

# Journal Tribune

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## Readers' Forum

March 20, 2012

### Lower Village must be protected

#### From uninformed hotel plan

Nearly two dozen residents of Lower Village Kennebunk witnessed and exercised democracy in action at the Kennebunk Site Plan Review Board meeting, March 15<sup>th</sup>. They had gathered to express their views on the requested change to The Grand Hotel development from a primarily retail first floor to a restaurant-take away establishment. It was a lively and informative evening, well chaired by Gary Dugas, who made every effort to accommodate all speakers.

A critical concern voiced repeatedly by over a dozen Lower Village residents and their lawyer representative, Chris Neagle, was the sustained livability for residents of Chase Hill and the control of traffic flow and safe passage for pedestrians who live and regularly walk on this narrow 14 foot road as well as for the Grand's guests who would walk to the leased unmonitored parking lot at Windows Over the Water.

In the two and one half hour public hearing, a sticking point of contention was the Town Code's requirement for "a curb, sidewalk or swale" to separate pedestrians from traffic flow. The residents learned that a "swale" is a ditch along the side of the road and that the Town lawyer had ruled that pedestrians could jump onto the grass of residents' homes if they needed to avoid being hit by a car. There is no swale or curb or sidewalk on Chase Hill Road which residents reported is in a state of pot-holes, deterioration and crumbling from current

heavy use. Board of Selectmen liaison, John Kotsonis reported that there is no plan by the Town to repair or repave Chase Hill Road nor did the developer give any sign of doing so.

When the Director of Community Development, Planning & Codes, Caroline Seagalla, cited a Town study that said the pedestrian traffic flow generated by the new development would be "three people per hour" the assembled residents' erupted into laughter. Bonnie Clement, owner of H.B. Provisions reported that the traffic flow directly across the street was 3,000 persons per day in peak season.

After bantering back and forth on the minutiae of codes and requirements, two members of the Site Plan Review Board spoke in voices applauded by the assembled residents. Philip Parker made a motion that the Town Attorney appear "in person before this board" with her written opinion which waived the code requirement for a curb, sidewalk or swale. Brenda Robinson, in seconding the motion, said: "we have created a monster in Lower Village". She commented that we have looked only at this code requirement and that code requirement and the legality of issues without considering the larger issues involved in the community, but "we, as representatives for the Town have the responsibility to look at the big picture." The motion was unanimously approved and the Town Attorney is expected to appear at the continuation of the public hearing on April 5<sup>th</sup> at 7pm.

The Site Plan Board members now have the opportunity to rise to the challenge of this review with a vision of the needs of the entire community of Lower Village, not just the developer. We can talk of give and take, of what should be and what not; but it is a Village, only if you can keep it.

**Robert F. Lyons**  
**Lower Village, Kennebunk**