



PINE POINT

Residents Association

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My name is Harold Hutchinson. I reside on King Street in Scarborough and am a representative of the Pine Point Residents Association. Several of our members have joined me here tonight to express to you a sense of disbelief, frustration and disappointment with what is happening in our neighborhood and community.

For 5 years the PPR Association has worked to identify and comment on matters of importance to the Pine Point neighborhood, indeed the entire community of Scarborough.

If you are new to these issues or have forgotten some with the passage of time, please indulge me for a moment to summarize what the Pine Point neighborhood has experienced and set the context specifically requesting you take no action on a land exchange at the end of the Pine Point Rd., at Pine Point Beach, without a careful, thoughtful and very open and inclusive public process which to date has not occurred; to the contrary, Town Manager Hall has negotiated exclusively and secretly only with attorneys representing a private interest intent on acquiring and privatizing Depot St. in Pine Point for personal gain.

Five years ago a land exchange was proposed by the owners of the Lighthouse Motel who planned to redevelop their 22 unit motel into high-end condominiums. Residents learned about this by chance since it was not revealed to the public. Subsequently the Pine Point Residents Association was formed and the Council was approached to study the matter carefully.

The land exchange did not occur at that time for a number of reasons, primarily the absence of any tangible benefit to the Town and its citizens. The Council's ad hoc committee worked diligently for 8 months but was abruptly terminated by former Town Manager, Ronald Owens, when the motel owners withdrew their zoning board application. Ironically, the motel owners' final renovation plan calling for five high-end condominiums was supported by the Pine Point Residents Association.

End Chapter 1.

For over 20 years orange barrels were placed across Depot St., a public road, by the owners of the Lighthouse Motel with Town consent. Neighbors complained about this restriction and became increasingly indignant over the well-documented private use of this public street with no tax obligation

whatsoever to the primary user. In 2005, just after the Town Council's committee was terminated, former Town Manager Owens unilaterally acted to replace the barrels with a permanent, year-round paved curb stretching almost completely across Depot St. without Council approval. The Council, to its credit, ordered the curbed berm removed protecting public access except for the small portion existing today delineating the end of the Lighthouse Motel parking area.

In 2007 the Lighthouse Motel owners converted the business, not to five condominium units previously proposed and supported, but from 22 motel rooms to 22 condotel dwellings on the existing one-third acre of land. Motel attorneys asked the Town to acknowledge this plan as simply a change of ownership, but Scarborough Code Enforcement Officer, David Grysk, ruled it was, indeed, a change of use of a non-conforming structure requiring Zoning Board approval. The Council was again urged to adopt an ordinance governing condotel schemes to affect reasonable regulation. The Council listened and an ordinance was drafted. However, through legal maneuvering the Condotel was created and the ordinance was tabled indefinitely. None of the condotel units have sold in the past two years leading to speculation why the motel owners have again returned to the Town attempting to negotiate for public land.

Another area of concern is the development of the 9-lot Beachwalk subdivision on the southerly side of Depot St. The Pine Point Residents Association worked collaboratively with the Town and original developer successfully acquiring deeds to the beach portion of that property along with a wonderful open space parcel for the community to enjoy. The Beachwalk developer gave this land to the Town in exchange for relief under Section 7 of the subdivision ordinance --- a win-win for both parties, involving the initiative of citizens generating a tangible benefit for the Town of Scarborough.

At the 11th hour in the spring of 2008 the Town administration surreptitiously planned, "routine road maintenance" in the King Street, Pine Point Rd., Depot Street area. The proposed road reconstruction plan would have, in effect, barricaded Depot Street again, this time with a permanent curb similar to the one the Council ordered reduced in size only two years previously. The Pine Point Residents Association approached the Council in June 2008 requesting this issue be carefully and thoughtfully studied. Council members and now Chairman Michael Wood agreed to expand the study to Depot Street presuming the initial success by the committee.

Last January the Scarborough Town Council received the committee's report from the facilitator hired to lead the study – a compromise document of all positions and a precursor to further deliberations on the Depot St. area.

And now to today! The recently appointed Town Manager Thomas Hall has acknowledged an exchange proposal is under discussion at the administrative level. The topic has also been the subject of an executive session by the Council. Mr. Hall was asked for information and full transparency several weeks ago and agreed to provide information. However, to this moment virtually nothing has been

forthcoming. In the interim a revised plan for the road re-development has been proposed from the office of Town Planner James Wendel, a participant in the fall 2008 study, inconsistent with the Committee's recommendation presented to the Council January 9th of this year. The revised plan showed a full sidewalk and esplanade across Depot St. which was absolutely not part of the committee's recommendation. We watched in astonishment as Mr. Hall also presented you with a landscape plan he retained landscape architect Terri DeWan to develop also entirely inconsistent with the Committee's recommendations. This plan called for establishment of a sand dune habitat on almost the entire open space parcel. Authorization of this plan would forever prevent the public from accessing and enjoying this precious piece of shorefront land authorized by the Scarborough Planning Board.

Last Friday, May 29, 2009, Manager Hall finally revealed he would likely be submitting an agenda item to the Council on June 17th at the earliest for a land exchange on Depot Street. No specifics of the proposal have been provided, even as tentative as they may be, and no public comment has been solicited. Conversations and negotiations should not be conducted in private particularly given the history as summarized. It is unimaginable the Town of Scarborough would entertain a land exchange proposal weeks after its own committee presented a road reconstruction plan that would be made obsolete if a land exchange occurred.

We are here tonight to tell you, our elected representatives, we have been unsuccessful obtaining specific information and participating in decisions affecting the Pine Point neighborhood. We come to you requesting you make it town policy to communicate transparently with all and seek input from those whom you represent.

The Town Council is the voice of the citizens of Scarborough and the decisions are yours. The time has come to accommodate the public interests as well as private interests in Scarborough. We need and request your support.

Thank you.