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## LKLC - 1035 Ocean Avenue

6 messages

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**Christina Stacey** <cstacey@portlandmaine.gov>  
To: chefsammyb87@gmail.com

Tue, Nov 29, 2016 at 10:17 AM

Dear Sam,

The business licensing office recently contacted us regarding your proposal to create a food service business at the above address. I do not believe the activity as proposed would be allowed per the determination letter from Ann Machado, Zoning Administrator, dated 12/22/15 (see attached).

Ann's letter contemplated the sale of prepared lobster-based food for take-out (off-site) consumption only, as accessory to the lobster processing business on site. The intent was not to offer a full restaurant menu nor to offer non-lobster based items such as tuna melts, bean burgers, etc.

If you want to revise your menu to include only lobster items as originally contemplated in the determination letter, zoning can sign off on the food service application. Again, please note that this is for off-site consumption only and cannot include indoor or outdoor dining tables.

Please let me know if you have questions.

Kind regards,  
Chris

—

Chris Stacey - Zoning Specialist  
Permitting & Inspections Department  
City of Portland  
389 Congress St.  
Portland, ME 04101  
(207) 874-8695  
cstacey@portlandmaine.gov

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 **Revised Determination letter - 12-22-15.pdf**  
127K

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**Samuel Bergeron** <chefsammyb87@gmail.com>  
To: Christina Stacey <cstacey@portlandmaine.gov>

Thu, Dec 15, 2016 at 12:51 PM

Hello Christina,

Thank you for contacting me concerning this matter. This comes as quite a surprise, I was under the impression via my business partners Nicholas and Brent Nappi, that we had an all clear to prepare and serve what ever related to our current wholesale business, 1035 Ocean LLC, AKA Linda Kate Lobster and Seafood, as well as the catering company, LKLC LLC.

My first issue with the determination letter is that we also provide live/processed crab via our whole sale business, with plans to expand our line of wholesale items to include a larger selection of freshly harvested seafood (mussels, clams, oysters, scallops) as the Linda Kate Lobster and *Seafood* name implies. My understanding is, that as we expand our wholesale product line, the items in the store may reflect that product line, as long as they remain ancillary to that business.

Secondly, it was my understanding that the LKLC LLC was formed and our commercial kitchen built, in order to meet the standards set forth by the city and state for a commissary kitchen to prepare food for off site events. With the addition of that kitchen, I was under the impression it gave us the ability to sell over flow products from said catering company through our retail outlet. Can you please explain how we may be able to go about doing so? If this is not true that is fine, I have included a revised menu that correlates more closely to your definition of our zoning district. Thank you for a response, we look forward to getting your approval and moving forward on this matter.

**Soups** cup/bowl

*Served with warm bread.*

Lobster Bisque 6/9

Seafood Chowder 8/12

**Rolls**

*Each roll comes with house fried chips+served on a grilled brioche roll.*

\$15 each

Simple-lobster+mayo+shaved lettuce

Mainer-warm lobster+butter

Crispy Lobster-tempura fried lobster+spicy mayo+  
bacon crumbles+shaved lettuce

Jonah Simple-crab+mayo+scallion+shaved lettuce

Crispy Jonah-fried mini crab cakes+remoulade+ scallion+shaved lettuce

**Sandwiches**

*Served alone.*

Crab Cake Sliders \$5 each-remoulade+pickled red onion+preserved lemon

Lobster Tacos (3) \$12-tempura fried lobster+cilantro+spicy mayo+  
pickled red onion/jalapeño+avocado sauce in grilled flour tortillas

Lobster BLT \$15-lobster salad+bacon+leaf lettuce+tomato+mayo on toasted  
white/wheat *Add avocado 2*

Lobster Bahn Mi \$18-tempura fried lobster+pickled  
jalapeño/carrot+cucumber stick+cilantro leaf+spicy mayo on warm baguette

# Lobster Grilled Cheese \$12-warm lobster meat+three cheeses on grilled white/wheat *Add bacon/avocado 2 tomato 1*

**Sam Bergeron**

**Chef/Owner**

**Linda Kate Lobster and Seafood**

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Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

<Revised Determination letter - 12-22-15.pdf>

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**Christina Stacey** <cstacey@portlandmaine.gov>  
To: Samuel Bergeron <chefsammyb87@gmail.com>

Fri, Dec 30, 2016 at 10:43 AM

Hi Sam,

Apologies for the delay in response, as I was on vacation.

After reviewing the rules and speaking with Ann, my understanding is as follows. Your permitted uses are:

- 1) Wholesale lobster & seafood processing
- 2) Commercial (catering) kitchen

Both of these uses are allowed in the I-M Industrial Zone, where you are located. However, the commercial kitchen use in this zone is specifically limited in the ordinance as follows: "Commercial kitchens or other food preparation, provided that the food is not prepared for service on the premises."

Because of this limitation, it is the city's interpretation that you may sell retail products and prepared foods as an accessory/ancillary use to the wholesale lobster & seafood processing business, but NOT as an accessory/ancillary use to the catering kitchen. This is why we believe you must limit your retail products and prepared foods that will be sold on-site only to those that directly use products from the wholesale processing business, rather than the wider variety of dishes that would be produced by a caterer.

If the revised menu you attached is entirely based on products that are part of the wholesale business, we can approve your food service application. Please remember that this is for pick-up or take-out only and is not intended to establish a restaurant or food service business with customer seating.

Kind regards,  
Chris

[Quoted text hidden]

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**Christina Stacey** <cstacey@portlandmaine.gov>  
To: Samuel Bergeron <chefsammyb87@gmail.com>

Wed, May 24, 2017 at 8:16 AM

Sam,

In order to approve your business license, I need confirmation that you will only selling menu items that are based on products from the wholesale business. Please let me know.

Thanks,  
Chris

[Quoted text hidden]

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Samuel Bergeron <chefsammyb87@gmail.com>  
To: Christina Stacey <cstacey@portlandmaine.gov>

Wed, May 24, 2017 at 8:26 AM

That is indeed true! I thought I had sent you the re vamped menu, I will do so later when I'm near my computer. Thanks!

Sam Bergeron  
Chef/Owner  
Linda Kate Lobster+Seafood  
[Quoted text hidden]

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Samuel Bergeron <chefsammyb87@gmail.com>  
To: Christina Stacey <cstacey@portlandmaine.gov>

Thu, May 25, 2017 at 10:06 AM

Christina,  
Here is my lobster and crab only menu I will be serving prepared as take out only:

◦ Linda Kate Lobster **ONLY** Menu

**Soups**                      cup/bowl

Lobster Bisque 6/9

Seafood Chowder 8/12

**Rolls**

*Each roll comes with house fried chips+served on a grilled brioche roll.*

Simple-lobster+mayo+shaved lettuce 16

Mainer-warm lobster+butter 16

Crispy Lobster-tempura fried lobster+spicy mayo+bacon crumbles+shaved lettuce 17

Lob Cobb-lobster meat+avocado sauce+shredded lettuce+bacon crumbles+blue cheese spread+preserved egg yolk 20

Jonah Simple-crab+mayo+scallion+shaved lettuce 17

Crispy Jonah-fried baby crab cakes+old bay remoulade+scallion+shaved lettuce 18

## **Not Rolls**

*Served with pickles.*

Crab Cake Lettuce Wrap-old bay remoulade+pickled red onion+preserved lemon wrapped in leaf lettuce \$3 each

Lobster Tacos -chilled lobster salad+cilantro+spicy mayo+shaved cabbage pickled red onion/jalapeño+avocado sauce in grilled flour tortillas \$6 each

Lobster BLT \$15-lobster salad+bacon+leaf lettuce+tomato+m Mayo White or wheat bread

*Add avocado 2*

Lobster Grilled Cheese \$12- warm lobster meat+three cheeses on grilled white or wheat

*Add bacon/avocado 2 Tomato 1*

**Sam Bergeron**

**Chef/Owner**

**Linda Kate Lobster and Seafood**

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