

**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.

<b>BUREAU USE ONLY</b>	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

**PRESENT LICENSE EXPIRES** 6/2/10

**INDICATE TYPE OF PRIVILEGE:**  MALT  SPIRITUOUS  VINOUS

**INDICATE TYPE OF LICENSE:**

<input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV)	<input type="checkbox"/> RESTAURANT/LOUNGE (Class XI)
<input type="checkbox"/> HOTEL-OPTINONAL FOOD (Class I-A)	<input type="checkbox"/> HOTEL (Class I,II,III,IV)
<input type="checkbox"/> CLASS A LOUNGE (Class X)	<input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I)
<input type="checkbox"/> CLUB (Class V)	<input type="checkbox"/> GOLF CLUB (Class I,II,III,IV)
<input type="checkbox"/> TAVERN (Class IV)	<input type="checkbox"/> OTHER: _____

**REFER TO PAGE 3 FOR FEE SCHEDULE**

**ALL QUESTIONS MUST BE ANSWERED IN FULL**

<b>1. APPLICANT(S)</b> –(Sole Proprietor, Corporation, Limited Liability Co., etc.) <u>Inn by the Sea, LLC</u> DOB: _____	<b>2. Business Name (D/B/A)</b>
DOB: _____	
DOB: _____	<b>Location (Street Address)</b> <u>40 Bowery Beach Rd.</u>
<b>Address</b> <u>Inn by the Sea</u>	<b>City/Town</b> <u>Cape Elizabeth</u> <b>State</b> <u>ME</u> <b>Zip Code</b> <u>04107</u>
<u>40 Bowery Beach Rd.</u>	<b>Mailing Address</b>
<b>City/Town</b> <u>Cape Elizabeth</u> <b>State</b> <u>ME</u> <b>Zip Code</b> <u>04107</u>	<b>City/Town</b> _____ <b>State</b> _____ <b>Zip Code</b> _____
<b>Telephone Number</b> <u>207-799-3134</u> <b>Fax Number</b> <u>207-799-4779</u>	<b>Business Telephone Number</b> _____ <b>Fax Number</b> _____
<b>Federal I.D. #</b> <u>20-8349998</u>	<b>Seller Certificate #</b> <u>1097910</u>

3. If premises are a hotel, indicate number of rooms available for transient guests: 51

4. State amount of gross income from period of last license: ROOMS \$ \_\_\_\_\_ FOOD \$ 794,425 LIQUOR \$ 262,817  
3,299,472

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: Sara C. Masterson

8. If business is NEW or under new ownership, indicate starting date: \_\_\_\_\_  
Requested inspection date: any time Business hours: 9am - 7pm

9. Business records are located at: 40 Bowery Beach Rd. Cape Elizabeth ME

10. Is/are applicants(s) citizens of the United States? YES  NO  04107

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
Kevin Mahaney	3/31/62	Bangor, ME
Sara Mastersen (when maiden)	12/24/77	Newton, MA

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

Kevin Mahaney - Greenwich CT  
Sara Mastersen - Portland, ME, Orleans, MA

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) hotel with 57 guest rooms, 48 seat restaurant, lounge & meeting space

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

19. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1/2 mi 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: Bangor Savings Bank mortgage

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: Capet, Elizabeth on 4/2, 2010  
Town/City, State Date

Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

STATE OF MAINE

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

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

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

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

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

1. **Hearing.** The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.
    - A. The bureau shall prepare and supply application forms. [1993, c.730, §27(amd).]
    - B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c.140, §4 (amd).]
    - C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c.589, §1 (amd).]
  2. **Findings.** In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:
    - A. Conviction of the applicant of any Class A, Class B or Class C crime: [1987, c.45, Pt.A§4 (new).]
    - B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c.45, Pt.A§4(new).]
    - C. Conditions of record such as waste disposal violations, health or safety violation or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c.730, §27 (amd).]
    - D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c.592, §3 (amd).]
    - E. A violation of any provision of this Title; and [1989, c.592, §3 (amd).]
    - F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601. [1989, c.592, §4 (new).]
- [1993, c.730, §27 (amd).]
3. **Appeal to bureau.** Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.
    - A. [1993, c.730, §27 (rp).]
  4. **No license to person who moved to obtain a license. (REPEALED)**
  5. **(TEXT EFFECTIVE 3/15/01) Appeal to District Court.** Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

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

- Exact Corporate Name: Inn by the Sea, LLC
- Business D/B/A Name: \_\_\_\_\_
- Date of Incorporation: 1/3/07
- State in which you are incorporated: Delaware
- If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine: 1/3/07

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
Kevin Mahaney	30 Onida Rd. Greenwich CT	3/3/60	100	CEO
Peter Alfond	250 Bradley Place Palm Beach FL	1952	30	
Greg Powell	2 Golden Ridge Caple Elizabeth ME	1955	1	

- What is the amount of authorized stock? 100 Outstanding Stock? 100
- Is any principal officer of the corporation a law enforcement official? ( ) YES (X) NO
- Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation in the United States? ( ) YES (X) NO.
- If yes, please complete the following: Name: \_\_\_\_\_

Date of Conviction: \_\_\_\_\_ Offense: \_\_\_\_\_  
 Location: \_\_\_\_\_ Disposition: \_\_\_\_\_  
 Dated at: \_\_\_\_\_ City/Town \_\_\_\_\_ On: \_\_\_\_\_ Date \_\_\_\_\_

Kevin Mahaney  
 Signature of Duly Authorized Officer

Kevin Mahaney  
 Print Name of Duly Authorized Officer

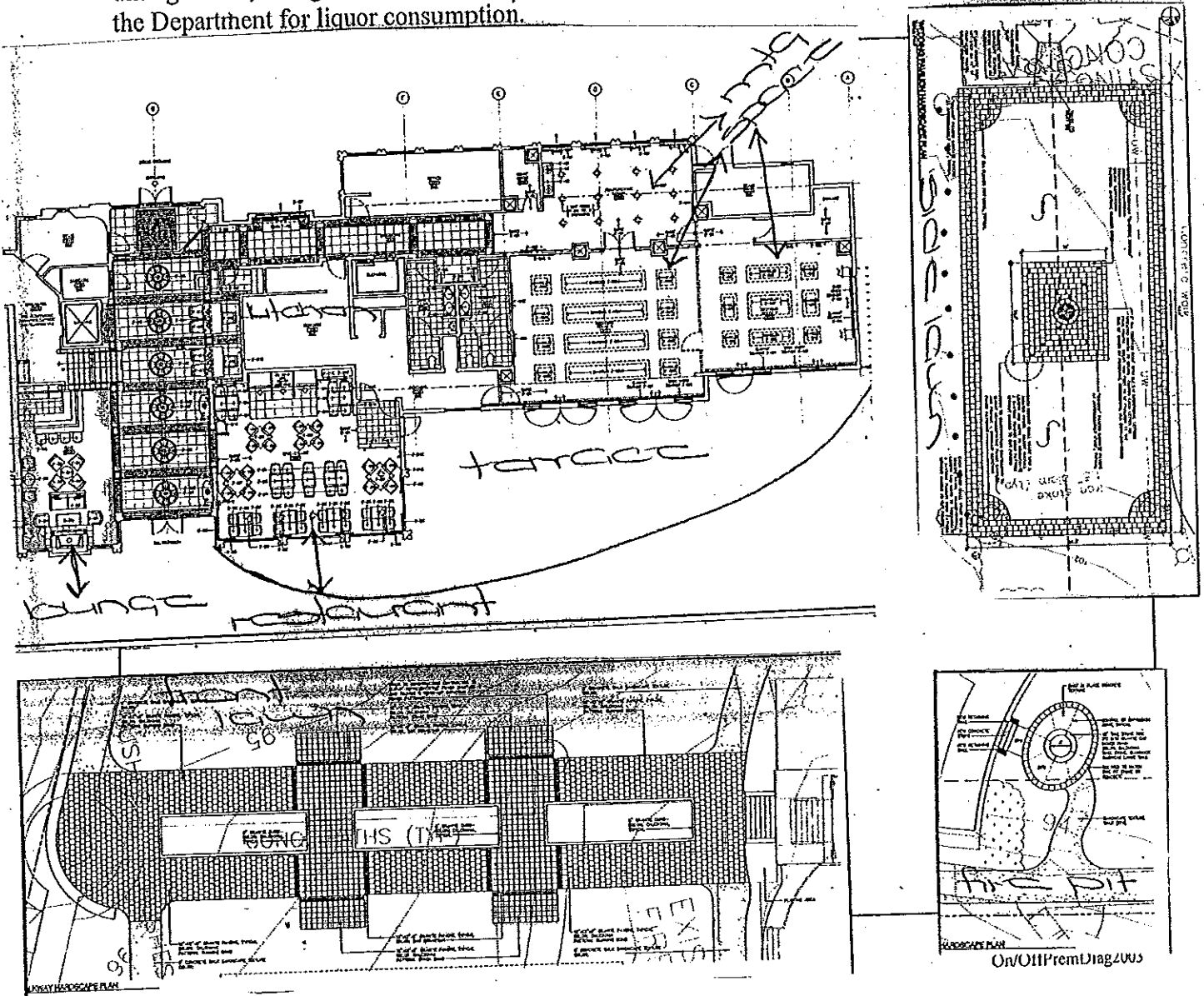
Date: 4/2/10



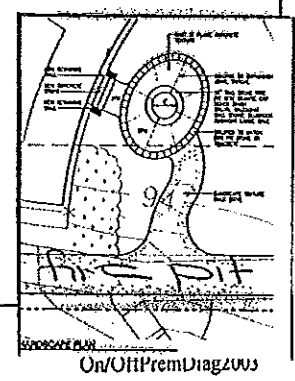
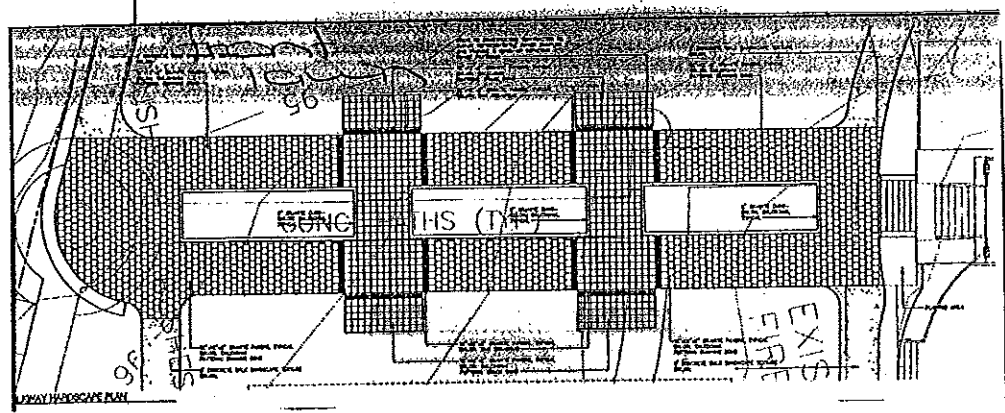
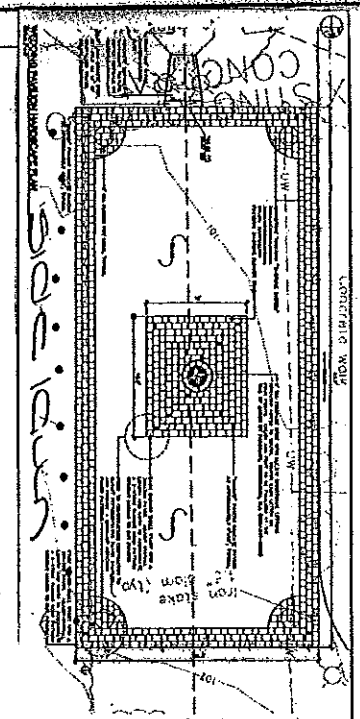
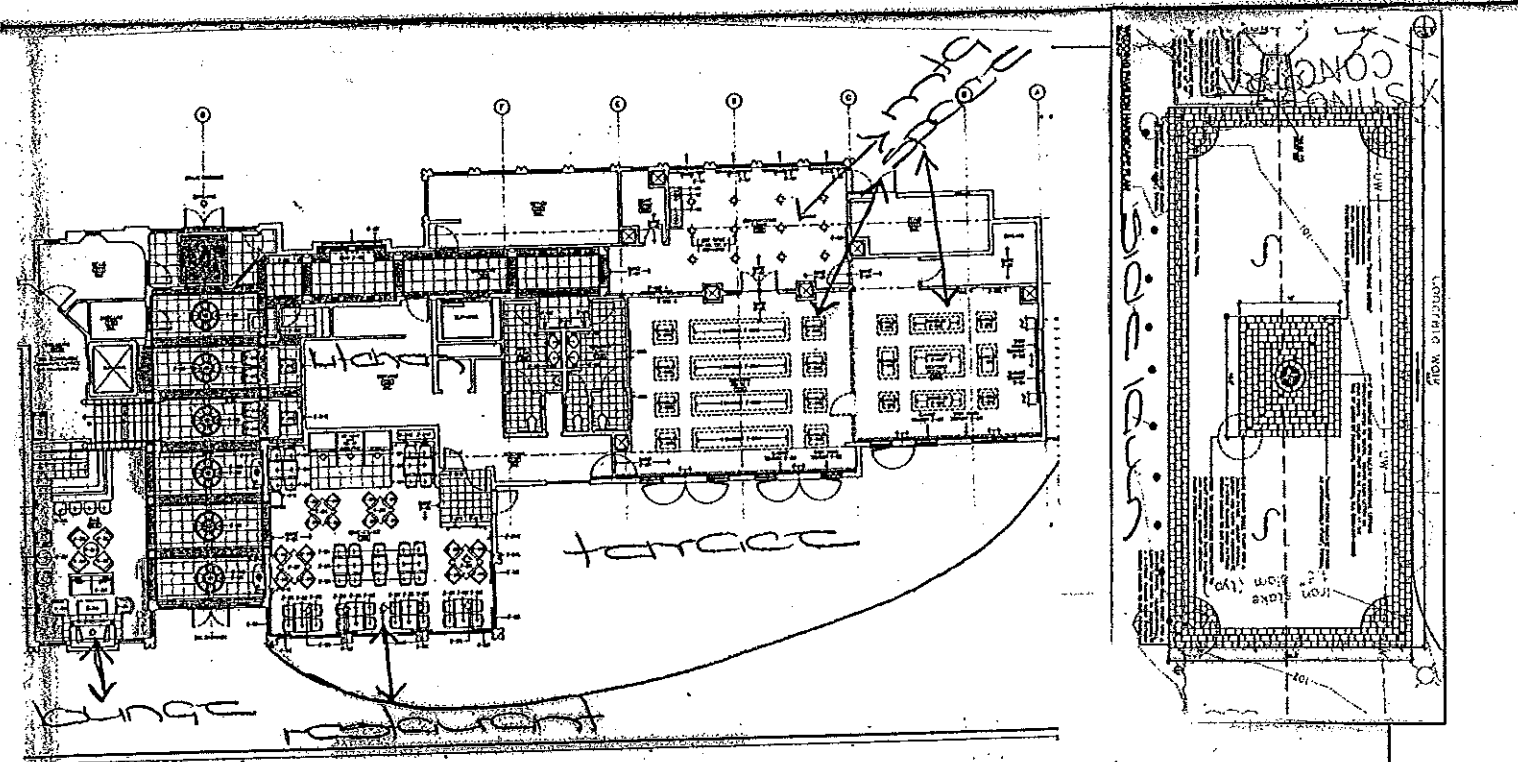
## SUPPLEMENTAL APPLICATION FORM ON-PREMISE DIAGRAM

In an effort to clearly define your license premise and the areas that consumption and storage of liquor is allowed, The Liquor Licensing & Inspection Division is requiring all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

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



PREMISE DIAGRAM



On/OffPremDiag2005



Town Clerk's Office  
P.O. Box 6260  
Cape Elizabeth, Maine 04107  
799-7665

APPLICATION FOR SPECIAL AMUSEMENT PERMIT FOR  
DANCING AND ENTERTAINMENT  
A \$10.00 fee must accompany the completed application.

BUSINESS NAME Inn by the Sea, LLC  
ADDRESS 40 Bowery Beach Rd.  
Cape Elizabeth, ME 04107

Describe in detail the kind and nature of entertainment:  
DJ for outdoor events, Piano, Jazz, Classical Guitar, Flute, Harp,  
Classical String

Describe in detail the room or rooms that will be used under this permit:  
(See attached diagram) Meeting Rooms, Lounge, Side lawn, Front lawn,  
Outdoor terrace, fire pit.

Dated at Cape Elizabeth On April 2 2010

This permit includes all types of entertainment, dancing is inclusive only if you have a dancing license issued by the State Fire Marshall's Office, Department of Public Safety.

Signature of Individual

[Signature]  
If partnership, by members

Name of Corporation

PLACE CORPORATE SEAL

By \_\_\_\_\_  
If a Corporation, by a duly authorized officer

STATE OF MAINE

\_\_\_\_\_ ss  
Dated at \_\_\_\_\_, Maine On \_\_\_\_\_ 20\_\_

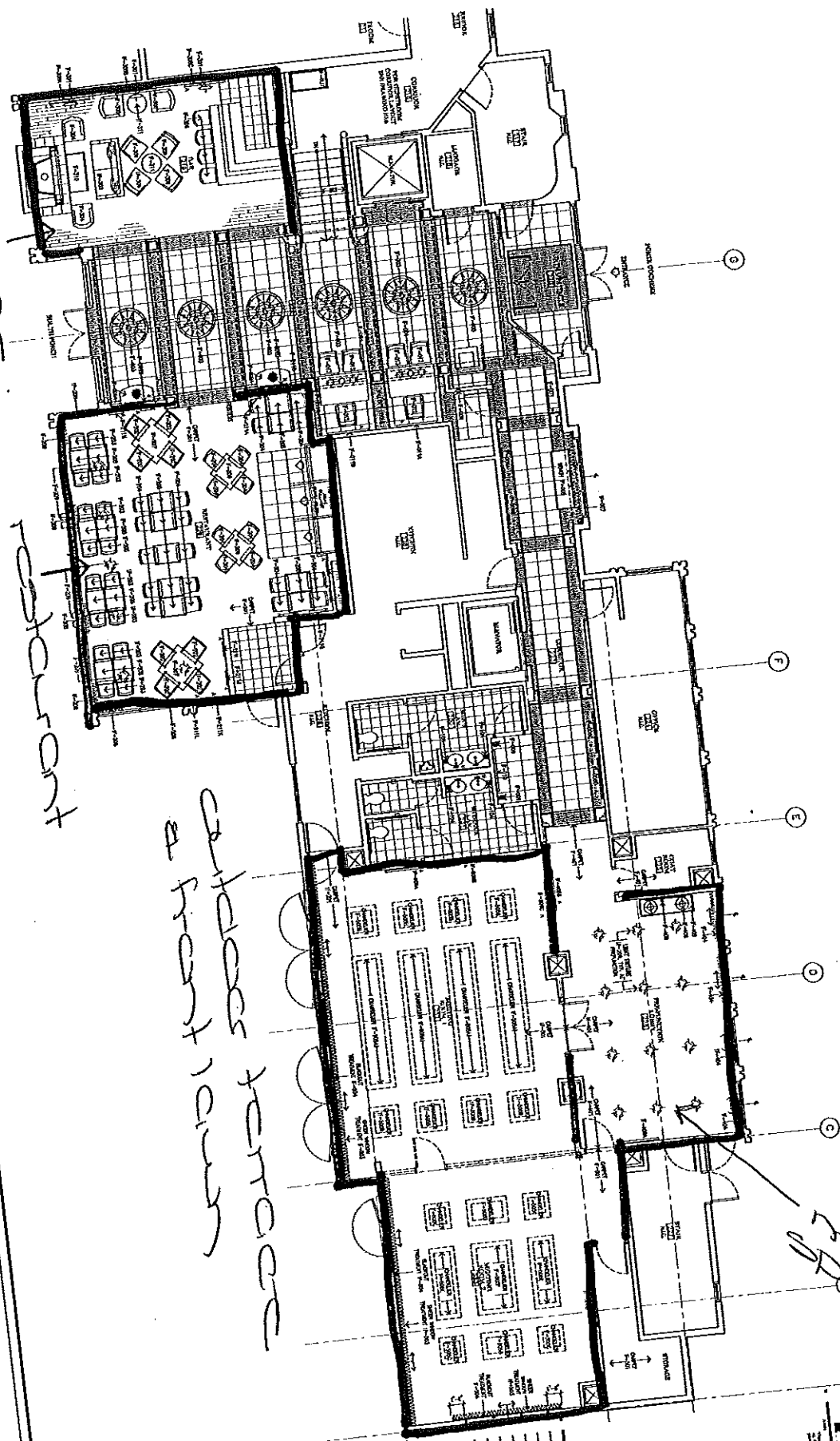
The undersigned being Municipal Officers of the Town of Cape Elizabeth hereby approve the application in accordance with the provisions of Section, 702 of Title 28, Maine Revised Statutes, 1964.

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

LOBBY

RESTAURANT

OFFICE FRONT LOBBY



OFFICE FRONT LOBBY

ID: 5

FURNITURE PLAN

DN BY THE SEA  
 1000 WEST 10TH AVENUE  
 DENVER, COLORADO 80202

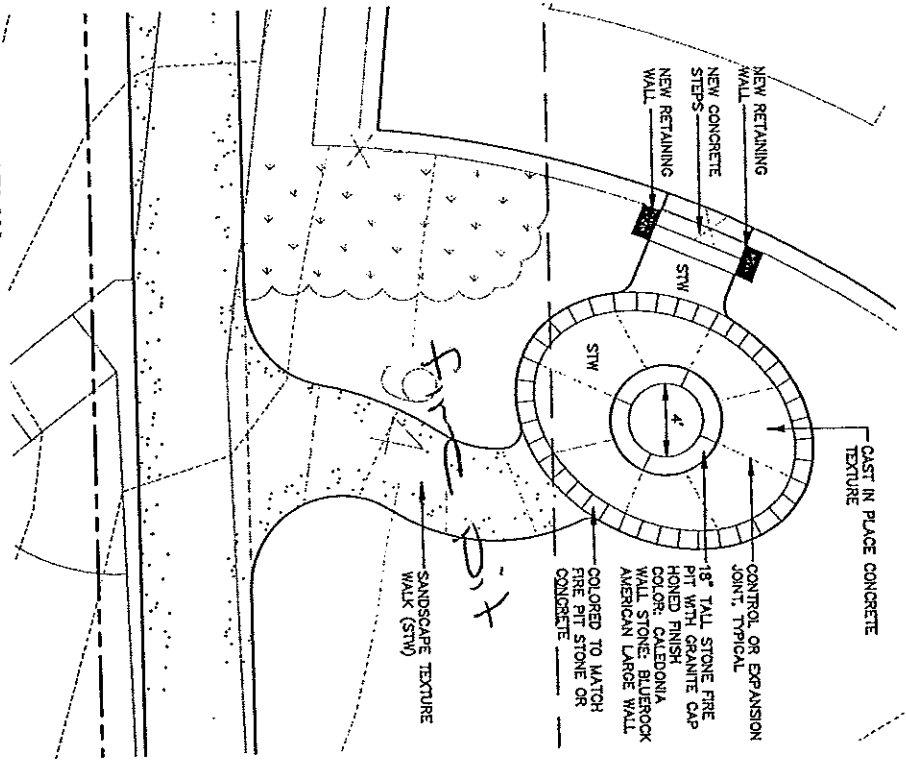
FOR THE RECORD THE FURNITURE PLAN IS TO BE USED FOR THE OFFICE FRONT LOBBY AND RESTAURANT AREAS ONLY. THE FURNITURE PLAN IS NOT TO BE USED FOR THE OFFICE AREAS. THE FURNITURE PLAN IS NOT TO BE USED FOR THE LOBBY AREAS. THE FURNITURE PLAN IS NOT TO BE USED FOR THE RESTAURANT AREAS.



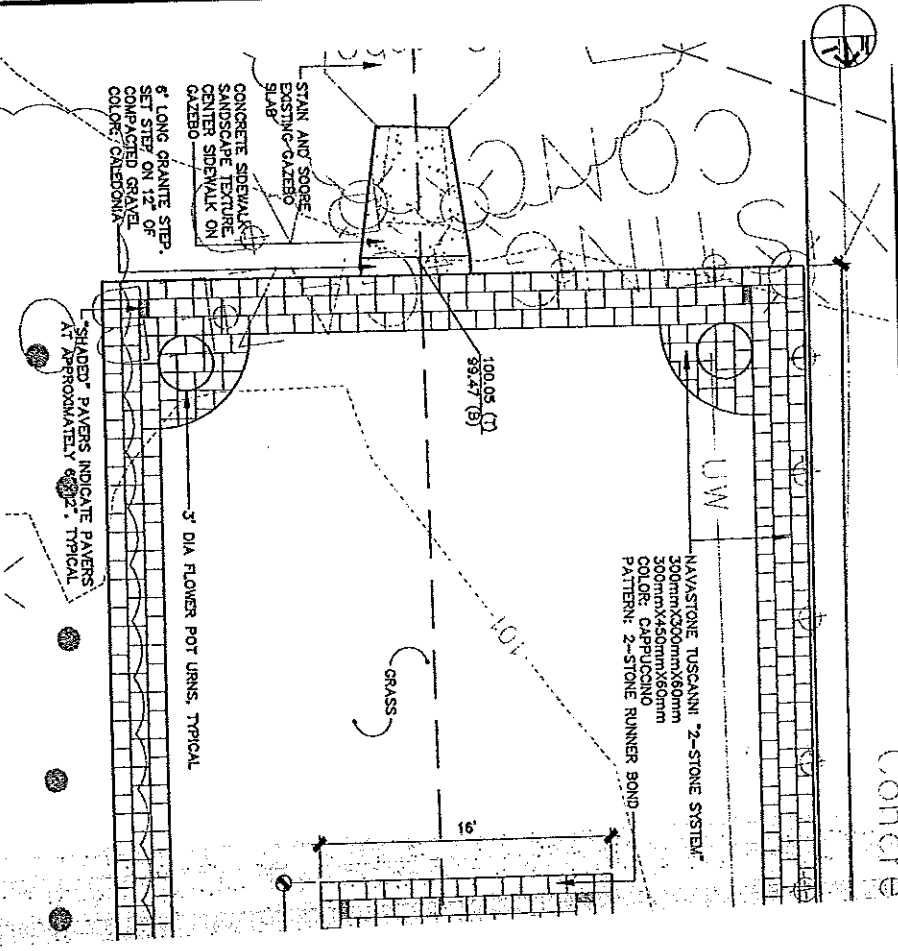
**MONCUR**  
 MONITOR SYSTEMS AND EQUIPMENT INC.



**HARDSCAPE PLAN**



**WEDDING PAVILION HARDSCAPE PLAN**



TH  
PROPOSED  
40 BOWERY  
ME

OLYMPIA  
SCENIC REPRESENTATIVE  
INN BY THE SEA LLC  
SUITE 202 STREET  
280 FORE STREET  
PORTLAND ME 04101  
TEL (207) 874-8990

TPH ARCHITECTS  
100 COMMERCIAL STREET  
PORTLAND MAINE 04101  
TELEPHONE 207 778 6141  
ARCHITECTURE PLANNING

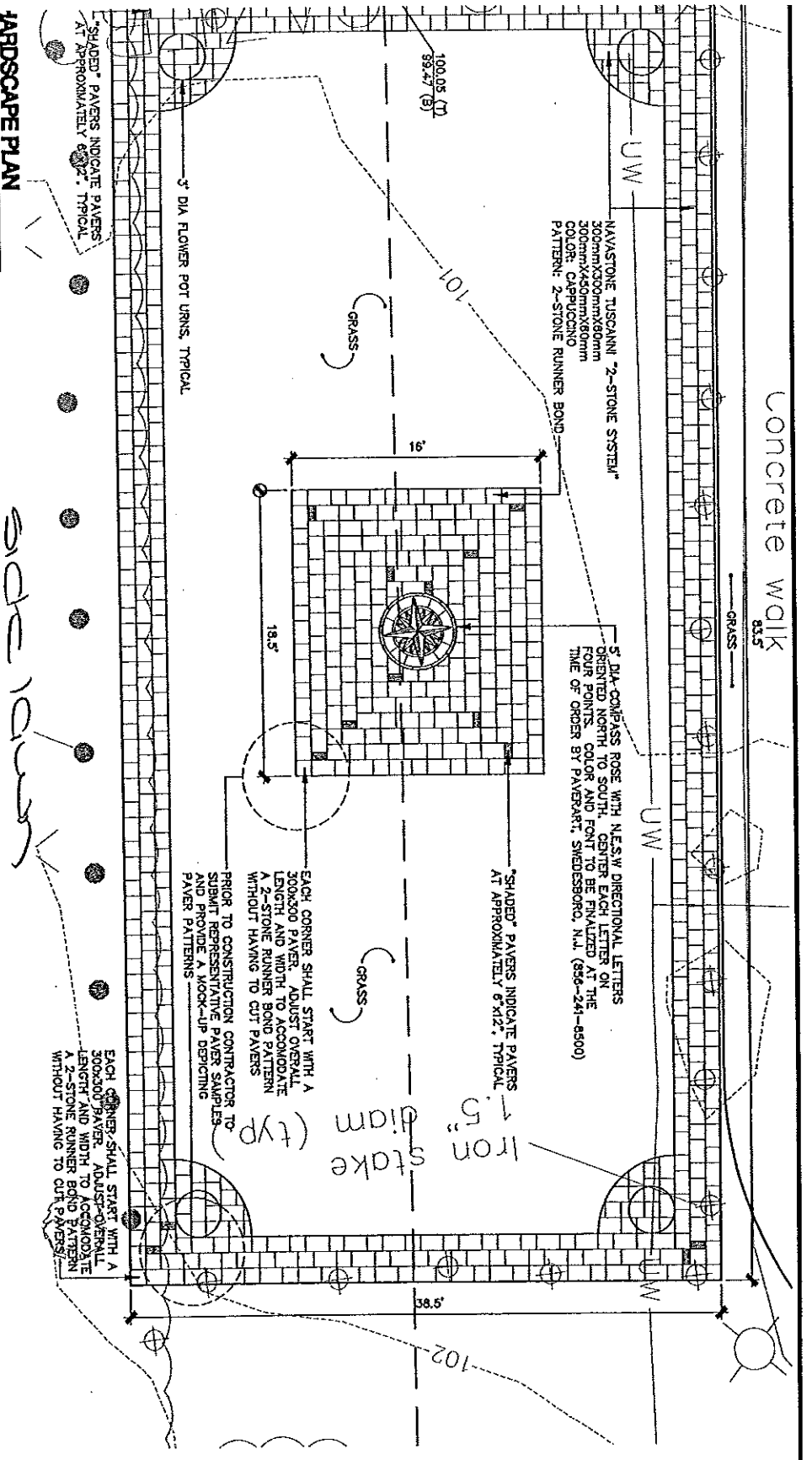
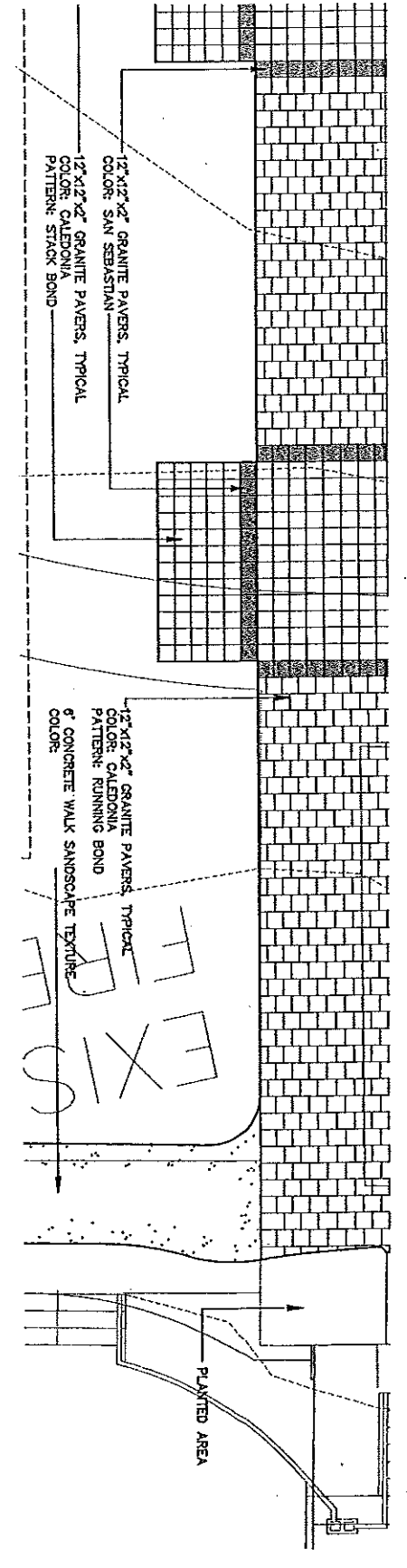
CONSULTANTS:  
SERV & HERRING, AIA  
LANDSCAPE ARCHITECTS  
1000 BOWERY STREET  
PORTLAND, ME 04101  
TEL (207) 774-1100

REVISIONS:  
10-28-07 CLIENT REVIEW

DATE: 09.28.07  
PROJECT NO.: 073006  
DRAWN BY: JMK  
CHECKED BY: SJB  
SCALE: AS NOTED

SHEET TITLE:  
SITE  
DETAILS

C-103



DATE:	09.28.07
PROJECT NO.:	073006
DRAWN BY:	JMK
CHECKED BY:	SJB
SCALE:	AS NOTED
SHEET TITLE:	SITE DETAILS
C-103	