

Thu, Dec 10, 2009



**the
FORECASTER**
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Residents pressure Scarborough officials to reject Pine Point motel plan

Published: Dec 10, 2009 9:43 am - By **Peggy Roberts**

SCARBOROUGH — If e-mail chatter is any indication, the Planning Board meeting on Monday, Dec. 14, may be a standing-room-only affair.

On the agenda once again is the Lighthouse Motel owners' request for approval of a reconfigured parking lot.

Members of the Pine Point Residents Association have been keeping an eye on every move by the town and motel owners, Nick and Peter Truman.

Though it's premature to speculate whether the board will approve the plan, Town Planner Dan Bacon on Tuesday said board members' questions and items of concern from the last meeting have all been addressed and, "unless there are other items identified, they'd be in a position to approve it."

But an effort appears to be underway to stymie the Trumans' parking plan and the town's abutting project. That project includes landscaped pedestrian access to the beach using land gained in a swap with the Trumans, combined with a small parcel donated by the original developer of the Beach Walk subdivision.

Board members said they received calls Sunday from an association member who wanted to deliver new information to their homes. At least two board members said they declined and advised the caller to route all information through the planning office, but Town Planner Dan Bacon said he understood packages were dropped off at three or four of the seven Planning Board members' homes.

After examining the documents the group delivered to the department and e-mailed in nine attachments to members of the media, Bacon said "much of it focuses on the town's proposal, which isn't relevant (to the consideration before the Planning Board)."

The group objects to both the parking lot design and tentative plans for the adjacent town-owned property, implying that the town has been remiss in its charge to consult the Planning Board.

"It was discovered just yesterday that under the Town's Site Plan Review Ordinance, this Task Force Plan REQUIRES Planning Board review and an advisory opinion," a Dec. 6 message from the association states. "That important part of the process has not been mentioned at any time in the process. The Planning Board may not even be aware of their role in reviewing the plan. "

But Bacon said the board is fully aware of the requirement. But, he added the opinion won't be considered until after the town holds several public meetings to give residents a chance to vet the plan.

Town Manger Tom Hall echoed Bacon's comments.

"There's no question it requires an advisory opinion by the Planning Board and that's always been part of the equation," he said. "My preference is to have it (the opinion) done before the plan goes to the council."

Hall said he anticipates the design will go before the Planning Board on Feb. 1, 2010, and before the council on Feb. 3.

Another issue for the residents association is a June 17 memo in which Scarborough Fire Chief Michael Thurlow, brother of one of association's leaders, John Thurlow, advised Hall of the importance of maintaining a fire lane for beach access as part of the plan.

When asked on Tuesday about his memo, Thurlow said that statement was only a small part of what he wrote.

"The question raised was, do we use the access at the end of Depot Street to access emergencies?" he said. "My response: we rarely use it because the vegetation that's grown up has made the path very narrow."

He added there was "significantly better access" for the department's ATV or tanker at either Avenue 5 Extension, east of Depot Street, or at Oak Street to the west. Though he said they try to maintain access wherever possible, the two adjacent access roads are less than a quarter-mile apart – "not a negligible distance or a significant issue."

Another claim the residents group has made is that the town's ordinance requires two parking spaces per unit – 44 total to accommodate the motel's 22 units – because it was converted to condos a few years ago.

But Bacon said "the staff's view is that parking spaces should be one per room because functionally the Lighthouse is still a motel, even if they tried to condo-ize it. It serves transient guests, it's open only 180 days and the units have not changed in terms of amenities. It still meets the definition of a motel."

The residents' group also says the board should require removal of a stone wall that reportedly encroaches on the right-of-way. A portion of it at the entrance to the parking lot is slated for removal. Bacon said unless removing it would improve the sight distance it would not be in the board's scope to require its removal.

The group has also asked for the Planning Board to require that the motel office be razed for parking. Their reasoning that condominiums don't need an office isn't accurate, Bacon said.

"The use is the same," he said. "People think of condos as different from motels and hotels, but it's just a form of ownership."

Since the Lighthouse will still have transient guests use the rooms, it will continue to function like any other motel, he said.

Another issue that concerns the group, and one raised by Councilor Karen D'Andrea, is the number of curb cuts with the new design. But Bacon said no new curb cut is being created by either the parking lot or the design for the town-owned property.

"Depot Street right now is a wide curb cut," he said. "They're now narrowing it to their entrance drive and moving it farther away from the Beach Walk curb cut, not adding a curb cut. The board will be looking at comparing existing conditions."

The association's questions and objections may be focused on one goal, summed up by this statement in the group's Dec. 6 e-mail message:

"... We need to address every one and point out that the goals are impossible to accomplish based on the land swap. Therefore the land swap needs to be rescinded and we start over. The other alternative is to just accept we lost, accept the land swap as is, and now accept a whole host of issues no one who fought the land swap fight ought to accept."

Council Chairwoman Carol Rancourt said Wednesday that the town attorney has told her the council could change last summer's land swap decision, but it would take a super-majority of five to do so by suspending council rules.

"I have been talking to councilors and unofficially, I don't see support on the council at this time to change their votes," she said. "I'm focusing on really examining the design and whether it's really meeting what we need. It's never going to be anybody's favorite plan but let's make it the best plan we've got."

The Planning Board meets Monday at 7 p.m. at Town Hall. The focus will be only on the Lighthouse Motel's request for reconfigured parking lot approval and not on the concept design for the abutting town property. Opportunity for public comment will be up to the board.