



**GARDINER CITY COUNCIL  
AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	05/04/2022	<b>Department</b>	City Council
<b>Agenda Item</b>	4.f) Consideration of approving an Entertainment/Special Amusement application from the Blind Pig Tavern		
<b>Est. Cost</b>			

<b>Background Information</b>	<p>At a previous meeting Gardiner City Council asked for more information from the applicant. They wished to see more specific days and times as well as an opportunity to look at Gardiner's noise ordinance. Please find attached the updated application, and our current ordinance. Staff has also invited the applicant to come and discuss the plans.</p>
	<p>The Blind Pig Tavern is located at 262 Water Street and the applicant is Brandi Kennerson. Gardiner City Council has approved an application for an Outside Consumption permit.</p>

<b>Requested Action</b>	" I move to approve an Entertainment/Special Amusement application from the Blind Pig Tavern with the following stipulations (if any)."
<b>City Manager and/or Finance Review</b>	
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Date Received: 4.12.22

Received by: Bri

Name of Business/Event/  
Board/Committee: The blind Pig Tavern

Date of Event: Entertainment / Special Amusement ; Outside Consumption

	Minor Special Event	Major Special Event	Liquor Victualer License	DBA License	Junk Yard Permit	Other License *	Boards & Committees
Paid						4.12.22	
Email DH & CM						4.13.22	
Approved by:							
CM						4/13/22	MSD
PD						4.14.22	
FD						4.13.22	
PW&BG						4.14.22	
CEO						4.14.22	
ED							
Add to Agenda						4.14.22	
Legal Ad to KJ							
Add to Events Calendar							
Add to DBA List							
Issue License/Permit							
Notify Applicant of Council Meeting							
Notify Applicant of Approval or Denial							
Create Oath Sheet							
Swear in							
Contact Info to Board/Committee							
Update TRIO							
Update Website							

Notes:



**APPLICATION FOR A  
LICENSE/BUSINESS/EVENT**

Date Received in Office 4-12-21  
 Received by: Bri  
 Office Amount Received \$106  
 Approved \_\_\_\_\_ Denied \_\_\_\_\_

Business Name	<sup>the</sup> Blind Pig Tavern
Business Location	252 Water Street
Business Mailing Address	262 Water Street
Owner Name	Brandi Kennerson
Mailing Address (if different)	39 Lobo Lane West Gardiner
Phone Number	207 592 5447
Business Number	207 592 0776
Type of Business	Restaurant
Description of Business (attach paper if necessary)	Pub style Restaurant serving Fresh Food & Craft Cocktails.

**Type of License Being Applied for: (check all that apply)**

<input type="checkbox"/>	Doing Business As (One-time Registration)	\$10	
<input type="checkbox"/>	Special Event - Exhibitions & Shows (Minor)	\$50	
<input checked="" type="checkbox"/>	Special Event - Exhibitions & Shows (Major)	\$100	
<input type="checkbox"/>	Street Sellers (Annual)	\$50	
<input type="checkbox"/>	Street Sellers (Per Event)	\$20	
<input type="checkbox"/>	Street Sellers (Farmer's Market) (Annual)	\$10	
<input checked="" type="checkbox"/>	Junkyards (<100 ft highway) (Annual)	\$200	
<input checked="" type="checkbox"/>	Junkyards (>100 ft highway) (Annual)	\$50	
<input checked="" type="checkbox"/>	Automobile Recycling Business (5-year)	\$250	
<input type="checkbox"/>	Other	\$	
<input checked="" type="checkbox"/>	Victualers License to Sell Food (Annual)	\$50	
<input checked="" type="checkbox"/>	Victualers License - One Day (Festival)	\$25	
<input checked="" type="checkbox"/>	Victualers Non-profit License to sell food (Annual)	\$10	
<input checked="" type="checkbox"/>	Roving/On Wheels/Lunch Wagon (Annual)	\$100	
<input checked="" type="checkbox"/>	Roving/On Wheels/Lunch Wagon (Non-profit)	\$10	
<input checked="" type="checkbox"/>	Roving/On Wheels/Lunch Wagon (3-Day)	\$25	
<input checked="" type="checkbox"/>	Taxicabs/Vehicles for Hire	\$50	
<input type="checkbox"/>	Sales (Special, OOB, etc) (Per Event/Sale)	\$25	
<input type="checkbox"/>	Beano/Bingo/Games of Chance/Pinball Machines (Annual)	\$10	
<input type="checkbox"/>	Shooting Galleries/Pool Hall/Bowling Alley (Annual)	\$50	
<input checked="" type="checkbox"/>	Pawn (Annual)	\$50	
<input checked="" type="checkbox"/>	Tavern Keeper (Annual)	\$25	
<input checked="" type="checkbox"/>	Liquor/Bottle Club (1-50 seats) (Annual)	\$75	
<input checked="" type="checkbox"/>	Liquor/Bottle Club (51-100 seats) (Annual)	\$100	
<input checked="" type="checkbox"/>	Liquor/Bottle Club (101+ seats) (Annual)	\$150	
<input checked="" type="checkbox"/>	Catering Off-Premises (liquor is served) (per event)	\$10	
<input checked="" type="checkbox"/>	Entertainment/Special Amusement License (Annual)	\$75	75
<input checked="" type="checkbox"/>	Outside Consumption Permit (Annual)	\$25	25

\*See note.  
 \*See a Hatched app.  
 both - See map\*

Please send application and payment (payable to City of Gardiner) to:  
 City Clerk's Office, 6 Church Street, Gardiner, ME 04345

Note:

Asking for Entertainment

- for the Spring/Summer/Fall  
( May 1 - Nov 1 )

Season.

for outdoor dining area.

Including Karaoke. Wednesday's

1-3 person music. - live music - Sundays  
and events.

- Music & Karaoke will stop  
by 9 pm. -

Refer to Map > & will be set  
up in (R1) area. That  
table will be relocated during  
such events.



**Outdoor Dining Permit  
Application**

Applicant's Name:	Brandi Kennerson   The Blind Pig Tavern
Applicant's Address:	39 Labo Lane West Gardiner 04345
Applicant's Phone Number(s):	2075925447
Applicant's Email Address:	bmkennerson@gmail.com
Business Name:	The Blind Pig Tavern
Location:	266 Water Street Gardiner Me 04345
Description of area to be used for outdoor dining:	Johnson Hall Park from stairs to our building
Hours of outdoor operation:	10 am Sunday - 11 am Mon - Sat → 10 pm
Number of tables and/or chairs:	10 tables approx holding 50 ppl.
Other:	

- Tables, chairs and other items must be moved daily as to not interfere with snow removal
- Outdoor dining area must be kept neat, clean and free from litter
- Applicant must follow all noise ordinances and parking restrictions
- This permit does not authorize outdoor events or entertainment
- This permit does not authorize alcohol on any public property, including but not limited to the Common, Waterfront, Streets and Sidewalks.

04/11/22  
Date

  
Applicant's Signature

Please send application and payment (payable to City of Gardiner) to:  
Code Enforcement Office, 6 Church Street, Gardiner, ME 04345

Map

# Outside dining

Mechanic Street

↓  
Stairs

## Johnson Hall Park

Diagrams should be submitted on this form to show the layout of the premises and the location of the outdoor dining area. The diagram should be drawn to scale and should include the following information:



Johnson Hall Park

Side walk

Winter street

## Alisha Ballard

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**From:** Rick Sieberg  
**Sent:** Wednesday, April 13, 2022 4:44 PM  
**To:** Alisha Ballard  
**Subject:** RE: The Blind Pig Tavern - Entertainment and Outside Consumption Permit

Alisha,

No problems for the FD.

**Rick Sieberg**  
Fire Chief | City of Gardiner  
6 Church Street  
Gardiner, ME 04345  
C: 207-620-0217  
p: 207-582-4535  
e: [rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)

**From:** Alisha Ballard <[ABallard@gardinermaine.com](mailto:ABallard@gardinermaine.com)>  
**Sent:** Wednesday, April 13, 2022 4:15 PM  
**To:** Anne Davis <[ADavis@gardinermaine.com](mailto:ADavis@gardinermaine.com)>; Tracey Desjardins <[TDesjardins@gardinermaine.com](mailto:TDesjardins@gardinermaine.com)>; Kristopher McNeill <[kmcneill@gardinermaine.com](mailto:kmcneill@gardinermaine.com)>; Jerry Douglass <[JDouglass@gardinermaine.com](mailto:JDouglass@gardinermaine.com)>; Jim Toman <[JToman@gardinermaine.com](mailto:JToman@gardinermaine.com)>; Rick Sieberg <[rick.sieberg@gardinermaine.com](mailto:rick.sieberg@gardinermaine.com)>  
**Subject:** The Blind Pig Tavern - Entertainment and Outside Consumption Permit

Good Evening,

The Blind Pig Tavern is looking to renew their Entertainment and Outside Consumption Permit.  
This application will need to go before council once approved by Department Heads.

## Alisha Ballard

City Clerk / Registrar of Voters  
6 Church Street,  
Gardiner Maine 04345  
P: 207-582-4200  
F: 207-528-6895  
E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)

## Alisha Ballard

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**From:** Kristopher McNeill  
**Sent:** Thursday, April 14, 2022 8:13 AM  
**To:** Alisha Ballard; Anne Davis; Tracey Desjardins; Jerry Douglass; Jim Toman; Rick Sieberg  
**Subject:** RE: The Blind Pig Tavern - Entertainment and Outside Consumption Permit

No issues Alisha

**From:** Alisha Ballard <ABallard@gardinermaine.com>  
**Sent:** Wednesday, April 13, 2022 4:15 PM  
**To:** Anne Davis <ADavis@gardinermaine.com>; Tracey Desjardins <TDesjardins@gardinermaine.com>; Kristopher McNeill <kmcneill@gardinermaine.com>; Jerry Douglass <JDouglass@gardinermaine.com>; Jim Toman <JToman@gardinermaine.com>; Rick Sieberg <rick.sieberg@gardinermaine.com>  
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## Alisha Ballard

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**From:** Jerry Douglass  
**Sent:** Thursday, April 14, 2022 6:53 AM  
**To:** Alisha Ballard; Anne Davis; Tracey Desjardins; Kristopher McNeill; Jim Toman; Rick Sieberg  
**Subject:** RE: The Blind Pig Tavern - Entertainment and Outside Consumption Permit

No issues with PWD

Thanks

Jerry

Jerry Douglass, PWD  
City of Gardiner  
6 Church Street, 04345  
207-504-2234  
[jdouglass@gardinermaine.com](mailto:jdouglass@gardinermaine.com)

**From:** Alisha Ballard <[ABallard@gardinermaine.com](mailto:ABallard@gardinermaine.com)>  
**Sent:** Wednesday, April 13, 2022 4:15 PM  
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## Alisha Ballard

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**From:** Jim Toman  
**Sent:** Thursday, April 14, 2022 10:43 AM  
**To:** Alisha Ballard  
**Subject:** RE: The Blind Pig Tavern - Entertainment and Outside Consumption Permit

GPD is fine with issuance

JT

**From:** Alisha Ballard <ABallard@gardinermaine.com>  
**Sent:** Wednesday, April 13, 2022 4:15 PM  
**To:** Anne Davis <ADavis@gardinermaine.com>; Tracey Desjardins <TDesjardins@gardinermaine.com>; Kristopher McNeill <kmcneill@gardinermaine.com>; Jerry Douglass <JDouglass@gardinermaine.com>; Jim Toman <JToman@gardinermaine.com>; Rick Sieberg <rick.sieberg@gardinermaine.com>  
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Gardiner Maine 04345

P: 207-582-4200

F: 207-528-6895

E: [aballard@gardinermaine.com](mailto:aballard@gardinermaine.com)

**8.7.4.1** The location of all buildings, parking areas, driveways, service areas, pedestrian areas, landscaping, and proposed outdoor lighting fixtures;

**8.7.4.2** Specifications and illustrations of all proposed lighting fixtures including photometric data, designation as “cut-off” fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures;

**8.7.4.3** The proposed mounting height of all exterior lighting fixtures;

**8.7.4.4** Analyses and illuminance level diagrams or photometric point by point diagrams on a twenty foot grid showing that the proposed installation conforms to the lighting level standards of this ordinance together with statistical summaries documenting the average illuminance, maximum illuminance, minimum illuminance, average to minimum uniformity ratio, and maximum to minimum uniformity ratio for each parking area, drive, canopy, and sales or storage area;

**8.7.4.5** Drawings of all relevant building elevations showing the lighting fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote light fixtures; and

**8.7.4.6** A narrative that describes the hierarchy of site lighting and how the lighting will be used to provide safety, security, and aesthetic effects.

## **8.8 Noise**

The maximum permissible hourly A-weighted equivalent sound level produced by any activity subject to this performance standard shall be established by the time period and the zoning district listed in the table below. The term "A-weighted equivalent sound level" shall be as defined by the applicable American National Standards Institute (ANSI) standard (e.g. ANSI S1. Acoustical Terminology).

The maximum sound levels shall apply at all lot lines of the lot where the sound is produced. Measurements to determine conformance with the standard shall be taken in accordance with ANSI standards or their technical equal (e.g. ANSI S12). Sound levels shall be measured at a height of at least five (5) feet above the ground surface using a Type I or Type 2 sound level meter (as defined by ANSI S1.4) at the lot line. The sound level meter and microphone shall be field calibrated at the site prior to and after conducting the sound level measurements. The sound level meter, microphone, and field calibrator shall also have been calibrated by a certified acoustic laboratory within twelve (12) months of the field measurements.

Maximum Sound Level Limits

Receiving Zoning District	Sound Level Limit (dBA)		
	<i>Daytime (7 am – 7 pm)</i>	<i>Evening (7 pm – 10 pm)</i>	<i>Nighttime (10 pm – 7 am)</i>
RP, SLR, SL, R, RG, HDR, CPD	55	50	45
PR, ECR, MUV	60	55	50
TD, PIC, PD, CC, PHD, IT	65	60	55
The applicable district standard is determined by the zoning at the lot line. Where a lot line is also a zoning district boundary, the most restrictive sound level limit of the two abutting zones shall apply.			

**8.8.1** The following activities are excluded from the sound level limits under this section. For the purpose of these exclusions daytime refers to the hours from 7 am to 7 pm.

**8.8.1.1.** Daytime construction and demolition work. With prior approval by the CEO this exemption may be extended beyond daytime hours to accommodate activities such as major concrete pours that cannot be completed within the daytime period.

**8.8.1.2.** Daytime agricultural and timber harvesting activities.

**8.8.1.3.** Daytime landscaping and lawn mowing and related grounds keeping.

**8.8.1.4.** Snow removal and related winter maintenance activities such as sanding.

**8.8.1.5.** Operation and daytime testing of emergency equipment such as fire alarms, backup generators, and pressure relief valves.

**8.8.1.6.** Registered and inspected motorized vehicles traveling on public roads and when entering and departing from a parking or loading area. This excludes operation of vehicles and on-board equipment during loading, unloading, processing, mixing or related operations. Examples of non-exempt vehicle operations include refrigeration units on parked vehicles, concrete mixers, and on-board loading pumps.

**8.8.1.7.** Safety and warning signals required by law, rule or regulation.

**8.8.1.8.** Cultural and sporting events with approval from the City.

**8.8.1.9.** At lot lines where the abutting property owner has granted a noise easement to the applicant. The easement must provide that the abutting property owner agrees that the sound level limits at the shared property line can be exceeded by a specified amount but not by more than 10 dBA above the applicable sound level limits. Any agreement or easement concerning noise levels shall be included in the reciprocal deeds and shall have no effect on the sound level limits applicable to other properties.

**8.8.2** Maintenance, startups, shutdowns, and other routine activities are not exempt from these sound level limits.

**8.8.3** Any activity that requires Site Plan Review or Planning Board Review or CEO Review of nonresidential activities in accordance with Section 7 of this Ordinance must provide sufficient

evidence to demonstrate that the proposed development or modification to an existing development will comply with the applicable sound level limits of this section.

**8.8.4** Once a proposed development begins routine operation, the Planning Board or CEO may require demonstration by the applicant that the development meets the applicable sound level limits. Such a demonstration must include sound level measurements taken during representative daytime and/or nighttime periods adequate to quantify the loudest modes of routine operation. Measurements must be conducted during suitable weather conditions per ANSI standards (S 12 or equal) or other weather conditions suitable for measuring sound levels. A sound testing report shall be provided to the City that includes a description of the measurement procedures, identification of sound level instrumentation and calibration, sound level measurements and field observations, and weather conditions (wind speed and direction, temperature, humidity, cloud cover).

### **8.9 Exterior Material Storage**

**8.9.1** All dumpsters and similar large collection containers shall be located on the lot to minimize their visibility from adjacent public streets and residential properties and shall be screened from the view of all property lines by solid enclosures, fencing or landscaping.

**8.9.2** All outdoor storage areas, including areas used for the storage or collection of solid waste, junk automobiles or parts, building materials, machinery or other such items, shall be located on the lot to minimize their visibility from adjacent public streets and residential properties and shall be screened from the view of all property lines by fencing or landscaping.

**8.9.3** Where a potential safety hazard to children is identified by the Code Enforcement Officer, a physical barrier sufficient to deter children from entering the area shall be provided and maintained in good condition.

**8.9.4** All above-ground and below-ground tanks containing fuel, explosive liquids or solids, gases or chemicals shall be constructed and located according to applicable state and federal regulations.

### **8.10. Performance Guarantee**

**8.10.1** These standards for a performance guarantee shall be followed whenever required by this Ordinance. When required, the applicant shall submit the appropriate performance guarantee to the Code Enforcement Officer prior to the issuance of any permit or the commencement of any construction including site clearing or grading.

**8.10.2** The performance guarantee shall be in the form of one of the following:

**8.10.2.1** A certified check made payable to the city.

**8.10.2.2** A conditional agreement with the city, whereby no lot in the subdivision may be sold or no certificate of occupancy issued until the applicant installs all public improvements pursuant to