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Pine Point residents' turnout helps keep 'condotel' debate alive

By Peggy Roberts (published: August 16, 2007)

SCARBOROUGH – Encouraged by a town councilor to make a strong showing, proponents of an ordinance amendment that would restrict condominium conversions by nonconforming hotels bought more time for their cause Wednesday night.

Seven members of the Pine Point Residents Group stood in turn at the Town Council podium to ask councilors to pass the amendment, which defines the terms under which a nonconforming hotel may sell individual rooms.

Council Chairman Jeff Messer said he had been planning to suspend the rules and call for a second reading and final council vote on the amendment, but the number of residents who spoke convinced him to wait for the next meeting.

Patricia Degrinney, of King Street, was typical of the speakers. "We all know Scarborough is changing but we want to ensure the best kind of change," she said.

While conversions can sometimes improve neighborhoods, Degrinney said, "all condominiums are not created equal."

Although several group members have stated they are not targeting one hotel in particular, Degrinney and others referred to the Lighthouse Inn, which brought the so-called "condotel" issue to the forefront when its owners, Nick and Peter Truman, expressed their intent to sell some or all of their 22 units as seasonal condominiums.

While the group insisted they were not singling out the Lighthouse, the group's recent e-mail newsletter and comments at the group's Aug. 9 meeting specifically mentioned the inn when it was suggested that members speak publicly on Wednesday in support of the ordinance amendment.

"If the council does not adopt this ordinance, then the Lighthouse Inn (which has already filed its condo declarations) will officially be a 22 unit condo with virtually no town oversight," the e-mail said. "They may be exempt from what others have had to do – that is, go through the Zoning Board of Appeals."

The e-mail also said Councilor Richard Sullivan had contacted group members to obtain their thoughts on the ordinance.

"(Sullivan) called again and suggested we have a strong presence at the meeting and speakers because his discussions with fellow councilors led him to believe that this ordinance may not get a favorable review," the message said.

When asked Wednesday if Sullivan had also approached the Trumans to hear their thoughts on the issue, Nick Truman said they hadn't heard from him. Attempts to reach Sullivan Thursday at his home, cell and council phone numbers were unsuccessful.

As each residents group member finished speaking Wednesday, they received enthusiastic applause from the audience, even after Messer asked the audience to refrain from showing support.

Paul Kirby, of Grand Avenue, called on councilors to "address the issues and concerns of the taxpayers down at Pine Point."

"I'm the new kid on the block, but I'm not new to seeing when change isn't appropriately handled," Kirby said.

And Dianne McLellan, also of Grand Avenue, recounted the story of a man at Pine Point who wasn't allowed to add a bathroom to his nonconforming



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home. She asked why the councilors would allow the condo conversion if they wouldn't allow a homeowner to add a bathroom.

"You must (pass the amendment) as a matter of fairness," she said.

Two people spoke against the amendment at Wednesday's hearing.

Nick Truman read a letter that had been sent to the council from Susan and William Bayley, of Bayley's Lobster Pound on Avenue Six.

The Bayleys said in the letter that the time spent on paper work and manpower to enact an ordinance that isn't necessary is a waste of taxpayer dollars. They also said it would be a detriment to the business-friendly image of Scarborough.

"An ordinance such as this would make Scarborough appear ridiculously restrictive and over-governing. These are not business-friendly traits," the letter said.

Toward the end of his time at the podium, some members of the audience began pointing to their watches, indicating Truman was over his five-minute time limit. But Messer pointed out during councilor comments at the end of the meeting that he allowed both Truman, who, according to Messer, spoke for about 6 1/2 minutes, and residents group member Judy Shirk, who spoke for about seven minutes, to complete their statements.

From the podium, Dan Wilson, of Grand Avenue, said he and his partner, who live in Pine Point year round, have seen in the Lighthouse Inn a "finely run operation." His said his concern is that if the Trumans sell the property as a motel, the new owner could operate it irresponsibly. He asked councilors to consider that possibility and to consider a means of supporting the Trumans' plan to sell some number of their units as condominiums.

At least two councilors have said they don't support the amended ordinance.

In a phone interview Thursday morning, Messer said he still wasn't comfortable with the ordinance and wouldn't support it. He said he would like to see the town do further research on the way other towns have handled the issue.

Councilor Sylvia Most said Thursday that she doesn't think the ordinance change "addresses the underlying problem."

"At this time I would say I'm not in favor of the ordinance revision the way it's written," she said. "I haven't decided if we should try to revise it or how to go from here."

Councilor Carol Rancourt said she was pleased with the amount of public input. "I appreciate opinions and I don't think we get enough of them," she said.

And Councilor Ron Ahlquist said he questions the wisdom of developing an ordinance for one person or situation and said he's "up in the air" on how he will vote.

Though concerns have been aired over the added burden to the town of year-round residents in "single-family dwellings," the Trumans insist that the condominium documents they've filed specify the units' seasonality.

"The document says, if you own this, you can't claim Scarborough as your residence, you can't vote here, you can't put your children in the schools," Nick Truman said. "It states you're not buying a residence in Scarborough."

The council will hold a second reading and vote on the amendment at its Sept. 5 meeting.

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