorney shall include the following items. While this list is representative of the areas of work required, it is not exhaustive, and applicant acknowledges and agrees to perform work in other areas as may be requested by Town Officials. Please place an "X" next to each item, which the applicant agrees to perform and write the name of the principal attorney who will be responsible for providing such service next to each such item.

_____1. Police and Law enforcement practices

_____2. Fire and fire prevention practices

_____ 3. Road, bridges, sidewalk construction and maintenance practices

_____ 4. Water line and facility construction and maintenance practices

_____ 5. Compliance with enforcement of State and Federal environmental laws

_____ 6. Eminent domain proceedings

_____7. Deeds, easements and contracts pertaining to real estate and title opinions

_____8. Labor and personnel matters including hiring, disciplinary proceedings, termination, personnel policies and employment contracts

_____9. Tax assessment and lien practices

_____10. Collection of unpaid taxes, fines, loans or other monies owed to the Town.

_____11. Maintenance and regulation of recreation areas including parks

_____12. Municipal bond counsel

_____13. Drafting of municipal ordinances and related amendments

_____14. Preparation of contracts and agreements to which the Town is party

_____15. Advice regarding insurance coverage and insurance claims

_____16. Attendance at Town Council meetings, Planning Board meetings, Zoning Board of Appeals meetings, and other related committee meetings when so requested for the purpose of giving legal advice when requested by its members. It is acknowledges that such meetings occur predominantly in the evening hours.

_____ 17. Prepare when authorized by the Town Council, all charged and complaints against and appear in the appropriate court in the prosecution of, every person charged with a violation of a Town ordinance or law enforced by the town.

_____ 18. Defend municipal officials, including the Town Council, the Planning Board, the Zoning Board of Appeals, the Town Manager, Town employees or any other municipal board or committee in the prosecution of a violation of any law or regulation or in any claim.

_____19. Represent the Town of York and any of its municipal officials in any other general litigation.

_____20. Provide general legal advice, oral or written, to the Town Manager and the Town Council or its committees or any Town Official, when requested and approved by the Town Manager, upon legal questions arising in the conduct of Town business.

_____21. Provide legal advice regarding renewal of or interpretation of cable television contract.

_____ 22. Solid waste collection and disposal

_____ 23. Education law

_____ 24. Discrimination claims

25. Other areas of expertise not covered in items 1-24.

APPENDIX B

Proposal Form

In order to facilitate comparison of competing proposals, the Town respectfully requests applicants to complete the following form. Please feel free to attach additional sheet where the information requested is more extensive than the space provided.

Contact Information

Name of Firm:_____

Mailing Address: _____

Physical Address: _____

Telephone:_____

Fax: _____

E-mail Address:_____

Web site address: _____

Name of lawyer proposed as Town Attorney:_____

Estimated percentage of time he/she spends on municipal legal affairs_____%

Electronic Business

Can your firm provide ordinances and documents in Microsoft Office application formats?_____

If no, explain compatibility_____

Can your firm transmit documents over the internet using e-mail?_____

Does your firm use e-mail in the regular conduct of your business?_____

Professional Liability Insurance

Insurance Carrier:_____

Limits:_____

Financial Consideration

Attorney cost/hour (indicate discount from regular rates if applicable):_____

Associate attorney cost/hour (indicate discount from regular rates if applicable): _____

Paralegal cost/hour (indicate discount from regular rates if applicable):_____

Clerical cost/hour (indicate discount from regular rates if applicable):_____

Other staff cost/hour (indicate discount from regular rates if applicable):_____

Will billable rates for travel include both ways, one way or no charge?_____

Mileage expense rate:_____

Research services cost/hour (e.g. West Law):_____

Other costs (photocopying, fax, telephone expense, other)_____

Attachments: Please attach the following:

- Outline of the size and experience of the law firm.
- Resumes of the legal staff with whom the Town would be working with.
- An explanation of how your firm envisions the legal transfer authority and responsibility in the absence or inability to act as the Town Attorney.
- An explanation of how the Town will be billed for consulations between two attorneys who are both members of your legal firm.
- Explanation of how the firm will be able to respond to requests for services ("turn around time").
- Listing of municipal clients and other references (with addresses and phone numbers).

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Crosswalk at Cape Neddick Beach	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: The Chair has asked that the crosswalk at Cape Neddick Beach be placed on the agenda for additional discussion and possible action.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 19, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Selectmen's Liaison Positions	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: Annually, the Board of Selectmen appoints liaisons to various boards and committees. Earlier this year Mary Andrews was reappointed as the liaison to the Hartley Mason estate. The following liaison positions have not been filled for the current year:

- Energy Efficiency Committee (Previously filled by Ted Little)
- Capital Planning Committee (Previously filled by Mary Andrews and Scott Fiorentino)
- York Library (Previously filled by Kinley Gregg)

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 19, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____

Subject: Discussion Regarding the Establishment of a Selectmen's Liaison Position to the Mount Agamenticus Steering Committee

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION:

Discussion: Selectman Macdonald has requested that the Board of Selectmen discuss and possibly take action on the establishment of this position.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular _X_ **Work Session**	☐ **Other:** _____
Subject: Ballot for Maine Municipal Association Elections	

TO: Board of Selectmen

FROM: Robert G. Yandow, Town Manager

RECOMMENDATION:

PROPOSED MOTION: I move to approve the slate of officers as proposed by the Maine Municipal Association.

Discussion:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Robert G. Yandow Reviewed By: _____

MAINE MUNICIPAL ASSOCIATION
VOTING BALLOT

Election of Vice President and Executive Committee Members
Deadline for Receipt of Voting Ballots – 12:00 noon on Friday, August 16, 2013

VICE-PRESIDENT - 1 YEAR TERM — **Vote for One**

Proposed by MMA Nominating Committee:

Marston Lovell, Councilor, City of Saco ☐

DIRECTORS - 3 YEAR TERM — **Vote for Three**

Proposed by MMA Nominating Committee:

James Chaousis, Town Manager, Town of Boothbay ☐

Linda Cohen, Councilor, City of South Portland ☐

Mary Sabins, Town Manager, Town of Vassalboro ☐

Please note that unlike municipal elections, MMA does not provide for "Write-in Candidates" since our process includes an opportunity to nominate a candidate by petition.

The Voting Ballot may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ **Municipality:** _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Print Name: _____ Signature: _____
Position: _____

OR Signed by a Majority of Municipal Officers **Current # of Municipal Officers:** _____

Print Names: Signatures:

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

Return To:

MMA Annual Election
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: (207) 626-3358 or 626-5947
Email: *tchavarie@memun.org*

MAINE MUNICIPAL ASSOCIATION
EXECUTIVE COMMITTEE

BIOGRAPHICAL SKETCH OF
PROPOSED SLATE OF NOMINEES FOR 2014

MMA VICE PRESIDENT (1-Year Term)

MARSTON LOVELL

- City of Saco, Councilor (2007 – present)
- City of Saco, Deputy Mayor, elected by the council (January 2009 – 2011)
- Council member, Saco RSU Withdrawal Committee (July 2012 - present)
- Council member, Saco Traffic Safety Committee (2007 – present)
- Council member, Saco Sesquibicentenial Celebration Committee (2012)
- Vice President, Maine Municipal Association (April 2013 – present)
- Member, Maine Municipal Association Executive Committee (2011 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (2011 – present)
- Member, MMA Property & Casualty Pool Board of Directors (2011 – present)
- Member, MMA Strategic & Finance Committee (2011-2012); Chair (Jan – March 2013)
- Maine Municipal Association, Legislative Policy Committee, Member (2008 – present)
- Manufacturers Analytics, computer and communications systems services, Owner and Operations Manager (1987 – present)
- Biddeford-Saco-Old Orchard Beach Transit Company, committee (board) Member (2008 – 2012)
- Member, Board of Directors, Biddeford-Saco Area Economic Development Corporation (2012 - present)
- Southern Maine Regional Planning Commission, Municipal Representative (2007 – present)
- Dyer Library Association, private, non-profit library and museum complex, board of trustees, Member (2001-2006), Treasurer (2002 – 2005)
- Accountant, three National Manufacturing Corporations, progressively more responsible positions resulting in Divisional Controller for two of those corporations (1978 – 1988)
- BSBA in Accounting, BA in Liberal Arts, University of Southern Maine (1975 –1978)
- Town of Sanford, Representative Town Meeting, member, (1970 – 1971)
- Maine Medical Center, Research Department, research assistant, internationally recognized published research (1970 – 1974)
- Children's Hospital Medical Center of Boston, Anesthesia Department, chief laboratory technician (1967 – 1968)
- Peter Bent Brigham Hospital, Research Department, research technician, (1966 – 1967)
- Military Service, as a reservist, progressively more responsible positions including four engineer troop commands, six staff positions four of which were construction related, military construction experience Viet Nam, Germany, New England, 2 Achievement Medals, 4 Commendation Medals, Meritorious Service Medal (1963 – 1970, 1977 – 1994).

(over)

MMA EXECUTIVE COMMITTEE MEMBERS (Three 3-Year Terms)

JAMES D. CHAOUSIS

- Town Manager, Town of Boothbay (November 2010 – present)
- Town Manager, Town of Livermore Falls (April 2009 – November 2010)
- Board of Directors, Maine Town & City Management Association (2011 – present)
- Board of Directors, Lincoln County Regional Planning Commission (2012 –present)
- Board of Directors, Boothbay Harbor Region Chamber of Commerce (2012 –present)
- Board of Directors, Midcoast Economic Development District (2011 – present)
- Board of Directors, Androscoggin Valley Council of Government (2009 – 2010)
- Jay/Livermore/Livermore Falls School Consolidation Committee (2010)
- BAS with minor in Public Administration, University of Maine
- Marine Corps, Gulf War Veteran (six years)

LINDA COHEN

- Councilor, City of South Portland (2012 – present)
- City Clerk, City of Portland (2001 – 2011)
- City Clerk, City of South Portland (1989 – 2001)
- Member, Maine Municipal Association Executive Committee (April 2013 – present)
- Member, MMA Workers Compensation Fund Board of Trustees (April 2013 – present)
- Member, MMA Property & Casualty Pool Board of Directors (April 2013 – present)
- Member, MMA Legislative Policy Committee (Portland and Westbrook representative) (2001 – 2011)
- MTCCA Affiliate Representative to MMA Legislative Policy Committee (1990's – 2011)
- South Portland Civic Service Commission (2009 – 2012)
- South Portland Lions Club (2011 – present)
- South Portland/Cape Elizabeth Chamber (2010 – present)
- Director of Development, LearningWorks, Portland, Maine (present)
- Licensed Loan Officer at Cumberland County Mortgage, South Portland (present)
- Licensed Realtor at The Maine Real Estate Network, South Portland (present)

MARY SABINS

- Town Manager, Town of Vassalboro (June 2008 – present)
- Town Manager, Town of Chelsea (2006 – 2007)
- Food Services and Facilities Director, School Administrative District 40, Waldoboro, Maine (2005 – 2006)
- 1st Town Manager, Town of Windsor (2001 – 2005)
- Town Administrator, Town of Hope (1997 – 2001)
- Town Clerk and Tax Collector, Town of Union (1988 – 1997)
- BA in Business Management, University of Maine at Augusta (2001)
- Board of Directors for the Kennebec Valley Council of Government (2008 – 2009)
- Maine Municipal Leadership Award by Maine Resource Recovery Association
- East Union Pioneer Grange Community Service Award

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 17, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____
Subject: Special Event Permit Application: The Big Andrew Surf Contest	

TO: **BOARD OF SELECTMEN**

FROM: Devon Bettinson

RECOMMENDATION: Approve Permit Application

PROPOSED MOTION: I move to approve the Special Event Permit for The Big Andrew Surf Contest for Sunday August 11, 2013 at 7:00am, Long Sands Beach

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Devon Bettinson Reviewed By: Robert B. Yandow

Town of York, Maine
Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 6/18/2013

Name of Event: The Big Andrew "Surf Contest"

Type of Event: Surf Contest

Organization Name: The Big Andrew FDN. Phone #: N/A

Organization Address: 51 Spruce St. City York State: ME Zip: 03909

Applicant Name: Robert Knowles Phone #: 203-610-3116

Applicant Address: 51 Spruce St. City: York State: ME Zip: 03909

Contact Name for Day of Event: Robert Knowles Contact Phone # 203-610-3116

Date of Event: August 11th Day of Week: Sunday

Starting Time: 7 A.M Ending Time: 5 P.M

Assembly Area: Immediate left of bathhouse (Long Sands)

Dispersal Area: " " " "

Event Route: N/A

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)

50

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

4 vehicles, 5-6 tents, 3 signs, (2 Grills for food)

Describe how group is organized and supervised to insure order: 1 volunteer Superviser Per 10 People

Purpose of the Event: Honor a late friend, Raise money for York Oncology

The above information is true to the best of my knowledge and belief.

Signature of Applicant:

For Town Use Only

Reviewed by:

Department	**Initials**	
Police Department	Szeniawski	6-27-2013
Public Works	Lessard	6-28-2013
Parks/Recreation	Sullivan	6-24-2013
Village Fire	Apgar	6-24-2013
York Beach Fire	Bridges	6-24-2013
Code Enforcement	Burns	7-16-2013
York Ambulance	Prince	6-24-2013

Special Conditions:

The Surf Contest has to be restricted to the mixed use zone on the beach (Sullivan).

To Secure the area better (Bridges).

Town Manager

Date

Devon Bettinson

From: Michael J. Sullivan
Sent: Monday, June 24, 2013 3:38 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Jeff Patten
Subject: RE: Special Event Application: The Big Andrew Surf Contest

OK with this event. Grills to be approved by fire chief. Surf contest restricted to mixed use zone.

Michael J. Sullivan, Director
Parks and Recreation

Town of York, Maine
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:20 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: RE: Special Event Application: The Big Andrew Surf Contest

---

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:14 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Devon Bettinson
Subject: Special Event Application: The Big Andrew Surf Contest

Afternoon,

Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Ellen Prince [ellenprince@gmail.com]
Sent: Monday, June 24, 2013 7:32 PM
To: Devon Bettinson
Subject: Re: Special Event Application: The Big Andrew Surf Contest

Fine with York Ambulance

On Jun 24, 2013, at 3:13 PM, Devon Bettinson <dbettinson@yorkmaine.org> wrote:

> Afternoon,
>
> Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.
>
> Thank you,
> Devon

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Devon Bettinson

From: David K. Bridges
Sent: Monday, June 24, 2013 9:04 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; Stephen H. Burns; ellenprince@gmail.com
Cc: David K. Bridges
Subject: RE: Special Event Application: The Big Andrew Surf Contest

I would ask them to make sure they secure their area better than they did last year. I did have to ask them to secure it last year, of which they immediately did. Other than that I have no problem with the event. Dave

---

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:20 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: RE: Special Event Application: The Big Andrew Surf Contest

---

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:14 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Devon Bettinson
Subject: Special Event Application: The Big Andrew Surf Contest

Afternoon,

Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: David Apgar
Sent: Monday, June 24, 2013 8:15 PM
To: Devon Bettinson
Subject: RE: Special Event Application: The Big Andrew Surf Contest

Village fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:13 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Devon Bettinson
Subject: Special Event Application: The Big Andrew Surf Contest

Afternoon,

Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Charles J. Szeniawski
Sent: Thursday, June 27, 2013 11:35 AM
To: Devon Bettinson; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: RE: Special Event Application: The Big Andrew Surf Contest

I have no issue with this application as long as they are in compliance with the fire department for the grill and rec for the surfing area.

Lieutenant Charles J. Szeniawski
Commander, Patrol Division
Town of York, Maine Police Department
36 Main Street, York, ME 03909-6244
i: www.yorkpolice.org
e: cszeniawski@yorkpolice.org
p: (207) 363-1031, Ext. 104
f: (207) 361.6818

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From: Devon Bettinson
Sent: Monday, June 24, 2013 3:20 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: RE: Special Event Application: The Big Andrew Surf Contest

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From: Devon Bettinson
Sent: Monday, June 24, 2013 3:14 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Devon Bettinson
Subject: Special Event Application: The Big Andrew Surf Contest

Afternoon,

Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Dean Lessard
Sent: Friday, June 28, 2013 4:05 PM
To: Devon Bettinson
Subject: RE: Special Event Application: The Big Andrew Surf Contest

Hi Devon
DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | *Director of Public Works*
Town of York, Maine Department of Public Works
186 York Street | York, Maine 03909
Phone: (207) 363-1010, Ext. 6201
Fax: (207) 363-1012
E-Mail: dlessard@yorkmaine.org
Online: www.yorkmaine.org

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:20 PM
To: Devon Bettinson; Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Subject: RE: Special Event Application: The Big Andrew Surf Contest

---

From: Devon Bettinson
Sent: Monday, June 24, 2013 3:14 PM
To: Charles J. Szeniawski; Dean Lessard; Michael J. Sullivan; David Apgar; David K. Bridges; Stephen H. Burns; ellenprince@gmail.com
Cc: Devon Bettinson
Subject: Special Event Application: The Big Andrew Surf Contest

Afternoon,

Attached is the special event application for the Big Andrew Surf Contest on Sunday August 11th. Please let me know when you've had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Stephen H. Burns
Sent: Tuesday, July 16, 2013 8:22 AM
To: Devon Bettinson
Subject: RE: Special Event Big Andrew Surf Contest

Hi Devon,

I have no code issues with this event.

Steve

Stephen H. Burns
Community Development Director

From: Devon Bettinson
Sent: Monday, July 15, 2013 4:13 PM
To: Stephen H. Burns
Subject: Special Event Big Andrew Surf Contest

Afternoon,

Attached is the application for the Big Andrew Surf contest. Just need your approval, let me know when you've had a chance to review.

-Devon

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AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 19, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____
Subject: Special Event Permit Application: Eastern Surfing Association Contest Series	

TO: **BOARD OF SELECTMEN**

FROM: Devon Bettinson

RECOMMENDATION: Approve Permit Application

PROPOSED MOTION: I move to approve the Special Event Permit for the Eastern Surfing Association Contest Series on Saturday July 27th, 2013, at 7:00AM on Long Sands Beach.

Discussion: All appropriate departments have been notified and given approval, see attached.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Devon Bettinson Reviewed By: Robert B. Gardner

Town of York, Maine
Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date:6-7-13 _____

Name of Event: _Eastern Surfing Association contest series
_____

Type of Event: _Amateur surfing contest_____

Organization Name: Eastern Surfing Association ,Northern New England District._____ Phone #:_603-944-2418._____

Organization Address: _7 shirley terr._____City_Hampton_____ State: NH____ Zip: 03842

Applicant Name: _Lenny Nichols_____ Phone #:_603-944-2418_____

Applicant Address: _7 shirley terr_____City:__Hampton _____ State: _NH____ Zip:03842_____

Contact Name for Day of Event:Lenny Nichols_____ Contact Phone #_603-944-2418_____

Date of Event: _____ Dav of Week: _Saturday_July 27th_____

Starting Time: 7 am_____ Ending Time: 6pm_____

Assembly Area: _Surf break off Becon St._____

Dispersal Area: _Same_____

Event Route: _Same_NA_____

_____

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed) ___75-100_____

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

For Town Use Only

Reviewed by:

Department	**Initials**	
Police Department	Szeniawski	6-28-2013
Public Works	Lessard	6-28-2013
Parks/Recreation	Sullivan	6-28-2013
Village Fire	Apgar	7-1-2013
York Beach Fire	Bridges	7-19-2013
Code Enforcement	Burns	6-28-2013
York Ambulance	Prince	6-13-2013

Special Conditions:

_____

_____

_____

_____

_____

_____

_____

_____ _____

Town Manager Date

ADDITIONAL INTEREST SCHEDULE

ACORD®

DATE (MM/DD/YYYY)
2/14/2013

AGENCY	CARRIER	NAIC CODE
	United States Fire Insurance Company	21113

POLICY NUMBER	EFFECTIVE DATE	NAMED INSURED(S)
SRPGP-101/USP108945	2/12/2013	Eastern Surfing Association

ADDITIONAL INTEREST (Not all fields apply to all scenarios – provide only the necessary data)

INTEREST: [X] ADDITIONAL INSURED [ ] LOSS PAYEE [ ] BEACH OF WARRANTY [ ] MORTGAGEE [ ] CO-OWNER [ ] OWNER [ ] EMPLOYEE AS LESSOR [ ] REGISTRANT [ ] LEASEBACK OWNER [ ] TRUSTEE [ ] LIENHOLDER

NAME AND ADDRESS — RANK: ____ EVIDENCE: [ ] CERTIFICATE [ ] POLICY [ ] SEND BILL

Department of Conservation and Recreation /Nantasket Beach
251 Causeway Street
Boston, MA02114

REFERENCE / LOAN #: | INTEREST END DATE:
LIEN AMOUNT: | PHONE (A/C, No, Ex):
REASON FOR INTEREST: | E-MAIL ADDRESS:

INTEREST IN ITEM NUMBER: LOCATION: | BUILDING: | VEHICLE: | BOAT: | AIRPORT: | AIRCRAFT: | ITEM CLASS: | ITEM: | ITEM DESCRIPTION | FAX (A/C, No):

INTEREST: [X] ADDITIONAL INSURED [ ] LOSS PAYEE [ ] BEACH OF WARRANTY [ ] MORTGAGEE [ ] CO-OWNER [ ] OWNER [ ] EMPLOYEE AS LESSOR [ ] REGISTRANT [ ] LEASEBACK OWNER [ ] TRUSTEE [ ] LIENHOLDER

NAME AND ADDRESS — RANK: ____ EVIDENCE: [ ] CERTIFICATE [ ] POLICY [ ] SEND BILL

Town of Nantucket
16 Broad Street
Nantucket, MA 02554

REFERENCE / LOAN #: | INTEREST END DATE:
LIEN AMOUNT: | PHONE (A/C, No, Ex):
REASON FOR INTEREST: | E-MAIL ADDRESS:

INTEREST IN ITEM NUMBER: LOCATION: | BUILDING: | VEHICLE: | BOAT: | AIRPORT: | AIRCRAFT: | ITEM CLASS: | ITEM: | ITEM DESCRIPTION | FAX (A/C, No):

INTEREST: [X] ADDITIONAL INSURED [ ] LOSS PAYEE [ ] BEACH OF WARRANTY [ ] MORTGAGEE [ ] CO-OWNER [ ] OWNER [ ] EMPLOYEE AS LESSOR [ ] REGISTRANT [ ] LEASEBACK OWNER [ ] TRUSTEE [ ] LIENHOLDER

NAME AND ADDRESS — RANK: ____ EVIDENCE: [ ] CERTIFICATE [ ] POLICY [ ] SEND BILL

Town of Ocean City
Attn: City Hall
301 Baltimore Avenue
Ocean City, MD 21842

REFERENCE / LOAN #: | INTEREST END DATE:
LIEN AMOUNT: | PHONE (A/C, No, Ex):
REASON FOR INTEREST: | E-MAIL ADDRESS:

INTEREST IN ITEM NUMBER: LOCATION: | BUILDING: | VEHICLE: | BOAT: | AIRPORT: | AIRCRAFT: | ITEM CLASS: | ITEM: | ITEM DESCRIPTION | FAX (A/C, No):

INTEREST: [X] ADDITIONAL INSURED [ ] LOSS PAYEE [ ] BEACH OF WARRANTY [ ] MORTGAGEE [ ] CO-OWNER [ ] OWNER [ ] EMPLOYEE AS LESSOR [ ] REGISTRANT [ ] LEASEBACK OWNER [ ] TRUSTEE [ ] LIENHOLDER

NAME AND ADDRESS — RANK: ____ EVIDENCE: [ ] CERTIFICATE [ ] POLICY [ ] SEND BILL

Town of York Selectmen
Attn: Clerks Office
186 York Street
York, ME 03909

REFERENCE / LOAN #: | INTEREST END DATE:
LIEN AMOUNT: | PHONE (A/C, No, Ex):
REASON FOR INTEREST: | E-MAIL ADDRESS:

INTEREST IN ITEM NUMBER: LOCATION: | BUILDING: | VEHICLE: | BOAT: | AIRPORT: | AIRCRAFT: | ITEM CLASS: | ITEM: | ITEM DESCRIPTION | FAX (A/C, No):

INTEREST: [X] ADDITIONAL INSURED [ ] LOSS PAYEE [ ] BEACH OF WARRANTY [ ] MORTGAGEE [ ] CO-OWNER [ ] OWNER [ ] EMPLOYEE AS LESSOR [ ] REGISTRANT [ ] LEASEBACK OWNER [ ] TRUSTEE [ ] LIENHOLDER

NAME AND ADDRESS — RANK: ____ EVIDENCE: [ ] CERTIFICATE [ ] POLICY [ ] SEND BILL

Town of Carolina Beach
Attn: Town Clerk
1121 N. Lake Park Blvd.
Carolina Beach, NC 28428

REFERENCE / LOAN #: | INTEREST END DATE:
LIEN AMOUNT: | PHONE (A/C, No, Ex):
REASON FOR INTEREST: | E-MAIL ADDRESS:

INTEREST IN ITEM NUMBER: LOCATION: | BUILDING: | VEHICLE: | BOAT: | AIRPORT: | AIRCRAFT: | ITEM CLASS: | ITEM: | ITEM DESCRIPTION | FAX (A/C, No):

The above are added as additional insured but only with respect to liability arising out of operations of the named insured during the policy period.

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 2/14/2013

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

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

PRODUCER
FRANCIS L. DEAN & ASSOCIATES, LLC
1776 S. NAPERVILLE ROAD, BLDG-B
P.O. BOX 4200
WHEATON, IL 60189
www.fdean.com
(800)745-2409

CONTACT NAME:
PHONE (A/C, No, Ext): 800-745-2409 FAX (A/C, No): 630-665-7294
E-MAIL ADDRESS: info@fdean.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: United States Fire Insurance Company	21113
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED SPORTS AND RECREATION PROVIDERS ASSOCIATION (PURCHASING GROUP) AND ITS PARTICIPATING MEMBERS:

Eastern Surfing Association
P.O. Box 4736
Ocean City, MD 21843

COVERAGES CERTIFICATE NUMBER: USP108945 REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC	X		SRPGP-101	2/12/2013	2/12/2014	GENERAL AGGREGATE	$2,000,000.00
							PRODUCTS - COMP/OP AGG	$1,000,000.00
							PERSONAL & ADV INJURY	$1,000,000.00
							EACH OCCURRENCE	$1,000,000.00
							FIRE DAMAGE (Any one fire)	$300,000.00
							MED EXP (Any one person)	$5,000.00
								$
	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTO NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATU-TORY LIMITS OTH-ER	$
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
	GL Premium:							$13,871.00

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

Surfing Activities

CERTIFICATE HOLDER

Eastern Surfing Association
P.O. Box 4736
Ocean City, MD 21843

CANCELLATION

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

AUTHORIZED REPRESENTATIVE

Francis L. Dean

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Devon Bettinson

From: Michael J. Sullivan
Sent: Friday, June 28, 2013 11:54 AM
To: Devon Bettinson; Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Stephen H. Burns
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

Parks and Recreation recommends approval

Michael J. Sullivan, Director
Parks and Recreation

Town of York, Maine
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:49 AM
To: Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Michael J. Sullivan; Stephen H. Burns
Subject: Special Event Date Change- Eastern Surfing Association Contest Series

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Charles J. Szeniawski
Sent: Friday, June 28, 2013 12:27 PM
To: Michael J. Sullivan; Devon Bettinson; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Stephen H. Burns
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

As long as rec is ok with there program and area of set up we are ok with it.

Lieutenant Charles J. Szeniawski
Commander, Patrol Division
Town of York, Maine Police Department
36 Main Street, York, ME 03909-6244
i: www.yorkpolice.org
e: cszeniawski@yorkpolice.org
p: (207) 363-1031, Ext. 104
f: (207) 361.6818

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From: Michael J. Sullivan
Sent: Friday, June 28, 2013 11:54 AM
To: Devon Bettinson; Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Stephen H. Burns
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

Parks and Recreation recommends approval

Michael J. Sullivan, Director
Parks and Recreation

Town of York, Maine
186 York Street
York, Maine 03909
(207) 363-1040
msullivan@yorkmaine.org

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:49 AM
To: Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Michael J. Sullivan; Stephen H. Burns
Subject: Special Event Date Change- Eastern Surfing Association Contest Series

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,

Devon Bettinson

From: Ellen Prince [ellenprince@gmail.com]
Sent: Friday, June 28, 2013 12:30 PM
To: Devon Bettinson
Cc: Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Michael J. Sullivan; Stephen H. Burns
Subject: Re: Special Event Date Change- Eastern Surfing Association Contest Series

It's fine with York Ambulance

Ellen

On Fri, Jun 28, 2013 at 11:48 AM, Devon Bettinson <dbettinson@yorkmaine.org> wrote:

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,

Devon

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--
Ellen Prince
Asst. Chief
York Ambulance Association, Inc.
15 Salisbury Ave.
P.O. Box 238
York, ME 03909-0238
Phone: 207-363-4403
Fax: 207-363-2041

Devon Bettinson

From: Stephen H. Burns
Sent: Friday, June 28, 2013 12:37 PM
To: Devon Bettinson
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

Devon,

I have no code issues with this event.

Steve

Stephen H. Burns
Community Development Director

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:49 AM
To: Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Michael J. Sullivan; Stephen H. Burns
Subject: Special Event Date Change- Eastern Surfing Association Contest Series

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: Dean Lessard
Sent: Friday, June 28, 2013 4:07 PM
To: Devon Bettinson
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

Hi Devon
DPW doesn't anticipate any issues with this event. DPW recommends approval.

Thanks
Dean

Dean A. Lessard, P.E. | *Director of Public Works*
Town of York, Maine Department of Public Works
186 York Street | York, Maine 03909
Phone: (207) 363-1010, Ext. 6201
Fax: (207) 363-1012
E-Mail: dlessard@yorkmaine.org
Online: www.yorkmaine.org

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:49 AM
To: Dean Lessard
Subject: FW: Special Event Date Change- Eastern Surfing Association Contest Series

---

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:49 AM
To: 'Charlie Szeniawski'; David Apgar; David K. Bridges; 'Dean Lessard'; 'Ellen Prince'; Michael J. Sullivan; Stephen H. Burns
Subject: Special Event Date Change- Eastern Surfing Association Contest Series

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: David Apgar
Sent: Monday, July 01, 2013 5:43 AM
To: Devon Bettinson
Subject: RE: Special Event Date Change- Eastern Surfing Association Contest Series

Village Fire approval.

David Apgar
Deputy Fire Chief
York Village Fire Dept
Fire Inspector
207-451-8258

From: Devon Bettinson
Sent: Friday, June 28, 2013 11:48 AM
To: Charles J. Szeniawski; David Apgar; David K. Bridges; Dean Lessard; Ellen Prince; Michael J. Sullivan; Stephen H. Burns
Subject: Special Event Date Change- Eastern Surfing Association Contest Series

Hello,

Attached is the updated application for the Eastern Surfing Association Contest Series. This event was going to have a conflict with the Nubble challenge on the 20th so it has changed its date to July 27th. Let me know when you have had a chance to review.

Thank you,
Devon

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Devon Bettinson

From: David K. Bridges
Sent: Friday, July 19, 2013 8:20 AM
To: Devon Bettinson
Subject: Re:

I have no problem with this event

Sent from my iPhone. Dave

On Jul 19, 2013, at 8:14 AM, "Devon Bettinson" <dbettinson@yorkmaine.org> wrote:

> Good Morning,
>
> I have attached a special event application for the Eastern Surfing Association contest series for July 27 the date was originally the 20th but was changed because of conflicting events. Please let me know when you've had a chance to review.
>
> Thank you,
> Devon
>
> _____
> CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact town@yorkmaine.org. This footnote also confirms that this email message has been checked for the presence of computer viruses.
> <Eastern Surfing Association Conest Series.pdf>

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AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: July 19, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____
Subject: Special Permit for Catering Privileges Off Premises – Bill Fosters Downeast Clambake	

TO: **BOARD OF SELECTMEN**

FROM: Devon Bettinson

RECOMMENDATION: Approve the Special Permit for Catering Privileges Off Premises for Bill Fosters Downeast Clambake

PROPOSED MOTION: I move to approve the Special Permit for Catering Privileges Off Premises for Bill Fosters Downeast Clambake at 749 Shore Road, Cape Neddick, on August 10, 2013 from 11:00AM – 3:00PM.

Discussion:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: Devon Bettinson

Reviewed By: Robert B. Yandow

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

APPLICATION FOR SPECIAL PERMIT FOR CATERING PRIVILEGES OFF PREMISES $10.00 (per day)

Check Payable: Treasurer State of Maine

License No.: 5726 Name of Licensee: Bill Fosters Downeast Clambake

Mailing Address: PO Box 486

Town/ City: York Harbor State: ME Zip Code: 03911

Telephone: 207-363-3255 Fax: 207-363-2213

Title and Purpose of Event: 25th wedding anniversary & 50th birthday party

Location of Event: Ye Old Perkins Place

Physical Address: 749 Shore Road

Town/City: Cape Neddick State: ME Zip Code:

☐ Indoor Event ☒ Outside Event **(IF OUTSIDE AREA, DIAGRAM MUST BE INCLUDED)**

Describe specific indoor and/or outdoor area to be licensed:

Date of Event: Aug. 10, 2013 Time – From: 11am To: 3pm

Number of Persons Attending: 150

Name of Sponsor: Tenley O'Shaughnessy

Address: 591 Main Street Town/City: Concord

State: MA Zip Code: 01742 Telephone Number: 978-318-9973

Michelle Riggie — 7/19/13

Signature of Licensee or Corporate Officer — Date

Michelle Riggie

Print Name of Licensee or Corporate Officer

FOR USE ONLY BY DEPT. OF PUBLIC SAFETY – LIQUOR LICENSING

RESTRICTIONS:

[ ] **APPROVED – PERMIT #** _____ **DATED:** _____

[ ] **NOT APPROVED** **ISSUED BY:** _____

OffPremCater / 2003

This Off Premise Catering Permit is not assignable and is valid for use only by the Licensee named heron for the date, time, and location indicated heron. This permit is issued subject to the Laws, Rules and Regulations of the Division and is issued subject to the penalties as provided for in Title 28A, Chapter 33.

NOTE: TO MUNICIPAL OFFICERS & COUNTY COMMISSIONERS
This application must be approved by the Municipal Officers of the municipality in which the function is to be held or, if held in an unincorporated place, by the County Commissioner. Title 28A, Section 1076, Subsection 7D grant authority for this approval without public notice.

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

On: _____
Date

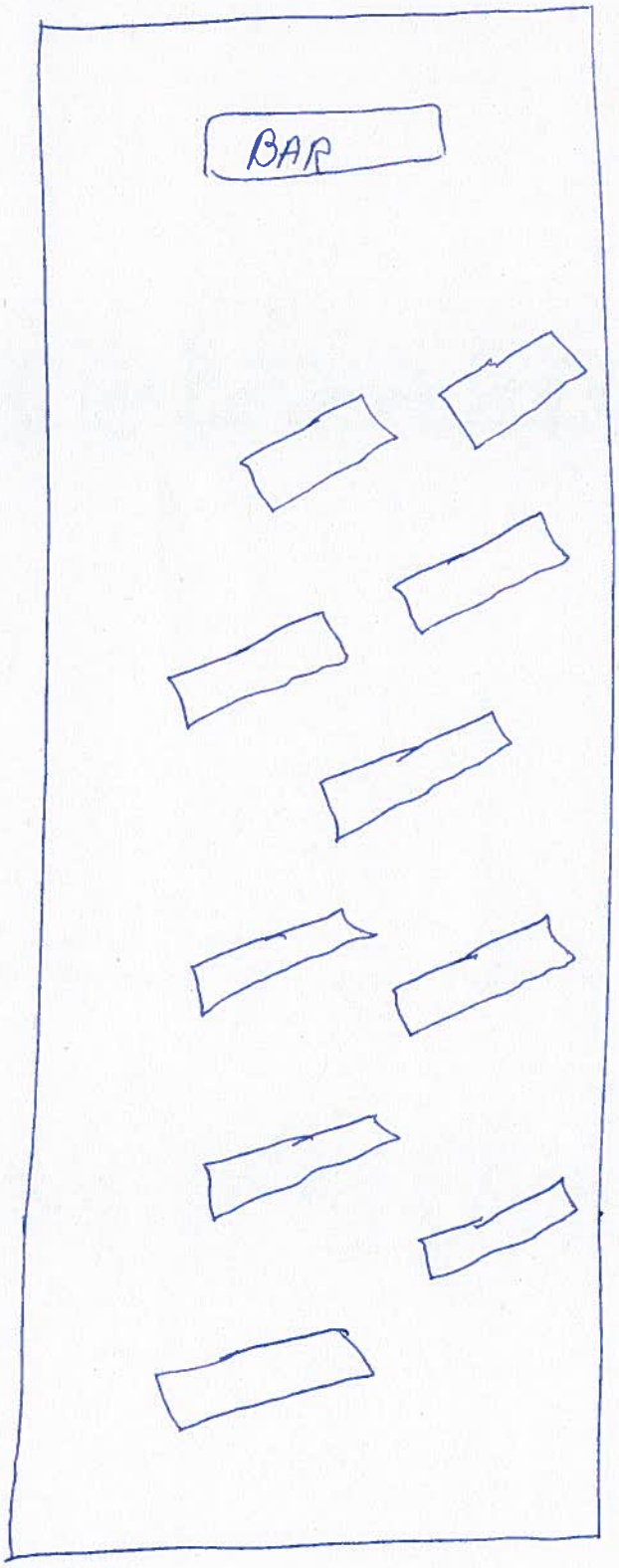
The undersigned being: ☐ Municipal Offices ☐ County Commissioners of the

☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

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

Signature	Print

72 Hours in Advance of Said Event or Gathering
REQUESTED


BAR

AGENDA ITEM NUMBER: ____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: June 18, 2013	**Type of Action:**
Date Action Requested: July 22, 2013	☐ **Procedural** ☒ **Formal Action**
Regular X **Work Session** __	☐ **Other:** _____

Subject: Business Directional Sign for GiGi's Italian Restaurant – 2 Beach Street.

TO: BOARD OF SELECTMEN

FROM: Dean Lessard, Director of Public Works

RECOMMENDATION: Approve OBDS sign requests for GiGi's Italian Restaurant.

PROPOSED MOTION: I move to approve the single sided business directional signs requested at the intersection of Route 1 and Cape Neddick Road northbound & southbound for GiGi's Italian Restaurant.

Discussion: GiGi's Italian Restaurant has requested approval of single sided business directional signs. The sign would be located on existing posts that have vacant space. Please see attached photo's of requested locations.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Prepared By: _____ Reviewed By: Robert S. Yandow

Recd 7/18/13

TOWN OF YORK

APPLICATION FOR OFFICIAL BUSINESS DIRECTIONAL SIGN

Business Name: GiGi's

Mailing Address: 1 Middle Street, Suite 1, Portsmouth, NH 03801

Contact Person: James Woodhouse

Email Address: jmwjmw079@gmail.com Phone Number 603-957-0888

Location of Requested Sign(s)- Please be specific

Requested Location 1: ROUTE ONE N & ROUTE 1A (CAPE NEDDICK Rd)

Requested Location 2: ROUTE ONE S - COLUMBANY HOUSE BT

Information as it will appear on Each Sign:

Sign 1: GiGi's - Italian FOOD & DRINK

Sign 2: GiGi's - Italian FOOD & DRINK

Initial Fee ($30) x2 per Sign: $80.00 Annual Fee ($10) x2 per sign

Following approval by the Board of Selectmen the applicant can deliver the sign(s) to the Department of Public Works garage at 115 Chases Pond Road for installation.

Business Directional Sign Specifications:

Each sign must be 10" high & 42" wide and made of Durable Composite Material (No wood or plywood). The background must be white, the lettering black, and the back of the sign Dark Green. The lettering must be a minimum of 4" high. Each business is allowed a maximum of 2 business directional signs.

Owners of each business directional sign are responsible for maintenance and replacement of the signs; owners of signs that are in need of repair will be sent a note via email.

The owner of each Business Directional Sign is responsible for informing the DPW of change of business status or mailing address.

Approved by: _____ Date: 7/18/2013

Director of Public Works

Approved by: _____ Date: _____

Town Manager

IMG_12

IMG_1

Sign Specifications

← 42" →

↑ 10" ↓

Logo (Optional)	GIGI's (16") Italian FOOD & DRINK	→ Miles

← Miles	GIGI's Italian FOOD & DRINK	Logo (optional)

Letters must be a minimum of 4" High

28 →

McGavie 363-3440

HARBORSIDE RESTAURANT
ATLANTIC HOUSE HOTEL
BLUE SKY RESTAURANT
OLD TIME PHOTOS

CAPE NEDDICK
LOBSTER POUND
HARBORSIDE
RESTAURANT
BITTERSWEET
BED & BREAKFAST
A
NO
PARKING
ANY
TIME