

Don –

I reviewing the Open Space Plan, it appears that Tenny River is identified as a medium to high priority area. As Nancy points out, the Plan references the Open Space Fund, stating it can be used to supplement other funds to purchase land that meets a priority community need. From the Open Space Plan, it appears that it would be appropriate for the Town to spend money from the Open Space Fund to assist with the purchase of the Tenny River Property. It would be helpful to see any documents associated with the creation of the Open Space Fund to know for certain.

- Mary

**Mary E. Costigan**

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**From:** Nancy Yates [<mailto:nancy.yates@raymondmaine.org>]

**Sent:** Friday, October 18, 2013 11:23 AM

**To:** Don Willard; Mary E. Costigan

**Cc:** Danielle Loring; Shana Cook Mueller

**Subject:** Re: FW: Easement Review

I am attaching the Town's Open Space Plan, which was adopted at the June 2009 Town Meeting.

On page 23 it states that the Town's Open Space Fund could be used to supplement or leverage other funds to purchase land or conservation easements or purchase land that meets a priority community need. There is currently \$49806.70 in the Open Space Reserve.

I hope this helps answer your question.

Nancy Yates

On 10/18/2013 11:10 AM, Don Willard wrote:

The town has an Open Space Reserve Fund. I am not sure about specific spending strictures as it would relate to this purchase (not to my knowledge) Mary, but Nancy is researching and will send what she finds along to you ASAP.

Thank you.

Don Willard

Town Manager

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On 10/18/2013 10:02 AM, Mary E. Costigan wrote:

Don -

They reference a "conservation fund" in their request. Does the town have such a fund? If so is there documentation regarding how that fund can be spent?

- Mary

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**From:** Don Willard [<mailto:don.willard@raymondmaine.org>]  
**Sent:** Friday, October 18, 2013 9:32 AM  
**To:** Mary E. Costigan  
**Cc:** Danielle Loring; Shana Cook Mueller  
**Subject:** Re: FW: Easement Review

Hello Mary,

I may be wrong on this point, but I think the only question is whether it is legally permissible to use public money to help acquire the property under the below conditions. There are no local prohibitions/conditions that I am aware of to help guide us on this issue.

Thank you.

Don Willard

Town Manager

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On 10/18/2013 9:11 AM, Mary E. Costigan wrote:

Danielle –

I apologize for the delay in my response. I did review draft conservation easement between the Boy Scouts and Loon Echo. It is my understanding that the groups are asking the Town for a donation of \$15,000 from the conservation fund to support Phase I of the project. It is not clear to me from their request what Phase I is and what they need the money for, but I assume it is to purchase the property. I am not familiar with the Town's conservation fund, so I am unable to tell you if such a donation is appropriate. If you have documentation regarding the fund that you would like me to review, I would be happy to take a look.

The aspects of the conservation easement that the Town would be interested in are those regarding public access and can be summarized as follows:

1. The property consists of 28 acres of land and 970 feet of shoreline on the Tenny River.
2. The agreement states that the Boy Scouts, Loon Echo Land Trust, *the Raymond Conservation Commission* and area residents have collaborated to permanently conserve the property.
3. The property adjoins the Boy Scouts' Camp Hinds property.
4. The Boy Scouts will use this property as a primitive nature and recreational area for the camp.
5. The property is required to remain undeveloped with the following exceptions: the Boy Scouts may construct one privy and may install minor structures associated with outdoor recreation, such as steps, bog bridges, etc.
6. Piers, docks and floats are not permitted.
7. The Boy Scouts may expand an existing clearing to a maximum of 2,000 sq. ft.
8. The Boy Scout may conduct commercial forest management in accordance with a forest management plan.
9. The Boy Scouts can use the property for daytime or nighttime low-impact, outdoor recreational uses, including low-impact overnight camping within a designated camping area.

10. The Land Trust has the right to assure that the general public will have access to the property for daytime, low-impact outdoor recreational uses and the Boy Scouts agree to allow such public use and will "refrain from prohibiting, discouraging, or charging a fee for such use."

11. Low-impact uses are those such as hiking, nature observation and study, cross country skiing and snowshoeing. Snowmobiling will also be permitted.

12. The Boys Scouts may limit or prohibit the following public uses of the property: hunting, trapping, fishing, nighttime use, camping, fires, picnicking, parking, loud activities, bicycling, use of motor vehicles, access by domesticated animals or pets, or any other use that interferes with the conservation purposes of the easement.

The public use on the property is limited to the above-listed uses. As I am not familiar with the area, I am uncertain as to whether the property is truly accessible by the public in order to use the property. There will be no parking lot and no dock provided for access.

Please let me know if you have any questions or if I can provide further information.

Thank you –

Mary