

**TOWN COUNCIL MEETING #03-2002
FEBRUARY 5, 2002 - 7:00 P.M.
TOWN COUNCIL CHAMBERS**

SUMMARY AGENDA

ITEM #26-2002 To consider action relative to adopting the Consent Agenda for February 5, 2002.

ITEM #27-2002 To consider action relative to proposed amendments to the Administrative Code concerning the role of the Library Board of Directors (Chapter 2). (Public Hearing).

OTHER BUSINESS:

1. Update on Browntail Moth Spray Program.
2. Discussion on process to resolve paper streets issues.

Adjourn.

AGENDA
FREEPORT TOWN COUNCIL MEETING #03-2002
TOWN HALL COUNCIL CHAMBERS
FEBRUARY 5, 2002 – 7:00 P.M.

SPECIAL NOTE: This agenda is a working agenda that includes background information and is for distribution to Council members only.

FROM: Dale C. Olmstead, Jr.

TO: Robert Stevens, Chairperson, Porters Landing
John Arsenault, , Vice Chairperson, Prout Road
Kenneth Mann, Mann Road
David Soley, Arnold Road
Eileen Lowell, So. Freeport Road
Rod Regier, South Street
Susan Campbell, Hunter Road

FIRST ORDER OF BUSINESS: To waive the reading of the Minutes of #02-2002, January 22, 2002 Meeting and accept the Minutes as printed.

SECOND ORDER OF BUSINESS: Public Comment Period – 30 Minutes
(Non-Agenda Items Only)

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

**COUNCIL MEETING #03-2002
FEBRUARY 5, 2002**

ITEM #26-2002 To consider action relative to adopting the Consent Agenda for February 5, 2002.

BE IT ORDERED: That the February 5, 2002 Consent Agenda be adopted.

ITEM #27-2002 To consider action relative to proposed amendments to the Administrative Code concerning the role of the Library Board of Directors (Chapter 2). (Public Hearing).

MOTION: That the Public Hearing be opened.

MOTION: That the Public Hearing be closed.

BE IT ORDERED: That the proposed amendments to the Administrative Code be approved.

OTHER BUSINESS:

1. Update on Browntail Moth Spray Program.
NOTE: The Town Council will be asked to consider approval of the 2002 Browntail Moth Spray program.
2. Discussion on process to resolve paper streets issues.

Adjourn.

MINUTES
COUNCIL MEETING #03-2002
FREEPORT TOWN HALL COUNCIL CHAMBERS
FEBRUARY 5, 2002 – 7:00 P.M.

<u>CHAIRPERSON'S CALL TO ORDER</u>	<u>Present</u>	<u>Absent</u>	<u>Excused</u>
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Robert Stevens, Chairperson
Porters Landing

x

John Arsenault, Vice Chairperson
Prout Road

x

David Soley
Arnold Road

x

Susan Campbell
Hunter Road

x

Rod Regier
South Freeport Road

x

Kenneth Mann
Mann Road

x

Eileen Lowell
South Freeport Road

x

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #02-2002 HELD ON JANUARY 22, 2002 AND ACCEPT THE MINUTES AS PRINTED.

MOVED AND SECONDED: TO WAIVE THE READING OF THE MINUTES OF MEETING #02-2002 HELD ON JANUARY 22, 2002 AND ACCEPT THE MINUTES AS PRINTED (Councilors Soley & Arsenault) (7Ayes).

SECOND ORDER OF BUSINESS: Public Comment Period – 30 Minutes (Non-Agenda Items Only)

MOVED AND SECONDED: To open the Public Comment Period (Councilors Campbell & Arsenault) (7 Ayes)

There were none.

MOVED AND SECONDED: To close the Public Comment Period (Councilors Soley & Arsenault) (7Ayes)

THIRD ORDER OF BUSINESS: To take action on the following items of business as read by the Council Chairperson.

ITEM #26-2002 To consider action relative to adopting the Consent Agenda for February 5, 2002.

BE IT ORDERED: That the February 5, 2002 Consent Agenda be adopted. (Councilors Arsenault & Campbell)

Mr. Olmstead noted that two victualer license applicants do not have their taxes paid to date and according to the Ordinance the Council should condition those two licenses upon payment of taxes prior to issuing them. This would be for Maple Hill Bed & Breakfast and Kendall Tavern Bed & Breakfast.

MOVED AND SECONDED: To so condition those licenses (Councilors Soley & Arsenault)
ROLL CALL VOTE: (7 Ayes).

Councilor Soley announced that the Town of Freeport has received \$200,333 from Land for Maine's Future Board to provide for the purchase of properties at Florida Lake. The Town also received a very kind donation from the David Marstaller family of property at Florida Lake, making more than 100 acres available for recreation use. He thanked Chair Stevens and Councilor Mann for all their efforts in this endeavor.

In addition Freeport just received a grant award in the amount of \$24,200 from the National Park Service to provide for the purchase of playground equipment for the Pownal Road Recreation Facility.

Councilor Mann pointed out that there is still one parcel of land at Florida Lake that the Town has not acquired to Date and the owners have indicated a willingness to sell it.

ROLL CALL VOTE: (7 Ayes)

Chair Stevens read the names of appointees to Boards and Committees and thanked them for their willingness to serve.

ITEM #27-2002 To consider action relative to proposed amendments to the Administrative Code concerning the role of the Library Board of Directors (Chapter 2). (**Public Hearing**).

MOVED AND SECONDED: That the Public Hearing be opened. (Councilors Lowell & Arsenault) (7 Ayes).

Councilor Soley explained the proposed changes. The head Librarian will report to the Town Manager. The Library Board will be in charge of running a library, deciding what books to buy, what programs to offer, etc. Discussion followed on what language should be included in the Ordinance. Councilor Mann noted that he did not want to make any changes that could possibly cause the Library Board any problems. He suggested closing the public hearing and voting on it at the next meeting.

MOVED AND SECONDED: To insert the words "substantive, non-operational" before the word "affairs" and that after the word "Library" say "including, without limitation, book purchases and establishment of Library rules." (Councilors Soley & Arsenault).

Councilor Soley suggested changing 608.321 to read "employment of Library staff and operations."

Councilor Regier noted that he is very uneasy about having a one-way conversation right now and mentioned that the Librarian and Library Board should have an opportunity to examine this within the next two weeks. Mr. Olmstead pointed out that the next Council meeting is scheduled for March 5 so they should have ample time to review the language. Mr. Olmstead mentioned that the Head Librarian consults with him regularly on library issues and he has always appointed the Head Librarian. He suggested leaving the language the way it is written and see if any problems arise.

MOVED AND SECONDED: To table the whole item until March 5 (Councilors Arsenault & Regier) **ROLL CALL VOTE:** (7 Ayes).

OTHER BUSINESS:

1. Update on Browntail Moth Spray Program. **NOTE:** The Town Council will be asked to consider approval of the 2002 Browntail Moth Spray program.

Johanna Hanselman reported that there are over 2,200 acres infested. 70 properties cannot be sprayed which has a dramatic impact on the spray blocks. More opt outs may be received. There are now 875 acres that can be sprayed and Dick Bradbury recommends that we proceed with the spray program to provide some relief. A map showing the spray blocks was displayed on the wall. Ms. Hanselman offered to look into scanning a map and possibly putting it on the web. The Planning Board will conduct a public hearing to consider altering the zoning code to permit some spraying in the RP Zone.

Councilor Soley noted that the spray does not harm eagles, only planes disturb eagles. Discussion followed. Councilor Arsenault recommended that people interested in ground spraying should be contacting applicators early to schedule spraying of their properties. Ms. Hanselman has a list of local applicators that she would be happy to share with property owners. If people provide her with receipts before June 1, they can be reimbursed for up to \$25 per acre if their property cannot be aerially sprayed.

MOVED AND SECONDED: To take up an item not on the printed agenda. (Councilors Soley & Arsenault) (7 Ayes). (7 Ayes).

MOVED AND SECONDED: To add: reimbursement for the cost of ground spraying equal to the per acre cost of aerial spraying for those areas excluded from the municipal aerial program (1) due to non-consent of neighboring residents or (2) due to being within 150' of the shoreline (Councilors Soley & Arsenault).

Mr. Olmstead noted that \$50,000 has been budgeted for spraying.

ROLL CALL VOTE: (7 Ayes).

Ms. Hanselman asked if the Council would make a motion to conduct the aerial spray program.

MOVED AND SECONDED: The Town of Freeport shall pay the costs for spraying for browntail moths as follows: The cost of aerial spraying for those areas identified by the Maine Forest Service for a municipal aerial spray program. Reimbursement for the cost of ground spraying equal to the per acre cost of aerial spraying for those areas excluded from the municipal area program (1) due to non-consent of neighboring residents or (2) due to being within 150' of the shoreline (Councilors Arsenault & Campbell)

Councilor Mann suggested adding "for the fiscal year 2002" and Councilors Arsenault and Campbell agreed to accept Councilor Mann's suggestion.

ROLL CALL VOTE: (7 Ayes).

Councilors acknowledged how difficult this issue is for residents but urged them to discuss this with their neighbors.

2. Discussion on process to resolve paper streets issues.

Chair Stevens noted that Councilors have received material on this issue. Councilor Regier noted that a determination by the Council on some of the definitions needs to be made. He mentioned that the Council has recommendations from the Paper Streets Committee where they suggest vacating public rights in a handful of locations.

Chair Stevens noted that Councilor Regier took a memo and added in bold his comments to it. He used a letterhead from Chair Stevens and Chair Stevens asked Councilors to cut off the top of the letterhead. Chair Stevens and Councilor Regier suggested that the Council first establish criteria. If the Council can agree upon criteria, it can then ask the Ordinance Committee to apply that criteria and then return to the Council with recommendations. Councilor Soley liked this idea. It would be a fact-finding mission. Councilor Campbell agreed with this as well. Councilor Soley suggested holding a public hearing at some point to flesh out problems. Councilor Mann pointed out that the Council should only be concerned with streets designed for motor vehicles. Councilor Campbell agreed with Councilor Mann. Discussion followed.

Councilor Campbell suggested starting with Attorney Peggy McGehee's document and perhaps tweaking it and whittling it down. Councilor Soley advised that he spoke to Attorney Jeff Hole and he takes a different position than Attorney McGehee. Councilor Mann noted that no other Councilors had an opportunity to speak to the Town Attorney today as did Councilor Soley and raised a point of order. Councilor Regier shared his interpretation of Attorney Hole's opinion.

Councilor Mann pointed out that there are no public rights in those ways until the Town accepts them. Councilor Arsenault has concerns about access to the water for shell fishermen. He wants to look out for their interests as well and would like some legal clarification in regards to this issue. He noted the right-of-way that exists at the end of Byram Avenue and how it is vehicle accessible. More discussion followed.

Councilor Soley suggested having the Ordinance Committee look at Criteria #1, vacating all paper streets that the Paper Street Committee recommended vacating and Criteria #2 look at vacating all alleged paper streets under 20' in width which are not constructed and cannot be used for utility easement because there is not a different person living at the other end. These appear to be the cleanest. The Ordinance Committee will report back to the Council after subdivision review and after budget season. Councilor Mann wanted a more exact date. Chair Stevens asked

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FEBRUARY 5, 2002**

that the Ordinance Committee meet between now and March 5 and come to the Council meeting with a date that they feel they will be able to meet with the Council. Councilor Regier noted that the Ordinance Committee could meet on February 26 at 6 p.m. in Council Chambers. The meeting may be audio taped.

Councilor Campbell noted that the Ordinance Committee needs a definition and Chair Stevens tried to address her Questions by pointing out that a paper street has to provide vehicular passage. Width is an element to be Considered and it cannot be constructed by the municipality

Councilor Soley asked about rangeways but Councilor Regier preferred to keep them separate.

Peter Thompson commended whoever wrote the browntail moth letter. It was magnificently written. On paper streets he thanked Councilor Campbell for her perspective. He and others have compiled a very comprehensive legal review of all statutes and offered the results of this research to the Ordinance Committee to help them guide some of the definition questions. It will be a benefit to the Town and he feels the Town is on the right track now. They are ready to help in any way. Councilor Soley welcomed the information and Chair Stevens thanked Mr. Thompson.

Budget Issues

Councilor Mann noted that in the past the budget has been presented by the Town Manager and sometimes there is an options list presented by budget heads. They have come to the Council asking for items that are not in the budget but are items they feel they really need. Mr. Olmstead has stated that he has asked department heads to not bring anything else in but they may do so on their own initiative. Councilor Mann feels that it should be the Council's decision on how to accept the budget this year. It can decide whether to accept the budget presented by the Manager as the budget and not listen to things that are not included. He would like Councilors to give this some thought but he would prefer to deal with the Manager's budget as the budget. Mr. Olmstead liked this idea but encouraged the Council to give direction to the School side as well since it is their budget that has historically caused some problems. He can present the Council with his own school budget and not necessarily the one presented by the School Committee and School Superintendent.

Councilors suggested focusing on the municipal budget being presented by the Town Manager. Department heads should deal with the Manager and the Manager should bring a budget to the Council. Chair Stevens suggested trying it this year. It may make the Council's job more simple. Mr. Olmstead will handle it. This is a re-val year and it is important for the Council to be as conservative with budgets as possible.

On the School Committee side, Chair Stevens is meeting with the School leadership and he offered to discuss this with them and ask that divisions in school not make special cases to the Council. Mr. Olmstead agreed that this would be fair to his department heads. Both budgets should list the items being postponed or delayed to the next year. Deferred maintenance should be included. Councilor Mann wants department heads to work with Mr. Olmstead and not lobby for things not included in the budget to the Council. They can come and answer questions but not ask for anything not in the budget.

Chair Stevens advised that the Educational Funding will most likely not go anyplace this time in the Legislature. It is possible to lay the groundwork for referendum in 2003. The Council has been asked to indicate its support for meaningful education funding reform. Councilors unanimously concurred. Chair Stevens will provide a letter to this effect. .

Councilor Regier pointed out that the Planning Board passed the Subdivision Ordinance last Wednesday night. It will be coming to the Council at its next meeting. Councilor Soley noted that School Committee members are worried that there will be a flood of new houses constructed when the Moratorium is lifted and the schools may

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be impacted. The Council should perhaps give some consideration to applying reasonable caps on building permits when the Moratorium is lifted. The Town Manager mentioned that approximately 50 homes are constructed every year. Councilor Campbell would be willing to consider this as a temporary measure. Councilor Mann suggested that consideration be given to putting caps only on subdivisions.

Adjournment

MOVED AND SECONDED: To adjourn at 9:45 p.m. (Councilors Arsenault & Soley)
(7 Ayes)

Respectfully Submitted,

Sharon Coffin

Sharon Coffin
Council Secretary

**TOWN COUNCIL
CONSENT AGENDA
FEBRUARY 5, 2002**

ITEM #21-2002 To consider action relative to the approval of applications for victualers licenses.

BE IT ORDERED: That the following victualers license applications be approved:

Cyong Ly d/b/a China Rose Restaurant, 23 Main Street
Michael J. Olsen d/b/a Freeport Country Club, 2 Old Country Road
Joseph A. Yilmaz d/b/a Peddler, Private Property, 57 Main Street
Joseph A. Yilmaz d/b/a Peddler, Private Property, 42 Main Street
Joseph A. Yilmaz d/b/a Levi Window, 57 Main Street
Joseph A. Yilmaz d/b/a Applewood Inn, 8 Holbrook Street
Susie Victor d/b/a Maple Hill B&B, 18 Maple Avenue
Liz Bell d/b/a The Stone House, 62 Wolfe's Neck Road
Thomas Hudak d/b/a Maple Hedge B&B, 22 Park Street
Herman Pettegrove d/b/a Kendall Tavern B&B, 213 Main Street

ITEM #22-2002 To consider action relative to the approval of Malt, Spirituous and Vinous License applications.

BE IT ORDERED: That the following Malt, Spirituous and Vinous License applications be approved.

Michael Marino d/b/a Lobster Cooker, 39 Main Street
Ly-Su Corp. d/b/a China Rose Restaurant, 23 Main Street

ITEM #23-2002 To consider action relative to appointments to Boards and Committees.

BE IT ORDERED: That the following individuals be appointed.

<u>Name</u>	<u>Board/Committee</u>	<u>Term Expiration</u>
Jane Benson	Planning Board	May 1, 2003
Erin Martin	Conservation Commission	July 1, 2002
Jeffrey Stenzel	Solid Waste Committee	January 1, 2005
B. Jo Birmingham	Winslow Park Commission	March 1, 2005
Peter Polovchik	Winslow Park Commission	March 1, 2005
Ernie Savory	Winslow Park Commission	March 1, 2005
Erin Lehane	Zoning Board of Appeals	July 1, 2003

ITEM #24-2002 To consider action relative to accepting an award from Land for Maine's Future Board.

BE IT ORDERED: That a grant award from Land for Maine's Future Board in the amount of \$200,333 to provide for the purchase of Florida Lake properties be accepted.

BE IT FURTHER ORDERED: That the Town Manager be authorized to sign and execute all documents required to secure the award.

ITEM #25-2002 To consider action relative to accepting an award from the National Park Service.

BE IT ORDERED: That a grant award in the amount of \$24,200 to provide for the purchase of playground equipment for the Pownal Road Recreation Facility be accepted.

BE IT FURTHER ORDERED: That the Town Manager be authorized to sign and execute all documents required to secure the award.

End of Consent Agenda

Dale Olmstead

From: "Steve Walker" <swalker@brunswickme.org>
To: "Caroline Kurnus" <Caroline.Kurnus@noaa.gov>; "Sauer Mary" <Mary.Sauer@state.me.us>; <rmooore@suscom-maine.net>; <ktidowling@hotmail.com>; <extrolley@realtor.com>; <memurphy@dukeengineering.com>; <chris@smic.net>; "Steve Walker (E-mail)" <swalker@brunswickme.org>; <stewart_feter@fws.gov>; "Donna Larson" <dlaerson@freepormaine.com>; <dolmstead@freepormaine.com>;
Sent: Thursday, January 24, 2002 3:18 PM
Subject: Done Deal
Greetings:

Please feel free to spread the good news that the Land for Maine's Future Board voted unanimously this afternoon to fund our Florida Lake Recreation and Conservation Area proposal at the full requested amount of \$200,333.00 for the acquisition of the campground, and Brewer parcels III
 Two years of work was worth the effort. Congratulations to all involved.

Best,

Steve Walker
 Town of Brunswick
 Natural Resources Planner
 (207) 725-6639
 (207) 725-6663 fax

Town of Freeport

MEMO

MEMO TO: Dale C. Olmstead, Jr., Town Manager
FROM: Johanna Hanselman, GA Administrator
SUBJECT: Browntail Moth Spray Program
DATE: January 31, 2002



As you know, today was the deadline for property owners within the proposed spray blocks to send in their non-consent forms. Currently we have 42 properties that have opted out of the spray program, plus the properties owned by Wolfe Neck Farm Foundation and the Department of Conservation (Wolfe Neck State Park). This brings our total number of properties that do NOT want to be included in the spray program up to 63, which is similar to previous years. I anticipate that we will continue to receive a few more non-consent forms.

On the other hand, we have also received requests from a number of individuals who wanted to be included in the aerial spray program. Yesterday, Dick Bradbury surveyed these areas to see if they possessed both a high level of infestation and lent themselves to being included in an aerial application program. As a result of this survey, spray blocks were extended on Lambert Road, Rosemary Lane, Spar Cove and Litchfield Road. Of course, properties owners within these extended areas will also have the right to opt out if they choose to do so.

Based on the results of the opt-outs and the inability to spray within 150 feet of the shoreline, the spray blocks have substantially changed. Although many properties have been eliminated from the program, Dick Bradbury still feels that a municipal spray program would be able to provide much needed relief for many residents and visitors of Freeport and recommends that we proceed with a program.

Jim Thomas, Assessor, is working on a "final" map of the spray blocks and will have this available at the next Town Council meeting. I look forward to the Town Council making a decision about having a program so that we may proceed.

PERKINS, THOMPSON, HINCKLEY & KEDDY

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ATTORNEYS AND COUNSELORS AT LAW

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January 28, 2002

Robert E. Stevens, Chair
Freeport Town Council
Town of Freeport
30 Main Street
Freeport, Maine 04032

Re: "Paper Streets"

Dear Bob:

Enclosed please find the corrected version of the Proposed Analysis submitted to the Council at the January Workshop (with copies for the members of the Council and the Town Manager). The only change in this corrected version is in Paragraph 4, setting forth a more comprehensive list of factors to be considered. This revision should not affect Geoff Hole's January 22 memo commenting on the Proposed Analysis, given that it simply adds other factors for the Council to consider.

Thank you again for the opportunity to provide input into the Town's review process.

Sincerely,


Peggy L. McGehee

PLM/ems
Enclosures

cc: Freeport Town Council
Freeport Town Manager
Goeffrey Hole, Esq.

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MEMORANDUM

TO: Freeport Town Council
FROM: Peggy L. McGehee
DATE: January 14, 2002
RE: PROPOSED ANALYSIS IN PREPARING LIST OF LEGALLY QUALIFIED "PAPER STREETS"

Below is an outline of a proposed analytical framework for the Freeport Town Council to consider using when preparing a list of those paper streets in Freeport that legally qualify for acceptance, or vacating, by the Council.

The proposed framework assumes that there is already a comprehensive list of all strips of land depicted on all filed subdivision plans. The proposed framework screens the list through legally disqualifying "filters", leaving, in the end, a list of those remaining paper streets which legally qualify for consideration for acceptance by the Town.

PROPOSED ANALYTICAL FRAMEWORK:

From the comprehensive list naming all ways, streets, roads, and comparable strips of land identified on any subdivision plan filed in the Registry prior to 1987¹:

1. Delete any name that has already been constructed for passage by motor vehicles.
2. Delete any name that has been used for passage by motor vehicles.
3. Delete any name that has already been accepted by the Town as a town way.

¹ Although the term "subdivision" is not defined in the paper streets statute, 23 M.R.S.A. Section 3031, the Law Court uses the definition of "subdivision" provided in Section 682(2) of Title 12 M.R.S.A., namely "a division of an existing parcel of land into 3 or more parcels or lots within any 5-year period...". Glidden v. Belden, 684 A.2d 1306, 1313 (Me. 1996).

4. Delete any name that does not qualify as a way "for the passage and use of the general public by motor vehicle".² The following are factors to consider in determining whether a strip of land depicted on a plan is intended for or suitable for vehicular passage (as opposed to pedestrian passage, which are paths).³

a. Differences in designation of areas or strips of land depicted on subject subdivision plan; and differences as compared to other subdivision plans. (For example, a subdivision plan may designate named streets, rights of way, common areas, paths, trails, and the like, each designation suggesting a different purpose.)

b. Differences in location of the areas or strips of land depicted on subject plan, such as whether it is connected to a public way, or connects one way to another, so as to allow "passage", and differences in location as compared to other subdivision plans.

c. Differences in dimension of the areas or strips of land depicted on the subdivision plan, such as width and length, and differences in dimension as compared to other subdivision plans.

d. Any topographical features, such as steep slopes, cliffs, banks, and wet areas indicating that the area or strip of land is not suitable for vehicular passage.

5. Delete any name where there is no evidence of "incipient dedication". This is done by the following:

a. Delete any name on subdivision plans filed between 1976 and 1987 if such plans do not include express dedication language.

b. Delete any name on subdivision plans filed prior to 1976 where there is evidence that the subdivider did not intend to dedicate the way.⁴

² See 23 M.R.S.A. Section 3021(3), defining a "town way" as "an area or strip of land designated and held by a municipality for the passage and use of the general public by motor vehicle".

³ Paths, bridal paths and trails are addressed by a separate statutory provision. See 23 M.R.S.A. Section 3151. A "path" is an area or strip of land laid out for the passage of pedestrians.

⁴ Such evidence would include notations on the subdivision plan, the terms of municipal approval of the plan, language in the deeds to the original purchasers, town records, private agreements among landowners, whether gated, whether used or maintained by private landowners, and whether town ever asked to assist in upkeep.

6. In cases where incipient dedication is found, delete any name where a "reasonable time" to accept has elapsed.⁵ A reasonable period of time has elapsed when:

a. "[A] person possess the property in a manner that is inconsistent with the incipient dedication and would likely constitute adverse possession of the property".

b. It is proposed that the Town presume that the 20 year time period for acceptance set forth in Section 3031 applies as a reasonable period of time, as that is the period of time the Legislature has found to be reasonable.

7. Delete any name that the Town has vacated, discontinued and abandoned.

8. Delete any name where a structure has been located for an extended period (20 years being the legal standard).

After screening the comprehensive list through these legally disqualifying filters, the names on the list should legally qualify as paper streets pursuant to State statute, and be available for the Town to consider whether it wishes to vacate or accept such paper streets, or take no action.

⁵ See *Ocean Point Colony Trust v. Boothbay*, 739 A.2d 382, 385 (Me. 1999) ("At common law an incipient dedication must be accepted within a reasonable time or the right to accept that dedication will be lost.")