

David Gooch of Johnson Road stressed that the option expires on August 15; the Friends needs the Town's help. The Town will gain park land and MCHT will steward it. MCHT has a good track record, and they will work with stakeholders to draft a stewardship plan. Parking is a non-issue; the Madokawando lot is intended to remain in its current state. He stressed that it is a minimum of \$300,000 – if the Town could provide \$500,000 it would be a done deal tonight.

Tom Howard of Hedgerow Drive said access to the island will not be a huge problem. He has not had any problem with parking at Town Landing. His big concern was how they make it so everyone in Falmouth can access it, not just people who have boats. He suggested they sell the property across the street from Town Landing market to fund the purchase of the island.

Fred Leighton of Baysite Lane felt the testimony tonight has told the story of Clapboard Island. Open space has always been a concern for the town. This situation is so unique and they are asking the Town for a minimum amount of money compared to what they are planning to raise. Generations from now the island will still be available to people from the Town. He hoped the Council would make this a reality.

Caleb Hemphill of Dunham Pond Lane, representing the Falmouth Land Trust, said the trust fully supports the effort of the MCHT to purchase this island. They support the order as drafted.

Russ Edwards of Hillside Ave said it would be great to have the island, but it took him 2-3 years to get a mooring because of parking. Parking needs to be addressed. The Town purchased the Brown property for parking, and that never happened.

Public comment period closed.

Councilor Farber moved the order; Councilor Goldberg seconded.

Councilor Farber asked about the plan for the Madokawando property.

Mr. Smith said the Madokawando landing lot, referred to as “the grove”, is part of the island parcel. Their initial plan is to create a lot on the island that includes the three-season cottage and sell that off to fund some of the purchase price. They also planned to sell off the grove to offset the cost of the purchase. The total purchase price is \$1.4 million, and they want to establish a stewardship fund as well. They had a title search done on the grove lot, and had the land surveyed to establish the boundaries. They met with the town's code enforcement officer to establish that this lot is developable though it would have restrictions on setbacks and height. They feel uncomfortable selling it as a developable lot; the best thing for the citizens of that neighborhood is to put that lot under some kind of protection. Their plan now is to sell that lot along with the cottage parcel with deed restrictions to both prevent development and preserve its current use as parking for residents of Madokawando landing. If this plan doesn't go through the potential exists for the final buyer to purchase the island and sell off the grove for development.

Mr. Berle, president of the Madokawando Landing Association (MLA), said they have met about this and are meeting again tomorrow night. Both lots on Clapboard are members of the Association. They are preparing to take responsibility for the grove; they are not looking to the Town to preserve that for their personal benefit, but he stressed that there is little land that allows public access to the shoreland.

Councilor Goldberg said the \$700,000 they expect from the sale includes the grove.

Keith Fletcher of MCHT explained that it would depend on the vote of the MLA. The grove will be protected with a conservation easement; it will not be public parking though they will try to preserve parking for the Madokawando residents. It could be sold separately with conservation easements and parking easements on it. The value of this lot was not included in the purchase price; it is found value.

Councilor Goldberg asked if any additional funds raised would lessen the fundraising gap.

Mr. Fletcher said that was correct. They need to raise \$1.6 million.

Councilor King asked if the \$700,000 includes the grove; Mr. Fletcher said it does not. The value on the house lot is a range.

Councilor Farber said if Falmouth were to provide a donation to this effort, it would be toward the island and not toward preserving private access to the grove. Mr. Fletcher said that was correct; the grove is a separate thing.

Mr. Berle said members of the MLA are going to step up; the money they put together will go into the pot. He thought more money will come from this group than MCHT expected originally. They want to preserve open space on the shore as well as the island.

Councilor Mahoney asked the specifics on who will own, who will have the easement, how much property, the stewardship plan and access; this is being offered at below-appraised value.

Mr. Fletcher said the purchase price was a fair market value, but they did go easy on it. They paid almost nothing for the grove. The value there was found. They have a P&S on 17 acres, which includes the northern end of the island and the grove. They will parcel out slightly more than 2 acres with the cottage to sell, and the grove will go along with that. There would be an easement to ensure that the grove would not be developed; the easement would either be held by the Falmouth Land Trust or the Oceanside Conservation Trust. There are six parking spaces there; they have been used by owners on both sides of the island. That would still be available for those owners. They would try to accommodate parking for the island owners; that decision would be up to MCHT.

Councilor Mahoney asked if the owners on the other side of the island would still have access to the parking at the grove, and if they have participated in the fundraising.

Mr. Fletcher said they have not donated yet.

Mr. Berle said they own land on Madokawando to allow them access to the landing.

Councilor Mahoney asked if they have access to parking other than at the grove. Mr. Fletcher said that would be arranged. It has been an informal arrangement for years.

Councilor Mahoney asked if there was monetary value to the parking to the owners on the western end of the island. Mr. Fletcher said there might be.

Mr. Fletcher spoke about the stewardship of the island. This would be a primarily a day-use area, with low impact use and no fires allowed. After a year of ownership, they would bring in stakeholders to discuss a long-term management plan.

Councilor Mahoney asked if moorings are available to be developed as a result of the purchase.

Mr. Fletcher said they don't develop moorings, but there have been some volunteers who have stepped forward to offer their moorings. There is a good anchorage; moorings wouldn't likely be needed.

Councilor King asked if the MLA's contribution would be part of the \$500,000 private fundraising effort. Mr. Berle said MLA felt they were putting money in the pot both for the island and for the grove. If the grove is a found lot they would put a lot of money in.

Councilor Goldberg said this is a compelling idea, with lots of merit and is a different project than the mainland open space projects they have done. There are many projects that are competing for funds from the unassigned fund balance right now. He prioritizes use of those funds this way: 1. assets that are broken; 2. investing in assets to make them better; and 3. acquiring things that they don't have. He included Clapboard in the third category.

Councilor Farber supported \$300,000 toward this effort, but no more than that. She felt this is a rare opportunity; it is consistent with what the voters have asked them to do in protecting open space. She felt

having someone else manage the trails was a good thing. She didn't feel access would be a problem; this is the most densely populated area in town. She felt this was the right thing to do. She supported using the unassigned fund balance for this and not going to bond.

Councilor Orestis thanked the public for their work and passion on this project. This is a unique opportunity to acquire shoreland property. He asked if there was a smaller number; \$300,000 is a big number. He also asked if there was another way to fund this. He wondered if they should be proactive about open space acquisition; bonding for a larger amount and having this be one of the properties they acquire, for example. He cannot support \$300,000 from the fund balance; he can either support a smaller number, or taking the funding from another source.

Councilor Goldberg asked how much time they have for this project. Chair Pierce said the deadline is August 15.

Councilor King felt this fits in the *Greening of Falmouth* and the goals of the comprehensive plan to increase water access. She pointed out that this property is connected to Town Landing. She thought this is important and that this group can make it happen. She was excited by the potential to access the property and thought this might get higher use than the trails in West Falmouth. She supported the order.

Councilor Mahoney spoke of his work on the Blackstrap Hill Preserve project. There are a lot of competing projects right now. He was concerned about the funding component they are looking at. He wondered if the 2 acre cottage piece would sell for the amount they want, if there was a lot of public use of the island. He was struggling with the amount; the Town invested \$200,000 in the Blackstrap property. He was intrigued with the idea of the bond. The Town has to make a contribution to this; the question was what the amount would be.

Chair Pierce liked the project; it is consistent with the *Greening of Falmouth*, it is a jewel property and has public support behind it. With other land purchases the Town has to maintain it. This is a great bang for their buck since they will not have to maintain it. This is a huge leverage of money for them to participate at this level. She would support it at \$300,000. She didn't think they should bond for this.

The Council discussed how to proceed with the project. Councilor Orestis supported a smaller number from the fund balance, or the full amount from a larger land acquisition bond. Councilor Farber didn't think they could go to bond and just hold the money; they would need parcels identified for a bond. Mr. Poore confirmed that was correct. Councilor Orestis felt there were parcels on the table but Chair Pierce was not aware of any specific package on the table. Councilor Goldberg wondered about the MLA funding narrowing the gap.

Mr. Berle said the neighbors and the MLA as a group want to contribute; their efforts are not meant to allow the Town to reduce the amount it contributes.

Councilor Farber said the \$200,000 level came out of discussions at the Finance Committee since the MCHT is looking at a \$200,000 grant from Land for Maine's Future (LMF); typically LMF likes to see a match.

Chair Pierce moved to amend the order, lowering the amount to \$200,000; Councilor Orestis seconded.

Councilor King asked for clarification that the reason to reduce it to \$200,000 was because of the other demands on the fund balance, and because they want to match the requested LMF grant.

Chair Pierce said her reason to lower it to \$200,000 was in consideration of other demands; she wanted the Town to still be a significant contributor to the fundraising campaign. She thought it was worthy of the full \$300,000 but doesn't want to see the Town not participate at all.

Item 10 **Order to go into Executive Session pursuant to the Laws of Maine to discuss and consider the acquisition of land, pursuant to 1 M.R.S.A. § 405 (6) (C).**

Councilor Farber moved to enter executive session; Councilor Mahoney seconded.

Motion carried 6-0.

The Council entered executive session at 9:11 pm.

Adjourn

Councilor Mahoney moved to adjourn; Councilor Goldberg seconded. Motion carried 6-0.

Meeting adjourned at 10:10 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary

DRAFT