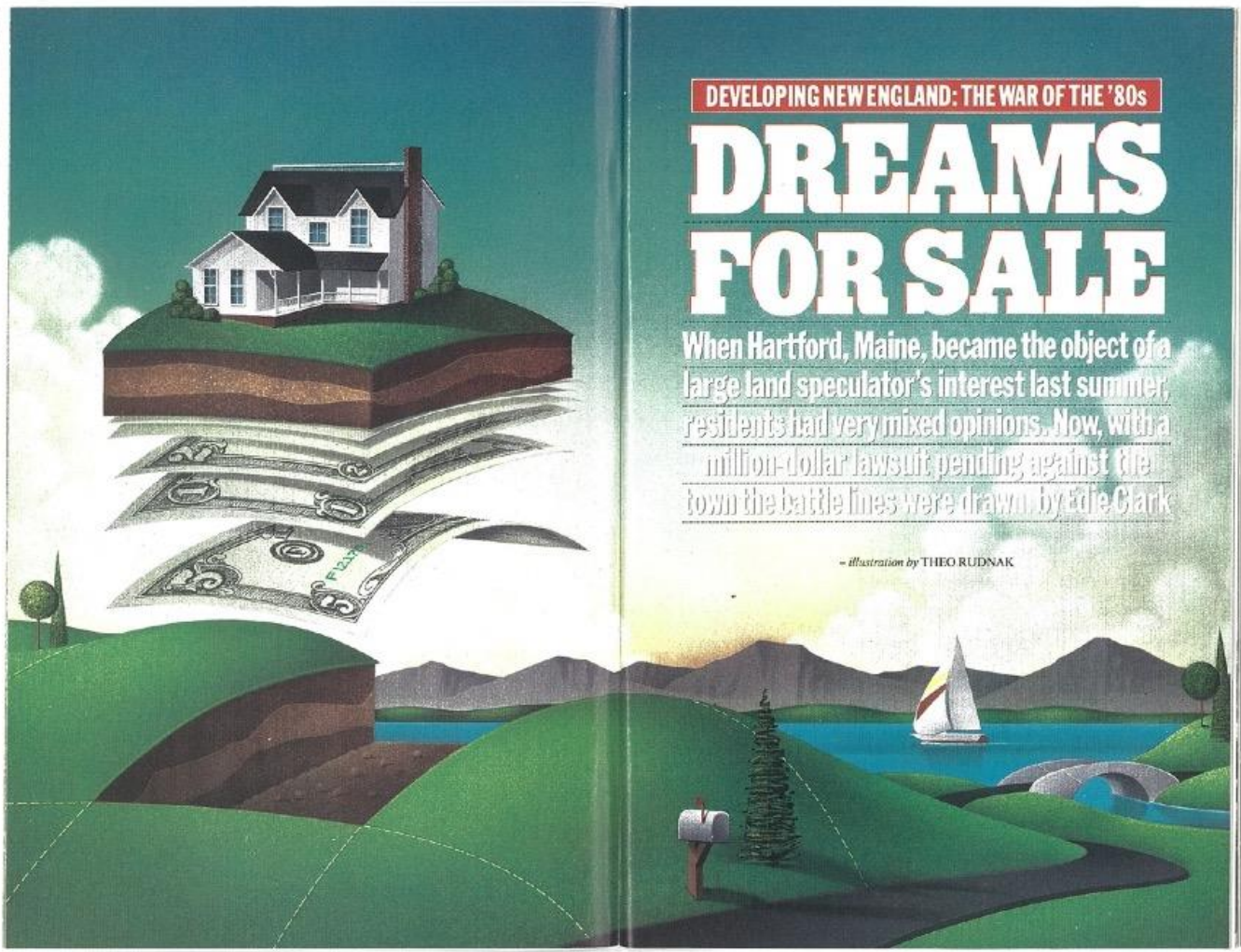


DEVELOPING NEW ENGLAND: THE WAR OF THE '80s

DREAMS FOR SALE

When Hartford, Maine, became the object of a large land speculator's interest last summer, residents had very mixed opinions. Now, with a million-dollar lawsuit pending against the town the battle lines were drawn by Edie Clark

— illustration by THEO RUDNAK



By buying large tracts, quickly subdividing, and selling, Patten will frequently double or triple its money.

Local Planning Boards put out by the Maine Municipal Association, and they made weekly trips to Auburn for classes in town planning. As fast as they studied, new subdivisions were proposed. By August they were aware that 70 new house lots were in the works for the town. In a single year? In the 69 years previous, only 153 lots had been subdivided.

Not only that, but since early summer there had been rumors about what was going to happen to Pine Grove Beach and the woodland around it. The 150-acre plot that fronts on Canton Lake was owned by Timberlands, Inc., a lumber company based in Dixfield. Pine Grove was a popular swimming spot. Townspeople paid 75¢ to swim and picnic there. On hot summer days there could be as many as 250 crowding the white sand beach that curves along the edge of the deep blue lake. Around the lake there are 48 summer cottages set into the pinewoods. Though motorboats are allowed, the lake doubles as a source of drinking water for the town of Canton, which shares the shorefront with Hartford. There was word that there would be a sizable subdivision there.

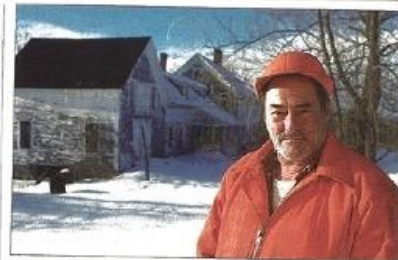
On August 19 Bruce Verrill, a representative for the Patten Corporation, attended a selectmen's meeting and unfurled the surveyor's map that showed a 62-lot subdivision on the 150-acre Pine Grove lot,

First Selectman Lee Pettingill read a newspaper story about the effect of Patten's activities in other small towns in Maine and was so scared he bought another half dozen copies.



—Drew Abernethy

giving substance to the summer of rumors. That brought the total of proposed house lots to 132. The town had no minimum lot size or any regulations whatsoever. It was clear they needed more time; it was clear the classes in Auburn weren't enough for the five of them to know all they needed to know to deal with a company like Patten or First Atlantic Land Company, another land speculator sniffing around Hartford. Two days after Bruce Verrill made his presentation to the selectmen, the *Maine Times* published a scathing investigative report focused on the Patten Corporation. "Land Grab," it headlined. "A sophisticated speculator moves in and Maine towns are unprepared." It detailed the havoc Patten had brought to other small towns in Maine — how they cut the land up into long thin spaghetti strips, how roads were made of buried tree stumps, and how house lots had been stuck in remote sections of towns, making fire protection and schoolbus transportation a nightmare — and highlighted the fact that Patten zeroes in on towns unprotected by planning or zoning, maiden towns like Hartford, that up until recently have had few suitors. Lee Pettingill, Hartford's First Selectman, read the story and then went out and bought another half dozen copies. Even though Hartford wasn't in the story, reading the stories about the little towns —



Moose Berry had been trying to sell his family farm for six years. Just as he got an offer of \$140,000 from a developer, pending subdivision, the moratorium put a hole in his plans.

Fayette, Cherryfield, Chesterville, Naples — was like reading about Hartford. They were not ready for any of this. "We were terrified," he said.

Feelings were high all over town. Property owners on Canton Lake were especially concerned. This proposal would more than double the number of cottages and do so in a congested manner. Tim Kerwin owns a cottage on the lake, and he is also a prominent Boston developer. And as a developer, he felt a kind of shudder of fraternal shame as he watched and listened to Patten. "I was appalled at the way Patten was conducting this. They were going into meetings and screaming at people and threatening them. It was clearly intimidation. I'm not against development, but Patten is in the develop-and-run business, and I'm concerned that the lake be developed carefully. This is a classic example of the rape of Maine."

There was talk of imposing a moratorium, that is, a kind of a time out, a truce in the war, a technique being used more and more by the small towns who have not felt the need to do a lot of planning until a developer moves in and makes plans for them. Armand and the planning board had learned about them at the AVCOG classes, and they had also learned that towns that impose moratoriums carelessly can be successfully sued. (By law, if an

application is submitted to town officials, it must be acted on. If a moratorium is called while there are applications pending, this is grounds for suit.) On October 2 Armand Rowe received a letter from Patten's attorney warning that if they went any further in their plans for a moratorium, Patten would sue.

On October 5, by vote (64 to 22) at a special town meeting, a six-month moratorium was approved. In those six months, no subdivision applications could be considered. Though the lawsuit, which ticked off 41 ways that Patten was wronged by Hartford, claimed that Patten's application was pending, according to Hartford, Patten had not yet applied.

But neither had Moose Berry. Moose had been trying to sell his family's farm for the past six years, ever since his mother died. He lives in a trailer down at the bottom of the hill from the farm, which sits up there, the windows of the big farmhouse looking out across the hills. His grandfather built it and it's where he grew up, but that didn't matter to him so much as the fact that for the first time in his life, he would be able to make some real money from the farm, more than he'd ever dreamed of. Moose is a papermaker at the mill in Rumford, and there had been a strike there recently. He'd also been injured, out of work a good deal of the time.

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**THE WAR OF THE '80S:
 DREAMS FOR SALE**
(continued from page 77)

At a planning board meeting on October 13 he appeared once again, this time bringing with him his attorney and a stenographer and recording devices. And he wanted to be heard. He shouted. He yelled. He interrupted. Armand asked him to be seated. By vote of the board he was forbidden to speak, but he kept popping up. Some people were appalled — he didn't even own any land in town, what right did he have to even speak out at these meetings? But others, Moose Berry most especially, welcomed him and cheered him on, for he spoke much more eloquently than Moose ever could. And more eloquently than Armand, whose work as a postal clerk has not brought him much experience in public speaking.

It is a similar scenario wherever Bruce Verrill goes, to small towns where officials are not professional planners but simply townspeople who want to serve their town. As Bruce (whose job demands that he have passion on tap like any good actor) would rise to interrupt, Armand would sputter, "but — but — but" in the face of Bruce's booming oration. Bruce Verrill is a big man with sharp dark eyes that flare out at the slightest provocation and long arms that fly out in angry gestures. "Every person here knows what you've done to the Patten Corporation!" He jabbed his finger at Armand, who sat on the small wooden dais with his fellow planning board members. "When this whole thing comes out, you're going to have to be accountable! You've got to do things according to law. If you pay attention to the law, you'll never be in trouble. Now you're in trouble!"

On November 4 Patten filed suit against the town of Hartford, claiming \$1 million worth of damages. This would, as all parties knew, bankrupt the town. When Jim Tierney, Maine's attorney general, read about the suit in the *Lewiston Sun*, he called David Whittier, the lawyer for the town of Hartford, who was also at home on that Saturday morning. He was outside

cutting wood. Patten was already under investigation by Tierney's office, and so he was familiar with their tactics. Tierney asked Whittier if Hartford would like some help. He saw this as an intimidation suit designed to bully Hartford and to send a message to other towns that may be considering moratoriums. Don't mess with the big guys, the action seemed to say. They've got the money and the power. They'll get their way. Whittier said yes.

In response to Moose Berry's petition, yet another meeting was called so that the town could vote on whether or not to rescind the moratorium. By this time the suit, which was eliciting comparisons with the fable of David and Goliath, had drawn national attention.

* * *

THE NIGHT BEFORE THE VOTE, THE NEWS on my car radio was full of Hartford, and one report relayed that a Patten spokesman had said that the company would drop the suit if the town would rescind the moratorium. Armand Rowe had heard it, too. I stopped at his house. It is at the end of the dirt road that used to lead up Bear Mountain to the fire tower. He was just coming home from work in his jeans and cowboy boots and vest. His gray hair is long, to his collar, and thick as fur. He considered that bit of news a kind of oral bribery from Patten, another form of intimidation to turn people's minds and make decisions out of fear. He said that the lawsuit doesn't bother him. "I know that we are right. Anyone who's going to sue a little town like this is wrong. I mean, they come here and tell us how much they love Hartford, how beautiful it is, and then they turn around and sue us when we won't agree to give it to them. I'm on the planning board to do a job, and if we knuckle under to Patten now, we're not doing that job."

Dot Berry lives on the other side of the mountain, and as far as she is concerned, this is worse than the floods that swept through town last spring and worse than the big freeze-up in the 1920s that ruined their apple farm and far worse than the fight three years ago over who was going to plow the town roads. Dot Berry is in her



Dot Berry doesn't go to town for coffee any more, for fear of getting into an argument.

eighties, a spritely lady with bright blue eyes, a cap of white hair, and a wealth of memories of her town. I went to call on her the next morning. "My Lord, what a mess the town of Hartford's gotten into now!" she said. It was the day of the vote, and the town was alive with energy like a power line cut in two. "This, since September, this is the worst. Ever."

Like many in Hartford, Dot owns a lot of land, a lot of pretty land, much nicer than the stretch that Patten wants, over on Canton Lake. The farm, which her husband Raymond kept when he was alive, is 140 acres — broad fields and twisted, thick-waisted apple trees (Black Oxforths and Blushing Brides and Spys) that slope right down to Little Bear Pond. From the bay windows of the farmhouse, Dot can watch the morning light up the pond and the evening ignite it with pinks and oranges, and she can watch the darkness steal it. It has been like that for the 65 years

Drew Abraham