TOWN COUNCIL WORKSHOP
WEDNESDAY, DECEMBER 3, 2014 – 6:00 P.M.
COUNCIL CHAMBER B

Item 1. Call to Order.

Item 2. Those Present.

Item 3. Discussion on the request from Mr. and Mrs. Wellehan on a proposed real estate transaction.

Item 4. Adjournment.

Scarborough WebGIS





Legend

- Streams_
- Address Points
- Parcels with Owner Informatic
- Roads
  - MTA
  - MTA
  - MDOT
  - PUBLIC
  - PENDING PUBLIC; PRIVATE; PF
  - CEMETERY; NOT YET BUILT; P.
- Railroad
- Building Footprints
- Driveways
  - Paved Driveway
  - Unpaved Driveway
- Road Surfaces
  - Paved Road
  - Unpaved Road
- Parking Lots
  - Paved Parking
  - Unpaved Parking
- Treeline
- Coastline
- Town_Townline_Polygons_c
  - Surrouding Towns
  - Scarborough

1: 1,464

177 0 88 177 Feet

NAD_1983_UTM_Zone_19N
Town of Scarborough, Maine

Disclaimer

This map is a user generated static output from the Town of Scarborough internet mapping site (WebGIS) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Notes

11/26/2014

PERKINS | THOMPSON
ATTORNEYS & COUNSELORS AT LAW

ESTABLISHED 1871

ONE CANAL PLAZA
PO BOX 426
PORTLAND ME 04112
TEL 207.774.2635
FAX 207.871.8026

www.perkinsthompson.com

By Email

November 25, 2014

PHILIP C. HUNT
JOHN S. UPTON
PEGGY L. McGEHEE
MELISSA HANLEY MURPHY
JOHN A. HOBSON
JAMES N. KATSIAFICAS
TIMOTHY P. BENOIT
J. GORDON SCANNELL, JR.
FRED W. BOPP III
MARK P. SNOW
WILLIAM J. SHEILS
DAVID B. McCONNELL
PAUL D. PIETROPAOLI
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CHRISTOPHER M. DARGIE
STEPHANIE A. WILLIAMS
PETER J. McDONELL
SARA N. MOPPIN
SHAWN K. DOIL
JOSEPH G. TALBOT
LAUREN B. WELIVER
JOSEPH C. SIVISKI
JOHN W. MASLAND

Thomas Hall
Scarborough Town Manager
Town of Scarborough
259 U.S. Route 1
P.O. Box 360
Scarborough, ME 04070-0360
THall@ci.scarborough.me.us

Re: Jim and Kathy Wellehan/Proposed Land Exchange Transaction

Dear Tom:

Thank you to you and the Town Council for agreeing to explore at the Town Council Workshop on December 3 a possible land exchange transaction between the Town and Jim and Kathy Wellehan.

As you know, the Wellehan property is located at 61 King Street (Map/Lot Number U022094). The property is bounded on one side by the Town's parking lot and on the other by an undeveloped strip, which according to Town assessment records is a Town right-of-way.

Time and the development of the Town's parking lot have resulted in the need for extensive repairs to, if not a complete reconstruction of, the Wellehan property. The existing configuration and dimensions of the Wellehan property and the Town right-of-way are not compatible with current development standards or optimal land use. Reconfiguration of the lots through a land exchange could address that incompatibility and provide other benefits to both the Wellehans and the Town.

I have enclosed a drawing showing a possible reconfiguration of the Wellehan property and Town right-of-way. I also have enclosed a summary of the Wellehan property's history and possible future prepared by Jim Wellehan.

Of course, any exchange transaction would be subject to a number of considerations and contingencies satisfactory to both the Wellehans and the Town, including but not

limited to: (i) appraisals of the parcels to be exchanged; (ii) evidence of good and marketable title with no encumbrances that would impact intended use; (iii) evidence of compliance with zoning and other land use requirements for current and future intended use; (iv) evidence that the property could support intended use from an engineering perspective; and (v) agreement as to any restrictions on the use of the property to be exchanged.

We look forward to discussing this matter with the Town Council on December 3.

Best regards,

Melissa Hanley Murphy
Enc.

cc: Jim and Kathy Wellehan (w/enc.), by email



Scarborough Public Works
20 Washinton Ave
Scarborough, ME 04074

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To: Scarborough Town Council

Date: November 25, 2014

On the history of the land, Dad bought it in 1940, and I had my second birthday party there. My parents purchased it from the two sisters of an American artist named Winston Churchill. It was - and still is - an uninsulated building, that then had a central fireplace and woodstove in the kitchen, and an outlet in the upstairs through which heat could be released.

During World War II, two military barracks were built between the land my folks owned and that owned by their neighbors, Calvin and Ruth Crocker. The soldiers dug trenches along the front, and had a pen with dogs not far from the beach. In the cottage windows, we put up black-out shades to prevent the house from being seen by enemy ships at sea. To this day, the same shades still hang. Mom served as a volunteer first aid worker should there be need. (Dad had served in Naval aviation in World War I.) Occasionally you could see gunfire off the coast as ships battled at sea, and sadly I remember an occasional pea jacket that washed ashore. There was a look-out station with a radio post and a bench just behind the edge of the beach, and the post continues to be there at the edge of the path to the beach.

We were next to the land owned by the Pillsbury family, and the Pillsbury House, which had started as a duck hunting lodge. Both Hugh and Binkie Pillsbury worked there in the summer, and Mr. Pillsbury died as a very young man. Beyond the Pillsbury house there was no housing on the beach side, but Haswell Turner and his wife Dora lived further down the road on King Street (then called Street.). In front of them was a little inlet called "the crick" where we used to go minnow fishing. After Mr. Pillsbury's death, Mrs. Pillsbury thought it best to liquidate some of the property, and approached Dad about buying the adjacent parcel. Dad saw no sense in buying what he considered "swamp land", and turned it down. However, when the Army Corps of Engineers widened the channel and used the dirt to fill the land in front, and built a jetty to gather the sand and prevent it from clogging the channel, life changed. Sand swept on down from Camp Ellis, and the beach continued to grow. Mr. Twomey bought the adjacent land, and brought down Motel units he had purchased in Old Orchard to create Twomey's Motel.

A few years later the town thought it would be to its advantage to buy the motel and convert it to a parking lot. In the process of leveling the lot and excavating the land adjacent to my folks' house, the project destabilized our cement block foundation, which sagged and cracked. The chimney top also fell off and had to be capped. Eventually the town put up a retaining wall to prevent our destabilized house from collapsing into the parking lot. However, the retaining wall did not prevent our garage and front yard from flooding after every rainfall. The parking lot changed the topography of the surrounding land, resulting in our front yard and the land a bit further in front becoming the collection spot for runoff.

Dad died, and some years later Mom gifted the property to me, and I have since gifted it to my wife. It's been a spot that we have enjoyed a great deal, as has our family, and now in the summer we have an annual week-long family fest of the three sons, the three daughters-in-law, and seven grandchildren (now 4 to 11) in our cottage and an additional rented spot.

The adjacent Fourth Avenue is unlikely to ever be developed - or needed - and the land in front is not large enough to provide significant environmental benefit, but could provide the town with three new tax paying properties, which, in a time of tight budgets, might come in very handy. In this process, we

have always been very environmentally concerned, and will do all we can to make things appropriate for local wild life.

We'll look forward to working with the town on this project.

Jim and Kathy