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Camden could seize woman's land for sidewalk

by **Lauren Abbate**

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Camden officials hope they can reach a deal before then to secure a patch of Karin Pennoyer's property in order to complete a pedestrian-friendly link to Shirrtail Point, a popular riverside park. Pennoyer said she feels the town is not negotiating in good faith. Credit: Lauren Abbate | BDN

CAMDEN, Maine — A public sidewalk project in the works for nearly a decade is being stalled by a 123-square-foot swath of private land that town officials might seize after failed negotiations with the property owner.

Camden voters will be asked in November to allow the town to pursue the land through eminent domain, which legally allows governments to take private property for public use. But town officials hope they can reach a deal before then to secure a patch of Karin Pennoyer's property in order to complete a pedestrian-friendly link to Shirrtail Point, a popular riverside park.

"We know that people walk in this neighborhood to Shirrtail [Point Park], and we'd like to make it a more attractive and used park area," said Jeremy Martin, the town's planning and

development director. "It's a beautiful little spot, but there is no safe pedestrian access to it."

The town has already reached deals with the owners of three other properties the sidewalk would impact. But Pennoyer said that giving up her land would shorten her driveway and hurt the vacation rental she operates there.

"I'm not against the sidewalk," Pennoyer said. "If you take my driveway, you take my business."

Camden has explored the idea of a sidewalk linking Matthew John Street to the Shirrtail Point area on Washington Street for almost 10 years. Voters approved funding for the project in 2011.

However, the project has been on hold while the town and the Maine Department of Transportation decided which entity should handle the right-of-way and property acquisition. Ultimately, town officials took the lead.

The piece of land the town wants from Pennoyer is about 65 feet long and 3.5-feet at its widest point. It forms a triangle that tapers to "basically nothing" toward her driveway, according to Martin.



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"I will say most of this triangle is nowhere near her driveway," Martin said.

Before the town can take the land through eminent domain, it must prove there is a public need for the property and offer the owner a fair price. Camden initially offered Pennoyer \$1,650, based on an appraisal of the patch of land. It tacked on an additional \$500 to the offer after the owner expressed reservations, Martin said.

Additionally, the town has offered to relocate Pennoyer's fence and extend the driveway by almost 6 feet, Martin said, to make up for lost parking. Pennoyer's driveway is about 20 feet long, coming directly off Washington Street. If the town took the property and extended her driveway, it would be about 19 feet, Martin said.

That work would cost the town about \$3,000 in addition to the \$2,150 for the cost of the property.

However, Pennoyer said she feels the town is not negotiating in good faith. She also takes issue with the appraisal of the land and the price she is being offered. She has suggested that the town build her a new parking area on the right side of her home, but Martin said that would be too costly.

Pennoyer said she has hired an attorney and an independent engineer to explore “all viable options.”

While the selectboard expressed reservations about taking property from a resident, they agreed that there is a public need for the Washington Street sidewalk project.