

Another stipulation requested by Schlimper and recommended by the board would require the developers to widen Pine Knoll Boulevard from Salter Path Road to Roosevelt Boulevard to provide a left turn lane into the shopping center.

The developers' plans call for a supermarket, a department store similar to Roses, a drug store, bank and other retail shops. They also call for a four-story building -- which would have rental office space on the third floor and a restaurant on the top floor overlooking the ocean and the sound. The plans would largely preserve dunes on the property, but the developers have said that only a reduction in the number of parking spaces would make this possible.

Meanwhile, a spokesman for the developers told the Planning Board that while several of the lessors had been signed up, he was not prepared to announce them. However, Wachovia Bank officials have made no secret that if the center is approved, they will build and occupy their own building.

The spokesmen were restrained in their comment on the Planning Board recommendations. "We are pleased that it recommended approval (of the site plan)," said Larry Zucchini, site designer. "We will have to talk a little more about the other conditions."

In the mean time, the sharp division of sentiment within the town on the issue was underscored by formation of a group which calls itself "Concerned Residents of PKS." It mailed to other residents literature sharply attacking the shopping center proposal, it included a ballot asking residents to say whether they favored the shopping center proposed by Benson and Britt or a much smaller center having "only sufficient retail facilities to meet the needs of PKS residents."

"If the majority doesn't want this plaza, there are still ways of stopping it," the flyer asserted.

Among other things, the Concerned Residents contended the proposed shopping center "violates the '76 and '81 official land use plans." It also said town attorney Ken Kirkman had warned the PKS Board of Commissioners beforehand that its action November 27 in rezoning the back 10 acres of the site from multi-family to shopping center "could be considered 'Contract Zoning' and is illegal." The group also asserted that a covenant promised by the developer to preserve in its natural state in perpetuity 9 of the back 10 acres "is no protection at all" because "any covenant promise can be superseded by the existing zoning."

All of these assertions brought sharp denials. When asked for comment, Kirkman said the contention he had told the town board that rezoning of the 10 acres was illegal is "absolutely false."

"I don't think it is illegal," he said.

Planning Board Chairman George Falkenberg took issue with the Concerned Residents by reading a history of the PKS Land Use Plan written by Art Browne, who took a major role in drafting it. Browne said the proposed shopping center "in no way violates the master plan for the Town's development as embodied in its Land Use Plan and land use ordinances.

At the same meeting, Schlimper challenged the Concerned Residents to show legal backing for the claim that a covenant would not protect the back 10 acres from development.

"Everything I have (read) says it (a conservation covenant) would be in perpetuity," Schlimper said. He then asserted that "any poll that results from this inaccurate document would not be worth the paper it is printed on."