

**7:00PM Board of Selectmen Meeting
Topsham Municipal Building
Donald A. Russell Meeting Room
December 21, 2017**

Pledge of Allegiance –

Roll Call of Board Members –

Town Manager's Report –

Board and Committee Reports and Updates

Public Comment –

Correspondence –

Adjustments to the Agenda –

Consent Calendar –

1. Approval of the minutes of the Regular Selectmen meeting 12-07-2017.

Public Hearing –

17-105- Consideration and any appropriate action on an application for a Special Amusement permit for Sea Dog Ventures, Inc.

17-106- Consideration and any appropriate action on an application for a new Liquor License and Special Amusement permit for Wild Duck Pub with Extension of Premise.

Unfinished Business –

17-04- Consideration and any appropriate action on proposal for investment of Municipal Funds.

Old Business –

New Business –

17-107- Consideration and any appropriate action to amend the Topsham Planning Application Fee Schedule.

17-108- Consideration and any appropriate action on discussion and disposition of Edgecomb Bridge.

17-109- Consideration and any appropriate action on the re-appointment of Steve Pelletier to the Conservation Commission.

Executive Session-

Any public member desiring to address the Board shall be recognized by the Chair, shall state name and address for the record, and shall limit remarks to the question under discussion. All remarks and questions addressed to the administration of Town shall be addressed to the Town Manager or the Board of Municipal Officers through the Chair and not to any municipal town employee. No person other than members of the Board and the person having the floor shall enter into any discussion either directly or through a member of the Board without the permission of the presiding officer.

Public members attending Board Meetings also shall observe the same rules of propriety, decorum, and good conduct applicable to the members of the Board. Any person making personal impertinent and slanderous remarks, or who becomes boisterous while addressing the Board or those attending the Board meeting shall be removed from the room if so directed by the presiding officer. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer. In case the presiding officer should fail to act, any member of the Board may move to require the Chair to act to enforce the rules, and the affirmative vote of the Board shall require the presiding officer to act. 05/29/2003

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- Old Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number 1

(If this is unfinished business, please remember to research and enter the original agenda number above. For regular agenda items, the secretary will assign a number.)

Brief Title of consent or Agenda Item: Approval of the minutes of the Regular Selectmen meeting 12-07-2017.

Brief Description of Consent or Agenda Item: see attached

Submitted by Rich Roedner, Town Manager **Date:** 12-11-2017

MINUTES
TOWN OF TOPSHAM
BOARD OF SELECTMEN MEETING
DECEMBER 7, 2017 - 7:00 p.m.

MEMBERS PRESENT: David Douglass
Ruth Lyons
William Thompson
Roland Tufts

MEMBER(S) ABSENT: Marie Brilliant

STAFF PRESENT: Richard Roedner, Town Manager

A meeting of the Topsham Board of Selectmen was held on Thursday, December 7, 2017 in the Donald A. Russell Meeting Room, at the Municipal Building, 100 Main Street, Topsham, Maine.

CALL TO ORDER

Chairman Douglass called the regular meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE/ROLL CALL

All present were invited to stand and recite the Pledge of Allegiance to the Flag. The recording secretary took the roll call and noted that all Selectmen were present, except for Selectman Brilliant, who had been excused.

TOWN MANAGER'S REPORT

We have a lot of things happening in Town, so if you are interested in receiving agendas for specific committees, I would direct you to our home page, www.topshammaine.com, and under e-mail E-alerts, where you can sign up to receive agendas for various committees.

We received a report that James Delaman, who has been serving on the Comprehensive Plan Committee, has submitted his resignation. He is moving to Portland, and will no longer be a resident of Topsham. So, if there are people interested in serving on the Comp Plan Committee, call the Manager's Office for a copy of our committee member application. The Comprehensive Plan Committee has six active members at this time.

The Topsham Public Library is now accepting applications for its Joy of Art program. Contact the library, or visit its web site, for copies of the application forms.

Registration for our Recreation Department's Learn to Ski Program is open, but it is closing next Thursday, so hurry and sign up!

We held a Town Meeting last night, with three items on the warrant. Voters adopted a 6-month moratorium on Medicinal Marijuana Storefronts, enacted a new 6 month moratorium on Recreational Marijuana businesses, and adopted a technical change to the sign ordinance regarding the background color of the DOT directional signs that are along our roadsides, following a new standard established by DOT and the Federal Highway Administration

BOARDS AND COMMITTEE REPORTS AND UPDATES – None noted.

PUBLIC COMMENT – None noted.

CORRESPONDENCE – Chairman Douglass told the Board he received a letter addressed to “Mayor” Douglass asking if the Town wants to participate in School Choice Week. No action was taken on this item.

Selectman Lyons noted that she received a couple of telephone calls, one that is an agenda item for this evening expressing concern about the traffic and speed on the Middlesex Road, and one expressing concerns about the detention pond on Ivanhoe Drive. The detention pond concern has been passed on the Public Works Director to look into.

ADJUSTMENTS TO THE AGENDA – None noted

CONSENT CALENDAR

1. Approval of the minutes of the Regular Selectmen’s Meeting of 11/6/17.

Motion was made by Chairman Douglass, seconded by Selectman Thompson, and it was unanimously

VOTED

To approve the minutes of the Regular Selectmen’s Meeting of November 16, 2017, as written.

PUBLIC HEARING – None noted.

UNFINISHED BUSINESS – None noted.

OLD BUSINESS – None noted.

NEW BUSINESS

17-100 CONSIDERATION AND ANY APPROPRIATE ACTION ON THE BID FOR THE PUBLIC WORKS STORAGE BUILDING PROPOSALS

Public Works Director, Dennis Cox, reviewed the bids received for a storage building for the Public Works Department. He said originally he went out to bid for a 75’x75’ building, but the bids came back \$100,000 over budget and therefore the bid for a 50’x50’ building. Bids were received from JARR Management for \$175,520; DiMatteo Construction Management Services for \$203,900; and Great Falls Construction at \$363,098. Mr. Cox said a late bid was received for \$112,409 but could not be considered as it was late and also the bid was just for the building structure and did not include site work, foundation, electrical and interior build out.

The proposed building will be of wood frame construction with a sheet metal exterior, including the roof. Mr. Cox recommended accepting the bid from JARR Management, Inc.

During discussion between the Board questions were asked if the size was changed, could the building be made with a total metal frame. Mr. Cox explained it would be difficult to find someone to work on a metal building. Selectman Lyons said she trusted Mr. Cox’s judgment, but asked if there was any way the people bidding could have supply Board members with the bid so it could be reviewed prior to the meeting. She said the only way she knew about this agenda item was that she saw the bid package sitting on the table in the manager’s office, which doesn’t give Board members time to review them. Mr. Cox said he had received 6 copies of the bid and they were available in the Manager’s Office several weeks ago. He said he will make them available to individual Board members in the future. Selectman Thompson said the 50’x50’ building will be good in 2018 but will it be appropriate in 2028? Mr. Cox said it is difficult to plan that far out, but the building will be built so that heat could be added in the future if needed, but the 50’x50’ is within budget limitations.

Motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously (of those present)

VOTED

To accept the bid from JARR Management, Inc. for \$175,520 for a Public Works Storage Building.

17-101 CONSIDERATION AND ANY APPROPRIATE ACTION ON PLEASANT POINT ROAD STABILIZATION PROJECT

Public Works Director, Dennis Cox, spoke to this item saying erosion has been building along the Pleasant Point Road and the wind storm in late October has caused a problem with the road base and banking which needs to be repaired before further damage occurs. Mr. Cox said quotes have been received from area contractors for stabilizing the bank with large rocks and fabric in three of the worse areas totaling approximately 300 linear feet of shoreline. The quotes include the removal of several large tree stumps that have pulled up along the shoulder of the road during the latest storm (stumps which are too large for Town equipment to remove).

Bids submitted are from:	Ray Labbe and Sons, Inc.	\$60,000
	Crooker Construction, LLC	\$44,050
	Barton Construction	\$35,000

Following discussion, motion was made by Chairman Douglass, seconded by Selectman Lyons, and it was unanimously (of those present)

VOTED

To accept the bid in the amount of \$35,000 from Barton Construction for stump removal and road stabilization.

17-102 CONSIDERATION AND ANY APPROPRIATE ACTION REQUESTING A SPEED STUDY ON MIDDLESEX ROAD TO THE MEDOT

Town Manager Roedner said he received a couple of phone calls from the same individual who called Selectman Lyons regarding concerns of speeding vehicles on the Middlesex Road, passing

on double lines, etc. Mr. Roedner noted a speed study has not been done for a while on this road. He questioned if a letter should be sent to MDOT asking them to evaluate that area, the loop road with speed limit changes and further along the Middlesex as well.

Chairman Douglass asked that the Board table this item until Agenda Item 103 is addressed and then come back and revisit this item (17-102). He said we are being asked to go to the State to get a magical new number put up on a sign. It might make the Board feel as if they are doing something, but questioned if they really were addressing the speeding problem as drivers don't obey the reduced new numbers. Selectman Lyons said the person she spoke with wasn't actually asking for new signs with lower numbers but simply was expressing concern that the situation was dangerous.

Motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To table consideration of Agenda Item 17-102 until after action is taken on 17-103.

17-103 CONSIDERATION AND ANY APPROPRIATE ACTION ON TOPSHAM POLICE DEPARTMENT SPEED ENFORCEMENT REPORT

Chairman Douglass explained that Agenda Item 17-103 resulted from the Board holding a workshop on November 8, 2017, subject of which was to discuss making the left hand turn onto Winter Street permanent. He said the workshop continued to a discussion of speeding in Town. Selectman Thompson reported on standing on a crosswalk with cars speeding by and Gary Smart talked about how the flashing sign on Elm Street early this year was ignored while people were constantly texting while driving. Chairman Douglass said he went home thinking more and more about how his neighbors constantly tell him about cars speeding. Conversations with friends usually end up with frustrations being expressed about speeding cars and people ignoring the speed limits. On November 16th a group of citizens came before the Board asking for side walks because of the road condition and speed on Maple Street and asked for side walks. Mr. Douglass said he agreed with Selectman Lyons that Board members want to "feel like they are doing something." He added he didn't want to feel like the Board is doing something any longer, but take charge and make sure the Board is doing something. He said we supported adding an extra couple feet on the side of roads to make pedestrians feel safer. We are restriping roads to make it feel tighter to calm traffic down. We have put up signage. We hear the conversation all the time about speed in Topsham. We acknowledge it and there is nothing more we can do. It's a problem everywhere. Mr. Douglass said, "Tonight, I am going to make a motion that speed enforcement in this Town becomes a priority of this Board and that we direct the Town Manager to communicate that to the Police Chief." We actually have never brought the Police Chief in to say this is a priority of this Board. He asked for a report from the Police Department describing the speed enforcement process, where enforcement was taking place, how tickets were issued, how warnings were done, number of vehicles with radar, etc.

Police Chief Christopher Lewis prepared a written report with all the numbers and information Chairman Douglass had requested and a copy of same with included in the Board package for the Board to review. He gave a lengthy presentation to the Board discussing traffic complaints and how they are responded to. He said the department checks road, distracted driving, road rage, texting, etc. and said there is no simple answer. Erected signs do temporarily slow drivers now and a sign has been placed on the Middlesex Road. Percentages of number of vehicles and

speeds were included in the reports which show that only 2% of drivers are actually speeding with 16% traveling 6 to 10 miles per hour over the speed limit. Chief Lewis explained that the department is never fully staffed. There are two reserve officers but they simply cannot cover all needs. Chief Lewis said he has become aware of four grants being offered by the State. However, deadline for paperwork to the State on the first grant (speed grant) is due on Friday, December 8.

Following Chief Lewis's presentation, Chairman Douglass made a motion that speed enforcement becomes a priority to the Board and to direct the Town manager to communicate same to the Police Chief. The motion failed for lack of a second.

Motion was then made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

That speed enforcement is to become a priority to the Board and to direct the Town Manager to communicate same to the Police Chief and to also direct the Town Manager to allow the Police Chief to accept the State Grant for Speed Enforcement that has been awarded to the Town of Topsham to kick off this priority.

The Board was in agreement to request the Chief to come back to the Board with a quarterly report.

17-102 CONSIDERATION AND ANY APPROPRIATE ACTION REQUESTING A SPEED STUDY ON MIDDLESEX ROAD TO THE MEDOT

(See discussion of this item above.)

Following consideration of 17-103, motion was made by Chairman Douglass, seconded by Selectman Tufts, and it was unanimously (of those present)

VOTED

To allow the Police Department an opportunity to enforce the citizen complaint regarding the Middlesex Road and to come up with a plan to address the concerns.

17-104 CONSIDERATION AND ANY APPROPRIATE ACTION ON PROPOSAL FOR INVESTMENT OF MUNICIPAL FUNDS

Town Manager Roedner said he and the Town Clerk have talked with Androscoggin Savings about investment options and said Androscoggin has increased the earned interest rates on our deposits up to .70% ICS rate and the checking account (Androsweep) up to .50%. In keeping with the recently adopted Investment Policy, Mr. Roedner said he requesting information on CD rates. 1 month CDARS = .75% and 3 month = .96%. He suggested a staggered approach to investing so that we ultimately have funds coming due every month as needed. The first account would start at 30 days, and then convert to 3 months; the second account would start at 30 days for two months and then convert to 3 months; and the third account would start at 30 days for three months and then convert to 3 months. Mr. Roedner said this pattern would result in three CD's, one coming due each 30 days, just in case the money is needed. He suggested the Board consider \$100,000 in each CD which should be fine with the seasonal cash flow.

Selectman Tufts asked if Mr. Roedner shopped around for rates from other financial institutions. Mr. Roedner said he had not inquired of other financial institutions. Chairman Douglass said he liked what has been done, but would like to see a higher safer amount and also to shop with other financial institutions.

Motion was made by Chairman Douglass, seconded by Selectman Lyons to table 17-104 until the Town Manager can come back with a report of rates from other finance institutions.

ADJOURNMENT

Motion was made by Selectman Tufts, seconded by Selectman Lyons, and it was unanimously

VOTED

To adjourn the meeting at 8:35 p.m.

Respectfully submitted,

Patty Williams, Recording Secretary

NOTICE
TOWN OF TOPSHAM

NOTICE IS HEREBY GIVEN that the Board of Selectmen of the Town of Topsham shall hold a Public Hearing on December 21, 2017 at the Topsham Municipal Building at 7:00 P.M. to consider the following applications:

New Liquor application and Special Amusement permit for Wild Duck Pub located at 114 Village Drive Highland Green.

Special Amusement Permit for Sea Dog Brewing Company, located at 1 Bowdoin Mill

Any and all person(s) may appear to show cause why said application should or should not be approved.

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-105

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on an application for a Special Amusement permit for Sea Dog Ventures, Inc.

Brief Description of Consent or Agenda Item: See Attachments

This is a renewal application

This application allows an establishment licensed to sell liquor to have live music, dancing or entertainment.

Everything is in order.

Submitted by: Linda Dumont, Town Clerk

Date: 12/08/2017



TOWN OF TOPSHAM

Town Clerk's Office
100 Main Street, 04086
ldumont@topshammaine.com
(207)725-1719 Fax: 725-1733

APPLICATION FOR LICENSE OR PERMIT

Please complete:

Type of Business:

- Partnership- Partner's Names: _____
- Corporation- Corporation Name Sea Dog Ventures, FNC
Incorporation Date: 11/19/07 Incorporation State Maine

Type of License Special Amusement

New License: Opening Date _____ Renewal

Business Name: Sea Dog Ventures, FNC E-Mail: gcressey@seadogbrewing.com
1 Bowdoin M. U. Island Suite 100

Business Address: Topsham, ME 04086 Business Phone Number 207-725-0102

Name of Contact Person: Setn Hale Contact's Phone Number 207-725-0102

Mailing Address for Correspondence: 8 Western Ave. Kennebunk, ME 04043

Signature of Applicant: [Signature] Date: 12-6-17

Any information provided in this application, which is found to be false will result in denial or revocation of this license-
Per 1 M.R.S.A.17-A5 453

SELECT TYPE OF LICENSE YOU ARE APPLYING FOR ON BACK OF THIS PAGE

Corporations Please Complete:
 Address of Incorporation: 8 Western Ave - Kennebunk, ME Phone#: 207-967-1010
 Name of Corp. Officer, Owner, or Partners: Title Address % of Stock ownership
Fred M. Forsley President 1248 Arlington Place 100%
Winter Park, FL 32789

Office Use Only (Make copy of signed State application for office file)
 Type of License: SA Permit Fee \$ ✓ \$0 Paid Advertising Fee \$ _____ Paid
For Peddler-Police Chief sign off required: _____
 Required Approvals for Special Amusement and new Liquor license: BOS _____ CEO Fire _____ Police
 Public Hearing Posted 12/18, 19 + 20 Public Notice Dates _____ Copy of current State liquor license _____
 Town Clerk Signature [Signature]

Complete back

License Fees & Schedule: Please check the type of license you are applying for

Entertainment/Dancing \$50 + 3 day Public Hearing advertising fee

Special Amusements (Title 28-A§1054) Expires annually with liquor license, must provide copy of current state certificate with renewal application

Requires annual Public Hearing

*** Include supplemental pages 3 & 4**

*Describe in detail the type and nature of entertainment, the room or rooms to be used

*Provide a diagram of room to be used

Victualer (Food Service Establishment to include Bed and Breakfast) Expires May 31st

Describe food to be sold _____

FSE with- out Liquor **\$50** Copy of State Certificate required

FSE with Liquor (Title 28-A§652) **\$100** Copy of State Certificate required (requires Public Hearing on new applications)

FSE Outside Liquor Service Extension of Premise

(deck, lawn) Municipal approval required - submitted in writing to Bureau of Liquor Enforcement

Describe food to be sold _____

Peddler (The selling of tangible commodities having no established or fixed place of business in Topsham)

\$25 Resident \$50 Non-Resident \$25 - # ___ of months (up to 3 months \$25)

Description of nature of business and goods to be sold _____

Name and address of employer and evidence of employment

Vehicle Description: Make _____ Model _____ Year _____ Color _____ License plate # _____

Photo of applicant taken with- in 60 days of application

Description of location if stationary and letter of agreement from owner of record

Names of two reliable property owners, references, or other evidence of good character

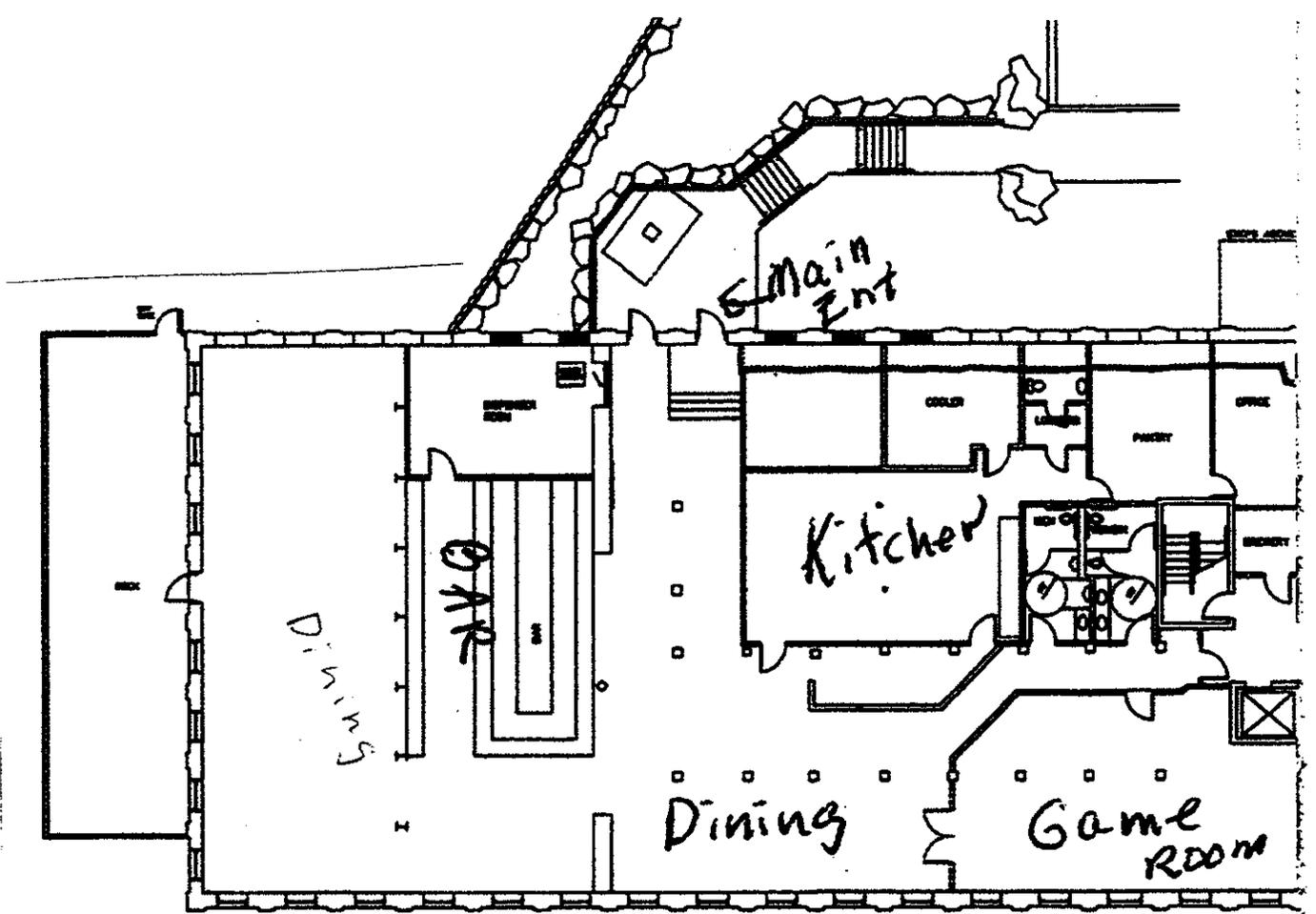
A statement of whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, nature of the offense, punishment or penalty assessed

Taxicabs/Vehicles for Hire 30A- §3009(1) (F) \$50 per vehicle Expires April 1st each year.

Number of Taxicabs for which license is desired _____

Taxicab Driver \$25 annually

SUPPLEMENTAL APPLICATION IS REQUIRED



BOWDOIN MILL - 1ST FLOOR PLAN

***Supplemental page for Special Amusement Permit**

Describe in detail the type and nature of entertainment:

DJ- Karaoke, small bands

Describe in detail the room or rooms to be used under this license:

dining room - bar area

DIAGRAM

Special Amusements Application

Topsham Board of Selectmen

Signatures:

Date: 12/21/2017

Linda Dumont

From: Mike Labbe
Sent: Friday, December 08, 2017 3:33 PM
To: Linda Dumont
Subject: Liquor Licenses

Linda

I have check the sera dogs and find everything in order so no issues with the license request. Kobe Garden found 2 emergency lights inoperative, They were in the process of getting new batteries as I left so I would not have issues with their license being issued.

Mike

Michael Labbe, Deputy Chief, EMS/EMA
Topsham Fire Rescue
100 Main Street
Topsham, ME 04086-1209
mlabbe@topshammaine.com
207 725-1729

Please be advised that pursuant to Title 1 M.R.S.A. Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence, whether by traditional method or e-mail with Town offices or Town officials, with certain limited exceptions, is public record and is available for review by any interested party.

Linda Dumont

From: Tom Lister
Sent: Monday, November 27, 2017 2:44 PM
To: Linda Dumont
Subject: RE: liquor license

Follow Up Flag: Follow up
Flag Status: Flagged

No concerns with either one.

Tom

Tom Lister
Building Inspection, Code Enforcement
Town of Topsham
100 Main Street
Topsham, ME 04086
(207) 725-1724
tlister@topshammaine.com

Per 1 MRSA § 402(3), correspondence to/from municipal offices/officials (with limited exceptions) is a public record and available for review by any interested party.

From: Linda Dumont
Sent: Monday, November 27, 2017 2:41 PM
To: Tom Lister <tlister@topshammaine.com>
Subject: liquor license

Hi All,

Kobe Garden will be submitting liquor license renewal and Seadogs for liquor renewal and special amusement permit. Let me know if you have any concerns. Thanks, Linda

Linda J. Dumont
Town Clerk
General Assistance Director
Town of Topsham
100 Main Street
Topsham, Maine 04086
ldumont@topshammaine.com
(207) 725-1720
Fax (207) 725-1733

Linda Dumont

From: Chris Lewis
Sent: Monday, November 27, 2017 1:29 PM
To: Linda Dumont
Subject: Re: liquor license

Follow Up Flag: Follow up
Flag Status: Flagged

There are no concerns from the police department for either establishment.

Chief Christopher Lewis

Sent from my iPhone

On Nov 27, 2017, at 1:06 PM, Linda Dumont <ldumont@topshammaine.com> wrote:

Hi All,

Kobe Garden will be submitting liquor license renewal and Seadogs for liquor renewal and special amusement permit. Let me know if you have any concerns. Thanks, Linda

Linda J. Dumont
Town Clerk
General Assistance Director
Town of Topsham
100 Main Street
Topsham, Maine 04086
ldumont@topshammaine.com
(207) 725-1720
Fax (207) 725-1733

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-106

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on an application for a new Liquor License and Special Amusement Permit for Wild Duck Pub with Extension of Premise.

Brief Description of Consent or Agenda Item: See Attachments

- * State Liquor application
 - * Extension of Premise
 - * Municipal Special Amusement Permit /liquor
- This is a new application, business is under new ownership

Submitted by: Linda Dumont, Town Clerk

Date: 12-11-2017



TOWN OF TOPSHAM

Town Clerk's Office
100 Main Street, 04086
ldumont@topshammaine.com
(207)725-1719 Fax: 725-1733

APPLICATION FOR LICENSE OR PERMIT

Please complete:

Type of Business:

- Partnership- Partner's Names: _____
- Corporation- Corporation Name SANDBAGGERS LLC
Incorporation Date: Jan 2017 Incorporation State ME

Type of License SPECIAL AMUSEMENT

New License: Opening Date FEB 15 **Renewal**

SANDBAGGERS LLC.

Business Name: Wild Duck Pub E-Mail: peter@resurrection.org.itf.com

Business Address: 114 Village Drive. Business Phone Number 442-8411

Name of Contact Person: Peter Flint Contact's Phone Number 207-285-9190

Mailing Address for Correspondence: 387 Whiskey Rd. BATH, ME 04530

Signature of Applicant: [Signature] Date: 12-5-17

Any information provided in this application, which is found to be false will result in denial or revocation of this license-
Per 1 M.R.S.A.17-A§ 453

SELECT TYPE OF LICENSE YOU ARE APPLYING FOR ON BACK OF THIS PAGE

Corporations Please Complete:

Address of Incorporation: 387 Whiskey Rd. BATH, ME 04530 Phone#: 442-8411

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock ownership
<u>KEVIN MCCARTHY</u>	<u>President</u>	<u>Atlanta GA</u>	<u>100%</u>
<u>SEAN MCCARTHY</u>	<u>VP</u>	<u>Warrich ME</u>	<u>100%</u>
<u>Peter Flint</u>	<u>Clerk</u>	<u>TOPSHAM ME</u>	<u>-</u>

Office Use Only (Make copy of signed State application for office file)

Type of License: Special Amusement Permit Permit Fee \$ _____ Paid Advertising Fee \$ _____ Paid

For Peddler-Police Chief sign off required: _____

Required Approvals for Special Amusement and new Liquor license: BOS _____ CEO Fire Police

Public Hearing Posted DEC 15, 19, + 20 Public Notice Dates _____ Copy of current State liquor license _____

Town Clerk Signature [Signature] *Waiting for this approval, then sending to lig. enforcement for license.*

** Everything is in order.*

Complete back

License Fees & Schedule: Please check the type of license you are applying for

- Catering Privileges Off - Premises** (Title 28-A§1052) (events which involve liquor) holders of current state liquor license
*Requires Town Clerk's sign off & approval of FC, PC CEO (Attach approval to office copy application)
No Town fee

Entertainment/Dancing \$50 + 3 day Public Hearing advertising fee

- Special Amusements** (Title 28-A§1054) Expires annually with liquor license, must provide copy of current state certificate with renewal application
Requires annual Public Hearing
* Include supplemental pages 3 &4
*Describe in detail the type and nature of entertainment, the room or rooms to be used
*Provide a diagram of room to be used

Victualer (Food Service Establishment to include Bed and Breakfast) Expires May 31st

Describe food to be sold Full service restaurant and pub food, to include catering & delivery

- FSE with- out Liquor **\$50** Copy of State Certificate required
- FSE with Liquor (Title 28-A§652) **\$100** Copy of State Certificate required (requires Public Hearing on new applications)
- FSE Outside Liquor Service Extension of Premise
(deck, lawn) Municipal approval required - submitted in writing to Bureau of Liquor Enforcement
Describe food to be sold _____

Peddler (The selling of tangible commodities having no established or fixed place of business in Topsham)
\$25 Resident \$50 Non-Resident \$25 - # ___ of months (up to 3 months \$25)

Description of nature of business and goods to be sold _____
Name and address of employer and evidence of employment _____
Vehicle Description: Make _____ Model _____ Year _____ Color _____ License plate # _____
Photo of applicant taken with- in 60 days of application
Description of location if stationary and letter of agreement from owner of record
Names of two reliable property owners, references, or other evidence of good character
A statement of whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, nature of the offense, punishment or penalty assessed

Taxicabs/Vehicles for Hire 30A- §3009(1) (F) \$50 per vehicle Expires April 1st each year.
Number of Taxicabs for which license is desired _____

Taxicab Driver \$25 annually

SUPPLEMENTAL APPLICATION IS REQUIRED

***Supplemental page for Special Amusement Permit**

Describe in detail the type and nature of entertainment:

INDOOR/OUTDOOR LIVE MUSIC AND ENTERTAINMENT, CRAFT FAIRS, PARTIES

ANY GROUP FUNCTION, SEASONAL EVENTS, KARAOKE, OPEN MIC NIGHTS.

PRIVATE GOLF OUTINGS.

Describe in detail the room or rooms to be used under this license:

OUTSIDE DECK AND SEATING AREA, OUTDOOR VERANDA AND STAGE W/SEATING.

UPSTAIRS DINING ROOM AND PRIVATE FUNCTION ROOM. DOWNSTAIRS PUB AND

DINING GOLF COURSE.

DIAGRAM

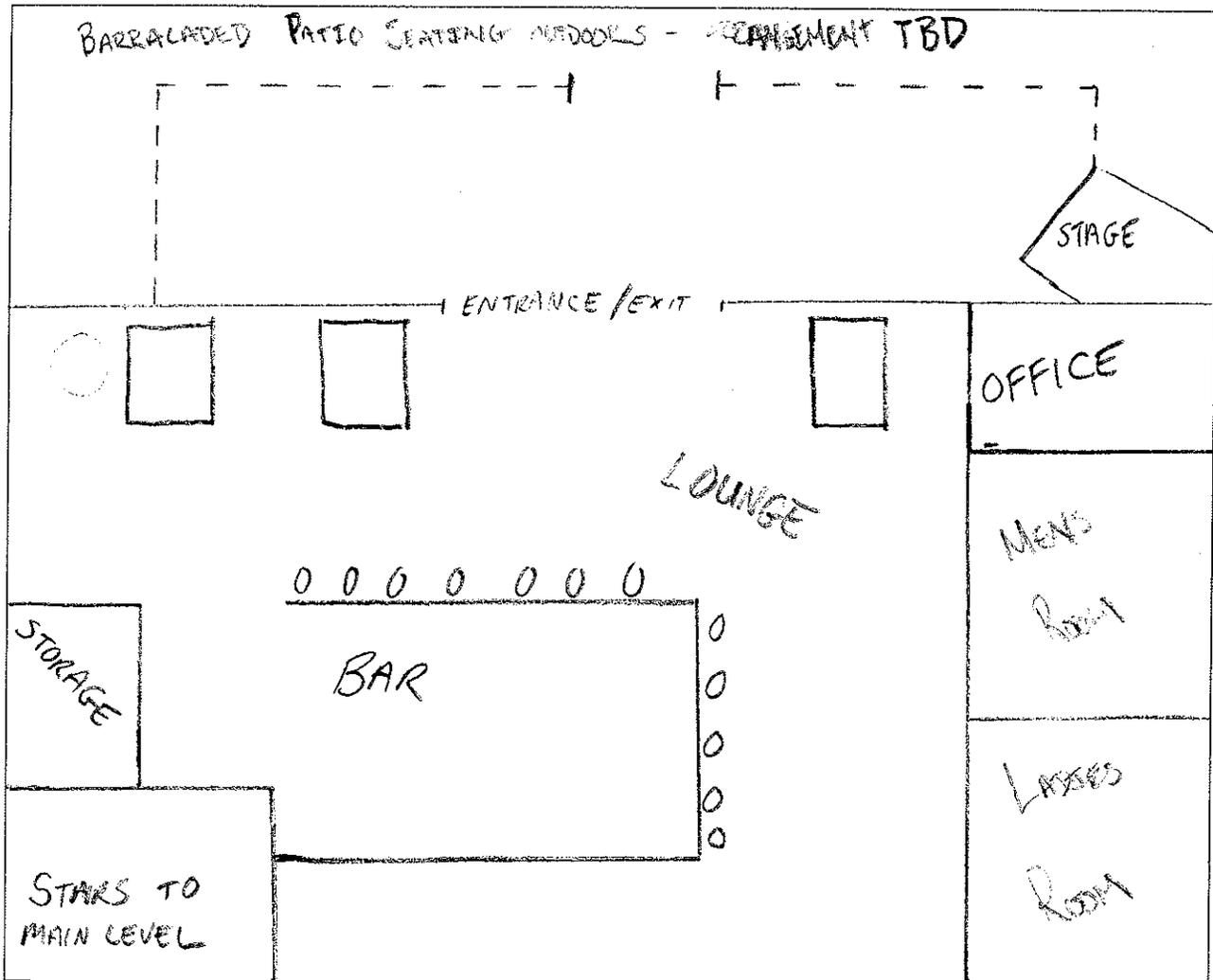
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

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

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



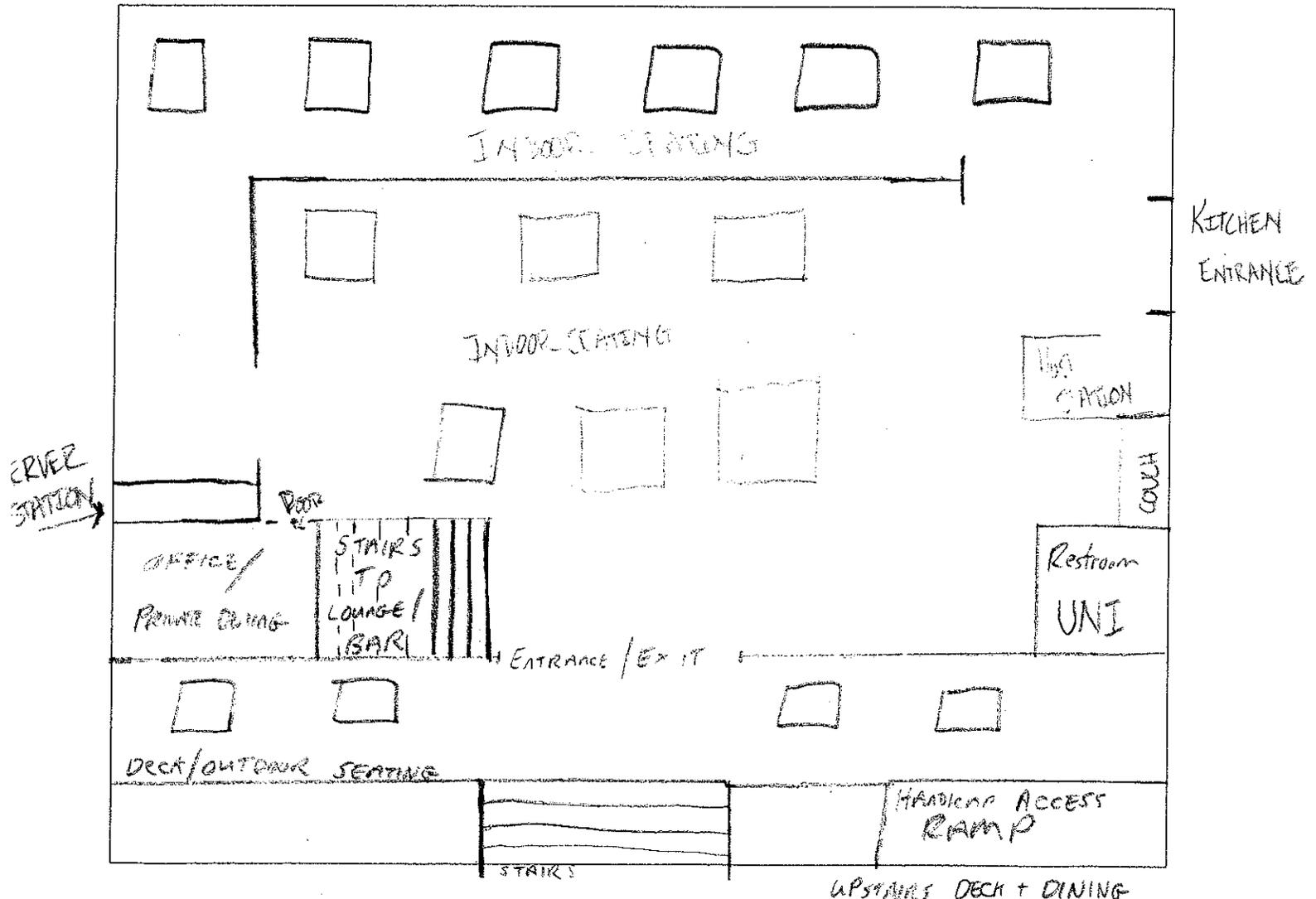
Bureau of Alcoholic Beverages and Lottery Operations
 Division of Liquor Licensing & Enforcement
 8 State House Station, Augusta, ME 04333-0008
 10 Water Street, Hallowell, ME 04347
 Tel: (207) 624-7220 Fax: (207) 287-3434
 Email Inquiries: MaineLiquor@maine.gov

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Special Amusements Application

Topsham Board of Selectmen

Signatures:

Date: 12/21/2017

Linda Dumont

From: Mike Labbe
Sent: Wednesday, December 13, 2017 11:09 AM
To: Linda Dumont
Subject: FW: Wild duck pub

From: Mike Labbe
Sent: Wednesday, December 13, 2017 11:03 AM
To: Linda Dumont <ldumont@topshammaine.com>
Subject: Wild duck pub

Linda
I find no issues with the Wild Duck Pub for the Liquor License and the special amusement permit to not be issues.
Mike

Michael Labbe, Deputy Chief, EMS/EMA
Topsham Fire Rescue
100 Main Street
Topsham, ME 04086-1209
mlabbe@topshammaine.com
207 725-1729

Please be advised that pursuant to Title 1 M.R.S.A. Section 402(3), a public record includes any written, printed or graphic matter or any mechanical or electronic data in the possession or custody of an agency or public official that has been received or prepared for use in connection with the transaction of public or governmental business and contains information relating to the transaction of said business; therefore, the public is advised that any correspondence, whether by traditional method or e-mail with Town offices or Town officials, with certain limited exceptions, is public record and is available for review by any interested party.

Linda Dumont

From: Tom Lister
Sent: Tuesday, December 05, 2017 3:06 PM
To: Linda Dumont
Subject: RE: New liquor & SA

No issue with me.

Tom

Tom Lister
Building Inspection, Code Enforcement
Town of Topsham
100 Main Street
Topsham, ME 04086
(207) 725-1724
tlister@topshammaine.com

Per 1 MRSA § 402(3), correspondence to/from municipal offices/officials (with limited exceptions) is a public record and available for review by any interested party.

From: Linda Dumont
Sent: Tuesday, December 05, 2017 2:54 PM
To: Chris Lewis <clewis@topshammaine.com>; Mike Labbe <mlabbe@topshammaine.com>; Tom Lister <tlister@topshammaine.com>
Subject: New liquor & SA

Hi All,
I just received an application for a new liquor license and Special Amusement permit from Sandbaggers LLC –Wild Duck Pub at 114 Village Dr. with an opening date of February 15th. Please let me know of any issues or concerns. A public hearing will be held at the 12/21 BOS meeting. Thanks, Linda

Linda J. Dumont
Town Clerk
General Assistance Director
Town of Topsham
100 Main Street
Topsham, Maine 04086
ldumont@topshammaine.com
(207) 725-1720
Fax (207) 725-1733

Linda Dumont

From: Chris Lewis
Sent: Thursday, December 07, 2017 12:00 PM
To: Linda Dumont
Subject: RE: New liquor & SA

Follow Up Flag: Follow up
Flag Status: Flagged

There are no concerns from the police department regarding Wild Duck Pub.

Christopher A. Lewis
Chief of Police
Topsham Police Department
100 Main Street
Topsham, ME 04086
207-725-4337
Fax: 207-725-4604
Email: clewis@topshammaine.com

From: Linda Dumont
Sent: Tuesday, December 05, 2017 2:54 PM
To: Chris Lewis <clewis@topshammaine.com>; Mike Labbe <mlabbe@topshammaine.com>; Tom Lister <tlister@topshammaine.com>
Subject: New liquor & SA

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**BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
 8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
 10 WATER STREET, HALLOWELL, ME 04347
 TEL: (207) 624-7220 FAX: (207) 287-3434
 EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV**

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

NEW application: Yes No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: SANDBAGGERS GOLF LLC	Business Name (D/B/A) WILD DUCK PUB
APPLICANT(S) –(Sole Proprietor) DOB:	Physical Location: 114 Village DRIVE
DOB:	City/Town State Zip Code TOPSHAM ME 04086
Address 387 Whiskey Road	Mailing Address 387 Whiskey Road
City/Town State Zip Code BATH MAINE 04530	City/Town State Zip Code BATH ME 04530
Telephone Number Fax Number 207-442-8411 207-389-4798	Business Telephone Number Fax Number 207-725-8066
Federal I.D. # 82-117-4335	Seller Certificate #: 1184927 or Sales Tax #:
Email Address: Sean@resurrectiongolf.com Please Print Peter@resurrectiongolf.com	Website: www.highlandgreengolf.com

If business is NEW or under new ownership, indicate starting date: FEB, 15 2018

Requested inspection date: ASAP Business hours: 7 AM - 8 PM

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ _____
- Is applicant a corporation, limited liability company or limited partnership? YES NO
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? Yes No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

- GC-2013-778 Preservation BATH LLC (Use an additional sheet(s) if necessary.)
 License # _____ Name of Business _____
387 Whiskey Road BATH, ME 04530
 Physical Location _____ City / Town _____

5. Do you permit dancing or entertainment on the licensed premises? YES NO
6. If manager is to be employed, give name: PETER FLINT
7. Business records are located at: _____
8. Is/are applicants(s) citizens of the United States? YES NO
9. Is/are applicant(s) residents of the State of Maine? YES NO
10. 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
SEAN MCCARTHY	4/17/1990	PORTLAND
PETER FLINT	12/09/1953	PORTLAND
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
MCCARTHY - WOODBURY, MAINE		
FLINT - 46 IVANHOE DRIVE, TOWNHAM, ME 04086		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO
- Name: PETER FLINT Date of Conviction: OCT, 2005
- Offense: OPERATING UNDER THE INFLUENCE Location: TOWNHAM, ME
- Disposition: NO CONTEST (use additional sheet(s) if necessary)
12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____
13. Has/have applicant(s) formerly held a Maine liquor license? YES NO
14. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____
JOHN WACILESKI
15. Describe in detail the premises to be licensed: (On Premise Diagram Required) TWO FLOOR
RESTAURANT AND BAR W/ OUTDOOR SEATING AND DECK
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: _____
17. 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? 1.6 MILES
- Which of the above is nearest? SCHOOL - MT. ARARAT HIGH SCHOOL
18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO
- If YES, give details: _____

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

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

Dated at: Bath, ME on 11/27, 20 17
Town/City, State Date


Signature of Applicant or Corporate Officer(s)
Sean McArthur - VP
Print Name

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)
PETER E. FLINT - Clerk
Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

- ~~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.

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

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: Topsham, Maine Sagadahoc
City/Town (County)
On: December 21, 2017
Date

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A. [1993, c. 730, §27 (RP).]

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

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

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

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

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

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

For Office Use Only:	
License #:	_____
SOS Checked:	_____
100% Yes	<input type="checkbox"/> No <input type="checkbox"/>

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

- Exact legal name: SANDBAGGERS GOLF LLC
- Doing Business As, if any: WILD DUCK PUB / Highland Green GOLF CLUB
- Date of filing with Secretary of State: 4/13/17 State in which you are formed: ME
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: n/a
- List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Resurrection Golf	387 Whiskey Road BATH, ME 04530	n/a		100
→ KEVIN MCCARTHY	1551 OAKWOOD PARKWAY ATLANTA, GA 30356 5 INVERNESS Rd. Falmouth, ME 04105	5/6/55	PRESIDENT	100
SEAN MCCARTHY	463 RIVER ROAD WOOLWICH, ME 04579 5 INVERNESS RD. Falmouth, ME	4/12/90	V/P	-
PETER FLINT	46 IVANHOE DR. TOPSHAM ME 04086	12/7/83	CLERK	-

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

- If Co-Op # of members: 1 (list primary officers in the above boxes)

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

Yes No If Yes, Name: _____ Agency: _____

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

Yes No

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: SEAN Mc CARTHY

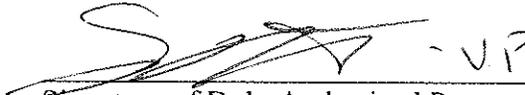
Date of Conviction: DEC, 2013

Offense: O.U.T

Location of Conviction: CUMBERLAND

Disposition: GUILTY

Signature:

 - VP 11/27/17
Signature of Duly Authorized Person Date

Sean McCarthy
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

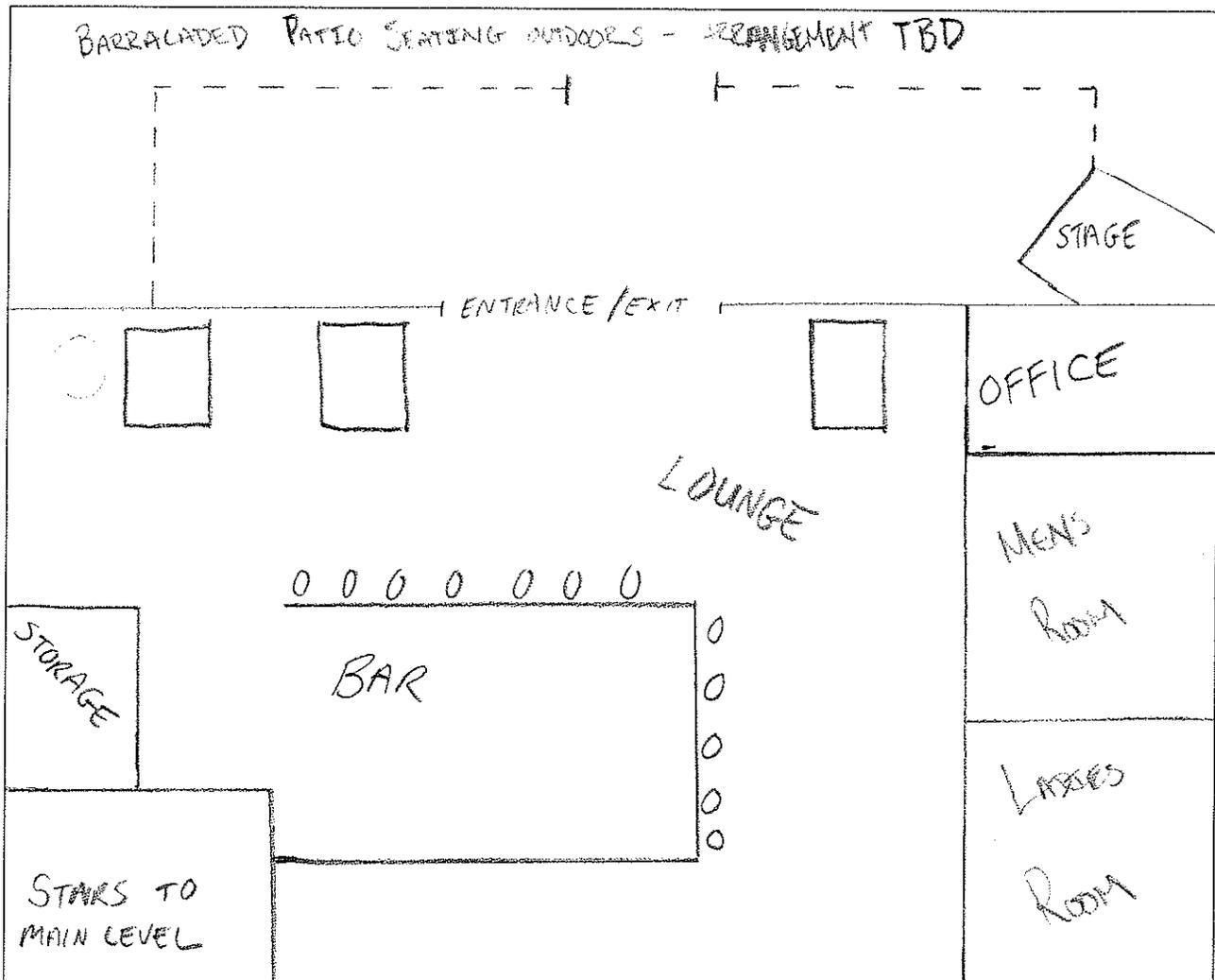
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BY:	

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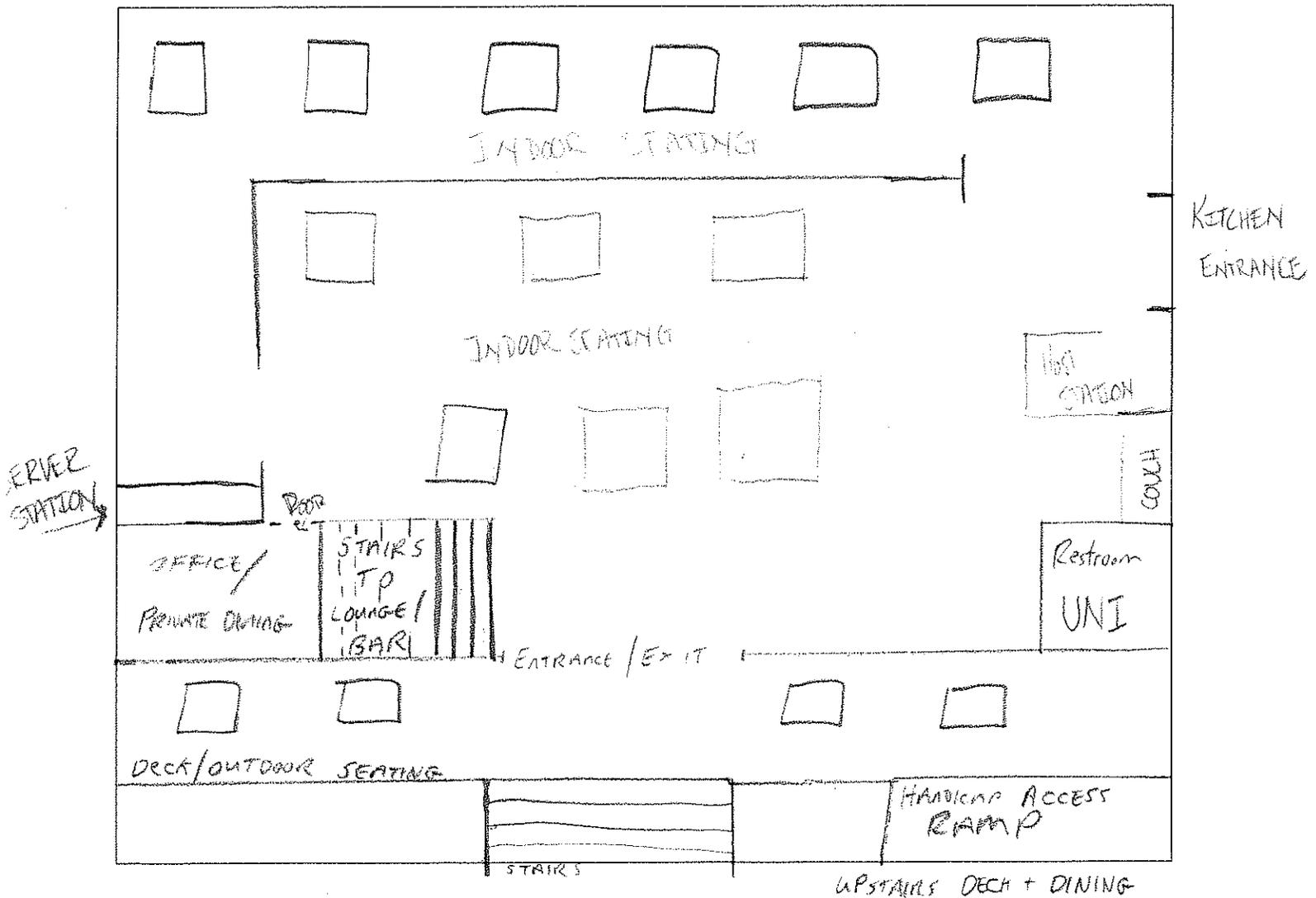
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Office of the Town Clerk

100 Main Street
Topsham, ME 04086

Linda Dumont

Town Clerk

Phone: 207-725-1719

Fax: 207-725-1733

ldumont@topshammaine.com

Date: 12/21/2017
To: Board of Selectmen
Re: Extension of Premise

The Wild Duck Pub is seeking your permission to allow liquor to be served on the outside restaurant patio and front porch. Your approval must be included with the liquor application for the Division of Liquor Licensing. Your signatures are required.

The Topsham Board of Selectmen gives approval to allow Spirituous, Vinous and Malt to be served on the patio and front porch of Wild Duck Pub.

David Douglass, Chair

William Thompson, Vice Chair

Roland Tufts

Ruth Lyons

Marie Brilliant

12/21/2017
Date

Linda Dumont

From: Mike Labbe
Sent: Wednesday, December 13, 2017 11:09 AM
To: Linda Dumont
Subject: FW: Wild duck pub

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To: Linda Dumont <ldumont@topshammaine.com>
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Mike

Michael Labbe, Deputy Chief, EMS/EMA
Topsham Fire Rescue
100 Main Street
Topsham, ME 04086-1209
mlabbe@topshammaine.com
207 725-1729

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Sent: Tuesday, December 05, 2017 3:06 PM
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Building Inspection, Code Enforcement
Town of Topsham
100 Main Street
Topsham, ME 04086
(207) 725-1724
tlister@topshammaine.com

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Linda J. Dumont
Town Clerk
General Assistance Director
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ldumont@topshammaine.com
(207) 725-1720
Fax (207) 725-1733

Linda Dumont

From: Chris Lewis
Sent: Thursday, December 07, 2017 12:00 PM
To: Linda Dumont
Subject: RE: New liquor & SA

Follow Up Flag: Follow up
Flag Status: Flagged

There are no concerns from the police department regarding Wild Duck Pub.

Christopher A. Lewis
Chief of Police
Topsham Police Department
100 Main Street
Topsham, ME 04086
207-725-4337
Fax: 207-725-4604
Email: clewis@topshammaine.com

From: Linda Dumont
Sent: Tuesday, December 05, 2017 2:54 PM
To: Chris Lewis <clewis@topshammaine.com>; Mike Labbe <mlabbe@topshammaine.com>; Tom Lister <tlister@topshammaine.com>
Subject: New liquor & SA

Hi All,
I just received an application for a new liquor license and Special Amusement permit from Sandbaggers LLC –Wild Duck Pub at 114 Village Dr. with an opening date of February 15th. Please let me know of any issues or concerns. A public hearing will be held at the 12/21 BOS meeting. Thanks, Linda

Linda J. Dumont
Town Clerk
General Assistance Director
Town of Topsham
100 Main Street
Topsham, Maine 04086
ldumont@topshammaine.com
(207) 725-1720
Fax (207) 725-1733

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-04

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on proposal for investment of Municipal Funds.

Brief Description of Consent or Agenda Item:

Submitted by: Rich Roedner, Town Manager

Date: 12-08-2017

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: November 27, 2017
Re: Investments

Deb Fischer and I have talked with Androskoggin Savings about investment options, and would like to make the following proposal.

First, Androskoggin Savings has increased the earned interest rates on our deposits as follows:

ICS rate is up to .70%
Androsweep is up to .50%

In keeping with our recently adopted Investment Policy, we have asked for information on CD rates, and received the following rates:

1 month CDARS .75%
3 month CDARS .96%

Debbie and I suggest a staggered approach to our investing, so that we ultimately have funds coming due every month as needed.

First account start at 30 days, then convert to 3 months
Second account start at 30 days for two months, then convert to 3 months
Third account start at 30 days for three months then convert to 3 months.

This pattern will then result in three CDs, one coming due each 30 days, just in case the money is needed. I would suggest that we consider \$100,000 in each CD. This should be fine with our seasonal cash flow

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-107

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action to amend the Topsham Planning Application Fee Schedule

Brief Description of Consent or Agenda Item: In an effort to more clearly calculate fees for office use and to better accommodate applicants the Planning Office has minor changes proposed for the application fee schedule.

Submitted by: Rod Melanson, Town Planner

Date: 12-11-17

MEMORANDUM

To: Select Board Members
From: Rod Melanson, Planning Director
Date: December 11, 2017
Re: Planning Office Application Fee Schedule

In 2016 the Town adopted a new format for application fees in regards to planning office application fees.

We have continued to monitor the fees associated with project review, and have the following proposed changes that may better accommodate applicants, clear up confusion within the office in regards to calculating fees, while continuing to cover the costs associated with application reviews.

The current fee schedule is attached as are the proposed minor changes. The proposed changes are as follows:

1. Re-wording the fees associated with subdivision amendments to make the calculation of the fee easier for the office and applicant, simply requiring a fee of \$150 per lot or unit.
2. Re-wording the site plan per square foot calculation from *gross floor area* to *building footprint area*. This reduces the fees for applicants, especially in situations of multi-story buildings.
3. Re-word the site plan amendment cost to reflect the building footprint calculation.

Planning Office Schedule of Fees (2016)

Subdivision Review

Item	Fee
Pre-Application	\$ 250.00
Minor Subdivision Review (under 4 lots or units)	\$150.00/ lots or units
Major Subdivision (Over 4 lots or units)	\$150.00/ lots or units *Min fee of \$750
Major Subdivision w/ Road	\$250.00/lots or units *Min fee of \$1500

Major Amendments without new roads shall be 1/2 of the cost of original plan cost (based on fee calculations above)
Minor Amendments shall be \$250

Site Plan Review

Staff Review (under 5,000 s.f.)	\$0.10/s.f of new gross floor area \$0.01/ s.f. of new impervious area (parking, etc.) **Min fee of \$250
Planning Board Review	\$0.10/s.f of new gross floor area \$0.01/ s.f. of new impervious area (parking, etc.) **Min fee of \$350

Amendments w/ no new GFA/ Impervious area shall be 1/2 of the cost of original plan cost (based on fee calculations above)

**All New Gross Floor Area & Impervious shall be calculated as shown above

Above fees also apply to Planned Mixed Use Developments

Conditional Use Permit

Zoning Board of Appeal Review	\$ 150.00
Planning Board Review	\$ 150.00

Blasting Permit

Planning Board Review	\$ 150.00
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Shoreland Zone Permit

Planning Board Review	\$ 150.00
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Street Acceptance Review

Planning Board Review	\$ 250.00
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Zoning Text Amendment

Planning Board Review \$ 150.00

Zoning Map Amendment

Planning Board Review \$ 150.00

Historic District Certificate of Appropriateness

Historic District Commission Review

Residential Application \$ 25.00

Non-Residential Application \$ 35.00

Other

Planning Board Review \$ 150.00

Zoning Board of Appeals \$ 150.00

NOTES:

1. Engineer Peer Review Costs are separate from application fees.
2. Performance Bonds and any associated inspection fees must be established with the town prior to commencement of construction
3. Impact Fees - A project's impact fee shall be paid prior to the issuance of any building permit
4. Codes Office Fees - Permits from the codes office may be found under the Code Office shedule of fees

PROPOSED

Planning Office Schedule of Fees

Subdivision Review

Item	Fee
Pre-Application	\$ 250.00
Minor Subdivision Review (4 or less lots or units)	\$150.00/ lot or unit
Major Subdivision (5 or more lots or units)	\$150.00/ lot or unit *Min fee of \$750
Major Subdivision w/ Road	\$250.00/lots or units *Min fee of \$1500
All Subdivision Amendments	\$150/ lot or unit

Site Plan Review

Staff Review (under 5,000 s.f. of soil disturbance)	\$0.10/s.f of new building footprint area \$0.01/ s.f. of new impervious area (parking, etc.) Min fee of \$250
Planning Board Review	\$0.10/s.f of new building footprint area \$0.01/ s.f. of new impervious area (parking, etc.) Min fee of \$350

Amendments shall be 1/2 the cost of an application fee as calculated above

Above fees also apply to Planned Mixed Use Developments

Conditional Use Permit

Zoning Board of Appeal Review	\$ 150.00
Planning Board Review	\$ 150.00

Blasting Permit

Planning Board Review	\$ 150.00
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Shoreland Zone Permit

Planning Board Review	\$ 150.00
-----------------------	-----------

Street Acceptance Review

Planning Board Review	\$ 250.00
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Adopted as of:

Zoning Text Amendment

Planning Board Review \$ 150.00

Zoning Map Amendment

Planning Board Review \$ 150.00

Historic District Certificate of Appropriateness

Historic District Commission Review

Residential Application \$ 25.00

Non-Residential Application \$ 35.00

Other

Planning Board Review \$ 150.00

Zoning Board of Appeals \$ 150.00

NOTES:

1. Peer Review Costs are separate from application fees.
2. Performance Bonds and any associated inspection fees must be established with the town prior to commencement of construction
3. Impact Fees - A project's impact fee shall be paid prior to the issuance of any building permit
4. Codes Office Fees - Permits from the codes office may be found under the Code Office shedule of fees
5. Adopted as of:

Adopted as of:

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-108

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate action on discussion and disposition of Edgecomb Bridge.

Brief Description of Consent or Agenda Item: see attached memo

Submitted by: Rich Roedener, Town Manager

Date: 12-11-17

MEMORANDUM

To: Board of Selectmen
From: Richard Roedner, Town Manager
Date: Dec. 8, 2017
Re: Edgecomb Bridge, Ward Road

I wanted to report back to you on the Edgecomb Bridge issue. As you will recall, we were notified by DOT that Edgecomb Bridge is in need of repair, but that, while eligible for cost sharing, DOT would likely not ever appropriate funds for such a low priority bridge. At the same time DOT told us that upon request by both Lisbon and Topsham, DOT would remove the bridge.

It is my understanding that Lisbon has requested DOT remove the bridge. However, we have since received a new letter from DOT, which states that since the bridge is not publically owned, DOT will not expend any funds to remove it.

As a result of this new information, Lisbon has indicated that they will block off their end of the bridge.

I have reviewed our records, and as included in your previous packet, Town Meeting in 1910 Discontinued Ward Road all the way to the Lisbon Line. I have been told that the Town has expended funds on the bridge in the past, but I have found no evidence to that effect, and the last time there is any high level of agreement on us doing so, dates to the 1960s. Lastly, I have been told that in the 1980s, Androscoggin and Sagadahoc Counties reached some sort of a cost share agreement regarding the bridge, but Sagadahoc ultimately never appropriated any funds.

So, I am of the opinion, which our attorney agrees with, that by virtue of our vote to discontinue Ward Road, we have no interest in the bridge. While we may have expended funds on the bridge as recently as the 60s, this in and of itself does not establish any legal interest on behalf of the town, and even if it did, by virtue of our lack of ongoing maintenance over the past 50 years, we would have abandoned that interest, should it ever have existed.

I know the residents and owners along the road have an issue with access via the paved portion of Ward Road due to an owner blocking access, but this would appear to be a civil issue between property owners, not a town issue.

My recommendation to the Board, to the extent it wants to take any action, is to determine that the Town has no standing to take any action regarding the Edgecomb Bridge.

Board of Selectmen Meeting

For the date of: 12/21/2017

Type of Item:

- Board or Committee Presentation
- Consent Agenda Item
- Public Hearing
- Unfinished Business
- New Business
- Executive Session
- Workshop

Type of Submission:

- Regular Submission
- Additional Agenda Item
- Additional Information

Agenda Number: 17-109

(If this is Unfinished Business, please remember to research and enter the original agenda number above. For Regular Agenda items, the Secretary will assign a number.)

Brief Title of consent or Agenda Item: Consideration and any appropriate on the re-appointment of Steve Pelletier to the Conservation Commission.

Brief Description of Consent or Agenda Item: See attached application

Submitted by: Rich Roedner, Town Manager

Date: 12-11-17

* Mr. Pelletier missed the paperwork on re-appointment but would like to continue on committee

Application for continuing appointment for a Board/Committee

Name: Steve Pelletier

Address: 9 Jesse Road, Topsham, ME 04086

Date: 12/11/2017

Board/Committee: Conservation Committee

Please indicate any changes that may affect your re-appointment to the Board/Committee you are currently on: (i.e.; employment that could be a conflict with this Board.)

As before, I continue to have travel/ work obligations that may periodically prevent me from being able to attend scheduled meetings. I will continue to provide proper notice as able.

Date of re-appointment: _____

Board/Committee: _____