-------- Original Message --------
**Subject:** Re: Fw: Tenny River- 2013 town meeting?
**Date:** Fri, 22 Feb 2013 16:28:16 -0500
**From:** Danielle Loring <danielle.loring@raymondmaine.org>
**To:** John B. Rand <jbr@fairpoint.net>
**CC:** Don Willard <don.willard@raymondmaine.org>, Sam Gifford <sgifford1@maine.rr.com>

Hi John,

Sorry for the delay in getting back to. We spoke with Sam and given that this the last meeting before the warrant deadline, it will more than likely not end up on the 2013 Annual Town Meeting Warrant. There were concerns about public access to a private road, "in perpetuity" language in the easement, the fact that the easement has not been vetted by town's attorney and the fact the public has not had time to comment on this purchase, especially abutters, via a public hearing.

However, you are welcome to give a presentation on any new information that you have gathered since April, 2012 and keep the project moving forward.

Once again, I apologize for the extended wait time. Please let me know if you have any questions,

Danielle

Executive Assistant
Town of Raymond
401 Webbs Mills Rd
(207)655-4742 ext 133

On 2/21/2013 7:26 AM, John B. Rand wrote:

> Don/Danielle - attached is the current draft of the Conservation Easement for the Tenny River Project that the BOS might want for their packets when we get our meeting.
> Will be in touch.
> Thanks
> John
>
> **From:** Carrie Walia
> **Sent:** Wednesday, February 20, 2013 10:19 AM
> **To:** 'Anne Gass' ; 'John B. Rand'
> **Subject:** RE: Tenny River- 2013 town meeting?
>
> Great, I'm glad that you're both interested in pursuing for the 2013 town meeting.
>
> John, attached is the draft of the conservation easement if you need to include it in the RBOS packet.

I don't think that Don and Danielle were copied in your email John.

Carrie Walia

Executive Director

Loon Echo Land Trust

8 Depot St., Suite 4

Bridgton, ME 04009

(207) 647-4352

carrie@lelt.org

www.lelt.org

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**From:** Anne Gass [mailto:Agass@maine.rr.com]
**Sent:** Wednesday, February 20, 2013 7:59 AM
**To:** 'John B. Rand'; 'Carrie Walia'
**Subject:** RE: Tenny River- 2013 town meeting?

Yes, and thanks for helping us get through the Raymond process. I should be able to get to whatever meeting that is. My one constraint is Tuesday, 2/26; I have another meeting that night.

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**From:** John B. Rand [mailto:jbr@fairpoint.net]
**Sent:** Tuesday, February 19, 2013 9:47 PM
**To:** Carrie Walia; 'Anne Gass'
**Subject:** Re: Tenny River- 2013 town meeting?

Thanks for the nudge Carrie.

I do believe the next step on our end is to get on the next possible S board agenda to ask them to put this request on the 2013 June Warrant. We will need to provide them with the three items for their packets.

Don/Danielle - can Danielle review S board minutes from April 10, 2012 to confirm that this is the next step ? Thanks

jbr

**From:** Carrie Walia

**Sent:** Tuesday, February 19, 2013 3:54 PM

**To:** 'John B. Rand' ; 'Anne Gass'

**Subject:** Tenny River- 2013 town meeting?

Hi John and Anne,

This time last year the Raymond BOS reviewed the proposal from the Boy Scouts, in partnership with LELT, to seek $10,000 in funding from the Town of Raymond for the Tenny River Project. I believe that the Raymond Conservation Commission voted to support the request for funding, subject to the below requirements.

1. That the town have at least an outline of the Terms of the Conservation Easement
2. That the easement be held by LELT (clearly it would be)
3. That all 32 acres be included in the easement. *[Note, now the size of the property is believed to be 28 acres]*

I'm writing to learn if it's possible, and a good strategy, to move this funding request forward for 2013 budgeting, which I suspect is well underway, and the 2013 town meeting warrant. I personally think waiting until the 2014 town meeting is too long to wait, as the project may be concluded by that time if all funds can be raised. Plus the Portland Water District grant was approved back in early 2012, and they'd like to pay out their funding but their board is waiting for the town to make their funding decision, as they prefer to make grants when there is local financial support being provided.

Finally, as Anne knows the conservation easement is drafted and is well in its near final form. If the Raymond BOS needs to see the easement, I can supply a clean version. LELT will not be in favor of adjusting the terms based on BOS feedback alone, as the negotiations are between the BSA and LELT. But I hope that the terms satisfy the town, as there is a level of public access granted in the document.

I look forward to hearing from you both.

PS- I've included our past correspondence below.

Thank you,

Carrie Walia

Executive Director

Loon Echo Land Trust

8 Depot St., Suite 4

Bridgton, ME 04009

(207) 647-4352

carrie@lelt.org

www.lelt.org

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**From:** John B. Rand [mailto:jbr@fairpoint.net]
**Sent:** Saturday, March 17, 2012 9:22 AM
**To:** Carrie Walia; 'Anne Gass'
**Subject:** Re: Tenny and prep for April 10 Selectman meeting

Thanks Carrie, we should be able to make it through at this early stage as we are seeking just their permission to put the put the vote to the people. As 4/10 approaches we may shoot you a bullet sheet of the key elements of a "typical" conservation easement so the SBoard can be comfortable ....

**From:** Carrie Walia

**Sent:** Friday, March 16, 2012 10:26 AM

**To:** 'Anne Gass' ; 'John B. Rand'

**Subject:** RE: Tenny and prep for April 10 Selectman meeting

John and Anne-

The Greenprint mapping training to the Sebago town boards has been bumped to April 10, so unfortunately I will be in Sebago that evening. I hope that with the fact sheet and RCC's leadership, the Raymond BOS will support the project.

-Carrie

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**From:** Anne Gass [mailto:Agass@maine.rr.com]
**Sent:** Friday, March 09, 2012 11:02 AM
**To:** 'Carrie Walia'; 'John B. Rand'
**Subject:** RE: Tenny and prep for April 10 Selectman meeting

Hi Carrie,

Yes, I can draft something later this month and will send it to you two for review.

Thanks!

**From:** Carrie Walia [mailto:carrie@lelt.org]
**Sent:** Friday, March 09, 2012 10:57 AM
**To:** 'Anne Gass'; 'John B. Rand'
**Subject:** RE: Tenny and prep for April 10 Selectman meeting

Hi John and Anne-

John, so far we have outlined the intent of the easement in a letter to the BSA. I've inserted the bullets below. The parties plan to start developing the terms of the easement sometime this spring.

- Protect the water quality of the wetlands, stream, river and lakes by preventing erosion and run-off; ensure the integrity of the river, its tributaries and its fisheries;
- Protect the scenic qualities of the river corridor, for boaters, fisherman and area residents and visitors;
- Provide public access by the general public for low-impact recreation and nature observation in the camp's off-season;
- Allow for sustainable forest management, according to a professionally prepared forest management plan;
- Provide a "wilder" area of the camp, and to develop a model for practicing "Leave No Trace" principles in low-impact recreational and educational activities;

There is a $5,000 budget item for the endowment for LELT to monitor and enforce the terms of the easement.

I met with the Portland Water District yesterday and their board of directors is taking action on our grant request for $5,000. The PWD board's approval will be pending; based on the Raymond town vote results. PWD, a quasi public agency, likes to know that there's municipal support for land conservation projects and they typically configure their gift as "match" a town gift.

I am available on April 10th if needed, and feel the BSA should also try to be available.

Anne, perhaps we can put together a one page fact sheet for the RBOS, including project summary, easement intent, budget and sources of support?

Carrie Walia

Executive Director

Loon Echo Land Trust

8 Depot St., Suite 4

Bridgton, ME 04009

(207) 647-4352

carrie@lelt.org

www.lelt.org

**Please update your records, we've moved to 8 Depot St., Suite 4.**

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**From:** Anne Gass [mailto:Agass@maine.rr.com]
**Sent:** Thursday, March 08, 2012 7:53 AM
**To:** 'John B. Rand'
**Cc:** 'Carrie Walia'
**Subject:** RE: Tenny and prep for April 10 Selectman meeting

Great, thanks for the heads up, John! And thanks for the supportive vote from the committee, that's much appreciated.

All good thoughts of likely questions. I agree that the property tax issue is likely to be the largest one, but any time towns give money away it's an issue. A lot of people don't understand what nonprofits are or how they're different from for profit businesses, so giving money to the scouts is no different from giving money to Hannaford or something.

That said, there can be a sort of herd mentality and if someone says no loudly and long enough no matter how whacky the reasoning might be that could be all it takes to derail it, so it's good to be prepared. I'll communicate with Horace at PTC about this.

Anne

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**From:** John B. Rand [mailto:jbr@fairpoint.net]
**Sent:** Thursday, March 08, 2012 7:39 AM
**To:** Anne Gass
**Cc:** Carrie Walia
**Subject:** Tenny and prep for April 10 Selectman meeting

Hi Anne,

The RCC voted unanimously to support the $10k draw from our funds for the project and to request the Selectmen to put it on Warrant for the June 5 Town Meeting. There were the following conditions attached to our vote:

1. That the town have at least an outline of the Terms of the Conservation Easement
2. That the easement be held by LELT (clearly it would be)
3. That all 32 acres be included in the easement.

For 1. above I suggest(ed) that a simple one page summary of typical Easement Terms be provided to the S board so they could see where these Easement things actually go. For reference our's has the following major headers:

- Conservation Purpose statement (supported by a bunch of Whereas statements in the real document - in this case referencing Gprint, Raymond Open Space Plan for starters).
- Now Therefore statements which specify terms and rights of parties including Land Use, Subdivision, Structures, Surface Alterations, Vegetation Management, Water Quality Protection, Access, Notices, Cost and Taxes/Indemnification, Rights, Requirements under Maine Law. (whew)

There was also discussion about, and we thought it would be good to have ready for the Selectmen answers or at least information about, the following:

a. current tax revenue and status of property (I.e. tree growth or not)

b. whether Pine Tree would pay property taxes on it

c. any additional costs of the project like an endowment for monitoring that is often required by LELT.

d. whether it made sense to have Carrie at the meeting and possibly someone from BSA/Pine Tree Council

To address a. and b., I see from Raymond data that Map 9, Lot 6 is 31.83 acres of Vacant Waterfront, is valued by the Town at $152.9K, that annual taxes are $1590 and it is not in Tree Growth. For comparison, Map 9 Lot 10 (adjacent BSA lot including Tenny and Panther frontage) is 38 acres of Waterfront Summer Camps, is valued at $683.8k with $641K being land value and there are no annual taxes, they are not in Tree Growth.

For the Selectman meeting 4/10 it would be good to have answer to "will the parcel still generate tax revenue" question. The default is that under BSA ownership, likely not unless they chose to make payments in lieu of taxes. The age old argument that developed land

costs a town more than undeveloped land could also be raised (dad and I did analyses that showed services for house lots cost the town about $1000/year more than revenue not including schools) along with the conservation value of it, but this will only go so far. Will be good to make clear that you folks had an appraisal done and that is why the price is more than the town's value.

Finally, I think it will be good to have answers to the question of why is the town giving the private sector (BSA) money ? We ran through the reasons most conservationists would give, namely that this is how conservation works - a town marks a special place and resources from multiple sectors respond - public and private to serve what is the Public Good. I think an added benefit for the town (as with any relatively small RCC contribution of Public funds), is that the leveraging of the town's investment is very large ($225k/$10k = 22x), providing a large public benefit for a relatively small cost.

I just copied you and Carrie to save an email flood, but will likely send along your thoughts to the RCC and Don Willard and Selectman as information is collected.

jbr

**From:** Anne Gass

**Sent:** Wednesday, March 07, 2012 10:54 AM

**To:** 'Danielle Loring' ; 'John B. Rand'

**Cc:** 'Donald Willard' ; 'Mike Reynolds'

**Subject:** RE: Fw: Tenny

Thanks Danielle,

If you think it's appropriate I'd be happy to attend the April 10 meeting as well. I am both a property owner in Raymond and a participant in the effort to protect the Tenny River Corridor.

Anne

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**From:** Danielle Loring [mailto:danielle.loring@raymondmaine.org]
**Sent:** Wednesday, March 07, 2012 10:44 AM
**To:** John B. Rand
**Cc:** Donald Willard; Anne Gass; Mike Reynolds
**Subject:** Re: Fw: Tenny

Hi John,

We did not see you at last night's meeting and the Selectmen tabled your matter until their meeting on 4/10. Ok?

Thank you,

Danielle

On 2/21/2012 8:59 AM, Don Willard wrote:

Hello John,

The next BOS meeting will be held on Tuesday, March 6th. Let me know if I can provide any additional assistance.


Don Willard

Town Manager

401 Webbs Mills Road

Raymond, ME 04071

207.655.4742

207.650.9001

207.655.3024 (fax)


On 2/20/2012 8:55 PM, John B. Rand wrote:

Thanks Don - The RCC will be hopefully meeting on 3/7 to vote on the funding for the Tenny Project. With this in mind, when is the next BOS meeting that has a slot in the Agenda for us to request funds, or that it be put on the Warrant ? If there is a slot before 3/7, I can get an email vote from the RCC before 3/7.

jbr

**From:** Don Willard

**Sent:** Monday, February 13, 2012 8:53 AM

**To:** John B. Rand

**Cc:** Bill Fraser (home) ; Ben Severn ; Russell Hutchinson ; Jim Ross ; Kimberly Rowe ; Elizabeth ; Elissa Gifford ; Leah Stetson ; Anne Gass ; Lonnie Taylor ; Charles Leavitt ; Mike Reynolds ; Joe Bruno ; Samuel Gifford ; Danielle Loring

**Subject:** Re: Fw: Tenny

Good morning John,

I have reviewed the materials you sent and have copied them to the BOS in a separate email. You are correct that any expenditure from the Open Space Reserve Account will require BOS approval. Please let me know when you and/or Anne are ready to go forward. In the meantime, let me know if I can provide any assistance on this project.

Don Willard

Town Manager

401 Webbs Mills Road

Raymond, ME 04071

207.655.4742

207.650.9001

207.655.3024 (fax)

On 2/11/2012 12:17 PM, John B. Rand wrote:

Hi Don - I am forwarding information provided by my cousin Anne Gass regarding the Tenny River Corridor project. Anne put the information together in support of other grant funds that she is pursing. We will be having a vote at our next RCC meeting to support contributing $10,000 from the Open Space Fund for this project, contingent on a conservation easement being successfully negotiated with Loon Echo. Get back with any questions you may have or feel free to contact Anne directly. Thanks for you input on how best to proceed - I assume we need to get on the Selectboard agenda to request funds. Thanks

jbr

Chair RCC

**From:** Anne Gass

**Sent:** Friday, February 03, 2012 7:07 AM

**To:** 'John B. Rand'

**Subject:** RE: Tenny

Hi John,

Here is the Davis Cons Fdn summary that should give you some talking points.

Also the map, if that's helpful.

Good luck!

Anne

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**From:** John B. Rand [mailto:jbr@fairpoint.net]
**Sent:** Thursday, February 02, 2012 9:20 PM
**To:** Anne Gass
**Subject:** Re: Tenny

That would be good !

**From:** Anne Gass

**Sent:** Thursday, February 02, 2012 9:10 PM

**To:** 'John B. Rand'

**Subject:** RE: Tenny

OK, sounds good. Do you want that on PTC letterhead?

We have been having trouble synching our schedules with Horace (president of PTC) but have a meeting with him tomorrow.

Anne

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**From:** John B. Rand [mailto:jbr@fairpoint.net]
**Sent:** Thursday, February 02, 2012 8:34 PM
**To:** Anne Gass
**Subject:** Re: Tenny

Should be as simple as me getting an RCC vote to fund and then getting on Selectboard agenda to request funds from RCC Open Space Reserve Account. The Board will likely request to put it before the Town in June because they probably won't want to just OK it in the current climate. So if you could shoot me a brief phrase that could be spun into a warrant article, something like

"Shall the town contribute $10,000 from the Raymond Open Space Reserve Account toward the purchase of 30 acres of land with 900 feet of frontage on the Tenny River for the purpose of protecting the undeveloped and natural character of the Tenny River and to protect water quality ?"

A brief description of the deal structure would help to in making a pitch to the board.  I can provide the priority basis information from our OS planning efforts over the last decade.

I will put a bug in Don Willard's ear about getting on an agenda.

**From:** Anne Gass

**Sent:** Thursday, February 02, 2012 8:03 AM

**To:** John Rand

**Subject:** Tenny

Hey John,

I hope all is well with you. Frustrating winter, no? I did get out for a nice ski yesterday behind our house. The Libby Hill snowmachine we use for grooming pooched so we had to replace it- got great cooperation from the town and are back up and running.

I blew right past my “tickle” deadline last week to reach out to you about asking the Town of Raymond for money for the Tenny. What do I need to deliver to you for that?

Anne B. Gass

ABG Consulting

232 N. Raymond Rd.

Gray, ME 04039

207/657-4935 (office)

207/650-4369 (cell)

agass@maine.rr.com

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Executive Assistant

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