

TOWN OF GREENE

v.

PAUL CHABOT

Argued June 10, 2002  
Decided June 27, 2002

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER,  
CALKINS, and LEVY, JJ.

#### MEMORANDUM OF DECISION

Paul Chabot appeals from a summary judgment entered in Superior Court (Androscoggin County, *Gorman J.*) in favor of the Town of Greene, imposing a civil penalty on Chabot for improperly using his property for commercial purposes in violation of the Town's Land Use Ordinance, and enjoining Chabot from similar future conduct. Contrary to Chabot's contentions, even though he had been issued a building permit for the structure in which he conducted his commercial activity, it was not improper for the Town to charge him with violations of the Town's ordinance because he failed to obtain a required site plan review by the Planning Board for commercial purposes and a required permit to use the property; *see* GREENE, ME., LAND USE ORDINANCE §§ 6.1(A), 7.1(A),

7.3(A)-(B) (Mar. 7, 1992); the Town is not estopped from enforcing its ordinance because of oral statements made to Chabot by the Town Manager at the time of the issuance of the building permit; *see F.S. Plummer Co., Inc. v. Town of Cape Elizabeth*, 612 A.2d 856, 861 (Me. 1992); *Shackford & Gooch, Inc. v. Town of Kennebunk*, 486 A.2d 102, 105-06 (Me. 1984); and, subsequent amendments to the Land Use Ordinance do not absolve Chabot of his violations; *see* 1 M.R.S.A. § 302 (1989); *Town of Ogunquit v. McGarva*, 570 A.2d 320, 321 (Me. 1990).

The entry is:

Judgment affirmed.

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