

VILLAGE IN MAINE FIGHTS DEVELOPER

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By Lyn Riddle, Special To the New York Times

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Until last spring, Hartford, a town of 500 residents in Maine's western mountains, had so little real estate activity that it did not have a planning board.

When Maine's development boom finally spawned a Hartford planning board, the board promptly found itself locked in a bitter dispute with the Patten Corporation, a national development company that expects to sell \$120 million worth of real estate this year. The issue is whether Patten must comply with a moratorium on development passed by townspeople Oct. 5 and reaffirmed on Tuesday.

Patten officials say they told town leaders of their plans to develop a 62-lot subdivision for summer homes on 150 acres along Canton Lake before the moratorium was imposed. Patten has sued, seeking \$1 million in damages against the town, which has an annual budget of \$278,000. Attorney General James Tierney has offered to help Hartford, saying it he town should not be forced to go along. 'A David and Goliath Story'

Some communities from as far away as York County, Maine's southernmost, have offered to raise money to help the town pay its legal bills. "This is a very, very new planning board and once the moratorium was passed, Patten did try to browbeat the town," said Amy Homans, the assistant attorney general handling the case. "I do see this as a David and Goliath story. But they're not going to be railroaded."

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On Tuesday, the moratorium was reaffirmed at the best-attended town meeting in the history of Hartford, a hamlet with one store, an antique shop. About 160 of the town's 355 registered voters crammed the brown-shingled Town Hall and voted 3 to 1 to keep the moratorium in effect until March 31, even in the face of the lawsuit, said Armand Rowe, chairman of the planning board and a postal clerk in Auburn, 25 miles south. Company Applies to State

"We never told Patten they could not come in," Mr. Rowe said. "All we said was let us have the time to study."

Hartford has no regulations governing development of subdivisions, but Patten's plan must be approved by the Maine Department of Environmental Protection. Patten has applied to the agency. At a meeting of the town's board of selectmen in August, Patten gave planning board members copies of that application because the town has no application process of its own, said Ronald D. Bourque, a lawyer from Sanford, Me., who is representing Patten.

The company believed it was making a formal application to the town, Mr. Bourque said.

"If the delays are to let the town become more well versed in state statutes, then we're not concerned about that," he said. "What we are concerned about is that the town has talked about adopting changes in town statutes during the moratorium. They have had a number of meetings that have discussed what can be done about the subdivision, almost like there should be two sets of standards, one for the town, the other for outsiders."

Preference for Scenic Areas

Mr. Bourque said that even though the lawsuit has been filed, the action has not been formally served, and company officials hope they will be able to negotiate a settlement.

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Craig Higgins, a spokesman for Patten in Portland, said the company is asking only to be treated "fairly and honestly."

Patten's projects concern scenic, unspoiled areas. Mr. Higgins said Patten had about 20 projects under way in Maine as of September. Traffic and Algae Concerns

"They go into towns that have very loose ordinances," Ms. Homans said of Patten. "They're always in very rural areas where there are no sophisticated planning boards."

But Mr. Higgins said Patten builds in rural areas because country living appeals to its customers, a third of whom already live in Maine, And many of its projects go through the state's regulatory procedures, he said.

Hartford residents said they objected to Patten's plans out of concern about the seasonal 25 percent population increase, traffic on overburdened roads and algae buildup in Canton Lake. The property Patten wants to develop has

the only beach in town, Mr. Rowe said.

"This is a wooded piece of land with 1,000 feet of sandy beach," he said.

"Mountains surround it. I don't for one minute blame Patten for buying it and selling it." He added, "It's not just the Patten Corp. we're worried about."

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