

**BRUNSWICK TOWN COUNCIL**

**Agenda**

**March 5, 2012**

**7:00 P.M.**

**Municipal Meeting Room**

**Brunswick Station**

**16 Station Avenue**

Pledge of Allegiance

Roll Call

Public Comment:

Correspondence:

Adjustments to the Agenda:

**MANAGER'S REPORT:**

- (a) Council Committee Updates
- (b) Update on People Plus activities
- (c) Update on MRRA activities
- (d) Update on Time Record tax status

**TABLED ITEMS**

24. The Town Council will hear public comments on an application for an Alcohol License, and will take any appropriate action. (Manager)

Full-Time Spirituous, Vinous & Malt  
JJ & M LLC  
D/B/A: Benchwarmers Sports Pub  
212 Maine Street

Jennifer Lewis

**HEARING/ACTION**

25. The Town Council will hold a public hearing for a CDBG-Economic Development Program grant for Integrated Marine Systems, and will take any appropriate action. (Manager)

**HEARING/ACTION**

**NEW BUSINESS**

31. The Town Council will consider setting a public hearing for March 19, 2012, on amendments to the Municipal Code of Ordinances, Chapter 7 Fire Prevention and Protection that would allow installation of outdoor wood boilers that meet certain standards and setbacks, and will take any appropriate action. (Councilor Wilson and Councilor Perreault)

**ACTION**

32. The Town Council will consider setting a public hearing for March 19, 2012, on amendments to the Municipal Code of Ordinances, Chapter 5 Buildings and Building Regulations to update building permit language and fees regarding mobile homes and open air-unattached structures, and will take any appropriate action. (Manager)  
**ACTION**
33. The Town Council will consider the following requests for Sellers of Prepared Food on Public Ways on the Brunswick Mall, and will take any appropriate action. (Manager)  
Wrappers  
Lola's Taqueria  
Danny's Dogs  
Farmer's Market  
**ACTION**
34. The Town Council will consider a request for Sellers of Prepared Food on Public Ways for outdoor seating, and will take any appropriate action. (Manager)  
Great Impasta, 42 Maine Street  
Flipside, 111 Maine Street  
Gelato Fiasco, 74 Maine Street  
**ACTION**
35. The Town Council will consider authorizing the Town Manager to enter into a contract with Ledgewood Construction to be the Construction Manager for the proposed Police Station building, and will take any appropriate action. (Manager)  
**ACTION**
36. The Town Council will consider appointments to Town Boards and Committees, and will take any appropriate action. (Appointment's Committee)  
**ACTION**

**CONSENT AGENDA**

- (a) Approval of the Minutes of February 27, 2012

**INDIVIDUALS NEEDING AUXILIARY AIDS FOR EFFECTIVE  
COMMUNICATION SHOULD CONTACT  
THE TOWN MANAGER'S OFFICE AT 725-6659  
(TDD 725-5521)**

**Brunswick Town Council**  
**Agenda**  
**March 5, 2012**  
**Council Notes and Suggested Motions**

**MANAGER'S REPORT:**

- (a) Council Committee Updates: Councilors with information on the Committees they are involved with will share information with the Council and public.

Suggested Motion: No motion is required.

- (b) Update on People Plus activities: Stacy Frizzle, Executive Director, will update the Council and public on their activities.

Suggested Motion: No motion is required.

- (c) Update on MRRA activities: Steve Leveque, Executive Director, will update the Council and public on activities at Brunswick Landing.

Suggested Motion: No motion is required.

- (d) Update on Times Record tax status: Manager Brown will provide the Council with an update on the taxes that the Times Record owes the Town. Copies of correspondence with the paper are included in your packet.

Suggested Motion: No motion is required.

**TABLED ITEMS**

24. This item was tabled at your last meeting after the Police Chief expressed some concern with the one of the applicants. Since then, the application has been amended to include only Jennifer Lewis as the applicant. The Police Department will support the application as amended. Copies of the public hearing notice and application are included in your packet.

Suggested Motion:

Motion to approve an Alcohol License for Benchwarmers Sports Pub, located at 212 Maine Street.

25. This item was tabled at your last meeting after the public hearing was held so further work could be done to ensure the Town is protected. The company has requested the Town submit this grant application in an amount of \$200,000 to support its operations at Brunswick Landing. The owner has agreed to sign an indemnification agreement in the amount of \$200,000 in the event he is unable to make the requirements of the grant and this way the Town will not be liable for the grant moneys. Staff will consult with legal counsel to develop appropriate security for the Town. The Council action will be

to adopt a resolution. Copies of the public hearing notice, proposed resolution, a memo from Brian Dancause, and the letter from DECD are included in your packet.

*Suggested Motion:*

Motion to adopt a “Council Resolution – Community Development Block Grant Program” for Integrated Marine Systems.

**NEW BUSINESS**

31. This item is sponsored by Councilor Wilson and Councilor Perreault to consider setting a public hearing for March 19, 2012, on ordinance amendments that will alter the current ban on outdoor wood boilers if the boilers meet certain standards. The draft ordinance is based on the state standards, but with changes that staff believes are important for Brunswick to include in our ordinance. Copies of a memo from Jeff Emerson, the draft ordinance, and the state standards, including additions and strikeouts to fit into our draft ordinance, are included in your packet.

*Suggested Motion:*

Motion to set a public hearing for March 19, 2012, on amendments to Municipal Code of Ordinances, Chapter 7 Fire Prevention and Protection allowing installation of outdoor wood boilers that meet certain standards and setback requirements.

32. This item is to set a public hearing for March 19, 2012, on amendments to update the Town’s building permit language regarding mobile homes and open air-unattached structures. The amendments will reduce or remove fees and permits for some mobile homes due to state changes that require inspections. It will also reduce the permit fees for open air structures, such as car ports or pole barns, so they are not treated like other building projects. Copies of a memo from the Codes Officer and the draft language are included in your packet.

*Suggested Motion:*

Motion to set a public hearing for March 19, 2012, on amendments to the Code of Ordinance Chapter 5 Buildings and Building Regulations to update building permit language and fees regarding mobile homes and open air-unattached structures.

33. This is the annual approval of the Sellers of Prepared Food on Public Ways on the Brunswick Mall. The fee for the Farmer’s Market is \$3,000 and the other vendors pay \$1,500 each. There are three vendors plus the Farmer’s Market seeking Council approval to do business on the Mall. Renewals include Danny’s Dogs, Wrappers, and Lola’s Taqueria. The Town Clerk will be available to answer any questions. Copies of the applications are included in your packet.

*Suggested Motion:*

Motion to approve licenses for Sellers of Prepared Food on Public Ways for the Brunswick Mall for the Farmer’s Market, Danny’s Dogs, Lola’s Taqueria, and Wrappers.

34. This item is the annual approval of Sellers of Prepared Food on Public Ways on Sidewalks. The renewal applications are for Gelato Fiasco, Great Impasta, and Flipside. There is no license fee except for a \$25 application fee, but it does require Council approval. The Clerk will be available to answer any questions. A copy of the application is included in your packet.

*Suggested Motion:*

Motion to approve licenses for Sellers of Prepared Food on Public Ways on a Sidewalk for the Great Impasta, 42 Maine Street; Flipside, 111 Maine Street; and Gelato Fiasco, 74 Maine Street.

35. This item is to consider authorizing the Town Manager to enter into a contract between the Town and Ledgewood Construction to be the Construction Manager for the proposed Police Station. A copy of a memo from Manager Brown summarizing the contract is included in your packet.

*Suggested Motion:*

Motion to authorize the Town Manager to enter into a contract with Ledgewood Construction to be the Construction Manager for the proposed Police Station project.

36. At this time the Appointments Committee will make nominations to fill vacancies on Town Boards and Committees. Copies of the applications are included in your packet.

*Suggested Motion:*

Nominations will be made, with no seconds required, and the Council will then vote on the nominations.

**CONSENT AGENDA**

- (a) Approval of the Minutes of February 27, 2012: A copy of the minutes is included in your packet.

*Suggested Motion:*

Motion to approve the Consent Agenda.

*Suggested Motion:*

Motion to adjourn the meeting.

# MANAGER'S REPORT - A NO BACK UP MATERIALS

**MANAGER'S REPORT - B  
NO BACK UP MATERIALS**

**MANAGER'S REPORT - C  
NO BACK UP MATERIALS**

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# MANAGER'S REPORT - D BACK UP MATERIALS

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**TOWN OF BRUNSWICK**  
TOWN MANAGERS OFFICE  
MEMORANDUM

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TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: March 1, 2012

RE: Times-Record Tax Status Agenda item

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I have been asked to advise the Town Council on the status of the tax payments for Times-Record, Brunswick Publishing and Alliance Press.

As of right now, (including the payments due April 16) they owe a total of \$265,517.66

A breakdown of the different amounts and accounts is enclosed.

Also enclosed are copies of emails that I have sent to Chris Miles requesting information on their plans to make payments.

03/01/2012 08:25  
tgoud

Town of Brunswick  
REAL ESTATE TAX STATEMENT

PG 1  
txtaxstm

PARCEL: 017-065-000-000

LOCATION: 3 BUSINESS PKWY

CURRENT OWNER:  
BRUNSWICK PUBLISHING LLC  
PO BOX 10  
3 BUSINESS PKWY  
BRUNSWICK ME 04011

CURRENT STATUS:  
ACRES: 9.860  
LAND VALUATION: 255,200  
BUILDING VALUATION: 2,987,600  
EXEMPTIONS: 0  
TAXABLE VALUATION : 3,242,800

LEGAL DESCRIPTION:

DEED DATE: 02/26/2008 BOOK/PAGE: 25842/143

INTEREST DATE: 03/01/2012

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2011	RE-R	1111652				
	1	REAL ESTAT	38,394.75	38,394.75	1,001.41	39,396.16
	2	REAL ESTAT	38,394.75	38,394.75	.00	38,394.75
			76,789.50	76,789.50	1,001.41	77,790.91
2010	LIEN	2010027				
	1	RETAX LN	74,162.84	74,162.84	2,730.81	76,893.65
		30 DAY DEM	3.00	3.00	.00	3.00
		TL CERTMAI	5.59	5.59	.00	5.59
		LIEN COST	36.00	36.00	.00	36.00
		LIEN INTER	3,129.05	3,129.05	.00	3,129.05
			77,336.48	77,336.48	2,730.81	80,067.29
			77,336.48	77,336.48	2,730.81	80,067.29
GRAND TOTALS			154,125.98	154,125.98	3,732.22	157,858.20

03/01/2012 08:26  
tgoud

Town of Brunswick  
PERSONAL PROPERTY TAX STATEMENT

PG 1  
txtaxstm

PROPERTY : 10027

LOCATION: 3 BUSINESS PKWY

CURRENT OWNER:  
BRUNSWICK PUBLISHING LLC  
PO BOX 10  
BRUNSWICK ME 04011

CURRENT STATUS:

TAXABLE VALUATION : 207,200

INTEREST DATE: 03/01/2012

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2011	PP-R	1140164				
	1	PERSONAL P	4,906.50	4,906.50	127.97	5,034.47
			4,906.50	4,906.50	127.97	5,034.47
2010	PP-R	1040027				
	1	PERSONAL P	5,525.39	5,525.39	533.01	6,058.40
			5,525.39	5,525.39	533.01	6,058.40
2009	PP-R	940027				
	1	PERSONAL P	5,808.56	948.17	48.16	996.33
			5,808.56	948.17	48.16	996.33
GRAND TOTALS			16,240.45	11,380.06	709.14	12,089.20

03/01/2012 08:27  
tgoud

Town of Brunswick  
PERSONAL PROPERTY TAX STATEMENT

PG 1  
txtaxstm

PROPERTY : 10160

LOCATION: 3 BUSINESS PKWY

CURRENT OWNER:  
BRUNSWICK PUBLISHING LLC  
DEAN WARING  
PO BOX 10  
BRUNSWICK ME 04011

CURRENT STATUS:

TAXABLE VALUATION : 1,839,600

INTEREST DATE: 03/01/2012

YEAR	TYPE	BILL INST CHARGE	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2011	PP-R	1140165				
	1	PERSONAL P	43,632.53	43,632.53	1,138.03	44,770.56
			43,632.53	43,632.53	1,138.03	44,770.56
2010	PP-R	1040153				
	1	PERSONAL P	42,130.34	42,130.34	4,064.12	46,194.46
			42,130.34	42,130.34	4,064.12	46,194.46
2009	PP-R	940154				
	1	PERSONAL P	42,501.47	4,382.62	222.62	4,605.24
			42,501.47	4,382.62	222.62	4,605.24
GRAND TOTALS			128,264.34	90,145.49	5,424.77	95,570.26

## Gary Brown

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**From:** Gary Brown  
**Sent:** Monday, August 08, 2011 2:23 PM  
**To:** Chris P Miles  
**Subject:** RE: Brunswick Publishing Taxes

That will be great, thanks.

Gary Brown, ICMA-CM  
Town Manager  
Town of Brunswick  
207.725.6659 ext 201

[www.brunswickme.org](http://www.brunswickme.org)

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**From:** Chris P Miles [mailto:cpmprint@verizon.net]  
**Sent:** Monday, August 08, 2011 2:08 PM  
**To:** Gary Brown  
**Subject:** Brunswick Publishing Taxes

Gary,

I am making a payment this afternoon of the two oldest amounts. I am hoping to continue to reduce the balance on a weekly basis until paid in full.

Sincerely,

**Chris P Miles**

## Gary Brown

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**From:** Gary Brown  
**Sent:** Wednesday, September 21, 2011 1:27 PM  
**To:** Chris P Miles  
**Subject:** update

Chris,

I have been asked recently by some of the Councilors about progress from the T-R regarding tax payments. I have told them that we have not received any payments since the last payment that was received in early August.

Do you have any information for me that I can provide to the Council that may be helpful?

Gary Brown, ICMA-CM  
Town Manager  
Town of Brunswick  
207.725.6659 ext 201

[www.brunswickme.org](http://www.brunswickme.org)

**Gary Brown**

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**From:** Gary Brown  
**Sent:** Tuesday, October 11, 2011 1:54 PM  
**To:** Chris P Miles  
**Subject:** update

Chris,

Is there anything that you can tell me regarding possible tax payments?

Thanks

Gary Brown, ICMA-CM  
Town Manager  
Town of Brunswick  
207.725.6659 ext 201

[www.brunswickme.org](http://www.brunswickme.org)

## Gary Brown

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**From:** Gary Brown  
**Sent:** Thursday, November 10, 2011 2:38 PM  
**To:** 'Christopher P Miles'  
**Subject:** RE: update

I continue to be asked about progress on this.

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**From:** Christopher P Miles [mailto:cpmprint@verizon.net]  
**Sent:** Tuesday, October 18, 2011 6:55 AM  
**To:** Gary Brown  
**Subject:** RE: update

Gary,

We are working to arrange funds for another payment by Friday. I will let you know the amount as we get closer.

Thanks,

**Chris P Miles**

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**From:** Gary Brown [mailto:gbrown@brunswickme.org]  
**Sent:** Tuesday, October 11, 2011 1:54 PM  
**To:** Chris P Miles  
**Subject:** update

Chris,

Is there anything that you can tell me regarding possible tax payments?

Thanks

Gary Brown, ICMA-CM  
Town Manager  
Town of Brunswick  
207.725.6659 ext 201

[www.brunswickme.org](http://www.brunswickme.org)

**To:** Gary Brown  
**Subject:** Re: appointment

Have ever seen our operation? If not I would like to give you a tour. Otherwise I will come to you let's make it 10am.

Chris P Miles  
Office: (207) 504-8202  
Fax: (888) 237-5876

On Jan 9, 2012, at 3:30 PM, Gary Brown <[gbrown@brunswickme.org](mailto:gbrown@brunswickme.org)> wrote:

Yes, either time works for me. Do you want to come here or should I come to your office?

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

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**From:** Christopher P Miles [<mailto:cpmprint@verizon.net>]  
**Sent:** Monday, January 09, 2012 3:24 PM  
**To:** Gary Brown  
**Subject:** RE: appointment

Gary,

Would Thursday morning 10am or 11am work for you?

**Chris P Miles**  
**Office: (207) 504-8202**  
**Fax: (888) 237-5876**

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**From:** Gary Brown [<mailto:gbrown@brunswickme.org>]  
**Sent:** Monday, January 09, 2012 7:25 AM  
**To:** Christopher P Miles  
**Subject:** appointment

Chris,

Can you and I get together sometime this week?

We need to discuss the tax situation again.

Thanks

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

## Gary Brown

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**From:** Gary Brown  
**Sent:** Wednesday, January 11, 2012 3:01 PM  
**To:** 'Christopher P Miles'  
**Subject:** RE: appointment

John Eldridge, the Finance Director will be sending you the wiring instructions.

I plan to be at your place at 9:00 AM.

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

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**From:** Christopher P Miles [mailto:[cpmprint@verizon.net](mailto:cpmprint@verizon.net)]  
**Sent:** Wednesday, January 11, 2012 1:15 PM  
**To:** Gary Brown  
**Subject:** RE: appointment

Gary,

Looking forward to getting together tomorrow. Could you bring along wire instructions for our CFO to use in making payments on the taxes? Also I was not sure if we decided on 9am or 10am.

Thanks,

**Chris P Miles**  
**Office: (207) 504-8202**  
**Fax: (888) 237-5876**

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**From:** Gary Brown [mailto:[gbrown@brunswickme.org](mailto:gbrown@brunswickme.org)]  
**Sent:** Monday, January 09, 2012 3:43 PM  
**To:** Christopher P Miles  
**Subject:** RE: appointment

I have not seen the operations and would appreciate seeing it.

I will be over at 9:00 on Thursday.

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

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**From:** Christopher P Miles [mailto:[cpmprint@verizon.net](mailto:cpmprint@verizon.net)]  
**Sent:** Monday, January 09, 2012 3:38 PM

## Gary Brown

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**From:** Gary Brown  
**Sent:** Tuesday, January 24, 2012 7:20 AM  
**To:** 'Christopher P Miles'  
**Subject:** FW: Tax Payments

Any new information on this?

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

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**From:** Christopher P Miles [mailto:cpmprint@verizon.net]  
**Sent:** Tuesday, January 17, 2012 10:40 AM  
**To:** John Eldridge; 'Stacy Wight'  
**Cc:** Tricia Goud  
**Subject:** RE: Tax Payments

I should have this information on Thursday and will forward it around to everyone.

**Chris P Miles**  
**Office: (207) 504-8202**  
**Fax: (888) 237-5876**

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**From:** John Eldridge [mailto:jeldridge@brunswickme.org]  
**Sent:** Tuesday, January 17, 2012 10:26 AM  
**To:** Stacy Wight  
**Cc:** Tricia Goud  
**Subject:** Tax Payments

Stacy,

Can you give us the detail of the payment you made by wire. We want to know what total amount we should be looking for as, sometimes, the wire information from the bank isn't very descriptive. We will be applying the payment to the oldest personal property taxes. Thanks.

**John. S. Eldridge, CPFO**  
*Finance Director*

**Town of Brunswick**  
28 Federal Street  
Brunswick, ME 04011  
Tel 207-725-6652  
Fax 207-725-4107  
[www.brunswickme.org/finance](http://www.brunswickme.org/finance)

With limited exceptions, e-mails sent to and from the Town of Brunswick are considered public records under Maine's Freedom of Access Act (FOAA). Public records are open to inspection and may be copied and distributed to others, including members of the media. Unless the e-mail meets one of the exceptions to the public records provisions, there should be no expectation of privacy or confidentiality.

## Gary Brown

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**From:** Gary Brown  
**Sent:** Monday, January 30, 2012 1:19 PM  
**To:** 'Christopher P Miles'  
**Cc:** John Eldridge  
**Subject:** update

Chris,

I was of the understanding that we would have received a payment by now. Can you advise me where this stands?

Thanks

Gary L. Brown  
Town Manager  
Town of Brunswick, Maine

207 725-6659 ext 201

ITEM 24

BACK UP MATERIALS

(New)

Department of Public Safety  
Division

Liquor Licensing & Inspection



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

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

PRESENT LICENSE EXPIRES \_\_\_\_\_

INDICATE TYPE OF PRIVILEGE:  MALT  SPIRITUOUS  VINOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV)
- HOTEL-OPTIONAL FOOD (Class I-A)
- CLASS A LOUNGE (Class X)
- CLUB (Class V)
- TAVERN (Class IV)
- RESTAURANT/LOUNGE (Class XI)
- HOTEL (Class I,II,III,IV)
- CLUB-ON PREMISE CATERING (Class I)
- GOLF CLUB (Class I,II,III,IV)
- OTHER: \_\_\_\_\_

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) --(Sole Proprietor, Corporation, Limited Liability Co., etc.) JJ & M LLC			2. Business Name (D/B/A) Benchwarmers Sports Pub		
DOB: 2/14/12					
DOB:			Location (Street Address) 212 Main Street		
DOB:			City/Town State Zip Code Brunswick ME 04011		
Address <del>212 Main Street</del> , P.O. Box 26			Mailing Address P.O. Box 26		
City/Town Bowdoin		State ME	City/Town Bowdoin		State Zip Code ME 04207
Telephone Number 207-751-8076		Fax Number	Business Telephone Number 207-729-4800		Fax Number
Federal I.D. # 454546174			Seller Certificate #		

- 3. If premises are a hotel, indicate number of rooms available for transient guests: \_\_\_\_\_
- 4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ \_\_\_\_\_ LIQUOR \$ \_\_\_\_\_
- 5. Is applicant a corporation, limited liability company or limited partnership? YES  NO

complete Supplementary Questionnaire ,If YES

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

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

8. If business is NEW or under new ownership, indicate starting date: March 8, 2012

Requested inspection date: February March 6th 2012 Business hours: 11-10

9. Business records are located at: \_\_\_\_\_

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
Jennifer Lewis <i>maiden (Cota)</i>	7/29/85	Brunswick

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

(3yrs) Bowdoin, ME. (2yrs) Hopswell, ME

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES  NO
- Name: \_\_\_\_\_ Date of Conviction: \_\_\_\_\_
- Offense: \_\_\_\_\_ Location: \_\_\_\_\_
- Disposition: \_\_\_\_\_

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

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

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

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) Restaurant + Sports Pub.

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services? YES  NO  Applied for: 2/14/12

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? 80 Yards Which of the above is nearest? Church

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

If YES, give details: loan.

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: Brunswick, ME. on February 15<sup>th</sup>, 20 12

Town/City, State Date

Jennifer Lewis **Please sign in blue ink**

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

ITEM 25

BACK UP MATERIALS

## **Public Hearing Notice**

Town of Brunswick

The Town of Brunswick will hold a Public Hearing on February 27, 2012 at 7:00 PM in the Municipal Meeting Room (Room 217), Brunswick Station, 16 Station Avenue to discuss a pre-application being submitted to the State of Maine Community Development Block Grant program for a CDBG-Economic Development Program grant. The purpose of the request is to support Integrated Marine Systems, Inc.'s business operations at Brunswick Landing. Public comments will be solicited at this Hearing and will be submitted as part of the pre-application. All persons wishing to make comments or ask questions about the proposal are invited to attend this Public Hearing. Comments may be submitted in writing to: Brian Dancause, 28 Federal Street, Brunswick, ME 04011 at any time prior to the Public Hearing. TDD/TTY users may call 771. If you are physically unable to access any of the Town's programs or services, please call Brian Dancause at 721-0292, so that accommodations can be made.





**TOWN OF BRUNSWICK, MAINE**  
INCORPORATED 1739  
**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**  
28 FEDERAL STREET  
BRUNSWICK, ME 04011

**MEMORANDUM**

To: Town Council  
Gary Brown, Town Manager

From: Brian K. Dancause *Brian*

Date: February 1, 2012

Subj: CDBG-Economic Development Program Grant Application: Integrated Marine Systems, Inc.

On January 17, 2012, the Town Council approved the submission of a Letter of Intent to apply for a CDBG-Economic Development Program application on behalf of Integrated Marine Systems, Inc. to support its operations at Brunswick Landing. The Maine Office of Community Development has reviewed our Letter of Intent and has invited the Town to apply for CDBG-EDP funding for this project. (See attached letter.)

CDBG-EDP Application Process:

The CDBG-EDP application process requires that the Town hold a public hearing on the project, as well as Council action approving the submission of the application. If the Maine OCD approves the Town's CDBG-EDP application, which is due by March 9, we will be invited into the project development phase (or Phase II) of the CDBG application process. As part of Phase II, the Town will be required to hold a second public hearing. Additionally, Council action will be required to accept CDBG-EDP funds.

Project Highlights:

- CDBG funds will be used to purchase control system components with which the company will assemble and operate various innovative technologies destined for defense and commercial customers. (An operating system must be in place by spring 2012, in order to demonstrate and deliver contracted services and hardware.)
- Project will create seven (7) net new production jobs, of which four (4) will be filled by persons of low and moderate income.
- Business will match CDBG funds with \$250,000 in bank loans and other private investment.



Paul R. LePage  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ECONOMIC  
AND COMMUNITY DEVELOPMENT



George C. Gervais  
COMMISSIONER

January 25, 2012

Gary Brown, Town Manager  
Town of Brunswick  
28 Federal Street  
Brunswick, Maine 04011

Dear Mr. Brown:

The Office of Community Development (OCD) has reviewed the Letter-of-Intent to apply you submitted for the 2012 Community Development Block Grant (CDBG) Economic Development Program. Our review showed that the Town of Brunswick, on behalf of Integrated Marine Systems, Inc., has met the requirements established by Title I of the Housing and Community Development Act of 1973, as amended and the State of Maine CDBG program. The Town of Brunswick is eligible to submit an Economic Development program application on this project.

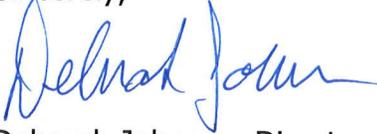
There is one item that we want to make sure the community and business are aware of as this process moves forward. In reviewing the job creation information in the application our office is concerned that it may be difficult for this project to meet the program requirement that 51% of all jobs created as a result of the CDBG funded activity are taken/held by persons of low and moderate income (LMI). As this project intends to create 7 jobs at least 4 of the jobs must meet the LMI requirement. The occupations listed appear to all require some years of experience and/or advanced education which may make it difficult for the project to meet the 51% LMI job creation requirement of the CDBG program. The Office of Community Development will make every effort to work with the business and community in meeting this requirement.

Please note that the application must include municipal legislative body approval as well as all matching funds **must** be fully committed and secure before the application deadline date and additionally, the applicant must demonstrate that the financial resources are available to complete the entire project as presented in the application. Please remember that eligibility to submit a final application does not imply final project approval or funding and that the application is due at the Office of Community Development **by 4:00pm on Friday, March 9, 2012 and must meet all** the requirements of the 2012 CDBG program. Failure to submit a complete application by this date will require the submission of a new Letter of Intent.

Gary Brown, Town Manager  
Town of Brunswick  
January 25, 2012  
Page 2

You may contact Andrea Smith at #624-9813 or [andrea.smith@maine.gov](mailto:andrea.smith@maine.gov) with any further questions regarding the 2012 CDBG application process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deborah Johnson". The signature is fluid and cursive, with the first name being more prominent.

Deborah Johnson, Director  
Office of Community Development

cc: Andrea Smith, Office of Community Development



ITEM 31

BACK UP MATERIALS

# Town of Brunswick, Maine

Incorporated 1739

Brunswick Fire Department

"Working Today for a Safer Tomorrow"



KEN BRILLANT, CHIEF  
JEFF EMERSON, DEPUTY CHIEF  
DONALD KOSLOSKY, DEPUTY CHIEF

21 TOWN HALL PLACE  
BRUNSWICK, ME 04011  
TELEPHONE 207-725-5541  
FAX # 207-725-6638  
[WWW.BRUNSWICKME.ORG](http://WWW.BRUNSWICKME.ORG)

February 16, 2012

Members of the Brunswick Town Council

RE: Outdoor Wood Boiler Moratorium

It was recently brought to our attention that the Town of Brunswick would be considering lifting the moratorium on the installation of new outdoor wood boilers during its February 27<sup>th</sup> meeting. In preparation for this meeting Jeff Hutchinson (Town of Brunswick Code Enforcement Officer) and I have put together some information that should be helpful with your decision process. We have also included ordinance changes that we believe reflect the direction that we received.

As an overview, many of the regulation changes put forward by the State of Maine rule 150 have come to fruition. Currently only boilers receiving a "Phase 2" status from the US EPA would be acceptable for new installation.

The current language in the Ordinance regulating existing Outdoor Wood Boilers has been modified slightly for housekeeping purposes. It should also be noted that for new installations, additional setback requirements are found under 3C *Stack Height Requirements* and the new installation proposal has no seasonal restrictions.

If you have any questions, or would like any additional information, please feel free to let us know. We both plan to attend the meeting on the 27<sup>th</sup>.

Respectfully Submitted,

Jeff Emerson  
Deputy Chief  
Fire Prevention Division

**Sec. 7-29. Outdoor wood boiler/hydronic heaters. (CHANGES REMOVED)**

**I. New Outdoor Wood Boilers**

*SUMMARY: This regulation establishes particulate emission standards, siting criteria and labeling requirements for outdoor wood boilers, including outdoor pellet boilers.*

**1. Applicability**

A. This regulation applies to any manufacturer, supplier, distributor or person intending to sell, lease, distribute, or market, an outdoor wood boiler, including an outdoor pellet boiler, in the Town of Brunswick that meets the definition of an outdoor wood boiler and to any person who installs, relocates, replaces, operates or owns an outdoor wood boiler, including an outdoor pellet boiler.

B. This regulation applies to outdoor wood boilers, including outdoor pellet boilers, with a rated thermal input of less than 3 MMBtu/hr. Boilers with a rated thermal heat input of 3 MMBtu/hr or greater are subject to Chapter 103 Fuel Burning Equipment Particulate Emission Standard of the Department of Environmental Protection Regulations.

**2. Definitions**

The following terms, as used in this Section, have the following meanings:

- A. Clean wood.** “Clean wood” means wood that has no paint, stain, or other types of coatings, and wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol.
- B. Commercial outdoor wood boiler.** “Commercial outdoor wood boiler” means any outdoor wood boiler, except for those outdoor wood boilers used solely for space heating or domestic hot water, used to service a commercial establishment.
- C. Distribute or sell.** “Distribute or sell” means to distribute, sell, advertise for sale, offer for sale, lease, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver. This term does not include the distribution or sale by a manufacturer of an outdoor wood boiler that is installed outside the Town of Brunswick.
- D. Manufacturer.** “Manufacturer” means any person who constructs or imports for the distribution or sale into the United States an outdoor wood boiler.
- E. New outdoor wood boiler.** “New outdoor wood boiler” means an outdoor wood boiler that is not installed and/or operational at the intended location of use as of the effective date of this Section.
- F. Nuisance.** “Nuisance” means emission of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration that may be injurious to human, plant or animal life or to property, or that unreasonably interferes with the comfortable enjoyment of life or property.
- G. Opacity.** “Opacity” means the degree to which emissions other than water reduce the transmission of light and obscure the view of an object in the background.
- H. Outdoor wood boiler.** “Outdoor wood boiler” (also known as outdoor wood-fired hydronic heater, water stove or outdoor wood furnace) means a fuel burning device that: (1) is designed to burn wood, biomass fuel products or

other approved solid fuels; (2) the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans (e.g., sheds) or is an indoor-rated device housed in a modular or containerized structure; and (3) heats building space or water, or both, through the distribution, typically through pipes for a fluid or ducts for air, of a fluid or air heated in the device.

- I. Outdoor pellet boiler.** “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.
- J. Particulate matter or PM.** “Particulate matter or PM” means particulate matter PM<sub>10</sub> and PM<sub>2.5</sub> including the condensable fraction.
- K. Sale.** “Sale” means the transfer of ownership or control.

### **3. Requirements for the Sale, Installation and Operation of New Outdoor Wood Boilers and Outdoor Pellet Boilers**

#### **A. Particulate Matter Emission Standards for Outdoor Wood Boilers**

(1) Phase II Particulate Emission Standard for Outdoor Wood Boilers and Outdoor Pellet Boilers. No person shall distribute or sell, lease, import, supply, relocate, replace, or install an outdoor wood boiler or outdoor pellet boiler after the effective date of this Section unless it has been certified under Subsection 3(E) to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output. Outdoor wood boilers and outdoor pellet boilers meeting the Phase II limit must be installed according to the applicable setback and stack height requirements as defined in Subsection 3(B) and 3(C) of this Section.

(2) Voluntary Technology-forcing Particulate Emission Standard for Outdoor Wood Boilers. An outdoor wood boiler meeting a particulate matter emission limit of 0.06 lbs/MMBtu heat output is not subject to a setback requirement under this Section as long as it meets the stack height requirements described in Subsection 3(C)(3) of this Section.

#### **B. Setback Requirements for New Outdoor Wood Boilers and Outdoor Pellet Boilers**

(1) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.32 lbs/MMBtu heat output. No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output, determined in accordance with Section 3(E) of this Section, unless the outdoor wood boiler or outdoor pellet boiler is installed at least 100 feet from the nearest property line or at least 140 feet from the nearest dwelling that is not on the same property as the outdoor wood boiler or outdoor pellet boiler.

(2) Outdoor pellet boilers certified to meet particulate emission limits of 0.06 lbs/MMBtu heat output. No person shall install or allow the installation of any outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.06 lbs/MMBtu heat output, determined in accordance with Subsection 3(E) of this Section, unless the outdoor pellet boiler is installed at least 40 feet from the nearest property line or at least 80 feet from the nearest dwelling that is not on the same property as the outdoor pellet boiler.

(3) Outdoor wood boilers that have been modified to burn pellets. Outdoor wood boilers that have been modified to burn pellets must meet the applicable setback specified in Subsection 3(B) of this Section for the

original particulate emission limit certification of the outdoor wood boiler, determined in accordance with Subsection 3(E) of this Section.

### **C. Stack Height Requirements for New Outdoor Wood Boilers and Outdoor Pellet Boilers**

- (1) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.32 lbs/MMBtu heat output.
  - (a) No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output, determined in accordance with Subsection 3(E) of this Section, 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 an abutting residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler.
- (2) Outdoor pellet boilers certified to meet particulate emission limits of 0.06 lbs/MMBtu heat output.
  - (a) No person shall install or allow the installation of any outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.06 lbs/MMBtu heat output, determined in accordance with Section 3(E) of this Section, 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 an abutting residence is located less than 100 feet from the outdoor pellet boiler.
- (3) Outdoor wood boilers that have been modified to burn pellets. Outdoor wood boilers that have been modified to burn pellets must meet the applicable stack height specified in Subsection 3(C) of this Section for the original particulate emission limit certification of the outdoor wood boiler, determined in accordance with Subsection 3(E) of this Section.
- (4) In the case that there is no structure, such as but not limited to swimming pools or hot tubs, being served by an outdoor wood boiler or outdoor pellet boiler subject to Subsection 3(C), the owner or operator of the outdoor wood boiler or outdoor pellet boiler shall extend the stack two feet higher than the peak of the roof of the nearest building to the outdoor wood boiler or outdoor pellet boiler.

### **D. Commercial Outdoor Wood Boiler, Commercial Outdoor Pellet Boiler, Outdoor Wood Boiler or Outdoor Pellet Boiler with a rated thermal output greater than 350,000 Btu/hr Analysis Requirement**

- (1) Any person intending to install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, an outdoor wood boiler, or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr shall obtain an evaluation, report and installation recommendations performed by a qualified professional, including a licensed professional engineer or a master solid fuel burner technician, that includes the following information:
  - (a) What type of application will the outdoor wood boiler or outdoor pellet boiler be used for;

- (b) A determination of the heat load requirements of the facility as compared to the available heat supply of the outdoor wood boiler or outdoor pellet boiler to ensure the unit is properly sized;
- (c) The stack location relative to the property lines and building locations within 400 feet of the outdoor wood boiler or outdoor pellet boiler;
- (d) The stack height; and
- (e) Recommendations for the proper outdoor wood boiler or outdoor pellet boiler installation, including but not limited to, hook-up, auxiliary fuel, properly sized outdoor wood boiler or outdoor pellet boiler, stack height and stack location.

(2) No person shall install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, outdoor wood boiler or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr unless it is installed according to the recommendations of the evaluation report in Subsection 3(D)(1). In any case, no person shall install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, an outdoor wood boiler or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr unless it meets the minimum setback and stack height requirements stated in Subsection 3(B) and 3(C) of this Section.

**E. Certification of Outdoor Wood Boilers and Outdoor Pellet Boilers.** No person shall supply, distribute, sell, lease, offer for sale, or allow the installation of an outdoor wood boiler or an outdoor pellet boiler in the Town of Brunswick unless the outdoor wood boiler or outdoor pellet boiler has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program. The certification shall demonstrate that the outdoor wood boiler or outdoor pellet boiler meets the applicable particulate emission standard in Subsection 3(A) of this Section. The manufacturer of any such outdoor wood boiler or outdoor pellet boiler shall conduct testing via the EPA Outdoor Wood-Fired Hydronic Heater Phase I Program until EPA replaces the EPA Outdoor Wood-Fired Hydronic Heater Phase I Program with the Environmental Technology Verification Program. The Department of Environmental Protection may approve an alternative certification program.

**F. Labeling Requirements.** New outdoor wood boilers and outdoor pellet boilers shall be labeled in accordance with the labeling requirements of the U.S. Environmental Protection Agency Outdoor Wood-Fired Hydronic Heater Program. Requirements of this program are located at [www.epa.gov/woodheaters/index.htm](http://www.epa.gov/woodheaters/index.htm).

**G. Rain Cap Prohibition.** No person shall operate a new outdoor wood boiler or outdoor pellet boiler using a rain cap unless this device is required by the manufacturer specifications.

#### **4. General Provisions and Requirements For All Outdoor Wood Boilers and Outdoor Pellet Boilers**

**A. Prohibited fuels.** No person shall burn any of the following items in an outdoor wood boiler:

- (1) any wood that does not meet the definition of clean wood;
- (2) garbage;
- (3) tires;
- (4) lawn clippings or yard waste;
- (5) materials containing plastic;
- (6) materials containing rubber;
- (7) waste petroleum products;
- (8) paints and paint thinners;
- (9) chemicals;
- (10) glossy or colored papers;
- (11) construction and demolition debris;

- (12) plywood;
- (13) particleboard;
- (14) salt water driftwood and other previously salt-water saturated materials;
- (15) manure;
- (16) animal carcasses;
- (17) asphalt products;
- (18) materials containing asbestos;
- (19) materials containing lead, mercury, or other heavy or toxic metals; and
- (20) coal, unless the outdoor wood boiler is specifically designed to burn coal.

## **B. Fuel Requirements**

- (1) No person that operates an outdoor wood boiler shall use a fuel other than the following:
  - (a) Clean wood;
  - (b) Wood pellets made from clean wood;
  - (c) Home heating oil in compliance with the applicable sulfur content limit, propane or natural gas may be used as starter or supplemental fuels for dual-fired outdoor wood boilers; and
  - (d) Other fuels as approved by the Department.
- (2) No person that operates an outdoor pellet boiler shall use a fuel other than the following:
  - (a) Wood pellets made from clean wood;
  - (b) Corn; and
  - (c) Other fuels as approved by the Department.

## **5. Nuisance Conditions**

**A. Standard.** No person shall operate an outdoor wood boiler or an outdoor pellet boiler, that produces visible emissions, measured as any opacity totaling twelve minutes in any hour, that cross onto any land or buildings immediately adjacent to a dwelling or commercial building not owned by the owner of the outdoor wood boiler. Opacity under this subsection shall be determined by the Department of Environmental Protection pursuant to EPA Method 22 Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares (40CFR60, Appendix A).

**B. Prohibition.** No person shall operate an outdoor wood boiler or an outdoor pellet boiler, in such a manner as to create a nuisance.

## **6. Effective date**

Unless otherwise noted, compliance with all applicable provisions of this Section is the effective date of the regulation.

7. **Severability** Each Subsection of this Section shall be deemed severable, and in the event that any Subsection of this Section is held invalid, the remainder shall continue in full force and effect.

**II. Existing outdoor wood boilers**

Any outdoor wood boiler in existence upon the effective date of Section I. of this ordinance shall be allowed to remain provided the owner adheres to the following regulations:

- (1) *Months of operation.* Outdoor wood boilers may be operated only between October 1 and April 30 of each year.
- (2) *Permitted fuels.* These fuels are defined under the Chapter 150 Section I, Subsection 4(b) in Chapter 7 of the Town of Brunswick Ordinance 4, as referenced below.

**III. Regulatory references**

In addition to provisions in this section, rule Chapter 150 Control of Emissions from Outdoor Wood Boilers as adopted and amended by the Maine Department of Environmental Protection, along with any other state or federal regulations and rules regarding outdoor wood boilers apply.

**IV. Penalties**

A person who violates any provisions of this code shall be punished by a fine of not more than one hundred dollars (\$100.00). Each day that the violation continues after a service of notice as provided for in this code shall be deemed a separate offense.

(Ord. of 4-23-07; Ord. of 12-17-07; Ord. of 10-6-08)

## Sec. 7-29. Outdoor wood boiler/hydronic heaters.

- ~~(a) Ban on outdoor wood-fired boiler (OWB).~~
- ~~(1) There shall be no construction, installation, modification, operation, replacement, or use of any OWB in the Town of Brunswick that is not installed and/or operational at the registered location of use as of the effective date of this section.~~
- ~~(2) For the purposes of this subsection (2), an OWB is defined as:~~

~~"Outdoor wood-fired boiler (OWB)" or "outdoor wood-fired furnace" means an accessory structure or appliance capable of being installed out of doors and designed to transfer or provide heat, via liquid or other means, through the burning of wood or any other nongaseous or non-liquid fuels for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. "Outdoor wood-fired boiler or furnace" does not include a fire pit, wood-fired barbecue, or chiminea.~~

### I. New Outdoor Wood Boilers

SUMMARY: This regulation establishes particulate emission standards, siting criteria and labeling requirements for outdoor wood boilers, including outdoor pellet boilers.

#### 1. Applicability

~~A. This regulation applies statewide.~~

~~B. A. This regulation applies to any manufacturer, supplier, distributor or person intending to sell, lease, distribute, or market, an outdoor wood boiler, including an outdoor pellet boiler, in the State of Maine Town of Brunswick that meets the definition of an outdoor wood boiler and to any person who installs, relocates, replaces, operates or owns an outdoor wood boiler, including an outdoor pellet boiler.~~

~~C. B. This regulation applies to outdoor wood boilers, including outdoor pellet boilers, with a rated thermal input of less than 3 MMBtu/hr. Boilers with a rated thermal heat input of 3 MMBtu/hr or greater are subject to Chapter 103 Fuel Burning Equipment Particulate Emission Standard of the Department of Environmental Protection Regulations.~~

#### 2. Definitions

The following terms, as used in this Chapter Section, have the following meanings:

A. **Clean wood.** "Clean wood" means wood that has no paint, stain, or other types of coatings, and wood that has not been treated with, including but not limited to, copper chromium arsenate, creosote, or pentachlorophenol.

- B. Commercial outdoor wood boiler.** “Commercial outdoor wood boiler” means any outdoor wood boiler, except for those outdoor wood boilers used solely for space heating or domestic hot water, used to service a commercial establishment.
- C. Distribute or sell.** “Distribute or sell” means to distribute, sell, advertise for sale, offer for sale, lease, ship, deliver for shipment, release for shipment, or receive and (having so received) deliver or offer to deliver. This term does not include the distribution or sale by a manufacturer of an outdoor wood boiler that is installed outside the State of Maine **Town of Brunswick**.
- D. Manufacturer.** “Manufacturer” means any person who constructs or imports for the distribution or sale into the United States an outdoor wood boiler.
- E. New outdoor wood boiler.** “New outdoor wood boiler” means an outdoor wood boiler that is not installed and/or operational at the intended location of use as of the effective date of this **Chapter Section**.
- F. Nuisance.** “Nuisance” means emission of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration that may be injurious to human, plant or animal life or to property, or that unreasonably interferes with the comfortable enjoyment of life or property.
- G. Opacity.** “Opacity” means the degree to which emissions other than water reduce the transmission of light and obscure the view of an object in the background.
- H. Outdoor wood boiler.** “Outdoor wood boiler” (also known as outdoor wood-fired hydronic heater, water stove or outdoor wood furnace) means a fuel burning device that: (1) is designed to burn wood, biomass fuel products or other approved solid fuels; (2) the manufacturer specifies for outdoor installation or installation in structures not normally occupied by humans (e.g., sheds) or is an indoor-rated device housed in a modular or containerized structure; and (3) heats building space or water, or both, through the distribution, typically through pipes for a fluid or ducts for air, of a fluid or air heated in the device.
- I. Outdoor pellet boiler.** “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.
- J. Particulate matter or PM.** “Particulate matter or PM” means particulate matter PM<sub>10</sub> and PM<sub>2.5</sub> including the condensable fraction.
- K. Sale.** “Sale” means the transfer of ownership or control.

### **3. Requirements for the Sale, Installation and Operation of New Outdoor Wood Boilers and Outdoor Pellet Boilers**

#### **A. Particulate Matter Emission Standards for Outdoor Wood Boilers**

~~(1) Phase I Particulate Emission Standard for Outdoor Wood Boilers and Outdoor Pellet Boilers. No person shall distribute or sell, lease, import, supply or install an outdoor wood boiler after April 1, 2008 or an outdoor pellet boiler after April 1, 2009 unless it has been certified under Section 3(E) to meet a particulate matter emission limit of 0.60 lbs/MMBtu heat input. Outdoor wood boilers and outdoor pellet boilers meeting the Phase I limit must be installed according to the applicable setback and stack height requirements as defined in Section 3(B) and 3(C) of this Chapter.~~

- ~~(2)~~ (1) Phase II Particulate Emission Standard for Outdoor Wood Boilers and Outdoor Pellet Boilers. No person shall distribute or sell, lease, import, supply, **relocate, replace,** or install an outdoor wood boiler or outdoor pellet boiler after ~~April 1, 2010~~ **the effective date of this Section** unless it has been certified under **Subsection 3(E)** to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output. Outdoor wood boilers and outdoor pellet boilers meeting the Phase II limit must be installed according to the applicable setback and stack height requirements as defined in **Subsection 3(B) and 3(C) of this Chapter Section.**
- ~~(3)~~ (2) Voluntary Technology-forcing Particulate Emission Standard for Outdoor Wood Boilers. An outdoor wood boiler meeting a particulate matter emission limit of 0.06 lbs/MMBtu heat output is not subject to a setback requirement under this ~~Chapter~~ **Section** as long as it meets the stack height requirements described in **Subsection 3(C)(3) of this Chapter Section.**

## **B. Setback Requirements for New Outdoor Wood Boilers and Outdoor Pellet Boilers**

- ~~(1)~~ **Outdoor wood boilers and outdoor pellet boilers with particulate emission limits greater than 0.60 lbs/MMBtu heat input or with no certification. No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate emission limit greater than 0.60 lbs/MMBtu heat input or has no certification, determined in accordance with Section 3(E) of this Chapter, unless the outdoor wood boiler or outdoor pellet boiler is installed at least 250 feet from the nearest property line or at least 270 feet from the nearest dwelling that is not on the same property as the outdoor wood boiler or outdoor pellet boiler.**
- ~~(2)~~ **Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.60 lbs/MMBtu heat input. No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.60 lbs/MMBtu heat input, determined in accordance with Section 3(E) of this Chapter, unless the outdoor wood boiler or outdoor pellet boiler is installed at least 100 feet from the nearest property line or at least 120 feet from the nearest dwelling that is not on the same property as the outdoor wood boiler or outdoor pellet boiler.**
- ~~(3)~~ (1) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.32 lbs/MMBtu heat output. No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output, determined in accordance with Section 3(E) of this Chapter Section, unless the outdoor wood boiler or outdoor pellet boiler is installed at least 50 100 feet from the nearest property line or at least 70 140 feet from the nearest dwelling that is not on the same property as the outdoor wood boiler or outdoor pellet boiler.
- ~~(4)~~ (2) Outdoor pellet boilers certified to meet particulate emission limits of 0.06 lbs/MMBtu heat output. No person shall install or allow the installation of any outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.06 lbs/MMBtu heat output, determined in accordance with Subsection 3(E) of this Chapter Section, unless the outdoor pellet boiler is installed at least 20 40 feet from the nearest property line or at least 40 80 feet from the nearest dwelling that is not on the same property as the outdoor pellet boiler.
- ~~(5)~~ (3) Outdoor wood boilers that have been modified to burn pellets. Outdoor wood boilers that have been modified to burn pellets must meet the applicable setback specified in Subsection 3(B) of this Chapter Section for the original particulate emission limit certification of the outdoor wood boiler, determined in accordance with Subsection 3(E) of this Chapter Section.

## **C. Stack Height Requirements for New Outdoor Wood Boilers and Outdoor Pellet Boilers**

~~(1) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emissions limits of greater than 0.60 lbs/MMBtu heat input or with no certification.~~

~~(a) No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate emission limit of greater than 0.60 lbs/MMBtu heat input or has no certification, determined in accordance with Section 3(E) of this Chapter, 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 an abutting residence is located less than 500 feet from the outdoor wood boiler or outdoor pellet boiler.~~

~~(b) No person shall operate any outdoor wood boiler or outdoor pellet boiler, installed after the effective date of this Chapter, that has been certified to meet a particulate emission limit of greater than 0.60 lbs/MMBtu heat input or with no certification, determined in accordance with Section 3(E) of this Chapter, if an abutting residence is located less than 500 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.~~

~~(2) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.60 lbs/MMBtu heat input.~~

~~(a) No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.60 lbs/MMBtu heat input, determined in accordance with Section 3(E) of this Chapter, 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 an abutting residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler.~~

~~(b) No person shall operate any outdoor wood boiler or outdoor pellet boiler, installed after the effective date of this Chapter, that has been certified to meet a particulate emission limit of 0.60 lbs/MMBtu heat input, determined in accordance with Section 3(E) of this Chapter, if an abutting 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.~~

~~(3) (1) Outdoor wood boilers and outdoor pellet boilers certified to meet particulate emission limits of 0.32 lbs/MMBtu heat output.~~

~~(a) No person shall install or allow the installation of any outdoor wood boiler or outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.32 lbs/MMBtu heat output, determined in accordance with Subsection 3(E) of this Chapter Section, 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 an abutting residence is located less than 300 feet from the outdoor wood boiler or outdoor pellet boiler.

~~(b) No person shall operate any outdoor wood boiler or outdoor pellet boiler, installed after the effective date of this Chapter, that has been certified to meet a particulate emission limit of 0.32 lbs/MMBtu heat output, determined in accordance with Subsection 3(E) of this Chapter, if an abutting 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.~~

(4) (2) Outdoor pellet boilers certified to meet particulate emission limits of 0.06 lbs/MMBtu heat output.

(a) No person shall install or allow the installation of any outdoor pellet boiler that has been certified to meet a particulate matter emission limit of 0.06 lbs/MMBtu heat output, determined in accordance with Section 3(E) of this Chapter Section, 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 an abutting residence is located less than 100 feet from the outdoor pellet boiler.

~~(b) No person shall operate any outdoor pellet boiler, installed after the effective date of this Chapter, that has been certified to meet a particulate emission limit of 0.06 lbs/MMBtu heat output, determined in accordance with section 3(E) of this Chapter, if an abutting 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.~~

(5) (3) Outdoor wood boilers that have been modified to burn pellets. Outdoor wood boilers that have been modified to burn pellets must meet the applicable stack height specified in Subsection 3(C) of this Chapter Section for the original particulate emission limit certification of the outdoor wood boiler, determined in accordance with Subsection 3(E) of this Chapter Section.

(6) (4) In the case that there is no structure, such as but not limited to swimming pools or hot tubs, (e.g. swimming pool or hot tub) being served by an outdoor wood boiler or outdoor pellet boiler subject to Subsection 3(C), the owner or operator of the outdoor wood boiler or outdoor pellet boiler shall extend the stack two feet higher than the peak of the roof of the nearest building to the outdoor wood boiler or outdoor pellet boiler.

#### **D. Commercial Outdoor Wood Boiler, Commercial Outdoor Pellet Boiler, Outdoor Wood Boiler or Outdoor Pellet Boiler with a rated thermal output greater than 350,000 Btu/hr Analysis Requirement**

(1) Any person intending to install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, an outdoor wood boiler, or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr shall obtain an evaluation, report and installation recommendations performed by a qualified professional, including a licensed professional engineer or a master solid fuel burner technician, that includes the following information:

- (a) What type of application will the outdoor wood boiler or outdoor pellet boiler be used for;
  - (b) A determination of the heat load requirements of the facility as compared to the available heat supply of the outdoor wood boiler or outdoor pellet boiler to ensure the unit is properly sized;
  - (c) The stack location relative to the property lines and building locations within 400 feet of the outdoor wood boiler or outdoor pellet boiler;
  - (d) The stack height; and
  - (e) Recommendations for the proper outdoor wood boiler or outdoor pellet boiler installation, including but not limited to, hook-up, auxiliary fuel, properly sized outdoor wood boiler or outdoor pellet boiler, stack height and stack location.
- (2) No person shall install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, outdoor wood boiler or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr unless it is installed according to the recommendations of the evaluation report in Subsection 3(D)(1). In any case, no person shall install or operate a commercial outdoor wood boiler, commercial outdoor pellet boiler, an outdoor wood boiler or outdoor pellet boiler with a rated thermal output greater than 350,000 Btu/hr unless it meets the minimum setback and stack height requirements stated in Subsection 3(B) and 3(C) of this Chapter Section.

**E. Certification of Outdoor Wood Boilers and Outdoor Pellet Boilers.** No person shall supply, distribute, sell, lease, offer for sale, or allow the installation of an outdoor wood boiler or an outdoor pellet boiler in the State of Maine ~~Town of Brunswick~~ unless the outdoor wood boiler or outdoor pellet boiler has received certification pursuant to the EPA Outdoor Wood-Fired Hydronic Heater Program. The certification shall demonstrate that the outdoor wood boiler or outdoor pellet boiler meets the applicable particulate emission standard in Subsection 3(A) of this Chapter Section. The manufacturer of any such outdoor wood boiler or outdoor pellet boiler shall conduct testing via the EPA Outdoor Wood-Fired Hydronic Heater Phase I Program until EPA replaces the EPA Outdoor Wood-Fired Hydronic Heater Phase I Program with the Environmental Technology Verification Program. The Department of Environmental Protection may approve an alternative certification program.

~~**F. Sell-through exemption for Outdoor Wood Boilers.** No person shall sell or offer for sale any outdoor wood boiler with a particulate emission rate greater than 0.60 lbs/MMBtu heat input as certified in accordance with Section 3(E) of this Chapter unless the outdoor wood boiler was purchased, paid for in full and received in the State of Maine before April 1, 2008 and the outdoor wood boiler meets all of the applicable requirements of this Chapter. Compliance with this Section must be demonstrated by keeping records of the purchase date and receipt date of their inventory as of the effective date of this Chapter. These records shall be kept for at least 5 years and shall be made available to the Department upon request. This exemption is effective until April 1, 2009.~~

**G. F.Labeling Requirements.** New outdoor wood boilers and outdoor pellet boilers shall be labeled in accordance with the labeling requirements of the U.S. Environmental Protection Agency Outdoor Wood-Fired Hydronic Heater Program. Requirements of this program are located at [www.epa.gov/woodheaters/index.htm](http://www.epa.gov/woodheaters/index.htm).

**H. G.Rain Cap Prohibition.** No person shall operate a new outdoor wood boiler or outdoor pellet boiler using a rain cap unless this device is required by the manufacturer specifications.

#### **4. General Provisions and Requirements For All Outdoor Wood Boilers and Outdoor Pellet Boilers**

**A. Prohibited fuels.** No person shall burn any of the following items in an outdoor wood boiler:

- (1) any wood that does not meet the definition of clean wood;
- (2) garbage;
- (3) tires;
- (4) lawn clippings or yard waste;
- (5) materials containing plastic;
- (6) materials containing rubber;
- (7) waste petroleum products;
- (8) paints and paint thinners;
- (9) chemicals;
- (10) glossy or colored papers;
- (11) construction and demolition debris;
- (12) plywood;
- (13) particleboard;
- (14) salt water driftwood and other previously salt-water saturated materials;
- (15) manure;
- (16) animal carcasses;
- (17) asphalt products;
- (18) materials containing asbestos;
- (19) materials containing lead, mercury, or other heavy or toxic metals; and
- (20) coal, unless the outdoor wood boiler is specifically designed to burn coal.

#### **B. Fuel Requirements**

- (1) No person that operates an outdoor wood boiler shall use a fuel other than the following:
  - (a) Clean wood;
  - (b) Wood pellets made from clean wood;
  - (c) Home heating oil in compliance with the applicable sulfur content limit, propane or natural gas may be used as starter or supplemental fuels for dual-fired outdoor wood boilers; and
  - (d) Other fuels as approved by the Department.
- (2) No person that operates an outdoor pellet boiler shall use a fuel other than the following:
  - (a) Wood pellets made from clean wood;
  - (b) Corn; and
  - (c) Other fuels as approved by the Department.

~~**C. Visible Emission Standard.** No person shall cause or allow the emission of a smoke plume from any outdoor wood boiler or outdoor pellet boiler to exceed an average of 30 percent opacity on a six minute block average basis, except for no more than two six minute block averages in a 3-hour period. Opacity under this subsection shall be determined pursuant to EPA Method 9 Visual Determination of the Opacity of Emissions from Stationary Sources (40CFR60, Appendix A).~~

~~**D. Enforcement and Preemption.** This rule is subject to enforcement pursuant to 38 MRSA §347-A. Nothing in Chapter 150 may be construed as pre-empting any otherwise applicable, statute, regulation, local ordinance or otherwise applicable private common law cause of action.~~

E. Notice to Buyers

- (1) No outdoor wood boiler or outdoor pellet boiler subject to the requirements of this Chapter shall be offered, sold, offered for retail sale, or leased within the State of Maine unless prior to any sales or lease agreement, the seller or dealer provides the prospective buyer or lessee with a copy of this Chapter and a written notice that:
  - (a) It is unlawful to burn garbage, treated or painted wood, plastic and plastic products, rubber products, yard waste, lawn clippings, glossy or colored papers, construction and demolition debris, materials containing asbestos, materials containing lead, mercury, or other heavy or toxic metals, plywood, particleboard, salt water driftwood and other previously salt water saturated materials, manure, animal carcasses, asphalt products, coal, unless the outdoor wood boiler is specifically designed to burn coal, waste petroleum products, paints, chemicals or any substance that normally emits dense smoke or obnoxious odors;
  - (b) Installation of an outdoor wood boiler or outdoor pellet boiler may be subject to other applicable State and local stack height and setback requirements;
  - (c) The applicable distance and stack height requirements provided in Section 3(B) and 3(C) of this Chapter may not be adequate in some areas due to terrain that could render the operation of an outdoor wood boiler or outdoor pellet boiler to be a nuisance or public health hazard; and
  - (d) States the specific results of the average and maximum emission rates of particulate matter for the outdoor wood boiler or outdoor pellet in grams per hour per the testing determined in accordance with Section 3(E) of this Chapter and the average delivered heating efficiency as found in the test reports that were used for certification of the units or a statement that the outdoor wood boiler or outdoor pellet boiler has not been tested or certified;
- (2) The written notice specified above shall be signed by the buyer or lessee at the time of purchase or lease to indicate receipt of notice. Said notice shall contain the names; addresses; telephone number of both the seller or dealer and the buyer or lessee; the location where the outdoor wood boiler or outdoor pellet boiler will be installed; and the make and model of the outdoor wood boiler or outdoor pellet boiler. The dealer shall keep these records for 5 years and provide them to the Department upon request.

F. Owner's Manual. Each outdoor wood boiler or outdoor pellet boiler offered for sale or lease must be accompanied by an owner's manual that shall contain all the information listed below:

- (1) Thermal output capacity;
- (2) Proper installation information;
- (3) Operation and maintenance information to minimize emissions;
- (4) Wood loading procedures, recommendations on wood selection, and warnings on improper fuels;
- (5) Fire starting procedures;
- (6) Proper use of air flow devices, if applicable;
- (7) Ash removal procedures;

~~(8) For catalytic models, information pertaining to maintaining catalyst performance, maintenance procedures, procedures for determining catalyst failure or deterioration, procedures replacement, and information on warranty rights.~~

~~(9) Language stating: Improper use or failure to maintain the outdoor wood boiler or outdoor pellet boiler may cause nuisance conditions. Persons operating this outdoor wood boiler or outdoor pellet boiler are responsible for operation of the outdoor wood boiler or outdoor pellet boiler so as not to cause a nuisance condition. Even proper use and maintenance of the outdoor wood boiler or outdoor pellet boiler, and meeting the distance and stack height recommendations and requirements in State and local regulations may not always be adequate to prevent nuisance conditions in some areas due to terrain or other factors.~~

## 5. Nuisance Conditions

**A. Standard.** No person shall operate an outdoor wood boiler or an outdoor pellet boiler, that produces visible emissions, measured as any opacity totaling twelve minutes in any hour, that cross onto any land or buildings immediately adjacent to a dwelling or commercial building not owned by the owner of the outdoor wood boiler. Opacity under this subsection shall be determined by the Department of Environmental Protection pursuant to EPA Method 22 Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares (40CFR60, Appendix A).

**B. Prohibition.** No person shall operate an outdoor wood boiler or an outdoor pellet boiler, in such a manner as to create a nuisance.

## 6. Third Party Sales

~~As of the effective date of this Chapter, an outdoor wood boiler or outdoor pellet boiler that has been owned by an individual and was in use in Maine prior to the effective date of this Chapter may be distributed or sold to another individual for his or her own personal use. The outdoor wood boiler or outdoor pellet boiler shall be subject to the applicable setback and stack height requirements specified in Section 3(B) and 3(C). If the particulate emission limit is not known, the outdoor wood boiler or outdoor pellet boiler must meet the setback and stack height requirements of Section 3(B)(1) and 3(C)(1).~~

## 7.6. Effective date

Unless otherwise noted, compliance with all applicable provisions of this Chapter Section is the effective date of the regulation.

## 8.7. Severability

Each Subsection of this Chapter Section shall be deemed severable, and in the event that any Subsection of this Chapter Section is held invalid, the remainder shall continue in full force and effect.

**II. (b) Existing outdoor wood boilers.** Any outdoor wood boiler in existence upon the effective date of Section I. of this ordinance shall be allowed to remain provided the owner adheres to the following regulations:

~~(1) Registration. A registration shall be required through the office of fire prevention within thirty (30) days at no cost. Prior to registration, plans shall be submitted to and reviewed by the office~~

of fire prevention. The plan shall include, but not be limited to any or all of the following:

- ~~a. Setback distances;~~
- ~~b. Property boundaries;~~
- ~~c. Existing stack height;~~
- ~~d. Manufacture's installation specifications;~~
- ~~e. Appropriate license information from the installer.~~

~~As part of the registration process each unit shall require a site visit from the fire prevention office.~~

- ~~(2)~~ (1) *Months of operation.* Outdoor wood boilers may be operated only between October 1 and April 30 of each year.
- ~~(3)~~ (2) *Permitted fuels.* These fuels are defined under ~~the Chapter 150~~ **Section I, Subsection 4(b) in Chapter 7 of the Town of Brunswick Ordinance 4**, as referenced below.
- (e) **III.** *Regulatory references.* In addition to provisions in this section, rule Chapter 150 Control of Emissions from Outdoor Wood Boilers as adopted and amended by the Maine Department of Environmental Protection, along with any other state or federal regulations and rules regarding outdoor wood boilers apply.
- (d) **IV.** *Penalties.* A person who violates any provisions of this code shall be punished by a fine of not more than one hundred dollars (\$100.00). Each day that the violation continues after a service of notice as provided for in this code shall be deemed a separate offense.  
(Ord. of 4-23-07; Ord. of 12-17-07; Ord. of 10-6-08)

ITEM 32

BACK UP MATERIALS

# Town of Brunswick, Maine

Incorporated 1739

## CODES ENFORCEMENT OFFICE

CODES ENFORCEMENT: 207-725-6651  
FAX NUMBER: 207-725-6663  
JHUTCHINSON@BRUNSWICKME.ORG  
WWW.BRUNSWICKME.ORG



JEFF HUTCHINSON  
CODES ENFORCEMENT OFFICER  
28 FEDERAL STREET  
BRUNSWICK, ME 04011

To: Brunswick Town Council  
Gary Brown, Town Manager

Cc: John Eldridge, Finance Director  
Anna Breinich, Director of Planning and Development

From: Jeff Hutchinson, Codes Enforcement Officer

Date: January 23, 2012

Re: Brunswick Building Permit Fee Schedule

This memo and attached proposed permit fees are being offered to the Town Council by the Codes Enforcement Office requesting to set a public hearing to recommend an update to the Town's building permit fees regarding mobile homes and open air-unattached structures.

When the Town adopted/revised new construction fees in 2009 the BOCA National Building Codes were still in effect and the installations of Mobile Homes were regulated whether it be in a park or on an individually owned lot. It was important that we inspect the installation of new and used mobile homes for a Certificate of Occupancy therefore; a permit fee was introduced and accepted by the Town Council to help defray the cost of processing and inspecting mobile homes. The Town has always required Electrical and Plumbing hookup permits and this applies when a mobile home is moved onto a lot and is hooked up to existing or new utilities.

Since that time, the State of Maine adopted (mandating its enforcement at the local level) the new "Maine Uniform Building and Energy Code (MUBEC) and while this new code regulated mobile homes, the State Legislature elected to exempt the appendix regulating the installation of mobile homes.

Most recently we have learned that the Maine Manufactured Housing Board (MMHB) has revised their mobile home installation regulations which essentially created two Chapters...#890 for new mobile homes and Chapter 900 for used homes and staff

recommends that the Town adopt Chapters 890 and 900 of the MMHB's regulations for both new and used mobile homes in Brunswick.

Staff has become aware that for a \$300.00 fee, the MMHB is now inspecting the installation of new mobile homes in a mobile home park and issuing Certificate of Occupancy permits. Apparently, the park owners/managers have been requested by the MMHB to contact the Board when a new home is to be installed and it only applies to the initial installation of new, not used mobile homes in a park.

The biggest concern for this office is the condition of used mobile homes that are being moved into the Town, and due to the lack of MMHB inspections staff feels that it's the Town's obligation to inspect the used home's installation to confirm that life safety features are still in place and in good working condition. Upon a successful inspection for code compliance, a Certificate of Occupancy permit may then be issued by this office.

In view of the above, I am proposing revised permit fees (see attached) for the installation of mobile homes. Because the MMHB is inspecting the installation of new homes in a mobile home park for occupancy and to prevent a redundancy of inspections, I would recommend the Town discontinue the permitting of new mobile homes in a park while continuing the permit process for used mobile homes being installed in a park at a fee of one-hundred dollars (\$100.00) per home.

We will continue the permit process for used and new mobile homes installed on privately owned lots as there are usually additional construction and zoning regulations involved however; staff proposes to reduce the permit fee from thirty-five cents (\$0.35) per square foot to twenty cents (\$0.20) per square foot due in part by less inspections needed as compared to a stick built home.

In addition to the fees for mobile homes, staff proposes a reduction of permit fees for specific unattached, unenclosed and unheated structures with at least two open-air walls. Such structures can include, but not be limited to, pole barns, carports, decks, porches, and lumber racks. We have found that due to the simplicity of these structures as compared to fully enclosed, heated and occupied living spaces, full permit fees are not warranted. Staff proposes a fee of twenty cents (\$0.20) per square foot of roof or floor area of the structure rather than the existing full fee of thirty five cents (\$0.35) per square foot. All other construction permit fees will remain as is.

## DIVISION 2. BUILDING CONSTRUCTION

### Sec. 5-51. Building code.

1. The standards and specifications for the design, construction, alteration, installation, enlargement, repair, addition, move, extension, change of occupancy, and demolition of all buildings and structures and their service equipment shall comply with the Maine Uniform Building and Energy Code (MUBEC) adopted by the State of Maine on June 1, 2010, pursuant to 10 M.R.S. Sec. 9721. The codes enforcement officer, or his/her designee, shall administer and enforce the MUBEC pursuant to 30-A M.R.S. Sec. 4451. The town clerk shall keep on file in the clerk's office one (1) copy of the MUBEC available for public use, inspection and examination.

2. The standards and specifications for the installation of new and used mobile homes in the Town of Brunswick shall comply with Chapters 890 and 900 of the Maine Manufactured Home Installation (MMHI) Standards, as revised, pursuant to 10 M.R.S.A. Sections 9005-A and 9006. The Town Clerk shall keep on file in the Clerk's office one (1) copy of the MMHI standards available for public use, inspection and examination.

(Ord. of 1-4-89, § 1; Ord. of 12-16-91; Ord. of 10-18-10)

### Sec. 5-52. Building permit fees.

1. The minimum fee for all building permits shall be forty-five dollars (\$45.00).

2. For each square foot of floor area, excluding basements, for one- and two-family dwellings including modular ~~and mobile~~ homes, and accessory structures thirty-five cents (\$0.35) per square foot.

3. For each square foot of floor area of a new or used mobile home to be located on a single-privately owned lot, twenty cents (\$0.20) per square foot.

4. For any installation of a used mobile home within a legally existing mobile home park, one-hundred dollars (\$100.00).

5. For any unenclosed and unheated structure with at least two (2) open-air walls such as, but not limited to, pole barns, car ports, decks, porches, or lumber racks; twenty cents (\$0.20) per square foot of the roof or floor area of the structure.

~~3.~~ 6. All other use groups set forth in Chapter 3 of the MUBEC, forty cents (\$0.40) per square foot.

4. 7. Alterations and/or renovations to one- and two-family dwellings (including modular and mobile homes) and unusual structures not conducive to square footage measurements: six dollars (\$6.00) per one thousand dollars (\$1,000.00) of estimated construction value.

~~5.~~ 8. Alterations and/or renovations to all other use groups set forth in Article 3 of the MUBEC: nine dollars (\$9.00) per one thousand dollars (\$1,000.00) of estimated construction value.

6. 9. Foundation only, forty cents (\$0.40) per square foot. Square footage will be figured on the exterior of the building for new construction and the affected area within the building for alterations.

7. 10. Demolition permit fees: Fifty dollars (\$50.00) per structure.

### Sign fees:

1--10 square feet . . . \$10.00

11--25 square feet . . . \$15.00

26--50 square feet . . . \$25.00

51--100 square feet . . . \$45.00  
Over 100 square feet . . . \$45.00  
Plus, per square foot . . . \$0.50

Fee computations are to be rounded to the nearest dollar.

**8. 11.** Double fee: Any person who shall commence any work for which a permit is required by this code without first having obtained a permit therefore, shall, if subsequently permitted to obtain a permit, pay double the permit fee fixed by this section for such work, provided, however, that this provision shall not apply to emergency work when it shall be proved to the satisfaction of the administrative authority that such work was urgently necessary and that it was not practical to obtain a permit before the commencement of the work. In all cases, a permit must be obtained as soon as practical to do so. If there is an unreasonable delay in obtaining such permit, a double fee as herein provided shall be charged.

**9. 12.** A re-inspection fee of fifty dollars (\$50.00) will be charged for each subsequent inspection determined by the codes official to be necessary because the building or site being inspected has not been completed or is not eligible for a certificate of occupancy.

**10. 13.** Add the following sentence to the end of the second paragraph of 3109.2 of the MUBEC:

All such pools shall remain empty until the Code Enforcement Officer has inspected the property and determines that the pool enclosure requirements of Section 3109 of the 2003 International Building Code have been met.

(Ord. of 1-4-89, § 3; Ord. of 12-16-91; Ord. of 7-7-03; Ord. of 7-21-08(1); Ord. of 9-2-08(1); Ord. of 3-15-10; Ord. of 4-26-10; Ord. of 10-18-10)

Secs. 5-53--5-75. Reserved.

### DIVISION 3. ELECTRICAL INSTALLATION STANDARDS\*

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**\*Cross references:** Fire prevention and protection, Ch. 7; housing, Ch. 8; housing code, § 8-26 et seq.; minimum standards for lighting and electrical installation under the housing code, § 8-89.

**State law references:** Electrical installations, 30-A M.R.S.A. § 4151 et seq.; electricians, 32 M.R.S.A. § 1101 et seq.

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Sec. 5-76. Code adopted.

The National Electrical Code, 1990 Edition, as published by the National Fire Protection Association, is enacted as the electrical code of the town, with the addition of chapter 10. A copy of this code is on file in the town clerk's office.

(Ord. of 1-19-88; Ord. of 12-16-91)

**State law references:** Codes adopted by reference, 30-A M.R.S.A. § 3003.

Sec. 5-77. Amendments adopted.

The following amendments to the code adopted in section 5-76 are hereby adopted:

(1) *Chapter 10, Enforcement, Fees, Penalties* is added to read as follows:

"ARTICLE 1000 - Enforcement

"1000-1. *Enforcement.* The Electrical Inspector shall enforce this code.

"1000-2. *Scope.* This code applies to (a) original installations of electrical systems and to (b) alterations of or additions to existing electrical systems in the Town of Brunswick.

"1000-3. *Permit.* Any person who desires to install original electrical systems or to alter or add to existing electrical systems as provided in this code must first obtain a permit. Authorized persons include (A) property owner doing said work or (B) State of Maine licensed electrician.

"1000-4. *Inspections.* The electrical inspector shall inspect all wiring at appropriate times during its installation to see that it is in compliance with this code.

"The electrical inspector may enter and examine any premises at any reasonable time in the discharge of his official duties.

"The electrical contractor or property owner shall notify the electrical inspector forty-eight (48) hours before an electrical installation is ready for inspection. Electrical installations, alterations, or additions for which a permit is required may not be used until after inspection and approval by the electrical inspector.

"1000-5. *Schedule of fees.* The codes enforcement officer shall collect electrical inspection fees from applicants for permits under article 1000-3, as follows:

"A. General:

1. Minimum fee shall be . . . \$ 45.00
2. Reinspection for code violation . . . 30.00
3. All fees are to be rounded to the nearest dollar.

"B. Original Installations:

"1. Residential: For one-family or two-family dwellings, six cents (\$0.06) per square foot of floor area.

"2. All use groups listed in section 301.1 of the BOCA National Building Code, 1990, except one- and two-family dwellings, nine cents (\$0.09) per square foot.

"3. All use groups listed in section 310 of the BOCA National Building Code, 1990, from 1 to 10 fixtures or outlets . . . \$6.00

11--20 fixtures or outlets . . . 9.00

21--31 fixtures or outlets . . . 12.00

Over 30 fixtures or outlets . . . 25.00.

"C. Additions and Alterations:

"1. Service and meter or replacement . . . \$ 45.00

Each additional meter on same service . . . 5.00

"2. Installations for appliances, water heaters, dryer, disposal, etc. . . . 5.00

"3. Swimming pools . . . 45.00

Plus each appliance . . . 3.00

"4. One electrical sign or lighting standard . . . 5.00

Plus each additional sign or standard . . . 1.00

"5. Hazardous location as defined in Chapter 5 of the National Electrical Code 1990 Edition . . . 10.00

Plus an addition for each unit changed or added (pumps, fixtures, etc.) . . . 5.00

"6. From 1 to 20 fixtures or outlets . . . 45.00

Over 20 fixtures or outlets, the fee shall be computed on a square foot basis set forth under article 1000-5(B) based upon the area of the addition or alteration.

"1000-6. *Classification of occupancies.* For purpose of establishing fees for electrical permits, classification of occupancies of building structures, or portions thereof, as set forth in article 3 of BOCA National Building Code, 1990 Edition, shall be observed.

"1000-7. *Double fee provisions.* Any person who begins any work for which a permit is required without first having obtained it shall pay double the permit fee for the work. This does not apply to emergency work where in the opinion of the electrical inspector it was not practical to obtain a permit before beginning the work. In emergency cases a permit must be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining the permit, the applicant shall pay a double fee.

"1000-8. *Penalties.* A person who violates any of the provisions of this code shall be punished by a fine of not more than one hundred dollars (\$100.00). If this code is violated by a partnership or corporation, the members of the partnership or the officers of the corporation who participated in or authorized the action resulting in the violation will also be subject to the punishment provided. Each day the violation continues after a written notice is served on the responsible person shall be deemed to be a separate offense."

(Ord. of 1-19-88; Ord. of 12-16-91; Ord. of 4-18-95; Ord. of 3-15-10)

#### DIVISION 4. INTERNAL PLUMBING INSTALLATION FEES

Sec. 5-78. Internal plumbing.

Nine dollars (\$9.00) per fixture with a minimum permit of thirty-six dollars (\$36.00).

(Ord. of 3-15-10)

#### DIVISION 5. SUBSURFACE WASTEWATER DISPOSAL FEES

Sec. 5-79. Subsurface wastewater disposal.

Fees shall be a base fee of one hundred fifty (150) percent of the Maine State minimum fees as listed in Table 110.2 of the Maine Subsurface Waste Water Disposal Rules.

(Ord. of 3-15-10)

ITEM 33

BACK UP MATERIALS



*Town Clerk's Department*  
207-725-6658

Fran Smith, Town Clerk

MEMO

To: Town Council  
From: Fran Smith, Town Clerk  
Date: February 28, 2012  
Re: **SELLERS OF PREPARED FOOD ON PUBLIC WAYS** application

---

The Town Clerk's Office has received a request for a **SELLERS OF PREPARED FOOD ON PUBLIC WAYS** license for the Brunswick Mall from:

Farmer's Market  
Danny's Dogs  
Wrappers  
Lola's Taqueria

**SELLERS OF PREPARED FOOD ON PUBLIC WAYS** license for Non-Mall:

The Great Impasta  
Flipside  
Gelato Fiasco

Please consider this request at your March 5, 2012 Council Meeting.

**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

**Please complete:**

Type of Business:  Sole Proprietor-Owner's Name: Jonathan Holmes

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: \_\_\_\_\_

Incorporation Date: \_\_\_\_\_ Incorporation State: \_\_\_\_\_

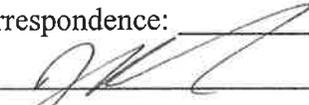
New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: \_\_\_\_\_

Business Name: Lola's Taqueria E-Mail: lolas\_tacos@yahoo

Business Address: 8 View St Business Phone Number: 207 751-1884

Name of Contact Person: Jonathan Holmes Contact's Phone Number: 802 318-0488

Mailing Address for Correspondence: \_\_\_\_\_

Signature of Applicant:  Date: \_\_\_\_\_

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: \_\_\_\_\_ Phone #: \_\_\_\_\_

Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

Codes Officer Signature \_\_\_\_\_

Health Officer Signature \_\_\_\_\_

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Seller of Prepared Food Paid Fee: \$ 1500.00 Cash  Date: 2-28-12

Advertising Fee: \$ \_\_\_\_\_  Paid

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

**Bazaar or Flea Market**-Exp. June 30<sup>th</sup>

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_  
\_\_\_\_\_ Annually (\$225)

**Bowling Alleys, Pool Halls and Billiards**-Exp. June 30<sup>th</sup>

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

**Carnival or Circus**

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

**Commercial Vehicle**-Exp. December 31<sup>st</sup> \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

**Food Service Establishment (Victualer)**-Exp. May 31<sup>st</sup>

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* \_\_\_\_\_

**Going Out of Business** (\$50)

60 Day License (*Must also Complete an Application for Going out of Business Sale, and include a list of inventory*)

**Innkeeper**-Exp. May 31<sup>st</sup>     1-15 Rooms (\$100)     16+ Rooms (\$175)

**Junkyard**     **Automobile Graveyard** (\$50 each, both Exp. Oct. 1<sup>st</sup>)     **Auto Recycling** (\$250-5 Yrs)

Plus \$25 application fee for each type \_\_\_\_\_

**Pawnbroker** (\$75) Exp. June 30<sup>th</sup>

**Peddler:**

\_\_\_\_ #Weeks/\$25/week    \_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_ 1 Year (up to 12 mnths \$100)

**Pinball Mach. - Other Amuse Devices** (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

**Second Hand Dealer** (\$75)-Exp. June 30<sup>th</sup>

**Sellers of Prepared Food on Public Way** (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: Mall \_\_\_\_\_ Exp. 1<sup>st</sup> PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. \_\_\_\_\_

\_\_\_\_\_  
(Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/There is no proration on new licenses)

**Special Amusements** (\$100)-Exp. w/Alcohol License

Describe in detail kind and nature of entertainment- \_\_\_\_\_

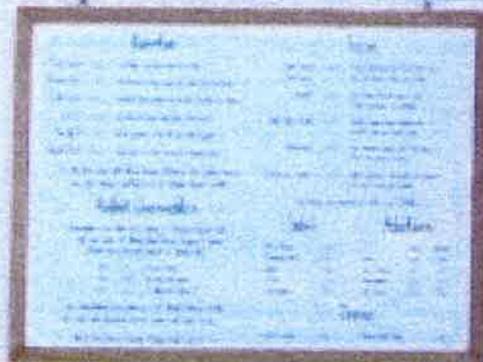
Describe in detail room or rooms to be used under this permit- \_\_\_\_\_

\_\_\_\_\_  
Signature of Owner, officer, partner or agent: \_\_\_\_\_

**Tattooing Establishment** (\$75)-Exp. June 30<sup>th</sup>

**Theater** (\$150 per screen)-Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Screens

# LOLA'S TAQUERIA

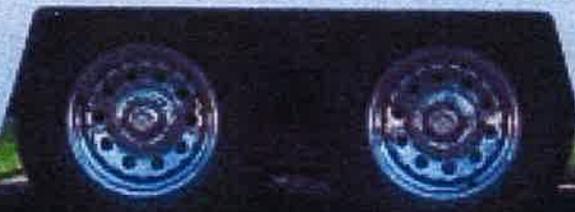


A menu board with a wooden frame, divided into sections for 'Borritos', 'Tostitos', 'Baja Sandwiches', and 'Nachos'. The text is small and difficult to read, but the layout is organized into columns and rows.

Borritos	Tostitos
Small	Small
Medium	Medium
Large	Large
Extra Large	Extra Large
...	...

Baja Sandwiches	Nachos
Small	Small
Medium	Medium
Large	Large
...	...



**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

**Please complete:**

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: BRUNSWICK FARMER Mkt Assoc

Incorporation Date: \_\_\_\_\_ Incorporation State: \_\_\_\_\_

New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: \_\_\_\_\_

Business Name: BRUNSWICK FARMER MARKET E-Mail: FAIRWINDSEARM08@GMAIL.CO

Business Address: PO BOX 124 BRUNSWICK ME Business Phone Number: 207 729-1872

Name of Contact Person: PETE KARONIS Contact's Phone Number: 207 729-1872

Mailing Address for Correspondence: PO BOX 124 BRUNSWICK ME

Signature of Applicant: Pettkan Date: 2/1/12

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: P.O. Box 124 BRUNSWICK Phone #: 207 729-1872

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

\_\_\_\_\_  
Codes Officer Signature

\_\_\_\_\_  
Health Officer Signature

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Farmers Market Paid Fee: \$ 3000.<sup>00</sup> Cash/ Check Date: 2-1-12

Sellers of Prepared Food on public way Advertising Fee: \$ \_\_\_\_\_  Paid

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

Bazaar or Flea Market-Exp. June 30<sup>th</sup>

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_

\_\_\_\_\_ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30<sup>th</sup>

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

Carnival or Circus

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

Commercial Vehicle-Exp. December 31<sup>st</sup> \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

**Food Service Establishment (Victualer)-Exp. May 31<sup>st</sup>**

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: Description of Food to be sold: \_\_\_\_\_

Going Out of Business (\$50)

60 Day License (Must also Complete an Application for Going out of Business Sale, and include a list of inventory)

Innkeeper-Exp. May 31<sup>st</sup>     1-15 Rooms (\$100)     16+ Rooms (\$175)

Junkyard  Automobile Graveyard (\$50 each, both Exp. Oct. 1<sup>st</sup>)     Auto Recycling (\$250-5 Yrs)

Plus \$25 application fee for each type \_\_\_\_\_

Pawnbroker (\$75) Exp. June 30<sup>th</sup>

Peddler:

\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30<sup>th</sup>

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)  
 Location: Brunswick Farmer Mkt Assoc Exp. 1<sup>st</sup> PH in March  
 As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. \_\_\_\_\_  
Putman (Signature of owner, officer, partner or agent)  
 (New applicants must talk to Recreation Dept/There is no proration on new licenses)

Special Amusements (\$100)-Exp. w/Alcohol License  
 Describe in detail kind and nature of entertainment- \_\_\_\_\_  
 \_\_\_\_\_  
 Describe in detail room or rooms to be used under this permit- \_\_\_\_\_  
 \_\_\_\_\_  
 Signature of Owner, officer, partner or agent: \_\_\_\_\_

Tattooing Establishment (\$75)-Exp. June 30<sup>th</sup>

Theater (\$150 per screen)-Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Screens

**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

**Please complete:**

Type of Business:  Sole Proprietor-Owner's Name: Sean McDonald  
 Partnership-Partner's Names: \_\_\_\_\_  
 Corporation-Corporation Name: \_\_\_\_\_  
Incorporation Date: \_\_\_\_\_ Incorporation State: \_\_\_\_\_

New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: 31 March 2012

Business Name: Danny's Dogs E-Mail: \_\_\_\_\_

Business Address: 36 Main Street Brunswick, Me Business Phone Number: 721 0381

Name of Contact Person: Sean McDonald Contact's Phone Number: 721 0381

Mailing Address for Correspondence: 36 Main Street Brunswick, Maine 04011

Signature of Applicant: Sean McDonald Date: 2-7-12

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Table with 4 columns: Name of Corp. Officer, Owner, or Partners; Title; Address; % of Stock or ownership. Multiple rows for listing officers.

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

Codes Officer Signature \_\_\_\_\_ Health Officer Signature \_\_\_\_\_

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Mail Vendor Paid Fee: \$ 1500.00 Cash Check Date: 2-9-12

Advertising Fee: \$ \_\_\_\_\_  Paid

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

Bazaar or Flea Market-Exp. June 30<sup>th</sup>

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_

\_\_\_\_\_ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30<sup>th</sup>

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

Carnival or Circus

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

Commercial Vehicle-Exp. December 31<sup>st</sup> \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

**Food Service Establishment (Victualer)-Exp. May 31<sup>st</sup>**

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* \_\_\_\_\_

Going Out of Business (\$50)

60 Day License (*Must also Complete an Application for Going out of Business Sale, and include a list of inventory*)

Innkeeper-Exp. May 31<sup>st</sup>     1-15 Rooms (\$100)     16+ Rooms (\$175)

Junkyard  Automobile Graveyard (\$50 each, both Exp. Oct. 1<sup>st</sup>)     Auto Recycling (\$250-5 Yrs)  
Plus \$25 application fee for each type \_\_\_\_\_

Pawnbroker (\$75) Exp. June 30<sup>th</sup>

Peddler:

\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30<sup>th</sup>

<p><input checked="" type="checkbox"/> Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other) Location: <u>Downtown Mall - Brunswick, ME.</u>    Exp. 1<sup>st</sup> PH in March As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. _____ (Signature of owner, officer, partner or agent) (New applicants must talk to Recreation Dept/There is no proration on new licenses)</p>
--

<p><input type="checkbox"/> Special Amusements (\$100)-Exp. w/Alcohol License Describe in detail kind and nature of entertainment- _____ _____ Describe in detail room or rooms to be used under this permit- _____ _____ Signature of Owner, officer, partner or agent: _____</p>
--

Tattooing Establishment (\$75)-Exp. June 30<sup>th</sup>

Theater (\$150 per screen)-Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Screens



**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

**Please complete:**

Type of Business:  Sole Proprietor-Owner's Name: DAVID BROWN & TERESA BROWN ✓

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: \_\_\_\_\_

Incorporation Date: \_\_\_\_\_ Incorporation State: \_\_\_\_\_

New License: Opening Date MARCH 12  Renewal License: Expiration Date: \_\_\_\_\_

Business Name: Wrappers E-Mail: brown1137@hotmail.com

Business Address: 22 MORGANSON LN. TOPSHAM ME Business Phone Number: 319-5023

Name of Contact Person: DAVID BROWN Contact's Phone Number: 725-1489

Mailing Address for Correspondence: 22 MORGANSON LANE TOPSHAM ME 04086

Signature of Applicant: David Brown Date: 12/15/11

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: \_\_\_\_\_ Phone #: \_\_\_\_\_

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

\_\_\_\_\_  
Codes Officer Signature

\_\_\_\_\_  
Health Officer Signature

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Publicway Paid Fee: \$ 1500 Cash /  Check Date: 12/19/11

Advertising Fee: \$ 0/9  Paid

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

**Bazaar or Flea Market-Exp. June 30<sup>th</sup>**

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_

\_\_\_\_\_ Annually (\$225)

**Bowling Alleys, Pool Halls and Billiards-Exp. June 30<sup>th</sup>**

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

**Carnival or Circus**

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

**Commercial Vehicle-Exp. December 31<sup>st</sup>** \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

**Food Service Establishment (Victualer)-Exp. May 31<sup>st</sup>**

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* \_\_\_\_\_

**Going Out of Business (\$50)**

60 Day License (*Must also Complete an Application for Going out of Business Sale, and include a list of inventory*)

**Innkeeper-Exp. May 31<sup>st</sup>**     1-15 Rooms (\$100)     16+ Rooms (\$175)

**Junkyard**     **Automobile Graveyard** (\$50 each, both Exp. Oct. 1<sup>st</sup>)     **Auto Recycling** (\$250-5 Yrs)

Plus \$25 application fee for each type \_\_\_\_\_

**Pawnbroker (\$75) Exp. June 30<sup>th</sup>**

**Peddler:**

\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

**Pinball Mach. - Other Amuse Devices** (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

**Second Hand Dealer (\$75)-Exp. June 30<sup>th</sup>**

**Sellers of Prepared Food on Public Way** (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: \_\_\_\_\_ Exp. 1<sup>st</sup> PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. \_\_\_\_\_

*David Pro* 12/15/11 (Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/There is no proration on new licenses)

**Special Amusements (\$100)-Exp. w/Alcohol License**

Describe in detail kind and nature of entertainment- \_\_\_\_\_

Describe in detail room or rooms to be used under this permit- \_\_\_\_\_

Signature of Owner, officer, partner or agent: \_\_\_\_\_

**Tattooing Establishment (\$75)-Exp. June 30<sup>th</sup>**

**Theater (\$150 per screen)-Exp. June 30<sup>th</sup>** \_\_\_\_\_ Number of Screens



Pick Up Here  
Fresh  
Squeezed  
Lemonade

WRAPPERS

DOG

Special  
of the  
Day

ITEM 34

BACK UP MATERIALS

**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

Please complete:

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: Miracle on Maine

Incorporation Date: 4/2010 Incorporation State: Maine

New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: \_\_\_\_\_

Business Name: Flipside E-Mail: \_\_\_\_\_

Business Address: 111 maine st. Brunswick, ME Business Phone Number: 373-9448

Name of Contact Person: Daphne Comiskey Contact's Phone Number: 725-8228

Mailing Address for Correspondence: 15 Cushing St. Brunswick, ME 04011

Signature of Applicant: [Signature] Date: 1/

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: \_\_\_\_\_ Phone #: \_\_\_\_\_

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

Codes Officer Signature \_\_\_\_\_

Health Officer Signature \_\_\_\_\_

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Sellers of Paid Fee: \$ 25.00 Cash/Check Date: 2-14-12

Prepared Food Advertising Fee: \$ \_\_\_\_\_  Paid  
on a  
public way

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

**Bazaar or Flea Market**-Exp. June 30<sup>th</sup>

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_

\_\_\_\_\_ Annually (\$225)

**Bowling Alleys, Pool Halls and Billiards**-Exp. June 30<sup>th</sup>

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

**Carnival or Circus**

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

**Commercial Vehicle**-Exp. December 31<sup>st</sup> \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles - one time \$25 inspection fee)

**Food Service Establishment (Victualer)**-Exp. May 31<sup>st</sup>

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,

B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: Description of Food to be sold: \_\_\_\_\_

**Going Out of Business** (\$50)

60 Day License (Must also Complete an Application for Going out of Business Sale, and include a list of inventory)

**Innkeeper**-Exp. May 31<sup>st</sup>     1-15 Rooms (\$100)     16+ Rooms (\$175)

**Junkyard**  **Automobile Graveyard** (\$50 each, both Exp. Oct. 1<sup>st</sup>)     **Auto Recycling** (\$250-5 Yrs)

Plus \$25 application fee for each type \_\_\_\_\_

**Pawnbroker** (\$75) Exp. June 30<sup>th</sup>

**Peddler:**

\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

**Pinball Mach. - Other Amuse Devices** (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

**Second Hand Dealer** (\$75)-Exp. June 30<sup>th</sup>

**Sellers of Prepared Food on Public Way** (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: 111 Maine St. Brunswick    Exp. 1<sup>st</sup> PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. \_\_\_\_\_

(Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/There is no proration on new licenses)

**Special Amusements** (\$100)-Exp. w/Alcohol License

Describe in detail kind and nature of entertainment- \_\_\_\_\_

Describe in detail room or rooms to be used under this permit- \_\_\_\_\_

Signature of Owner, officer, partner or agent: \_\_\_\_\_

**Tattooing Establishment** (\$75)-Exp. June 30<sup>th</sup>

**Theater** (\$150 per screen)-Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Screens

III plaque

Entry way

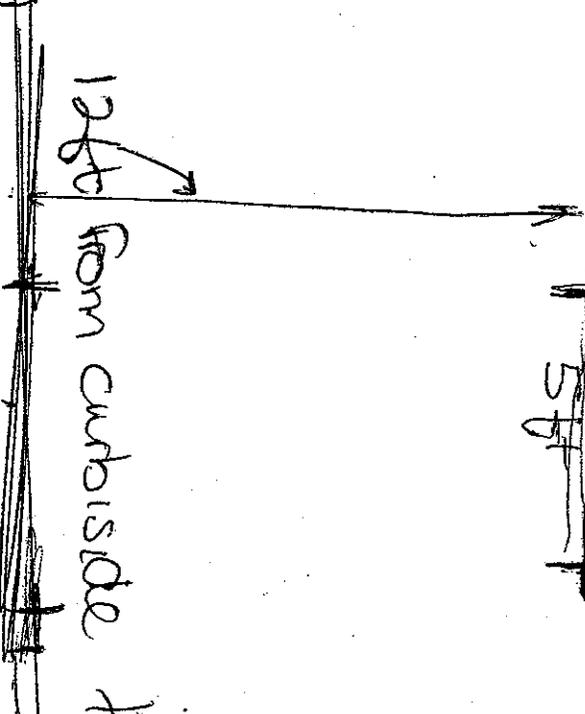
PICNIC TABLE  
6ft



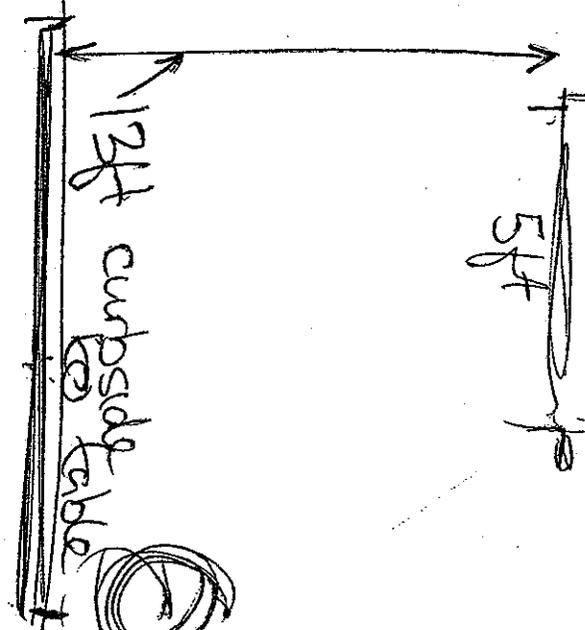
PICNIC TABLE  
6ft



12ft from curbside to table



12ft curbside to table



MAIN Street

**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

Please complete:

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: The Great Impasta, Inc.

Incorporation Date: 10/84 Incorporation State: Maine

New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: \_\_\_\_\_

Business Name: The Great Impasta E-Mail: Alisa@thegreatimpasta.com

Business Address: 42 Maine St Business Phone Number: 729 5958

Name of Contact Person: Alisa Coffin Contact's Phone Number: 751 7921

Mailing Address for Correspondence: 42 Maine St

Signature of Applicant: [Signature] Date: 1/31/12

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: 42 Maine St Phone #: 729 5958

Name of Corp. Officer, Owner, or Partners: Title Address % of Stock or ownership

Alisa Coffin President 3 Washington Ave 100%

Wesley Coffin Secretary Darby IO Me 0%

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

Codes Officer Signature \_\_\_\_\_

Health Officer Signature \_\_\_\_\_

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Seller of Prepared Paid Fee: \$25.- Cash /  Check Date: 2/8/12

Food on Public Way Advertising Fee: \$ \_\_\_\_\_  Paid

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

Bazaar or Flea Market-Exp. June 30<sup>th</sup>

\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_

\_\_\_\_\_ Annually (\$225)

Bowling Alleys, Pool Halls and Billiards-Exp. June 30<sup>th</sup>

\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

Carnival or Circus

\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

Commercial Vehicle-Exp. December 31<sup>st</sup> \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles - one time \$25 inspection fee)

**Food Service Establishment (Victualer)-Exp. May 31<sup>st</sup>**

FSE with Malt, Vinous & Spirituous Liquor (\$250)

FSE with Malt and Vinous (\$200)

FSE with Malt or Vinous (\$175)

FSE with Sit Down, no Alcohol (\$100)

FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: Description of Food to be sold: \_\_\_\_\_

Going Out of Business (\$50)

60 Day License (Must also Complete an Application for Going out of Business Sale, and include a list of inventory)

Innkeeper-Exp. May 31<sup>st</sup>     1-15 Rooms (\$100)     16+ Rooms (\$175)

Junkyard 0 Automobile Graveyard (\$50 each, both Exp. Oct. 1<sup>st</sup>)     Auto Recycling (\$250-5 Yrs)  
Plus \$25 application fee for each type \_\_\_\_\_

Pawnbroker (\$75) Exp. June 30<sup>th</sup>

Peddler:

\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Machines/Devices

Second Hand Dealer (\$75)-Exp. June 30<sup>th</sup>

Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)

Location: 42 Main Street \_\_\_\_\_ Exp. 1<sup>st</sup> PH in March

As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. \_\_\_\_\_

AB \_\_\_\_\_ (Signature of owner, officer, partner or agent)

(New applicants must talk to Recreation Dept/There is no proration on new licenses)

Special Amusements (\$100)-Exp. w/Alcohol License

Describe in detail kind and nature of entertainment- \_\_\_\_\_

Describe in detail room or rooms to be used under this permit- \_\_\_\_\_

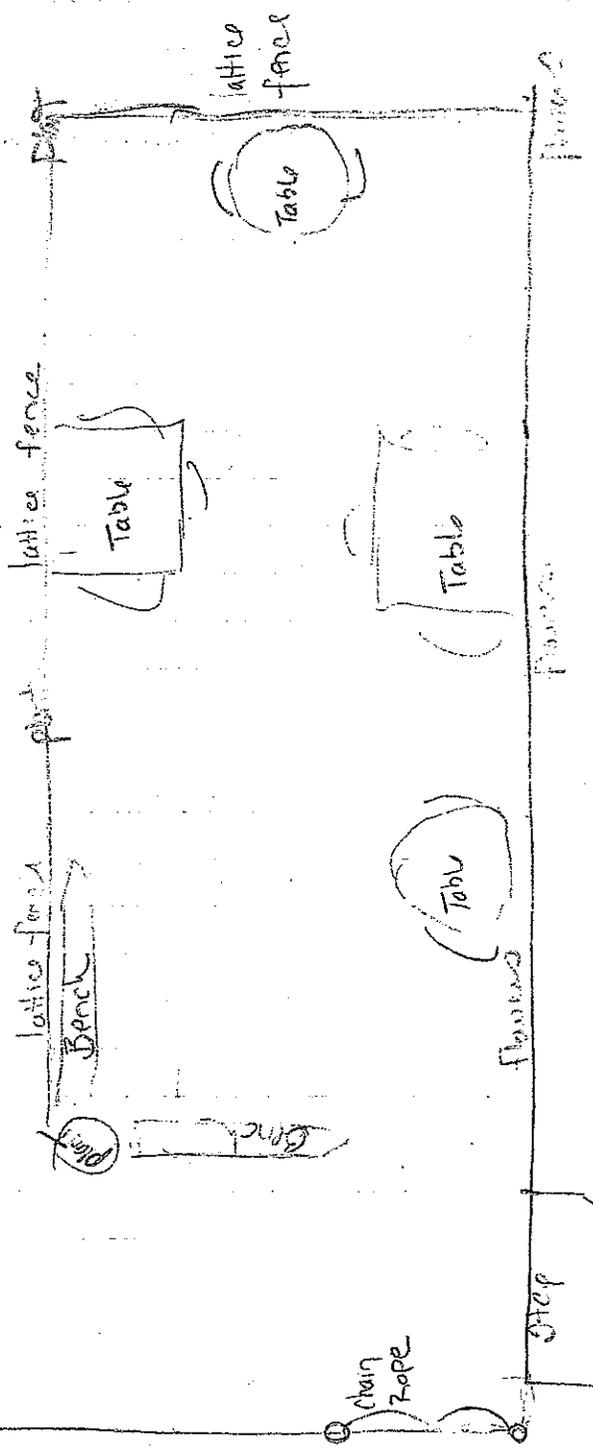
Signature of Owner, officer, partner or agent: \_\_\_\_\_

Tattooing Establishment (\$75)-Exp. June 30<sup>th</sup>

Theater (\$150 per screen)-Exp. June 30<sup>th</sup> \_\_\_\_\_ Number of Screens

Curb 16 1/2' from T. & I.

Swamp out  
of curbs



**TOWN OF BRUNSWICK**

28 Federal Street Brunswick, Maine 04011 TEL: (207) 725-6658 FAX: (207) 725-6663

**APPLICATION FOR LICENSE OR PERMIT**

**Please complete:**

Type of Business:  Sole Proprietor-Owner's Name: \_\_\_\_\_

Partnership-Partner's Names: \_\_\_\_\_

Corporation-Corporation Name: THE GENATO FIASCO

Incorporation Date: 2007 Incorporation State: ME

New License: Opening Date \_\_\_\_\_  Renewal License: Expiration Date: 12/31/11

Business Name: THE GENATO FIASCO E-Mail: josh@genatofiasco.com

Business Address: 74 MAINE ST Business Phone Number: 607 4000

Name of Contact Person: JOSH Contact's Phone Number: 607 400 2

Mailing Address for Correspondence: 74 MAINE ST

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

There will be a late fee for any expired licenses (\$25) w/ fees higher than (\$50) and (\$10) for licenses w/ fees (\$50) or less. The fine will double after the license has been expired for more than 30 days. New licenses are prorated by the half-year.

**Select Type of License you are applying for on back of this page**

**Corporations Please Complete:**

Address of Incorporation: 74 MAINE STREET Phone #: 607 607 4000

Name of Corp. Officer, Owner, or Partners:	Title	Address	% of Stock or ownership
<u>JOSHUA DAVIS</u>	<u>VP</u>	<u>2 Middlesex Rd Topsham</u>	<u>50</u>
<u>BEVND PROGANO</u>	<u>PRECS</u>	<u>28 Tower Circle Bath</u>	<u>50</u>

**Town Clerk Use Only**

Approvals:  Finance  Codes  Health Officer  Council  Police

Codes Officer Signature \_\_\_\_\_

Health Officer Signature \_\_\_\_\_

Temp Food Service:  Maine Dept of Human Services Valid License  Maine Dept of Agriculture License

Seller of Prepared Food on Public Way:  Insurance Binder  Picture of Cart (also will need FSE License)

Waiting on: \_\_\_\_\_ Mailed or Issued Date: \_\_\_\_\_ PH Date: \_\_\_\_\_

Type of License: Sellers of prepared food Paid Fee: \$ 25.00 Cash  Date: 2-27-12

Advertising Fee: \$ \_\_\_\_\_  Paid

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

**Bazaar or Flea Market-Exp. June 30<sup>th</sup>**  
\_\_\_\_\_ 1-3 Days (\$50) Date and Location of Event: \_\_\_\_\_  
\_\_\_\_\_ Annually (\$225)

**Bowling Alleys, Pool Halls and Billiards-Exp. June 30<sup>th</sup>**  
\_\_\_\_\_ Number of Lanes (\$20 each) \_\_\_\_\_ Number of Tables (\$20 each)

**Carnival or Circus**  
\_\_\_\_\_ Number of Days (\$150/day) Date and Location of Event: \_\_\_\_\_

**Commercial Vehicle-Exp. December 31<sup>st</sup>** \_\_\_\_\_ Number of Vehicles (\$75/vehicle) (New licenses issued between 7/1 and 12/31 is \$38 per vehicle) (New Vehicles – one time \$25 inspection fee)

**Food Service Establishment (Victualer)-Exp. May 31<sup>st</sup>**  
 FSE with Malt, Vinous & Spirituous Liquor (\$250)  
 FSE with Malt and Vinous (\$200)  
 FSE with Malt or Vinous (\$175)  
 FSE with Sit Down, no Alcohol (\$100)  
 FSE Mobile Carts, Take Out, Coffee, Popcorn, Catering,  
B&B's, Bakeries, or Prepared Seafood Vender, ETC (\$75)

FSE: *Description of Food to be sold:* \_\_\_\_\_

**Going Out of Business (\$50)**  
60 Day License (*Must also Complete an Application for Going out of Business Sale, and include a list of inventory*)

**Innkeeper-Exp. May 31<sup>st</sup>**     1-15 Rooms (\$100)     16+ Rooms (\$175)

**Junkyard 0 Automobile Graveyard (\$50 each, both Exp. Oct. 1<sup>st</sup>)**     **Auto Recycling (\$250-5 Yrs)**  
Plus \$25 application fee for each type \_\_\_\_\_

**Pawnbroker (\$75) Exp. June 30<sup>th</sup>**

**Peddler:**  
\_\_\_\_\_ #Weeks/\$25/week    \_\_\_\_\_ #Months (up to-3 mnths-\$50/ up to-6 mnths \$75)    \_\_\_\_\_ 1 Year (up to 12 mnths \$100)

**Pinball Mach. - Other Amuse Devices (\$35/each) Exp. June 30<sup>th</sup>** \_\_\_\_\_ Number of Machines/Devices

**Second Hand Dealer (\$75)-Exp. June 30<sup>th</sup>**

**Sellers of Prepared Food on Public Way (\$1500 Mall vendor/\$3,000 Farmers Market/\$25 other)**  
Location: 74 MAINE ST \_\_\_\_\_ Exp. 1<sup>st</sup> PH in March  
As part of the application you must submit a letter of intent from insurance carrier, picture of food service device (not needed for renewals) and a victualer's license. I certify that, to the best of my knowledge, I have complied with all laws and ordinances of the State of Maine and the Town of Brunswick. ✓  
\_\_\_\_\_  
(Signature of owner, officer, partner or agent)  
(New applicants must talk to Recreation Dept/There is no proration on new licenses)

**Special Amusements (\$100)-Exp. w/Alcohol License**  
Describe in detail kind and nature of entertainment- \_\_\_\_\_  
\_\_\_\_\_  
Describe in detail room or rooms to be used under this permit- \_\_\_\_\_  
\_\_\_\_\_  
Signature of Owner, officer, partner or agent: \_\_\_\_\_

**Tattooing Establishment (\$75)-Exp. June 30<sup>th</sup>**

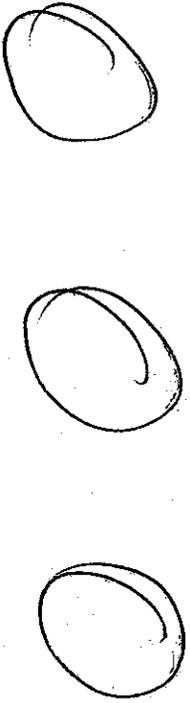
**Theater (\$150 per screen)-Exp. June 30<sup>th</sup>** \_\_\_\_\_ Number of Screens

MAIN ST STREET

TREE

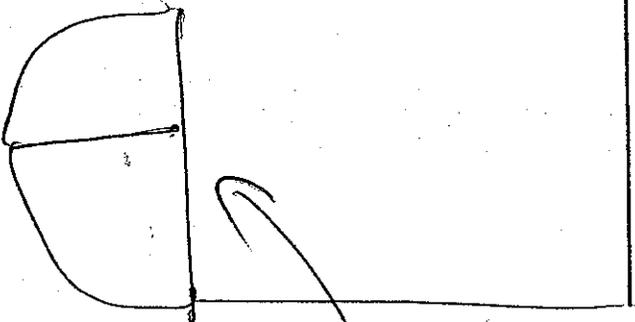


TABLES  
AND  
CHAIRS  
ON SIDEWALK



THE  
GRAND

FIRE



ENTRANCE

ITEM 35

BACK UP MATERIALS

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**TOWN OF BRUNSWICK**  
TOWN MANAGERS OFFICE  
MEMORANDUM

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TO: Brunswick Council

FROM: Gary Brown, Town Manager

DATE: March 1, 2012

RE: Contract for services with Ledgewood Construction

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The Council has been advised that Ouellett construction has withdrawn their proposal to provide construction management services for the police station building project.

At the February 8 Council Meeting, I was authorized to negotiate contracts with the ranked choices of the firms interviewed by the Building Committee. I have had preliminary conversations with Ledgewood Construction and am asking authorization from the Council to execute a contract with Ledgewood for the current phase of this project. The contract for this phase will be for pre-construction services. The actual contract document is being reviewed by our respective legal counsel but I am confident that there will not be any issues that should prevent us from going forward with Ledgewood in this phase.

Ledgewood has been in contact with Donham& Sweeney and have begun the process of developing their cost estimate for this project. The schedule anticipates that they will submit a budget to Donham&Sweeney to be compared and reconciled with a budget that Donham&Sweeney is developing. The stipulated project budget is scheduled to be complete by the end of this month.

We will also sign a letter of intent indicating that once the project is approved, that we will contract with Ledgewood for the full management of project.

The cost for their services for the pre-construction services is \$15,000.00

ITEM 36

BACK UP MATERIALS

## BRUNSWICK BOARDS AND COMMITTEE OPENINGS

The Brunswick Town Council will be holding interviews on Wednesday, February 15, 2012, to the following Boards and/or Committees vacancies listed below. Interested citizens should complete an application form, available in the Town Clerk's Office. Please return applications to the Town Clerk's Office by 4:30 P.M. on Monday, February 13, 2012

### Bicycle and Pedestrian Advisory Committee

1 member – no set term

### Davis Fund Committee

1 members – 3 year term to expire on 06/30/2014

### Fair Hearing Authority

3 members – 2 year terms to expire on 10/01/2012

### Housing Authority

1 Resident/participant in program member – Balance of 5 year term to expire on 06/03/2014

### Marine Resource Committee

1 Alternative (Commercial Harvester) – 3 year term to expire on 05/01/2014

1 Alternate (no license holder) – 3 year term to expire on 05/01/2013

### Personnel Board

1 full member – 3 year term to expire on 01/12/2014

2 alternate members – 3 year terms to expire on 01/12/2015

### Planning Board

2 full members – 3 year terms to expire on 02/23/2015

### Recycling & Sustainability Committee

1 members – 3 year term to expire on 01/12/2015

### Sewer District Trustees

1 full member – 3 year term to expire 04/01/2015

### Village Review Board

1 member – 3 year term to expire on 10/20/2014

1 resident of district area – 3 year term to expire on 10/20/2014

### Zoning Board of Appeals

1 Associate member – 3 year term to expire on 12/18/2014

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# Summary of Received Applications

2/14/2012

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Date of Application

## Planning Board

<b>Charles</b>	<b>Frizzle</b>	<b>1 Sagamore Ln</b>	<b>729-0970</b>	<b>2/6/2012</b>
Will this be a reappointment	yes	MembershipType:	Interview Time:	<input type="text" value="Feb. 15, 2012, at 6:15 p.m."/>
<b>Dann</b>	<b>Lewis</b>	<b>7 Leeward Cove Rd</b>	<b>319-7774</b>	<b>2/6/2012</b>
Will this be a reappointment	yes	MembershipType:	Interview Time:	<input type="text" value="Feb. 15, 2012, at 6:00 p.m."/>

Town of Brunswick  
Application for  
Appointment to Board/ Committee/ Commission

For Office Use Only	
Date App. Received	<u>FEB - 6 2012</u>
Date App. Entered	
Appointed	

Full Name: DANN H. LEWIS Date 2-6-12

Street Address: 7 LEEWARD COVE ROAD

Home Telephone #: 319-7774 E-mail Address: LEWIS\_DANN@COMCAST.NET Live in Council District #: 1

I wish to be considered for appointment to the:  
PLANNING BOARD  
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:  
FULL MEMBERSHIP STATUS:  TERM BEGINS: 2-24-12  
and/or  
ASSOCIATE MEMBERSHIP STATUS:  TERM EXPIRES: \_\_\_\_\_

Do you currently serve on any Town Board/Committee/Commission? YES If so, please state name of Board/Committee/Commission and the number of years of service:  
PLANNING BOARD Number of Years 1 Date term expires 2-23-12

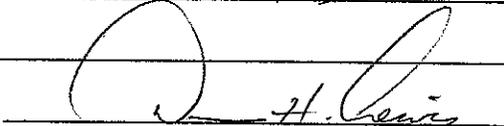
Occupation: RETIRED

Employer: \_\_\_\_\_ Work Telephone #: \_\_\_\_\_

List any civic organizations to which you belong:  
BRUNSWICK REPUBLICAN TOWN COMMITTEE

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:  
SERVED AS DIRECTOR OF TOURISM & COMMUNITY DEVELOPMENT  
IN AUGUSTA - AUGUST 1995 - JANUARY 2007.

Have you previously served on a Town board/committee/commission? YES If so, please list the board/committee/commission and years of service:  
SEE ABOVE. CURRENTLY ON PLANNING BOARD

  
SIGNATURE

**PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.**

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee  
It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application allows applicant to be considered for a town Board/Committee but does not guarantee placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: PLANNING BOARD

Term Length: 3 YEARS

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

NO - CURRENTLY SERVE ON PLANNING BOARD.

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

COLLEGE GRADUATE. PROPERTY DEVELOPED IN BAHAMAS - FOR 10 YEARS. DEVELOPED SMALL RESORT PROPERTY AND ASSOCIATED HOME SITES.

COMMERCIAL REAL ESTATE AGENT IN CALIFORNIA - 3 YEARS.

3. Why would you like to be on the Board/Committee/Commission?

TO BE OF SERVICE TO THE COMMUNITY IN WHICH I HAVE RESIDED SINCE 1996.

4. Are you aware of the time involved and would you be able to attend most of the meetings?

YES

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NO

6. Do you have anything you would like to add?

I HAVE ENJOYED WORKING ON THE PLANNING BOARD DURING THE PAST YEAR, AND BELIEVE I CAN CONTRIBUTE TO ITS MISSION OVER THE COMING PERIOD.

**DISCLOSURE OF INTEREST STATEMENT: I HAVE READ AND I HAVE AGREE TO RESPOND TO THIS SECTION**

Town of Brunswick  
Application for  
Appointment to Board/ Committee/ Commission

For Office Use Only	
Date App.	Received
<u>FEB - 6 2012</u>	Date App.
Entered	Appointed

Full Name: Charles D. Frizzle Date 02/04/2012

Street Address: 1 Sagamore Lane

Home Telephone #: 729-0970 E-mail Address: CFRIZZLE@COMCAST.NET live in Council District #: 3

I wish to be considered for appointment to the:

Planning Board  
(NAME OF BOARD/COMMITTEE/COMMISSION)

Check one or both:  
FULL MEMBERSHIP STATUS:  TERM BEGINS: 02/23/2012  
and/or  
ASSOCIATE MEMBERSHIP STATUS:  TERM EXPIRES: \_\_\_\_\_

Do you currently serve on any Town Board/Committee/Commission? YES If so, please state name of Board/Committee/Commission and the number of years of service:

Planning Board Number of Years 11 Date term expires 02/23/2012

Occupation: Retired

Employer: N/A Work Telephone #: N/A

List any civic organizations to which you belong:

People Plus (Board of Directors / Treasurer)  
Independence Association (Board of Directors / Treasurer)  
Recreation, Trails and Open Space Committee

Note any prior experience knowledge, or abilities that you have which would contribute to the activities of the board/committee/commission:

Eleven years of Planning Board experience, the last 5 years as Board Chairman.

Have you previously served on a Town board/committee/commission? \_\_\_\_\_ If so, please list the board/committee/commission and years of service:

Charles D. Frizzle  
SIGNATURE

**PLEASE COMPLETE THE QUESTIONS ON THE BACK OF THIS APPLICATION.**

Applicants may submit a cover letter and resume with the application form. Applications should be returned to the TOWN CLERK'S OFFICE, 28 Federal Street, Brunswick, Me 04011 - BY 4:30 P.M. on the date specified by the public notice.

You will be contacted to set up an interview with the Appointment Committee

It is the intent of the Town to televise proceedings of Boards/Committees/Commissions

PLEASE NOTE: This completion of this application allows a person to be considered for a Town Board/Committee/Commission but does not guarantee placement on a Board/Committee.

APPLICANT - PLEASE COMPLETE THE QUESTIONS BELOW

Board/Committee/Commission Applying For: Planning Board

Term Length: 3 yrs

1. Do you have any questions about what the Board/Committee/Commission does or on its charge?

No

2. Do you have any practical experience or formal education that would be relevant to the Board/Committee/Commission?

11 years Planning Board Member, 5 years as Chairman

3. Why would you like to be on the Board/Committee/Commission?

I enjoy the work and the opportunity to give back to the community

4. Are you aware of the time involved and would you be able to attend most of the meetings?

Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

No

**DISCLOSURE OF INTEREST STATEMENT HERE AND IRVING APPLICANT'S SIGNATURE HERE IS ONE**

---

# CONSENT AGENDA - A BACK UP MATERIALS

**DRAFT**  
**BRUNSWICK TOWN COUNCIL**  
**Minutes**  
**February 27, 2012**

**Councilors Present:** Chair Joanne T. King, W. David Watson, Benjamin J. Tucker, Suzan Wilson, John M. Perreault, Gerald E. Favreau, Margo H. Knight, Sarah E. Brayman, and E. Benet Pols

**Councilors Absent:** None

**Town Staff Present:** Gary Brown, Town Manager; Fran Smith, Town Clerk/Assistant to Town Manager; Richard Rizzo, Police Chief; Anna Breinich, Director of Planning and Development; Brian Dancause, Economic Development Specialist; Jeff Hutchinson, Codes Enforcement Officer; Marc Hagan, Deputy Police Chief; Jeff Emerson, Deputy Fire Chief; Mark Waltz, Police Captain; Pat Mahar, Police Officer; and TV video crew

Chair King called for the Pledge of Allegiance and asked the Town Clerk for roll call.

**Public Comment:**

**Jeff Pelletier**, 29 Union Street, spoke on his concerns with school budget cuts and the need to support the school system.

**Correspondence:**

Councilor Favreau spoke of the postponement of a District 5 meeting at Pejepscoot Terrace, and, also, that the Council had received 56 emails in support of the train issue today.

**Adjustments to the Agenda:**

Items 27 and 29 were withdrawn.

**MANAGER'S REPORT:**

**(a) Financial Update**

Manager Brown gave this update.

**(b) Council Committee Updates**

Reports were given on the following committees: Master Plan Implementation Committee and the Teen Center Board.

(c) **Update on Police Station project**

Manager Brown spoke on this item

Brett Donham made a presentation.

**PUBLIC HEARINGS**

- 23. The Town Council will hear public comments on applications for Special Amusement Licenses, and will take any appropriate action. (Manager)**

**Special Amusement**

**Scarlet Begonias, Inc.**

**D/B/A: Scarlet Begonias**

**16 Station Avenue**

**Douglas Lavallee**

**Byrnes Irish Pub LLC**

**D/B/A: Byrnes Irish Pub LLC**

**16 Station Avenue**

**Joe Byrnes**

**Columbus Club, Inc.**

**D/B/A: Knights of Columbus, Sekenger Council #1947**

**2 Columbus Drive**

**Bruce Talbot, G.K.**

Chair King opened the public hearing; hearing no comments, she closed the public hearing.

**Councilor Knight moved, Councilor Brayman seconded, to approve Special Amusement licenses for Scarlet Begonias, located at 16 Station Avenue; Brynes Irish Pub, located at 16 Station Avenue; and the Knights of Columbus, located at 2 Columbus Drive. The motion carried with nine (9) yeas.**

- 24. The Town Council will hear public comments on an application for an Alcohol License, and will take any appropriate action. (Manager)**

**Full-Time Spirituous, Vinous & Malt**

**JJ & M LLC**

**D/B/A: Benchwarmers Sports Pub**

**212 Maine Street**

**Michael Cota/Jennifer Lewis**

Chair King opened the public hearing; hearing no comments, she closed the public hearing.

Jennifer Lewis, owner, spoke on this item.

Chief Rizzo spoke and asked the Council to delay action on this application.

**Councilor Perreault moved, Councilor Wilson seconded, to table this item until the next meeting. The motion carried with nine (9) yeas.**

25. **The Town Council will hold a public hearing for a CDBG-Economic Development Program grant for Integrated Marine Systems, and will take any appropriate action. (Manager)**

Manager Brown spoke on this item.

Chair King spoke on this item.

Chair King opened the public hearing; hearing no comments, she closed the public hearing.

Brian Dancause spoke on this item and responded to a question from Councilor Perreault.

**William Peterson**, business owner, spoke on this item and answered a question from Councilor Pols.

**Councilor Favreau moved, Councilor Knight seconded, to table this item until the next meeting. The motion carried with nine (9) yeas.**

#### **TABLED ITEMS**

18. **The Town Council will discuss sending a letter to NNEPRA regarding layover facility issues, and will take any appropriate action. (Councilor Perreault)**

Chair King spoke on this item.

**Patricia Quinn**, NNEPRA, responded to questions from the last meeting. She also responded to questions from Chair King, Councilor Pols, and Councilor Perreault.

Councilor Wilson spoke on this item.

**Councilor Wilson moved, Councilor Favreau seconded, to not send a letter to NNEPRA.**

Chair King opened the item to public comment. The following people made comments and asked questions:

**Robert Morrison**, 37 Bouchard Drive

**Linsey Ost**, 22 Riverview Drive

**Mary Lou Zeeman**, 3 Oliveira Lane

**Charlie Wallace**, 501 Mere Point Road and property owner on Parker's Way

**Chris Casey**, 27 Bouchard Drive

**Dan Sullivan**, 24 Bouchard Drive

**Dewitt Kimball**, 24 Oak Street

**Town Council Minutes**

**February 27, 2012**

**Page 4**

**Jeff Reynolds**, 36 Redwood Lane  
**Dan McLaughlin**, 6 Bunganuc Landing Road

Ms. Quinn spoke in response to the questions.

Chair King closed the public comment session.

The Council had a discussion on this item.

Councilor Tucker said he could support a letter without paragraph one.

**VOTE ON MOTION**

**Councilor Wilson moved, Councilor Favreau seconded, to not send a letter to NNEPRA. The motion carried with five (5) yeas. Councilor Tucker, Councilor Brayman, Councilor Perreault, and Councilor Pols were opposed.**

**Councilor Tucker moved, Councilor Perreault seconded, to send the draft letter without paragraph 1 regarding DEP standards, and to ask NNEPRA to send a train to Brunswick for a noise and vibration study to be conducted by the neighborhood group. The motion failed with four (4) yeas. Councilor Watson, Councilor Wilson, Chair King, Councilor Favreau, Councilor Knight were opposed.**

**NEW BUSINESS**

- 26. The Town Council will discuss allowing installation of outdoor wood boilers that meet certain standards and setback requirements, and will take any appropriate action. (Councilor Wilson and Councilor Perreault)**

Councilor Wilson spoke on this item.

**John Libby**, 16 Collinsbrook Road, spoke on this item.

Councilor Watson, Chair King, and Councilor Favreau spoke on this item.

The consensus of the Council was for this item to come back at the next meeting to set a public hearing.

- 27. The Town Council will consider setting a public hearing for March 19, 2012, on amendments to the Code of Ordinance Chapter 5 Buildings and Building Regulations to update building permit language and fees regarding mobile homes and open air-unattached structures, and will take any appropriate action. (Manager)**

This item was removed from the agenda.

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28. **The Town Council will consider setting a public hearing for March 19, 2012, on amendments to the Zoning Ordinance to permit Warehousing and Storage Use in the Industry 1 (I1) and Mixed Use 5 (MU5) Zoning Districts, and will take any appropriate action. (Chair King)**

Chair King spoke on this item.

Anna Breinich responded to a question from Councilor Pols.

Councilor Brayman spoke on the item.

**Councilor Watson moved, Councilor Perreault seconded, to set a public hearing for March 19, 2012, on amendments to the Zoning Ordinance to allow warehousing and storage uses within in the Industry 1 (I1) and Mixed Use 5 (MU5) Zoning Districts. The motion carried with nine (9) yeas.**

29. **The Town Council will consider authorizing the Town Manager to enter into a contract with Ouellet Associates to be the Construction Manager for the proposed Police Station building, and will take any appropriate action. (Manager)**

This item was removed from the agenda.

**CONSENT AGENDA**

**(a) Approval of the Minutes of February 6, 2012**

**Councilor Tucker moved, Councilor Watson seconded, to approve the Consent Agenda. The motion carried with nine (9) yeas.**

**Councilor Watson moved, Councilor Perreault seconded, to adjourn the meeting. The motion carried with nine (9) yeas.**

The meeting adjourned at 9:30 p.m.

**PLEASE NOTE: THESE MINUTES ARE ACTION MINUTES. THE ENTIRE MEETING CAN BE VIEWED AT WWW.BRUNSWICKME.ORG.**

*Frances Smith  
Town Clerk/Assistant to the Town Manager  
February 28, 2012*

March 5, 2012  
*Date of Approval*

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*Council Chair*