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Scarborough, motel owners complete Pine Point swap; resident files DEP challenge

By **Peggy Roberts**

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SCARBOROUGH — The town and the owners of a Pine Point motel completed a controversial land swap Tuesday, the same day the town held an open house seeking input on a design plan for its share of the swapped land.

A resident, meanwhile, filed a complaint with the Maine Department of Environmental Protection.

Lighthouse Motel co-owner Peter Truman and Town Manager Tom Hall executed the deeds Tuesday morning that give the motel a portion of Depot Street to provide parking next to the building. In exchange, the town receives the motel's old parking strip, which will be combined with an adjacent town-owned parcel to create a new public beach access, drop-off point and mini-park.

An e-mail sent Tuesday night by the Pine Point Residents Association, which has opposed the swap, claimed the deeds had not yet been recorded and therefore, that Depot Street had not yet been discontinued.

"One resident stated that she expects Town administrators will 'explain this away as a legal technicality,'" the e-mail stated, "but also said she and many citizens remain very hopeful that Town Councilors will immediately intervene and request that (town attorney Chris Vaniotis) not record the deeds."

But Hall said Wednesday morning that the deeds were recorded Tuesday afternoon before 2 p.m.

On Monday, Robert Baizley, of Dunstan Landing Road, filed his request with DEP for a "formal investigation" into the Planning Board's approval of the parking lot plan and asked for a "temporary and immediate injunction or stop work order" against the motel.

In his complaint, Baizley cited "14 potential shoreland zoning violations" that he said violated "both the 'minimum guidelines' of the state of Maine DEP Mandatory Shoreland Zoning Act and the town of Scarborough Shoreland Zoning."

In October, the town contacted the DEP about the proposed project and was told no permit was needed, according to Town Planner Dan Bacon. The engineer on the motel's parking project, Lester Barry, of BH2M Engineers, said last week they would be applying to the DEP for a standard permit by rule before reconfiguration of parking on the existing blacktop began.

Private property



Photo:

Lighthouse Motel owners roped off the end of Depot Street Tuesday after deeds in the land swap with Scarborough were signed and recorded. The town held the first of three open houses Tuesday evening to gather input on a plan to develop a small public park on the portion the town gained in the swap and an adjoining parcel.

And Tuesday evening, about a dozen residents attended the first of three open houses the town has scheduled to receive input and questions about the draft design proposal for the public access area. Held at the Pine Point Fire Station, the meeting provided the public with copies of the plan and markers to note suggested changes.

Though town officials and staff have not yet reviewed the written comments, Hall said Wednesday morning that the forum went "amazingly well."

"The format worked wonderfully well – far more informal and conversational," he said.

Hall credited council Chairwoman Carol Rancourt for suggesting the open house process that had been used successfully in the past for the Dunstan sidewalk issue.

From comments he heard during the evening, Hall said, "the fence is a very important issue" for people and believes it will be changed to a split rail fence from the picket fence that was originally proposed. Hall preferred a picket fence, he said, because it would be better suited to keeping animals from crossing the property lines and would not invite people to sit or drape their towels on it.

"A fence not only has to look good but perform a function," he said Wednesday. "In any event, given what we're proposing, we expect the fence to be taken over by vegetation in short order."

Councilor Mike Wood, who also attended Tuesday's open house, said it was a positive experience.

"I had some nice conversations from more than a few folks from the Pine Point area, all of whom at one time or another had presented their opposing views," he said. "I was very pleased they proposed comments on the draft plan. And there didn't seem to be any who brought up the land swap issue. They provided a lot of comment. It can only help the town get to the point of making it a real attractive place."

Two more open houses are scheduled for Thursday, Jan. 7, 2010, from 6:30 p.m. to 8 p.m. at the fire barn and from 7 p.m. to 8:30 p.m. on Tuesday, Jan. 12, 2010, at Town Hall.

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