



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
AGENDA

TUESDAY

JANUARY 22, 2013

7:00 P.M.

• **5:30 pm – Finance & Administration Committee Meeting**

A. CONSENT AGENDA

1. SIGNATURES

2. SECRETARY'S REPORTS

a. January 7, 2013

3. COMMUNICATIONS

- a. Hampden Garden Club – Thank you
- b. Mike Pullen - Application for Reappointment to Historic Preservation Commission – Referral to Planning & Development Committee
- c. Morten Syversen - Application for Reappointment to Planning Board – Referral to Planning & Development Committee
- d. Aimee Smith - Application for Reappointment to Board of Appeals – Referral to Finance & Administration Committee

4. REPORTS

- a. Services Committee Minutes – 1/14/2013
- b. Rapid Renewal Report – October, November & December 2012
- c. Lura Hoit Pool Board Minutes – 12/11/2012
- d. Dyer Library Board Minutes – 11/14/2012

B. PUBLIC COMMENTS

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. Proposed Amendments to Town of Hampden Victualers Ordinance – Section 5 Application
- b. Proposed Amendments to Town of Hampden Outdoor Wood Boiler Annual Licensing Ordinance – Article 3 Annual License Required

**NOTE: The Council will take a 5-minute recess at 8:00 pm.**

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

a. Services Committee Recommendations re Committee Reappointments:

1. Anthony Mourkas – Library Board
2. Cheri Condon – Library Board
3. Richard Jenkins – Library Board
4. Patrick Foley – Pool Board
5. Gregory Hawkins – Pool Board
6. Cedena McAvoy – Pool Board
7. Jane Jarvi – Recreation Committee

3. UNFINISHED BUSINESS

- a. Council Introductions
- b. Ordinance Exempting Eligible Active Duty Military Personnel from Vehicle Excise Tax – Introduction for Public Hearing – Finance & Administration Committee Recommendation

4. NEW BUSINESS

- a. Application for renewal of Victualers License received from Wang & Lo, Inc. d/b/a Fresh Ginger Restaurant at 64 Main Road North
- b. Application for renewal of Liquor License received from Wang & Lo, Inc. d/b/a Fresh Ginger Restaurant at 64 Main Road North
- c. Kiwanis Request – Meeting Attendee
- d. Set Date for Strategic Planning/Goal Setting Meeting
- e. Set Date for Skehan Center Visit

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT



HAMPDEN TOWN COUNCIL  
HAMPDEN MUNICIPAL BUILDING  
**MINUTES**

A-2-a

MONDAY

JANUARY 7, 2013

7:00 P.M.

*Attending:*

*Councilor Janet Hughes  
Councilor Jean Lawlis  
Councilor Tom Brann  
Councilor Bill Shakespeare  
Councilor Carol Duprey  
Councilor Shelby Wright*

*Town Attorney Thomas Russell  
Town Manager Susan Lessard  
Town Clerk Denise Hodsdon*

*The meeting was called to order by Attorney Russell at 7:00 pm.*

- **Swearing in of At-Large Councilors** - *Councilors William Shakespeare, Carol Duprey, and Shelby Wright were sworn in to office by Town Attorney Thomas Russell.*
- **Election of Mayor & Deputy Mayor** - *Councilor Lawlis nominated Councilor Janet Hughes as Mayor, seconded by Councilor Shakespeare. Nominations were closed. Unanimous vote in favor. The Town Attorney swore in the Mayor who then presided over the remainder of the meeting.*

*Councilor Shakespeare nominated Councilor Thomas Brann as Deputy Mayor, seconded by Councilor Lawlis. Nominations were closed. Unanimous vote in favor. The Town Attorney swore in the Deputy Mayor.*

**A. CONSENT AGENDA**

1. SIGNATURES

2. SECRETARY'S REPORTS

- a. December 17, 2012

3. COMMUNICATIONS

- a. MRC – 2013/14 Tipping Fees/Distributions
- b. US Dept. of Interior – Conversion Application Approval
- c. Anthony Mourkas – Application for Reappointment to Library Board – Referral to Services Committee
- d. Cheri Condon - Application for Reappointment to Library Board – Referral to Services Committee

- e. Richard Jenkins - Application for Reappointment to Library Board – Referral to Services Committee
- f. Patrick Foley – Application for Reappointment to Pool Board – Referral to Services Committee
- g. Gregory Hawkins - Application for Reappointment to Pool Board – Referral to Services Committee
- h. Cedena McAvoy - Application for Reappointment to Pool Board – Referral to Services Committee
- i. Peter Frazier – Application for Reappointment to Planning Board – Referral to Planning & Development Committee
- j. Michael Avery – Application for Reappointment to Planning Board – Referral to Planning & Development Committee
- k. Gerry Ouellette – Application for Reappointment to Personnel Appeals Board – Referral to Finance & Administration Committee
- l. Jane Jarvi – Application for Reappointment to Recreation Committee – Referral to Services Committee

#### 4. REPORTS

- a. Pool Board of Trustees Minutes – 11/13/2012
- b. Finance & Administration Committee Minutes – 12/17/2012

*Motion by Councilor Wright, seconded by Councilor Shakespeare to accept the Consent Agenda. Unanimous vote in favor.*

*Mayor Hughes informed the Council that an item needed to be added to the agenda and she asked for a motion to set aside the rules. Motion by Councilor Shakespeare, seconded by Councilor Lawlis to set aside the rules to add an item to the agenda. Unanimous Vote in favor. Motion by Mayor Hughes, seconded by Councilor Brann to add Kiwanis Poker Tournament Application to the agenda as Item C.4.b. Unanimous vote in favor.*

#### **B. PUBLIC COMMENTS**

#### **C. POLICY AGENDA**

##### **1. PUBLIC HEARINGS**

##### **2. NOMINATIONS – APPOINTMENTS – ELECTIONS**

- a. **Warrant for Special Election – February 26, 2013** – *Motion by Councilor Lawlis, seconded by Councilor Shakespeare to approve the warrant for the special election for District 4 Councilor to be held on February 26, 2013. Unanimous vote in favor.*

##### **3. UNFINISHED BUSINESS**

- a. **Victualers Ordinance Amendments – Introduction for Public Hearing** – *Councilor Brann introduced this item for public hearing.*

- b. **Outdoor Wood Boiler Annual Licensing Ordinance Amendments – Introduction for Public Hearing** – *Councilor Wright introduced this item for public hearing.*

#### 4. NEW BUSINESS

- a. **Committee Assignments** – *It was decided that the Communications Committee would be rolled back into the Services Committee. Mayor Hughes made committee assignments based on Councilor preferences and distributed copies to the Council.*
- b. **Kiwanis Poker Tournament Application** – *Manager Lessard explained that this is the Kiwanis Club's annual application for a state license to hold its fundraiser poker tournaments. The application requires that the municipal officers approve and sign the application. Motion by Councilor Shakespeare, seconded by Councilor Brann to approve the Kiwanis poker tournament. Unanimous vote in favor.*

#### D. COMMITTEE REPORTS

**Services Committee** – *Councilor Lawlis – the next meeting will be at 6:00 pm on January 14<sup>th</sup>.*

**Planning & Development Committee** – *Councilor Brann – the next meeting will be at 6:00 pm on January 16<sup>th</sup>.*

- E. **MANAGER'S REPORT** – *A copy of the Manager's Report is attached and made a part of the minutes.*

#### F. COUNCILORS' COMMENTS

*Councilor Lawlis wished everyone a Happy New Year.*

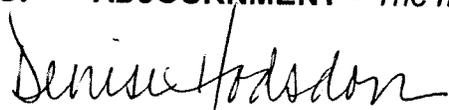
*Councilor Shakespeare said it was a pleasure to be sitting at the Council table again. He thanked everyone who voted for him and urged residents to contact him with any concerns.*

*Councilor Duprey thanked the public for their votes and commented that she thinks she will enjoy her time here and learning more about the town. She also urged residents to contact her with any concerns.*

*Councilor Wright wished everyone a Happy New Year and offered congratulations to the new Councilors.*

*Mayor Hughes congratulated the Hampden Academy boys basketball team for their outstanding season so far. She too wished everyone a Happy New Year and commented that she is looking forward to the Council's strategic planning/goal setting meeting in the near future.*

- G. **ADJOURNMENT** – *The meeting adjourned at 7:47 pm.*



Denise Hodsdon  
Town Clerk

## MANAGER'S REPORT

January 7, 2013

**Transfer Station Decal Reminder** – Decals are available at the Town Office at a cost of \$5. A presentation of the vehicle registration on which the decal is going is required at the time of purchase. Per Council policy, no one will be allowed access to the facility after 1/31/2013 without a valid sticker.

**Dog License Reminder** – Dogs must be registered by 1/31/2013 to avoid a \$25 late penalty.

**Newsletter** – The next edition of the newsletter will go out during the month of January and will contain the resident survey that the Council worked on during 2012. The draft of questions will be reviewed at the Finance & Administration Committee meeting on January 22<sup>nd</sup>.

**Sullivan Foreclosure Update** – The Sullivans paid the total outstanding taxes, costs and interest necessary to redeem their property from property tax foreclosure prior to the go-out-to bid-sale-deadline of January 3<sup>rd</sup>. We have prepared the quitclaim deed and the lien discharges and are sending them to the registry this week.

**Foreclosure – 2010/2011 taxes** – The foreclosure deadline for unpaid 2010/2011 property taxes is February 19, 2013. Notices of that date are going out to affected properties this week. Reminders were sent out approximately a month ago.

**Collection for Victims of Hurricane Sandy** – Thanks go to Lieutenant Frank Coombs of the Hampden Fire Department for organizing a donation drive for bottled water for the New York/New Jersey area that was devastated by Hurricane Sandy. 133 cases of water were picked up today for delivery to that region. Thanks also to the employees, residents, businesses and others that made donations.

**Next Council Meeting Date** – The date of the next Council meeting, Monday, January 21<sup>st</sup>, falls on a holiday. Does the Council wish to hold that meeting on Tuesday, January 22<sup>nd</sup>? It is school vacation week and we will still have only 6 councilors so we need to poll councilors for availability that week.

A-3-a



Dear Council Members,  
Thank you very much for  
giving \$600.00 to The  
Harmony Hall Restoration  
Fund of the Hampden Garden  
Club. We very much  
appreciate your ongoing  
support of our continuing  
project to preserve and  
restore a community  
treasure.

The Harmony Hall  
Restoration Committee



Check One:  Initial Application  
 Reappointment Application

**TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEES**

A-3-b

NAME: Mike Pullen

ADDRESS: 260 Back Wnpt. Rd.  
LAST FIRST MI  
STREET TOWN ZIP

MAILING ADDRESS (if different): Hampden ME 04444

TELEPHONE: 862-2844 947-4511  
HOME WORK

EMAIL: mike.pullen@wbrcae.com

OCCUPATION: Architect

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: Hampden Historic Preservation Commission

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

Architecture background of value to review of historic buildings.

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>JAN 09 2013</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  
 Reappointment Application

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEE:

A-3-C

NAME: SYVERSEN MORTEN  
LAST FIRST MI

ADDRESS: 70 MAIN RD. SOUTH HAMPDEN 04444  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 862-2820 \_\_\_\_\_  
HOME WORK

EMAIL: GOKSTAD@TDS.NET

OCCUPATION: ENGINEER

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: PLANNING BOARD

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

40 YEARS OF APPLIED ENGINEERING

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>	Date Application Received <b>JAN 07 2013</b>
COUNCIL COMMITTEE ACTION: _____	DATE: _____
COUNCIL ACTION: _____	DATE: _____
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT
DATE APPOINTMENT EXPIRES: _____	



Check One:  Initial Application  Reappointment Application

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMIT

A-3-d

NAME: SMITH AIMEE E  
LAST FIRST MI

ADDRESS: SUNSET AVE HAMPDEN 04444  
STREET TOWN ZIP

MAILING ADDRESS (if different): SAME

TELEPHONE: 207 951-0912 207 866-5500  
HOME WORK

EMAIL: msaimee@roadrunner.com

OCCUPATION: PARALEGAL

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: BOARD OF APPEALS

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I HAVE BEEN ON THE BOARD OF APPEALS FOR A NUMBER OF TERMS

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received <u>JAN 08 2013</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____

SERVICES COMMITTEE MEETING  
January 14, 2013

Attending:

Mayor Janet Hughes

Susan Lessard, Town Manager

Councilor Jean Lawlis

Senator Andre Cushing

Councilor William Shakespeare

Resident Terry McAvoy

Councilor Thomas Brann

The meeting was opened at 6 p.m. by Chairman Lawlis.

1. Minutes of December 10, 2012 – The minutes were reviewed; no changes or corrections were made.
2. Old Business
  - A. Papermill Road Recreation Area – Update – This project will become more active after the winter season. Resident Jeremy Jones is coordinating a group of volunteers to assist with improvements.
  - B. Old Hampden Academy – Recreation Dept. Use – Update – Recreation Director Kurt Mathies reported to the Committee on programs that are being run at the old Hampden Academy and indicated that he would have a spreadsheet at the next meeting outlining revenue and expenses for the Skehan Center. Also discussed was the need for an office to be constructed there. Estimates obtained via Councilor Shakespeare indicate a cost of around \$6,000 would be needed. The Town Manager requested that the Recreation Director work with her on defining this project and then referring it to the Finance Committee.
  - C. Newsletter Update – The Town Manager presented a list of topics to the Committee for review. The Committee made no recommendations for changes.
  - D. Channel 7 Programming/I love Hampden Because... Update – Senator Cushing offered to work with NESCOM to find a second intern and to also work on producing more shows for use on Cable Channel 7. It was the consensus of the committee that Senator Cushing move forward with this project.

Items 2E – 2G: Motion by Councilor Shakespeare, seconded by Councilor Brann to recommend to the full council the approval of all applications for re-appointment listed. Unanimous vote in favor.

- E. Application for reappointment to Library Board of Trustees:
  - 1. Anthony Mourkas
  - 2. Cheri Condon
  - 3. Richard Jenkins
- F. Application for reappointment to Lura Hoit Pool Board of Trustees
  - 1. Patrick Foley
  - 2. Gregory Hawkins
  - 3. Cedena McAvoy
- G. Application for reappointment to the Recreation Committee
  - 1. Jane Jarvi
- 3. New Business
  - A. Request by Travel Basketball Program for key to Skehan Center
- 4. Public Comment – None
- 5. Committee member comments – Councilor Shakespeare stated that he wanted the Council to support the Recreation Director’s office project and encouraged Committee members to go to the Skehan Center to see all the work that is being done. It was suggested that the Council hold their goals and objectives session there for the 2013 year.
- 6. Manager Comments – The Town Manager updated the Committee on the potential impact of the Governor’s proposed budget to the Town of Hampden. As proposed, the budget would impact \$300,000 in commercial excise tax revenues, \$80,000 in BETR revenues, \$540,000 in revenues sharing, \$945,000 in educational funding, and eliminate the homestead exemption for all but senior citizens. Senator Cushing informed the Committee that the legislature would be working on ways to mitigate some of the proposed cuts.

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Susan Lessard  
Town Manager

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20121001 and < 20121101

October  
2012

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	56	9425.55	0.00
TOTAL	56	9425.55	

A-4-b

Class Code Summary

Class	Count
BB	1
CM	1
CO	3
CR	1
DX	1
LB	2
PC	42
SW	1
TS	1
VT	3

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20121101 and < 20121201

November  
2012

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	45	7089.09	0.00
TOTAL	45	7089.09	

Class Code Summary

Class	Count
AG	1
BB	2
CR	4
LB	2
PC	36

December  
2012

Rapid Renewal Transaction Volume Summary  
Town of Hampden: Transaction date >= 20121201 and < 20130101

Payment Method	Transaction Count	Transaction Amount	Processing Fees
Credit/Debit Card	0	0.00	0.00
Electronic Check	40	7763.45	0.00
TOTAL	40	7763.45	

Class Code Summary

Class	Count
AW	1
BB	2
CO	3
CR	2
LB	1
PC	28
VT	3

Lura Hoit Pool ~ Board Meeting Minutes ~ 12-11-12

Cedena McAvoy brought the meeting to order at 7:02 pm.

Those present: Cedena McAvoy, Karen Brooks, Jim Feverston, Josh Sargent, Mary Ellen Conner, John Weinmann, Vickie Levesque, Mike Jellison, Darcey Peakall and Julie Macleod. Not present: Greg Hawkins, Pat Foley and Sarah McVeigh

The secretary's minutes were amended and accepted.

The Director's Report:

~ The number of participants in November was down 864 people and daily receipts were down \$8,260 compared to last year. The number of participants was down due to not offering swim lessons the week of Thanksgiving and the Hampden Academy Swim Team numbers are down from last year. The receipts were down due to moving the swim lesson registration up to October.

~ The pool rental income in November was down \$87 compared to last year.

~ The monthly fuel usage was down 572 gallons compared to last year.

~ In session I, the pool provided 183 participants in group lessons and 17 private lessons. Group swim lessons were down 35 participants and private lessons were down by 10 participants. Group lesson income was down \$850 and private lesson income was down \$745 compared to last year.

The treasurer's report was accepted as presented.

Josh presented ideas for corporate memberships. It would give a 15% discount to only yearly memberships that are to be paid in full at the time of purchase. The board would like to try it as a one year pilot program. The board compiled a list of possible businesses to approach. Darcey will speak to Susan Lessard about the possibility of offering this type of membership.

Darcey gave an overview on how the pools new budget structure is set up. Susan will be at the January meeting to follow up with more details.

Mike has been working on the Facebook page. He passed around his cell phone so all the board members could look at it.

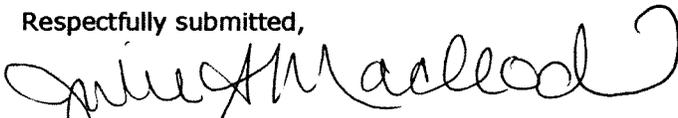
The financial committee report was tabled until the January meeting. Darcey is going to email the Town Investments Policy to all board members to review. The pool board may look into being more in line with the Town's policies.

Vickie & Mike reported on the Capital Campaign. They would like to be able to recognize donors by putting a thank you list in the Bangor Daily Newspaper. Vickie has made contact with the newspaper and they are willing to publish the list. They would also like to get another article in Hampden Highlights.

Mechanical Services applied for an Efficiency of Maine grant and was given \$2,000 for upgrading the air handling system.

Meeting adjourned at 8:29pm.

Respectfully submitted,



Julie A. Macleod

A-4-d

EDYTHE L. DYER COMMUNITY LIBRARY  
BOARD OF TRUSTEES' MEETING  
November 14, 2012

**A. Call to order:** The meeting of the Board of Trustees of the Edythe L. Dyer Community Library was held at the Edythe L. Dyer Community Library, Hampden, Maine on November 14, 2012. The meeting convened at 7:41 a.m., John Skehan presiding, Debbie Lozito recording secretary.

**Members present:** Debbie Lozito (ex officio), John Skehan, Dave Barrett, Yvonne Lambert, Ruth Stearns, Mary Ann Bjorn, Richard Jenkins, Cheri Condon

**Members absent:** Don Desmarais, Mark Russell, Tony Mourkas

**B. Approval of minutes:** Pen and ink change made to the September 12, 2012 minutes. **Motion carried.**

**C. Library reports:**

Fees and fines  
Circulation  
Director

**D. New Business**

1. Bill Arata and Daniel Rozario, representing Morgan Stanley Wealth Management, distributed a report for the Endowment assets over the time the Arata Team at Morgan Stanley has been managing the account. Bill explained that since 2000 there has been a bear market. He reminded trustees that bull and bear markets run in long 15 – 19 year cycles.

**Adjournment:** The meeting was adjourned at 8:50 a.m.  
The next meeting is scheduled for January 9, 2013.

**Debbie Lozito**

**Recording secretary**

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**Date of approval**

**TOWN OF HAMPDEN, MAINE  
VICTUALERS ORDINANCE**

C-1-a

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ADOPTED: Hampden Town Council April 20, 1998  
Effective: May 19, 1998

AMENDED: Hampden Town Council November 17, 2003  
Effective: December 17, 2003

AMENDED: Hampden Town Council May 16, 2005  
Effective: June 15, 2005

1/7/2013 - Introduced for public hearing

The Town of Hampden hereby ordains that this Ordinance be amended as follows (deletions stricken and additions underlined):

TOWN OF HAMPDEN, MAINE  
VICTUALERS ORDINANCE

**Section 1. Purpose.** The purpose of this Ordinance is to regulate the sale of prepared food for consumption on or off the premises.

**Section 2. License.** Any person who owns or operates a place where food is prepared and served to the public as a profit-making venture for consumption on or off the premises, including but not limited to a restaurant, motel and hotel, deli, movie theater, soda fountain, bakery, sandwich shop, convenience store, or outdoor facility, shall be licensed annually as a victualer in order to operate within the Town. ~~(For those licenses in effect upon passage of this Ordinance, the license will renew in the month the last license was issued).~~

At the time of application for a license or license renewal applicant shall pay a fee in accordance with the Town of Hampden Fees Ordinance. *(Amended: 11-17-03) (Amended: 05-16-05)*

**Section 3 Exceptions.** A public or private school, public service organization, private club, church organization, fire department or any other non-profit organization selling food or drink to raise money for a charitable cause shall be exempt from the requirements of this Ordinance. Grocery stores, except those selling food items prepared on the premises, shall also be exempt. Establishments selling food and drink only through vending machines shall also be exempt.

The Hampden Town Council shall have the authority to decide if an establishment is exempt or not. *(Amended: 05-16-05)*

**Section 4. Compliance**

- A. All establishments must be inspected by the code enforcement officer and the fire inspector to determine if they are in compliance with all municipal ordinances, including zoning, state life safety, ~~food~~ and liquor regulations. Failure to be in compliance with any of the foregoing shall be grounds for denial of the application. In addition, failure to allow the code enforcement officer and the fire inspector to inspect the establishment shall be grounds for denial of the application.
- B. The treasurer and tax collector must certify that all sewer user fees and personal property taxes are paid in full, as of the date of the application. Failure to meet these requirements shall be grounds for denial of the application.

**Section 5. Application.** *(Amended: 05-16-05)*

- A. Application forms for a victualer's license or renewal shall be on a form designed for that purpose by the Town. Victualer applications, except for renewal applications under Subsection B below, shall be advertised by publishing notices in a local newspaper and by posting notices in at least two public places, at least seven (7) days prior to the meeting. The council shall conduct a public hearing on the applications at the next scheduled council meeting, and shall make a decision within 30 days following the public hearing. Written notice of the decision shall be provided to the applicant. *(Amended: 05-16-05)*

- B. ~~*Waiver of Public Hearing Requirement.* Notwithstanding the provisions of this section those seeking license renewal may request a waiver of the public hearing provision if their business has been licensed for five consecutive years and no violations of this article are known. The decision to grant the waiver for the public hearing is expressly granted to the Town Manager. (Amended: 05-16-05)~~

As long as there are no unresolved complaints or violations, licenses for renewal applications for the same owner and the same place of business may be issued by the code enforcement officer, after consultation with the fire inspector, treasurer and tax collector, upon determination of compliance with the provisions of this Ordinance. If the code enforcement officer determines that there are unresolved complaints or violations, the application shall be processed in accordance with Subsection A above.

- C. A new license, when granted, shall be valid for one year and renewed annually in the month in which the license was issued. An establishment shall at all times display its current victualer license in a place within the establishment where it can be readily viewed by any member of the public.

#### **Section 6. Penalty.**

- A. Any person found guilty of violating any provisions of this article shall be subject to a civil penalty.
- B. In addition to a civil penalty, the Town may enjoin or abate any violation of this article by appropriate action, and may also proceed to revoke the victualer's license, after a hearing on the matter.
- C. Any person operating as a victualer within the Town without a victualer's license shall be subject to a civil penalty of \$100.00 per day for all days of operation without the required license. (Amended: 05-16-05)

#### **Section 7. Suspension or Revocation of License.**

- A. *Applicability of State Regulations; Effect of Suspension or Revocation of State License.* All victualers shall be subject to all state regulations of food service establishments, such regulations being enforced by state agencies. It is not the intent of this article to establish for the town a food service regulation scheme apart from that provided under state law. Accordingly, any suspension or revocation of a state license shall be considered as a suspension or revocation, as the case may be, of the victualer's license issued under this article on the same terms as imposed by the state. (Amended: 05-16-05)
- B. *Local Suspension or Revocation of License.* The Town Council, upon notice and hearing, for cause, may at any time suspend or revoke a victualer's license issued pursuant to this article. Cause shall mean the violation of any license provision or any provision of this article, or any condition constituting a threat to the public health, safety, or welfare, including but not necessarily limited to neighborhood disruption, disorderly customers, and excessively loud or unnecessary noise that initiates complaints to or requires a response from police, fire, or other town regulatory bodies or employees. (Amended: 05-16-05)

**Section 8. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

C-1-b

**TOWN OF HAMPDEN, MAINE  
OUTDOOR WOOD BOILER ANNUAL LICENSING ORDINANCE**

ADOPTED: Hampden Town Council, March 19, 2007  
Effective Date: April 18, 2007

AMENDED: Hampden Town Council, December 21, 2009  
Effective Date: January 20, 2009

CERTIFIED BY: Denise Hodsdon  
Name

Town Clerk  
Title Affix Seal

**OUTDOOR WOOD BOILER ANNUAL LICENSING ORDINANCE  
CONTENTS**

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1/7/2013- Introduced for Public Hearing

The Town of Hampden hereby ordains that this Ordinance be amended as follows (deletions ~~stricken~~ and additions underlined):

TOWN OF HAMPDEN, MAINE  
OUTDOOR WOOD BOILER ANNUAL LICENSING ORDINANCE

ARTICLE 1  
TITLE AND PURPOSE

**1.1. Title.** This ~~chapter~~ Ordinance shall be known as the "Town of Hampden, Maine Outdoor Wood Boiler Annual Licensing Ordinance." *Amended: 12-21-09 (Note: The term "outdoor wood-fired boiler" has been changed to "outdoor wood boiler" throughout to be consistent with Chapter 150).*

**1.2. Home Rule Authority.** It is adopted pursuant to Municipal Home Rule Law.

**1.3. Purpose.** Although outdoor wood boilers may provide an economical alternative to conventional heating systems, concerns have been raised regarding the safety and environmental impacts of these heating devices, particularly the production of offensive odors and potential health effects of uncontrolled emissions. This Ordinance is intended to ensure that outdoor wood boilers are utilized in a manner that does not create a nuisance and is not detrimental to the health, safety and general welfare of the residents of the Town. Furthermore, this ordinance is intended to comply with the minimum standards contained in DEP Chapter 150, Control of Emissions From Outdoor Wood Boilers.

ARTICLE 2  
DEFINITIONS

**2.1. Definitions.** As used in this ~~chapter~~ Ordinance, the following terms shall have the meanings indicated:

**"Commercial outdoor wood boiler"** means any outdoor wood boiler used to service a commercial establishment. *Amended: 12-21-09*

**"Outdoor pellet boiler"** means an outdoor wood boiler designed and warranted by the manufacturer specifically to burn pellet fuel with metered fuel and air feed and controlled combustion engineering, which is operated according to the manufacturer's specifications and burns only pellet fuel. *Amended: 12-21-09*

**"Outdoor wood boiler"** (also known as outdoor wood-fired hydronic heater, water stove or outdoor wood furnace) means a fuel burning device designed to (1) burn wood or other approved solid fuels; (2) that the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans (e.g., garages); and (3) heats building space and/or water via the distribution typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture. *Amended: 12-21-09*

**"Outdoor wood boiler Emission Rating"** means the EPA's rating system for OWBs which rate the emissions in pounds per million BTU' or lbs/MMBtu. *Amended: 12-21-09*

**"EPA Phase-One Qualified OWB"** means an OWB that has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program, or such alternative certification program as may be approved by the Maine Department of Environmental Protection, that the OWB meets a particulate matter emission limit of 0.60 lbs/MMBtu heat input. *Amended: 12-21-09*

**“EPA Phase-Two Qualified OWB”** means an OWB that has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program, or such alternative certification program as may be approved by the Maine Department of Environmental Protection, that the OWB meets a particulate matter emission limit of 0.32 lbs/MMBtu heat input. *Amended: 12-21-09*

**“Phase-Three Qualified OWB”** means an OWB (or outdoor pellet boiler if the Town chooses to go with the DEP approach) that has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program, or such alternative certification program as may be approved by the Maine Department of Environmental Protection, that the OWB meets a particulate matter emission limit of 0.06 lbs/MMBtu heat input. *Amended: 12-21-09*

**“Non-EPA Qualified OWB”** means an OWB that has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program, or such alternative certification program as may be approved by the Maine Department of Environmental Protection, that the OWB meets a particulate matter emission limits greater than 0.60 lbs/MMBtu heat input or with no certification. *Amended: 12-21-09*

**“DEP Qualified OWB”** means that the manufacturer of the OWB has voluntarily submitted their product for emission rating to a government other than the US government or other testing bodies as deemed acceptable by the DEP and based on the OWB’s emission report the Maine Department of Environmental Protection classifies the OWB to the corresponding EPA standard. For purposes of this ordinance applicants must provide written documentation from the DEP to show evidence that the OWB is in fact DEP qualified. *Amended: 12-21-09*

**“Neighboring Residence Setback”** means the minimum linear distance that an outdoor wood boiler must be sited away from the nearest dwelling that is not on the same property as the boiler. *Amended: 12-21-09*

**“Nuisance”** means any odor, emission, or event that prevents the reasonable use and enjoyment of one’s property. For purposes of this ordinance, an OWB shall constitute a nuisance following three or more verified complaints within any 30 day period.

**“Firewood”** means trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than three inches in diameter.

**“Setback”** means the minimum linear distance that an outdoor wood boiler must be sited away from a prescribed physical location on the ground. *Amended: 12-21-09*

**“Untreated lumber”** means dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, chemical, preservative, glue, adhesive, stain, paint or other substance.

### ARTICLE 3 ANNUAL LICENSE REQUIRED

**3.1. Annual license required.** In addition to any permit required under the Town’s Fire Prevention Code, no person shall cause, allow or maintain the use of an outdoor wood boiler within the Town of Hampden, Maine without first having obtained an initial annual license from the Hampden Town Council, and an annual renewal license from the Town Council or the code official responsible for enforcement of the Fire Prevention Code. Applications for ~~annual~~ licenses shall be made to the Town Clerk on the forms provided.

**3.2. Standards for initial license.** The Town Council shall issue an initial license for an outdoor wood boiler if it determines that:

3.2.1 A permit has been issued for the proposed outdoor wood boiler under the Fire Prevention Code; and

3.2.2 The proposed outdoor wood boiler complies with the requirements of Sections 4.2, 4.3, 4.4 and 4.6 of this Ordinance.

3.2.3 The Town of Hampden shall not issue an initial license for a non-EPA qualified OWB or non-Maine Department of Environmental Protection alternative certified OWB after the effective date of this amendment. *Amended: 12-21-09*

**3.3. Standards for renewal license.** The Town Council, except as provided in Section 3.4, shall issue a renewal license for an outdoor wood boiler if it determines that:

3.3.1. The code official responsible for enforcement of the Fire Prevention Code provides written documentation to the effect that the outdoor wood boiler is in compliance with the applicable provisions of that Code;

3.3.2 The outdoor wood boiler is in compliance with the requirements of Sections 4.2, 4.3, 4.4, and 4.6 of this Ordinance;

3.3.3. The outdoor wood boiler was operated in compliance with the requirements of Sections 4.1 and 4.5 of this Ordinance during the preceding year; and

3.3.4 None of the conditions set forth in Sections 5.1.1, 5.1.2, 5.1.3, 5.1.4, or 5.1.5 of this Ordinance occurred during the preceding year.

**3.4. Annual renewal licenses issued by code official.** As long as there are no unresolved complaints or violations, annual renewal licenses for an outdoor wood boiler may be issued by the code official responsible for enforcement of the Fire Prevention Code upon determination of compliance with the standards of Section 3.3. If the code official determines that there are unresolved complaints or violations, the application for the annual renewal license shall be processed by the Town Council in accordance with Section 3.3

**3.4 3.5. Existing outdoor wood boilers.** Any outdoor wood boiler that was installed, connected, and operating as of the effective date of this Ordinance shall be permitted to remain, provided that the owner applies for and receives an annual license from the Town Council within 120 days of such effective date. Provided, however, that upon the effective date of this Ordinance all the provisions of this Ordinance, except Sections 4.2 *Permitted Zones*, 4.3 *Minimum Lot Size*, and 4.4 *Setbacks* in the event and to the extent that the existing outdoor wood boiler in question does not comply with the same, shall immediately apply to any existing outdoor wood boiler. Any existing outdoor wood boiler that is not in compliance with Sections 4.3 and 4.4 shall not be made more nonconforming. If the owner of an existing outdoor wood boiler does not receive a permit within one year of the effective date of this Ordinance, the outdoor wood boiler shall be removed.

ARTICLE 4  
SPECIFIC REQUIREMENTS

**4.1. Permitted fuel.** Only firewood and untreated lumber are permitted to be burned in any outdoor wood boiler. Burning of any and all other materials in an outdoor wood boiler is prohibited.

**4.2. Permitted zones.** Outdoor wood boilers shall be permitted in all zoning districts except the Resource Protection District as shown on the Town's Zoning Map.

**4.3. Minimum lot size** Outdoor wood boilers shall be permitted only on lots in accordance with the following minimum lot size: *Amended: 12-21-09*

	Minimum Lot Size
Existing Non-EPA Qualified Outdoor Wood Boilers Only	3 Acres
EPA Phase-One Qualified Outdoor Wood Boilers	1 Acre
EPA Phase-Two Qualified Outdoor Wood Boilers	0.5 Acre
Phase-Three Qualified Outdoor Wood Boilers (pellet)	0.25 Acre

The applicant for a permit under this Ordinance shall demonstrate that the Commercial outdoor wood boiler or Outdoor Wood Boiler with a thermal rating greater than 350,000 Btu/hr shall be installed and operated in accordance with Chapter 150 of the Rules of the Maine Department of Environmental Protection, "Control of Emissions from Outdoor Wood Boilers," as the same may be amended from time to time.

**4.4. Setbacks and Stack Height.** Outdoor wood boilers shall be set back from property lines according to the following standards: *Amended: 12-21-09*

<b>4.4.1. Property Line Setback</b>	Minimum
Existing Non-EPA Qualified Outdoor Wood Boilers Only	150 Feet
EPA Phase-One Qualified Outdoor Wood Boilers	100 Feet
EPA Phase-Two Qualified Outdoor Wood Boilers	50 Feet
Phase-Three Qualified Outdoor Wood Boilers (pellet)	20 Feet

Additionally, outdoor wood boilers shall be set back from neighboring residences according to the following standards: *Amended: 12-21-09*

<b>4.4.2. Neighboring Residence Setback</b>	Minimum
Existing Non-EPA Qualified Outdoor Wood Boilers Only	200 Feet
EPA Phase-One Qualified Outdoor Wood Boilers	120 Feet
EPA Phase-Two Qualified Outdoor Wood Boilers	70 Feet
Phase-Three Qualified Outdoor Wood Boilers (pellet)	40 Feet

**4.4.3. Stack Height Requirements for New Outdoor Wood Boilers and Outdoor Pellet Boilers**  
*Amended: 12-21-09*

Existing Non-EPA Qualified Outdoor Wood Boilers are not subject to this requirement. *Amended: 12-21-09*

EPA Phase-One Qualified Outdoor Wood Boilers. No person shall install or allow the installation of any EPA Phase-One Qualified Outdoor Wood Boiler unless the outdoor wood

boiler or outdoor pellet boiler: (1) has an attached stack with a minimum stack height of 10 feet above ground level; or (2) has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor wood boiler or outdoor pellet boiler, if a neighboring residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler. *Amended: 12-21-09*

EPA Phase-One Qualified Outdoor Wood Boilers. No person shall operate any EPA Phase-One Qualified Outdoor Wood Boiler if a neighboring residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler, unless the outdoor wood boiler or outdoor pellet boiler has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor wood boiler or outdoor pellet boiler. *Amended: 12-21-09*

EPA Phase-Two Qualified Outdoor Wood Boilers. No person shall install or allow the installation of any EPA Phase-Two Qualified Outdoor Wood Boiler unless the outdoor wood boiler or pellet boiler: (1) has an attached stack with a minimum stack height of 10 feet above ground level; or (2) has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor wood boiler or outdoor pellet boiler, if a neighboring residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler. *Amended: 12-21-09*

EPA Phase-Two Qualified Outdoor Wood Boilers. No person shall operate any EPA Phase-Two Qualified Outdoor Wood Boiler, if a neighboring residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler, unless the outdoor wood boiler or outdoor pellet boiler has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor wood boiler or outdoor pellet boiler. *Amended: 12-21-09*

Phase-Three Qualified Outdoor Wood Boilers. No person shall install or allow the installation of any Phase-Three Qualified Outdoor Wood Boilers, unless the outdoor pellet boiler: (1) has an attached stack with a minimum stack height of 10 feet above ground level; or (2) has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor pellet boiler, if a neighboring residence is located less than 100 feet from the outdoor pellet boiler. *Amended: 12-21-09*

Phase-Three Qualified Outdoor Wood Boilers No person shall operate any Phase-Three Qualified Outdoor Wood Boilers, if a neighboring residence is located less than 100 feet from the outdoor pellet boiler, unless the outdoor pellet boiler has an attached stack extending two feet higher than the peak of the roof of the structure being served by the outdoor pellet boiler. *Amended: 12-21-09*

The applicant for a permit under this Ordinance shall demonstrate that the Commercial outdoor wood boiler or Outdoor Wood Boiler with a thermal rating greater than 350,000 Btu/hr shall be installed and operated in accordance with Chapter 150 of the Rules of the Maine Department of Environmental Protection, "Control of Emissions from Outdoor Wood Boilers," as the same may be amended from time to time. *Amended: 12-21-09*

**4.5. Months of operation.** Outdoor wood boilers shall be prohibited from operation between the dates of May 1 and October 1.

**4.6. Spark arrestors and rain caps.** All outdoor wood boilers shall be equipped with properly functioning spark arrestors. Use of a rain cap on the stack of an OWB is prohibited unless required by the manufacturer specifications. *Amended: 12-21-09*

**4.7. Continued compliance required.** If an outdoor wood boiler is installed in compliance with Sections 4.3 and 4.4, the outdoor wood boiler may not be used if the lot on which it is situated is altered so that the minimum lot size or setback(s) are no longer met.

## ARTICLE 5 REVOCATION OF LICENSE

**5.1. Revocation of license.** A license issued pursuant to this Ordinance may, after notice and hearing, be revoked as the Town Council may determine to be necessary to protect the public health, safety and welfare of the residents of the Town of Hampden if any of the following conditions occur:

5.1.1. Emissions from the outdoor wood boiler exhibit opacity that obscures or partially obscures clear view of structures and trees that lay behind the smoke and haze on either the property where the outdoor wood boiler is located or on adjoining properties. This may be evidenced by photographs that are time dated;

5.1.2. Malodorous air contaminants from the outdoor wood boiler are detectable outside the property boundaries of the land on which the outdoor wood boiler is located. This may be evidenced by Town Public Safety Officials;

5.1.3. The emissions from the outdoor wood boiler interfere with the reasonable enjoyment of life or property;

5.1.4. The emissions from the outdoor wood boiler cause damage to vegetation or property; or

5.1.5. The emissions from the outdoor wood boiler are or may be harmful to human or animal health.

**5.2. Prohibited use after revocation.** If a license is revoked, the outdoor wood boiler in question shall not used or operated.

**5.3. Reinstatement of license.** A revoked license may be reinstated once the condition which resulted in revocation is remedied and reasonable assurances are given that such condition will not recur. Recurrence of a condition which has previously resulted in revocation of a license shall be considered a violation of this Ordinance subject to the penalties provided in *Section 7.1 Penalties for offenses* hereof.

## ARTICLE 6 WAIVERS

**6.1. Waivers.** Where the Town Council finds that extraordinary and unnecessary hardships may result from strict compliance with this Ordinance, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variations will not have the effect of nullifying the intent and purpose of this Ordinance or of jeopardizing the health, safety or welfare of the public. In varying any regulations, the Town Council may impose such conditions and requirements as it deems reasonable and prudent. The Town Council may, at its discretion, hold a public hearing as part of its review. If the Town Council grants the waiver, a license shall be issued for the outdoor wood boiler. If the Town Council denies the waiver, the outdoor wood boiler must either be brought into compliance with this Ordinance or removed. If the Town Council does not take any action with respect to the waiver within 60 days from its receipt of an application for waiver, the waiver shall be deemed denied.

ARTICLE 7  
PENALTIES

**7.1. Penalties for offenses.** Failure to comply with any of the provisions of this Ordinance shall be a violation and, upon conviction thereof, shall be subject to a civil penalty in accordance with Title 30-A M.R.S. §4452. In addition, any license issued pursuant to this Ordinance shall be revoked upon conviction of a second offense and the subject outdoor wood boiler shall not be eligible for another license. Each day that a violation occurs shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden. The owners of premises upon which prohibited acts occur shall be jointly and severally liable for violations of this Ordinance. Violators shall also be responsible for any and all court fees, expert witness fees, costs, and reasonable attorney fees if the Town is the prevailing party in an enforcement action.

ARTICLE 8  
EFFECT ON OTHER REGULATIONS

**8.1. Effect on other regulations.** Nothing contained herein shall authorize or allow burning which is prohibited by codes, laws, rules or regulations promulgated by the United States Environmental Protection Agency, Maine Department of Environmental Protection or any other federal, state, regional or local agency. Outdoor wood boilers, and any electrical, plumbing or other apparatus or device used in connection with an outdoor wood boilers, shall be installed, operated and maintained in conformity with the manufacturer's specifications and instructions and any and all local, state and federal codes, laws, rules and regulations. In case of a conflict between any provision of this Ordinance and any applicable federal, state or local ordinances, codes, laws, rules or regulations, the more restrictive or stringent provision or requirement shall prevail.

ARTICLE 9  
SEVERABILITY

**9.1. Severability.** Should any provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

ARTICLE 10  
EFFECTIVE DATE

**10.1. Effective Date.** The effective date of this Ordinance shall be 30 days from the date of adoption by the Town Council.



Check One:  Initial Application  
 Reappointment Application

**TOWN OF HAMPDEN**  
**APPLICATION FOR TOWN BOARDS AND COMMITTEES**

C-2-a-1

NAME: MOURKAS ANTHONY L

ADDRESS: 171 PATTERSON ROAD HAMPDEN 04444  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 207-862-5990 \_\_\_\_\_  
HOME WORK

EMAIL: ANTHONYMOURKAS@MAC.COM

OCCUPATION: EDUCATOR

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: DYER LIBRARY BOARD OF TRUSTEES

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

MY 20 YEARS OF SERVICE TO THE DYER LIBRARY BRINGS A WEALTH OF KNOWLEDGE, HISTORY, AND ENTHUSIASM

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

ENSURING THE PRESERVATION OF LIBRARY SERVICES FOR HAMPDEN CITIZENS

- 3 YEAR
- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

- 5 YEAR
- PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <u>DEC 18 2012</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  Reappointment Application

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEES

C-2-a-2

NAME: Condon Cheri D  
LAST FIRST MI

ADDRESS: 461 Wiswell Rd Holden 04429  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 989-9664 \_\_\_\_\_  
HOME WORK

EMAIL: \_\_\_\_\_

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: Library

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I have been a member for several years and I do the organization, updates and rewrites of the By-Laws for the board.

Are there any issues you feel this board or committee should address, or should continue to address? We handle them as they come up.

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <b>DEC 18 2012</b>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  Reappointment Application

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEES

C-2-a-3

NAME: Jenkins Richard D.  
LAST FIRST MI

ADDRESS: 10 Elm St. West Hampden ME  
STREET TOWN ZIP

MAILING ADDRESS (if different): P.O. Box 333

TELEPHONE: 862-3077 \_\_\_\_\_  
HOME WORK

EMAIL: \_\_\_\_\_

OCCUPATION: Retired

BOARD OR COMMITTEE PREFERENCE:  
FIRST CHOICE: Dyer Library Board

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee?  
\_\_\_\_\_  
\_\_\_\_\_

Are there any issues you feel this board or committee should address, or should continue to address?  
\_\_\_\_\_  
\_\_\_\_\_

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received <u>DEC 20 2012</u>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
____ NEW APPT	____ REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  
 Reappointment Application

TOWN OF HAMPDEN  
APPLICATION FOR TOWN BOARDS AND COMMITTEES

C-2-a-4

NAME: Foley Patrick J  
LAST FIRST MI

ADDRESS: 29 Hinchley Hill Rd Carmel ME  
STREET TOWN ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 207 450 3379 207 404 7235-  
HOME WORK

EMAIL: patrick139.foley@aol.com

OCCUPATION: Fire Fighter Paramedic

BOARD OR COMMITTEE PREFERENCE:

FIRST CHOICE: Lura Hoit Pool Board of Trustees

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I have been an active member of the Pool Board for the last three years I have been active in fund raising and in applying for grants to benefit the pool

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

CONSERVATION COMMITTEE  
BOARD OF ASSESSMENT REVIEW  
PERSONNEL APPEALS BOARD  
LURA HOIT MEMORIAL POOL  
ECONOMIC DEVELOPMENT COMMITTEE  
FRIENDS OF DOROTHEA DIX PARK

3 YEAR

DYER LIBRARY  
RECREATION COMMITTEE  
BOARD OF APPEALS  
HISTORIC PRESERVATION COMMITTEE  
TREE BOARD

5 YEAR  
PLANNING BOARD

**FOR TOWN USE ONLY**

Date Application Received: **DEC 17 2012**

COUNCIL COMMITTEE ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_ NEW APPT \_\_\_\_ REAPPOINTMENT DATE APPOINTMENT EXPIRES: \_\_\_\_\_



Check One:  Initial Application  
 Reappointment Application

**TOWN OF HAMPDEN**  
**APPLICATION FOR TOWN BOARDS AND COMMITTEES**

C-2-a-5

NAME: HAWKINS GREGORY J.  
LAST FIRST MI  
ADDRESS: 61 RAWLEY Drive HAMPDEN 04444  
STREET TOWN ZIP  
MAILING ADDRESS (if different): PO Box 158, Hampden, ME 04444-0158  
TELEPHONE: 862-8064 404-7697  
HOME WORK  
EMAIL: gjhawkins@roadrunner.com  
OCCUPATION: Air National Guard Officer

**BOARD OR COMMITTEE PREFERENCE:**

FIRST CHOICE: LURA HOIT POOL BOARD OF TRUSTEES

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? \_\_\_\_\_

I HAVE ALREADY SERVED ON THIS BOARD

Are there any issues you feel this board or committee should address, or should continue to address? \_\_\_\_\_

FUND RAISING FOR AIR HANDLING SYSTEM

3 YEAR

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOIT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

**FOR TOWN USE ONLY**

Date Application Received: JAN 02 2012

COUNCIL COMMITTEE ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

COUNCIL ACTION: \_\_\_\_\_ DATE: \_\_\_\_\_

\_\_\_\_ NEW APPT \_\_\_\_ REAPPOINTMENT DATE APPOINTMENT EXPIRES: \_\_\_\_\_



Check One:  Initial Application  
 Reappointment Application

**TOWN OF HAMPDEN**  
**APPLICATION FOR TOWN BOARDS AND COMMITTEES**

C-2-a-6

NAME: McAvey LAST Cedeno FIRST J.P. MI

ADDRESS: 59 Monroe Rd STREET Hampden TOWN 04444 ZIP

MAILING ADDRESS (if different): \_\_\_\_\_

TELEPHONE: 862-4895 HOME \_\_\_\_\_ WORK

EMAIL: amamama@tds.net

OCCUPATION: teacher

**BOARD OR COMMITTEE PREFERENCE:**

FIRST CHOICE: Lura Hoyt Memorial Pool

SECOND CHOICE (OPTIONAL): \_\_\_\_\_

How would your experience, education and/or occupation be a benefit to this board or committee? I've been on it for several years, co-chair for the last couple...

Are there any issues you feel this board or committee should address, or should continue to address? fund raising, facility upgrades, facility expansion

- CONSERVATION COMMITTEE
- BOARD OF ASSESSMENT REVIEW
- PERSONNEL APPEALS BOARD
- LURA HOYT MEMORIAL POOL
- ECONOMIC DEVELOPMENT COMMITTEE
- FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
- RECREATION COMMITTEE
- BOARD OF APPEALS
- HISTORIC PRESERVATION COMMITTEE
- TREE BOARD

5 YEAR  
PLANNING BOARD

<b>FOR TOWN USE ONLY</b>		Date Application Received: <b>DEC 20 2012</b>
COUNCIL COMMITTEE ACTION: _____	DATE: _____	
COUNCIL ACTION: _____	DATE: _____	
<input type="checkbox"/> NEW APPT	<input type="checkbox"/> REAPPOINTMENT	DATE APPOINTMENT EXPIRES: _____



Check One:  Initial Application  Reappointment Application

TOWN OF HAMPDEN
APPLICATION FOR TOWN BOARDS AND COMMITTEES

C-2-a-7

NAME: Jarvi Jane L. LAST FIRST MI

ADDRESS: 10 Sophie Lane, Hampden ME STREET TOWN ZIP

MAILING ADDRESS (if different):

TELEPHONE: 207-951-7975 (C) HOME 207 941-7887 WORK

EMAIL: jarvi\_family@yahoo.com

OCCUPATION:

BOARD OR COMMITTEE PREFERENCE: FIRST CHOICE: Recreation

SECOND CHOICE (OPTIONAL): -

How would your experience, education and/or occupation be a benefit to this board or committee? BS in recreation, MS in Therapeutic rec, EdD in Administration 3+ yrs exp. working in Rec Dept, Tree Board + Dorothea Dix Park committee

Are there any issues you feel this board or committee should address, or should continue to address?

- CONSERVATION COMMITTEE
BOARD OF ASSESSMENT REVIEW
PERSONNEL APPEALS BOARD
LURA HOIT MEMORIAL POOL
ECONOMIC DEVELOPMENT COMMITTEE
FRIENDS OF DOROTHEA DIX PARK

3 YEAR

- DYER LIBRARY
RECREATION COMMITTEE
BOARD OF APPEALS
HISTORIC PRESERVATION COMMITTEE
TREE BOARD

5 YEAR PLANNING BOARD

FOR TOWN USE ONLY Date Application Received: JAN 02 2013
COUNCIL COMMITTEE ACTION: DATE:
COUNCIL ACTION: DATE:
NEW APPT REAPPOINTMENT DATE APPOINTMENT EXPIRES:

**TOWN OF HAMPDEN, MAINE**  
**ORDINANCE**  
**EXEMPTING ELIGIBLE ACTIVE DUTY MILITARY PERSONNEL**  
**FROM VEHICLE EXCISE TAX**

Section I. Authority.

This Ordinance is enacted pursuant to 36 M.R.S. §1483-A, which expressly authorizes such ordinances.

Section 2. Excise Tax Exemption For One Vehicle: Qualifications.

One vehicle owned by a resident of this municipality who is on active duty serving in the United States Armed Forces and who is either permanently stationed at a military or naval post, station or base outside this State or deployed for military service for a period of more than 180 days and who desires to register that resident's vehicle in this State is hereby exempted from the annual excise tax imposed pursuant to 36 M.R.S. §1482. If a qualifying resident owns more than one vehicle, the resident shall designate the one vehicle that is to be exempt from excise tax under this Ordinance.

To apply for this exemption, the resident must present to the municipal excise tax collector certification from the commander of the resident's post, station or base, or from the commander's designated agent, that the resident is permanently stationed at that post, station or base or is deployed for military service for a period of more than 180 days.

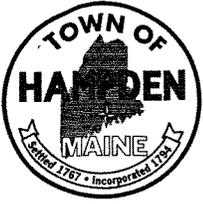
For the purposes of this section, "United States Armed Forces" includes the National Guard and the Reserves of the United States Armed Forces.

For purposes of this section, "deployed for military service" has the same meaning as in 26 M.R.S. §814(1) (A).

For purposes of this section, "vehicle" has the same meaning as in 36 M.R.S. §1481(5) and does not include any snowmobiles as defined in 12 M.R.S. §13001.

Section 3. Effective Date: Duration.

Pursuant to Section 213(c) of the Town Charter, this Ordinance shall become effective at the expiration of 30 days after its adoption by the Town Council, and shall remain in effect unless and until it or 36 M.R.S. §1483-A is repealed.



C-4-a

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 1/22/2013

Public Hearing: Yes        No X

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Wang & Co, Inc. d/b/a  
Fresh Ginger Restaurant  
 Business Name Individual

ADDRESS: 64 Main Rd. North PHONE: 862-6208

MAP/LOT: Map 36, Lot 19 DATE: 1/7/2013

DEPARTMENT REPORT:

Appears to comply with the Town of  
Hampden Victualer's Ordinance

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DATE: 1/10/13

BY: [Signature]  
 Title: Code Enforcement Officer

BY: [Signature]  
 Title: FIRE BUILDING INSPECTOR

**TOWN OF HAMPDEN, MAINE**

**APPLICATION FOR VICTUALER'S LICENSE**

DATE: 01/05/13 PHONE NUMBER: 207-862-6208

NAME(S): Wan Pong Lo

ADDRESS: 135 Oak Grove Drive Brewer ME 04412

NAME OF BUSINESS: Wang & Lo Inc dba Fresh Ginger

LOCATION OF BUSINESS: 64 Main Road North Hampden ME 04444

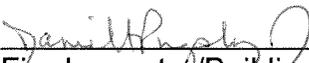
SIGNATURE: 

\*\*\*\*\*

(FOR TOWN USE ONLY)

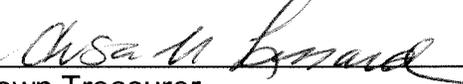
\*This facility has been inspected and meets ordinance criteria.

  
Code Enforcement Officer

  
Fire Inspector/Building Inspector

\*All sewer user fees and personal property taxes are paid in full to date.

  
Tax Collector

  
Town Treasurer

\*\*\*\*\*

Please return completed form to: **Town Clerk**  
**Town of Hampden**  
**106 Western Avenue**  
**Hampden, ME 04444**

LICENSE FEE: \$50.00 Date Received/Fee Paid: JAN 07 2013 / \$50.00



C-4-b

TOWN OF HAMPDEN  
TOWN CLERK'S OFFICE

COMMENTS ON:

Date of Council Action: 1/22/2013

Public Hearing: Yes \_\_\_\_\_ No X

- Application for Liquor License
- Application for Victualer's License
- Application for Off-premises Catering
- Application for Outdoor Wood-burning Furnace License

NAME: Wang & Lo, Inc. d/b/a  
Fresh Ginger Restaurant  
 Business Name Individual

ADDRESS: 64 Main Rd. North PHONE: 862-6208

MAP/LOT: Map 36, Lot 19 DATE: 1/7/2013

DEPARTMENT REPORT:

No concern

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DATE: 01/07/13

BY: [Signature]  
 Title: Public Safety Director

BY: \_\_\_\_\_  
 Title: \_\_\_\_\_

January 06, 2013

To: The Town Council

From: Wan Pong Lo  
Wang & Lo Inc.  
d/b/a Fresh Ginger Restaurant  
64 Main Road North  
Hampden ME 04444

I am writing to request the Town Council to waive the public hearing for Fresh Ginger's liquor license. Thank you.

Sincerely



Wan pong Lo

**Department of Public Safety  
Division**

**Liquor Licensing & Inspection**



**BUREAU USE ONLY**

License No. Assigned:

Class:

Deposit Date:

Amt. Deposited:

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.

**PRESENT LICENSE EXPIRES** 02-28-2013

**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**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Wang &amp; Lo INC</u> <b>DOB:</b>			<b>2. Business Name (D/B/A)</b> <u>Fresh Ginger</u>		
<b>DOB:</b>					
<b>DOB:</b>			<b>Location (Street Address)</b> <u>64 Main Road North</u>		
<b>Address</b> <u>64 Main Road North</u>			<b>City/Town</b> <u>Hampden</u>		<b>State</b> <u>ME</u>
			<b>Zip Code</b> <u>04444</u>		
			<b>Mailing Address</b> <u>64 Main Road North</u>		
<b>City/Town</b> <u>Hampden</u>		<b>State</b> <u>ME</u>	<b>City/Town</b> <u>Hampden</u>		<b>State</b> <u>ME</u>
<b>Zip Code</b> <u>04444</u>		<b>Zip Code</b> <u>04444</u>			
<b>Telephone Number</b> <u>207-862-6208</u>		<b>Fax Number</b> <u>(207)862-6185</u>		<b>Business Telephone Number</b> <u>(207)862-6208</u>	
				<b>Fax Number</b> <u>(207)862-6185</u>	
<b>Federal I.D. #</b> <u>20-4185150</u>			<b>Seller Certificate #</b> <u>1088507</u>		

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A

4. State amount of gross income from period of last license: ROOMS \$ — FOOD \$ 492,757.<sup>00</sup> LIQUOR \$ 7,771.<sup>00</sup>

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

If YES, complete Supplementary Questionnaire

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

7. If manager is to be employed, give name: Wan Pong Lo

8. If business is NEW or under new ownership, indicate starting date: N/A

Requested inspection date: \_\_\_\_\_ Business hours: Sun-Thur 11am-9pm Fri-SAT 11am-10p.

9. Business records are located at: 64 Main Road North Hampden ME 04444

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
Wan Pong Lo	05/10/73	China
Tan Xin Wang	11/05/73	China

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

135 Oak Grove Drive Brewer ME 04412  
 12 Wild Rose Drive Brewer ME 04412  
 29 Whitney Court Brewer ME 04412

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

Name: N/A Date of Conviction: N/A  
 Offense: N/A Location: N/A  
 Disposition: N/A

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: Kin Jun & Cholada Wong 100 Ballfield Road Hampden ME 04444

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Take-out, Dine-in Chinese restaurant, A free standing Building

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? School

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

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

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

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

Dated at: Hampden, ME on January 06, 20 13  
Town/City, State Date

  
 Signature of Applicant or Corporate Officer(s)  
Wan Pong Lo

Please sign in blue ink

  
 Signature of Applicant or Corporate Officer(s)

STATE OF MAINE

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

On: \_\_\_\_\_  
Date

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
    - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
    - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
    - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, 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 receipt. **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.**

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

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

1. Exact Corporate Name: Wang & Lo Inc  
 Business D/B/A Name: Fresh Ginger
2. Date of Incorporation: 02/01/06
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:  
N/A
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
Wan Pong Lo	135 oak Grove Drive Brewer ME 04412	05/10/73	50%	owner
Tan Xin Wang	12 Wild Rose Drive Brewer ME 04412 29 Whitney Court Brewer ME 04412	11/05/73	50%	owner
	20 Wild Rose Dr Brewer ME 04412			

6. What is the amount of authorized stock? 10,000 Outstanding Stock? \_\_\_\_\_
7. Is any principal officer of the corporation a law enforcement official? ( ) YES (  ) 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 (  ) NO.
9. If yes, please complete the following: Name: N/A

Date of Conviction: N/A Offense: N/A

Location: N/A Disposition: N/A

Dated at: Hampden On: January 06, 2013  
 City/Town Date

 Date: 01/06/13

Signature of Duly Authorized Officer

Wan Pong Lo  
 Print Name of Duly Authorized Officer

PREMISE DIAGRAM

