

# Harpswell Bulletin

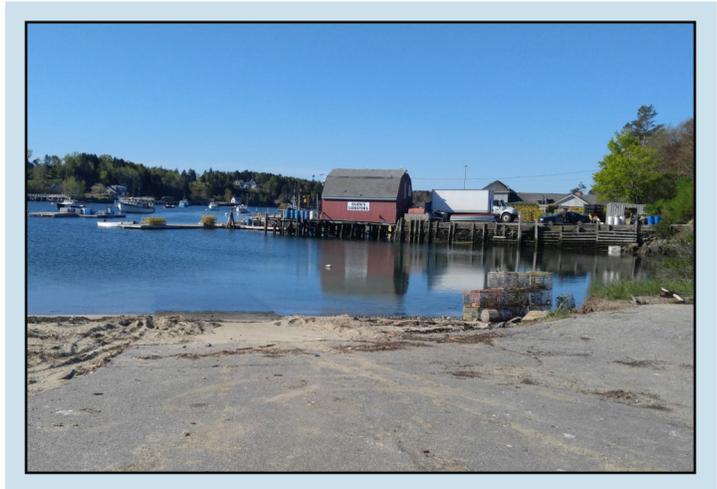
NEWS FOR HARPSWELL RESIDENTS & PROPERTY OWNERS FROM THE TOWN OFFICE—JUNE 2016  
TOWN WEBSITE: WWW.HARPSWELL.MAINE.GOV

## June 14th Municipal Referendum Regarding Mackerel Cove Town Landing

To better inform voters about the two secret ballot articles on the June 14th municipal ballot, a summary of the issues is provided below.

In August 2014, Mr. Lamon notified the Town of title research conducted by his title insurance company concluding that he and his wife held title to the Mackerel Cove Town Landing parcel (Map 22, Lot 55, hereinafter, the “Town Landing Parcel”).

- The Town undertook research on ownership of the Town Landing Parcel and discovered the following:
  - ◇ Although town records reflect that the Town properly followed the statutory procedures for laying out and accepting the Town Landing Parcel as a town way in 1967, including making payment of \$200.00 in damages to the then owner of the parcel, Evelyn Sinnett, for the taking, there is no evidence, based on a title search from 1958 until 1976, that the Town recorded a deed or certificate in the Registry of Deeds describing the Town Landing Parcel that was the subject of the Town’s taking. The law in effect at the time was clear that for a taking to be effective against any person without actual notice thereof, the transaction must have been recorded in the Registry of Deeds.
  - ◇ Although there was no recorded evidence of the Town’s attempted taking of the Mackerel Cove Town Landing Parcel in 1967 (or later), there were other examples of the Town having recorded its taking of other certain property as a town way during this same time period (e.g., CCRD 3083/51 and CCRD 3367/273 from 1968 and 1969).
- As part of this research, the Town ordered a survey of the Town Landing Parcel which was completed by Brian Johnson of MidCoast Survey in November 2015. While researching the boundaries of the Town Landing Parcel, Mr. Johnson discovered that the Town may own the westerly portion of Tax Map 22, Lot 57, a parcel taxed to Mr. Hamilton P. Starr. [See deed from Bailey Island Group Associates to the Town of Harpswell dated May 29, 1986, CCRD 7490/76] However, the entirety of Lot 57 has been taxed to Mr. Starr and his family since at least 1965 and possibly as far back as the 1920s.
- The Board of Selectmen and Mr. Starr, following negotiations with their respective counsel, have proposed to resolve the boundaries between the Starr parcel and the Town Landing Parcel to the parties’ satisfaction. The Board of Selectmen proposes to exchange deeds with Mr. Starr to clarify the boundaries between their respective parcels, in return for a payment by Mr. Starr to the Town of the sum of \$3,000.



*Mackerel Cove Town Landing*

Continued on page 2

## Harpswell Bandstand by the Sea

### Thursday Concerts 6:00—8:00 pm

06/16 Harpswell Concert Band  
06/23 Don Campbell Trio  
06/30 Coastal Winds  
07/07 Not Too Shaap  
07/14 Al Corey's Big Band  
07/21 Harpswell Concert Band  
07/28 Pretty Girls Sing Soprano  
08/04 Merrymeeting Band  
08/11 Denny Breau Trio  
08/18 Harpswell Concert Band  
08/25 Primo Cubano

### Sunday Concerts 2:00—4:00 pm

09/04 Tom Porter Quartet  
09/11 Jimmy Jo & the Jumbol'ayuhs  
09/18 Oktoberfest German Band  
09/25 Harpswell Concert Band

Concerts held at the Bandstand by the Sea at Mitchell Field, 1410 Harpswell Neck Road (rte. 123). Rain location is at Harpswell Coastal Academy, 9 Ash Point Road.

## Mackerel Cove Landing, continued

- The Board of Selectmen and the Lamons, following negotiations with their respective counsel, have proposed to establish the rights of the Lamons and the Town in and to the Town Landing Parcel as follows:
  - ◇ The Lamons to release by quitclaim deed to the Town all of their right, title and interest in the Town Landing Parcel, as depicted on the MidCoast Survey dated May 9, 2016;
  - ◇ The Board of Selectmen to subsequently convey an easement to the Lamons, consisting of an 8-foot wide strip of land along the westerly boundary of the Town Landing Parcel from Abner Point Road to the water, for the purpose of dinghy storage and access by foot and with non-motorized vehicles to the waters of Mackerel Cove, together with the right to trim and/or remove shrubbery within the easement area to the extent permitted by town ordinance, and to construct appropriate fencing no more than 2-feet in height around the easement area for the purpose of preventing parking or blocking by the public, to the extent such fencing is permitted by town ordinance, and otherwise subject to prior written approval by the Board of Selectmen.
- The Board of Selectmen proposes to have the Town appropriate the sum of \$4,000 to the Lamons to offset their costs in connection with resolving these title issues regarding the Town Landing Parcel.

## Harpswell Aging at Home

Harpswell Aging at Home (HAH) is a community-led effort to help people thrive while aging at home. Through its community survey last fall, HAH found that nearly half of older adults in Harpswell don't know about available services that can help. Of those who don't know about services, 41% said they needed some kind of help, including 11% who said they needed help with transportation.

To make sure Harpswell residents are gaining access to the transportation they need, HAH has teamed up with the People Plus Volunteer Transportation Network (VTN). HAH has recruited 6 people in Harpswell to drive for VTN and is looking for more volunteers. Volunteers are now looking to offer free rides to Harpswell residents who are unable to drive. Rides can be for medical appointments, grocery shopping, hair appointments, or even events. Rides are offered within Harpswell, Brunswick and Topsham, Monday through Friday 9-5. Three days prior notice is required. To request a ride, call VTN at 729-0757 Monday through Thursday, 9:00 a.m. - 2:00 p.m. Both riders and drivers must register to participate and receive ID cards to ensure the safety of both.



In the coming year, HAH will be working to get the word out about other services that can help all age well in Harpswell. Watch the Town's website for a new resource page that will help connect people to services and future newsletters for more useful information! For more info on HAH call Dave Brown 207-725-5601 at or Jess Maurer at 207-332-1640.

## What Goes on the Land...

Harpswell is home to the longest coastline in the state. This means that much of what happens on land in Harpswell in some way impacts the coastline and the ocean. Because of this, Harpswell adopted tighter regulations for lawn and garden care at the March 2016 Annual Town meeting

**Background:** In the early 2000's the people of Harpswell grew increasingly concerned about aerial spraying, used to control brown tail moths, because the chemicals commonly used to control the moths are also capable of harming lobster, crab, and shellfish. Since there were other approaches for dealing with the moth problem, shellfish were protected through an ordinance enacted in 2004 to prohibit the use of certain pesticides. Studies done since that date, however, have revealed more hazards to beneficial organisms from the use of pesticides. The neonicotinoid Imadocloprid, for example, is routinely used to control chewing pests such as beetles and grubs. Neonicotinoids, often abbreviated as neonics, can be extremely toxic to aquatic invertebrates, as well as, pollinators like bees and butterflies. The new "Outdoor Pesticide Control and Fertilizer Use Ordinance" acknowledges this new research and establishes regulations that will better aid the Town in protecting and maintaining the health of its shellfish resources, marine environment, and pollinators.

**Fertilizers:** When water soluble nitrogen fertilizer is applied, it has the potential to dissolve and run off during a rain-storm, ending up in marine waters before being utilized by the grass or plant. Too much nitrogen in the water causes an overabundance of algae, depleting the oxygen in the sea and killing marine creatures. To protect our marine life only compost, composted manure, or **non-water soluble** (WIN) nitrogen fertilizer may be used in the 250 ft. shoreland zone. No fertilizer or pesticides may be used the first 25 feet.

**Pesticides:** If you use a lawn care service to fertilize and take care of your gardens, find out what products they use. If you are accustomed to using a weed and feed product, be aware it contains a pesticide. Two of the most commonly used are considered carcinogenic to people, pets and aquatic invertebrates. Rather than using a weed and feed, use or request a slow release **non-water soluble** (WIN) fertilizer.

Mowing at 3 ½ inches with a mulching blade will shade out many weeds. Leave the clippings. They will decompose and less fertilizer will be needed going forward. Money is also saved on clipping disposal.

**Licensed Applicator:** If you have a pest problem that cannot be handled by mechanical controls or spot treatment, call a licensed pesticide applicator. They are trained in integrated pest management, know the state and Harpswell's application regulations, and will use the least pesticide needed to be effective. For your family and pet's protection, the Maine

Board of Pesticides Control requires that applicators of pesticides be licensed. This includes applicators of any pesticide when it is applied as a service for which compensation is received.

**Information:** The Conservation Commission believes that the new ordinance, available at [www.harpswell.maine.gov/](http://www.harpswell.maine.gov/), Environment sidebar, better protects Harpswell's wetlands and water resources while making the rules easier to understand and follow. The website has additional information on soil building fertilizers, integrated pest management, and natural pesticides. Please feel free to contact the Conservation Commission, through the Town Office (833-5771) with any questions you may have.

### 2016 Town Meeting Highlights

Voters approved municipal appropriations of \$4,920,047 up 8.3% from prior year appropriations, including funding for the following:

- \$275,000 to rehabilitate Lookout Point, Stover's Cove and Stover's Point roads
- \$150,000 to remove the collapsed pump house at the Mitchell Field Pier
- \$75,000 as a contribution to the Harpswell Heritage Land Trust to purchase about 68 acres in the Otter Brook area of North Harpswell.
- \$22,000 for the water tower at Mitchell Field to allow time for further evaluation. A task force has been appointed by the Board of Selectmen and will report back to the Board with recommendations about the water tower's future.

### Elected Officials

The following candidates were re-elected to their positions, all for three-year terms:

- Richard Daniel—Selectman
- Rosalind Knight—Town Clerk
- Jill Caldwell—Tax Collector
- Linda Hall—School Board member

### Mid Coast Hunger Prevention Program (MCHPP) Food Mobile in Harpswell

MCHPP is providing a food mobile in the back parking lot of the Town Office from 10:00—11:00 am, on the following dates:

- June 23
- July 14
- August 11
- September 8

You do not need to be a MCHPP food pantry client to attend. All are welcome, no questions asked.

# Harpswell's Tailgate & Recreate at Mitchell Field

Saturday, July 16, 10am—2pm



Join us in celebrating the abundance of recreational activities in Harpswell on Saturday, July 16 at Mitchell Field (rain date July 17).

Harpswell's Recreation department, with help from the Recreation Committee and support from other Town committees, will be hosting the first annual

## Harpswell's Tailgate and Recreate at Mitchell Field.

The idea for this event was proposed to the Harpswell Recreation Committee by Selectman Rick Daniel, who suggested holding an event with a recreation focus to bring the Town together.

Bring your kites, blankets, games, and smiles. Yoga and chair massages will also be offered. Local Harpswell restaurants will be selling food from limited menus. This will be a great event for residents, as well as visitors. The event is intended to introduce people to, and celebrate, all of the wonderful activities Harpswell has to offer.

## Important Dates

**Saturday, June 4 & Sunday, June 5,** Harpswell Hiking Challenge—Refreshment and information tent, Town Office (back parking lot) 10am—3pm. Join us for the Grand Opening of Devil's Back Trail—East, at 9am on June 4, on Orr's Island.

### Tuesday, June 14, Voting from 8am to 8pm

- School Budget Referendum
- State Primary Election
- Municipal Referendum

Please note that there is a new location for Harpswell Neck and Mountain Road voters at the Fellowship Hall of Elijah Kellogg Church; Orr's & Bailey Island voters continue to vote at the Old Orr's Island Schoolhouse, and Great Island voters at Cundy's Harbor Community Building.

**Monday, July 11, 6:30 pm,**  
Non-resident Taxpayers' Meeting, Harpswell Community School, Route 24

Town of Harpswell  
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