

**Lincolnvile Planning Board
Minutes of Meeting
February 8, 2017**

These minutes are a summary of the Board's discussion.

Members Present: Ron Moran, Chair Others: CEO, Frank Therio
 Dorothy Havey, Vice-Chair Paul Gibbons, ESQ.
 Scott Harrison Nanette Gionfriddo, Beyond the Sea
 Jay Foster
Absent Members: Robert Bickford
 Mark Thurlow

The meeting of the Planning Board Convened at 7:00 pm

Commercial Site Plan:

1. Beyond the Sea
2526 Atlantic Highway
M1 Lot 81
Determination of Site Plan Review Required for Change of Use.

Nanette Gionfriddo, owner of a retail shop, Beyond the sea, the lessee of the building 2526 Atlantic Highway, is before the Board seeking to change the footprint of a section of the downstairs to add a sandwich and bakery shop. The area in question is 10 x 16 feet. In the request to appear before the Board, N. Gionfriddo stated she was reviewed by the State Inspector and submitted a letter from the landlord, Michel Hetuin. Mr. Hetuin is aware of N. Gionfriddo's intent to promote new revenue for her retail shop. N. Gionfriddo is being represented by attorney, Paul Givens.

Michel Hetuin's letter, exhibit I was received on February 7, 2017, and entered into this file.

CEO, Frank Therio explained that the Lincolnvile Land Use Ordinance has made it very clear that the Landowner of the 2526 Building on Atlantic Highway needs to be present to request from the Board a formal determination as to whether any proposed changes requires a full Site Plan Review.

Paul Gibbons: Mr. Gibbons differed from all that the CEO stated. It was his opinion that Beyond the Sea, should be grandfathered, due to the extensive history of the Building. Mr. Gibbons stated that going through articles 1-9 in section 10.1 would prove his client's change of use should be permitted.

CEO, F. Therio:

At this point in the discussion, it became apparent that the CEO needed to contact the Town Attorney, Sally Daggett. The Board needed a legal clarification of the intent and definition of LUO Section 2.1.1 Sections 11,12 & 13. The CEO requested that a notarized letter from the Landowner, Michel Hetuin requesting this change of use, as well as giving P. Gibbons, his authorization to represent him in this Site Plan Review. The CEO said, he would check the Town's files to see if an existing Commercial Site Plan Application was present. As CEO of

Lincolntonville he is obligated to enforce the LUO.

P. Gibbons: Mr. Gibbons insisted a Lessee has the right and can apply for a simple permit and that the changes in question are minimal.

J. Foster: Mr. Foster questioned if this is all about the Site and not what is going on within the Site, than the Board could go through the articles in Section 10.1 and if Board approved them, than grant a Site Plan Permit only.

P. Gibbons: He said, if that can be done then could we go through the articles tonight.

R. Moran: Chair stated, the Board needs the necessary documents to proceed.

D. Havey: Vice-Chair didn't want to go through the Articles without the response from the Town Attorney and the Board receiving the notarized letter from the Landowner.

The Site Plan Review was tabled till next meeting.

Jay Foster asked the Board for permission to be absent during the months of April and May. Board approved.

No old minutes submitted.

Adjournment: S. Harrison made a motion to adjourn, seconded by R. Moran, vote 4-0 in favor. Meeting adjourned at 8:30 pm.

Respectfully submitted,

Planning Board Clerk, Nancy Weser