



GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET



Meeting Date	03/20/2024	Department	City Clerk
Agenda Item	3d. Public hearing regarding a Liquor License renewal for The Depot Pub		
Est. Cost	N/A		

Background Information	Please see the attached documentation.		
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Requested Action	
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

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



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): <u>Pub Depot Inc.</u>	Business Name (D/B/A): <u>The Depot Pub</u>
Individual or Sole Proprietor Applicant Name(s):	Physical Location: <u>14 MAINE Ave. Gardme, Me.</u>
Individual or Sole Proprietor Applicant Name(s): <u>Steve Casey</u>	Mailing address, if different: <u>364 MAIN St. Bowdoinham Me.</u>
Mailing address, if different from DBA address:	Email Address: <u>pubdepot@gmail.com</u>
Telephone # Fax #: <u> </u> <u>207 749-1942</u>	Business Telephone # Fax #: <u> </u> <u>207 588-0081</u>
Federal Tax Identification Number: <u>47-4389608</u>	Maine Seller Certificate # or Sales Tax #: <u>1177079</u>
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? New Expected Start date: _____
 Renewal Expiration Date: JUNE 19, 2024

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
 Food: 939044 Beer, Wine or Spirits: 671,079 Guest Rooms: X
JAN 1 - DEC 31 2023

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
 Malt Liquor (beer) Wine Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input checked="" type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input type="checkbox"/> Other: _____ | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

14 MAINE AVE. GARDNER ME 04845

6. Is the licensee/applicant(s) citizens of the United States? Yes No

7. Is the licensee/applicant(s) a resident of the State of Maine? Yes No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

Yes No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

Yes No

Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

Yes No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? Yes No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Stew Casey	1/12/59	Exeter N.H.
Residence address on all the above for previous 5 years		
Name	Address:	
Stew Casey	364 Main St. Bowdoinham Me.	
Name	Address:	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

Yes No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? Yes No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? Yes No

17. Does the licensee/applicant(s) own the premises? Yes No

If No, please provide the name and address of the owner:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

20. 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?

Name: churches on Church St.

Distance: 1/3 of a mile

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 2/20/24


Signature of Duly Authorized Person

Signature of Duly Authorized Person

Steve CASEY
Printed Name Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? Municipal Officers of _____

County Commissioners of _____ County

- Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine’s liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

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

A. The bureau shall prepare and supply application forms.

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.

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

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

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;

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;

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

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;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

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. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

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

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

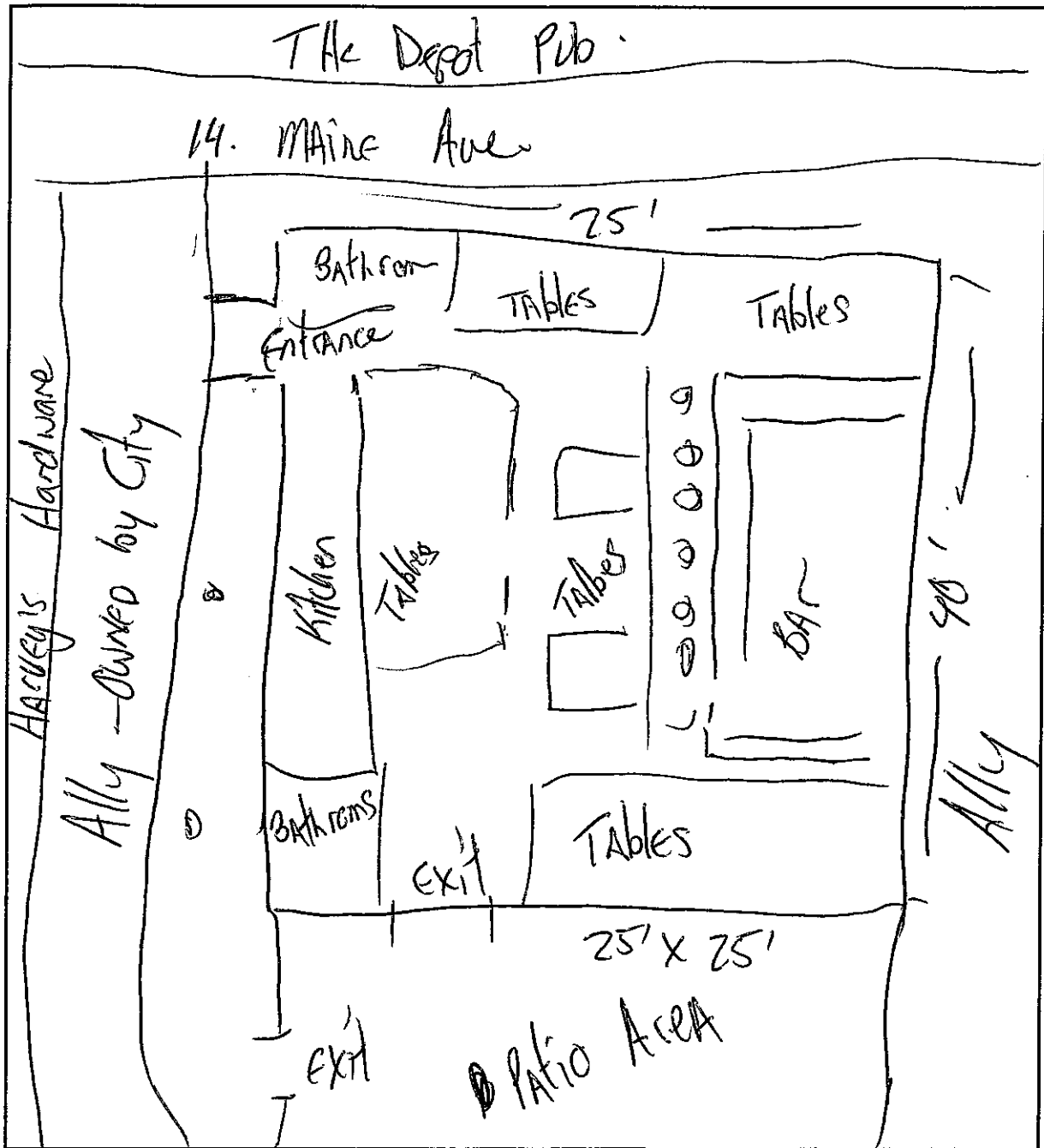
Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: Pub Depot Inc.
2. Doing Business As, if any: TAE Depot Pub
3. Date of filing with Secretary of State: 2/28/24 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Steve Casey	364 MAIN ST. BOWDOINHAM ME.	1/12/59	OWNER	100

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

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Hailee Lovely

From: Kristopher McNeill
Sent: Thursday, February 29, 2024 1:12 PM
To: Hailee Lovely; departmentheads
Subject: Re: Depot Pub

No issues Hailee

Kris McNeill
Code Enforcement Officer
City of Gardiner, Maine
207-620-4853

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19:07 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

Hailee Lovely
Deputy City Clerk | City of Gardiner
6 Church Street
Gardiner, ME 04345
p: 207-582-4200 f: 207-582-6895
e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: Dawn Thistle
Sent: Thursday, February 29, 2024 12:30 PM
To: Hailee Lovely
Subject: RE: Depot Pub

Good with the library.

Dawn Thistle
Library Director
Gardiner Public Library
152 Water Street
Gardiner ME 04345
207-582-6893

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

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Hailee Lovely
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6 Church Street
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p: 207-582-4200 f: 207-582-6895
e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: WWGRP
Sent: Thursday, February 29, 2024 3:25 PM
To: Hailee Lovely; departmentheads
Cc: Kristopher McNeill
Subject: RE: Depot Pub

WW no issues

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

Hailee Lovely
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p: 207-582-4200 f: 207-582-6895
e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: Andrew Carlton
Sent: Friday, March 1, 2024 3:27 PM
To: Melissa Lindley
Cc: Hailee Lovely; departmentheads; Kristopher McNeill
Subject: Re: Depot Pub

Good with CM....
Sent from my iPhone

On Mar 1, 2024, at 10:07 AM, Melissa Lindley <MLindley@gardinermaine.com> wrote:

No issues for economic development

Melissa Lindley

Economic Development Director & Public Information Officer
City of Gardiner
6 Church Street, Gardiner, ME 04345
office/cell: 207-582-6888
mlindley@gardinermaine.com
www.gardinermaine.com

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

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w: www.gardinermaine.com

Hailee Lovely

From: Todd Pilsbury
Sent: Friday, March 1, 2024 11:19 AM
To: Hailee Lovely
Subject: RE: Depot Pub

No issues with PD.

Chief Todd H. Pilsbury
City of Gardiner Police Department
(207)582-3211 (office)
(207)215-5430 (cell)

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

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e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: Melissa Lindley
Sent: Friday, March 1, 2024 10:07 AM
To: Hailee Lovely; departmentheads
Cc: Kristopher McNeill
Subject: RE: Depot Pub

No issues for economic development

Melissa Lindley

Economic Development Director & Public Information Officer
City of Gardiner
6 Church Street, Gardiner, ME 04345
office/cell: 207-582-6888
mlindley@gardinermaine.com
www.gardinermaine.com

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

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e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: John Cameron
Sent: Friday, March 1, 2024 9:20 AM
To: Hailee Lovely; departmentheads
Cc: Kristopher McNeill
Subject: RE: Depot Pub

Good with pw

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads <departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

Hailee Lovely
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p: 207-582-4200 f: 207-582-6895
e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Hailee Lovely

From: Rick Sieberg
Sent: Friday, March 1, 2024 8:11 AM
To: Hailee Lovely
Subject: RE: Depot Pub

Hailee,

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

From: Hailee Lovely <HLovely@gardinermaine.com>
Sent: Thursday, February 29, 2024 12:19 PM
To: departmentheads@gardinermaine.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>
Subject: Depot Pub

Good Afternoon, attached is a liquor License renewal for The Depot Pub. If there are any issues please let me know!

Hailee Lovely
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e: hlovely@gardinermaine.com
w: www.gardinermaine.com

Public Notice

City of Gardiner
Will hold a Public
Hearing on March
20, 2024 to consider
a Liquor License
Renewal for The
Depot Pub which is
located at 14 Main
Avenue, Gardiner,
and a Liquor License
for The Gardiner Elks
Club which is located
at 148 Cobbesee
Ave, Gardiner.

It will be held at 6:00
pm at Gardiner City
Hall (6 Church St).
For more information,
visit City Hall during
normal business
hours or call 582-
4200.